

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

Wednesday, January 23, 2019 – 7:00 p.m.

CALL TO ORDER

ROLL CALL: Bill Ashton (Chair), Roger Bledsoe, Tom Casey, Bill Davis, Larry Nelson, Ruben Rodriguez, Benjamin Schreoder, John Shaw, Claire Wilson, and Angela Zubko

APPROVAL OF AGENDA

APPROVAL OF MINUTES Approval of Minutes from August 22, 2018 Meeting (Pages 3-16)

PETITIONS

1. **19 – 04 – Rodolfo and Georgina Nunez (Pages 17-61)**
Request: Special Use Permit for a Landscaping Business
PINs: 02-24-300-017 and 02-24-300-018
Location: 6725 Route 71, (Approximately 0.41 Miles West of Orchard/Minkler Roads on the Northwest Side of Route 71), Oswego Township
Purpose: Petitioners Would Like to Operate a Landscaping Business at the Property; Property is Zoned A-1

2. **19 – 05 – Specialty Oswego, LLC (Current Owners) and Stuart and Paula Weihler (Prospective Buyers) (Pages 62-125)**
Request: Special Use Permit for a Banquet Facility and Variance to Section 7.01.D.10.a of the Kendall County Zoning Ordinance to Allow a Banquet Facility on a Non-Arterial or Non-Major Collector Roadway
PIN: 03-34-100-024 (South 10 Acres)
Location: 5100 Hundred Block of Schlapp Road (Approximately 0.48 Miles South of the Intersection of Plainfield Road and Schlapp Road on the East Side of Schlapp Road), Oswego Township
Purpose: Petitioners Would Like to Operate a Banquet Facility at the Property; Property is Zoned A-1

CITIZENS TO BE HEARD/PUBLIC COMMENT

NEW BUSINESS

1. Election of Officers-Chairman, Vice Chairman, Treasurer, Secretary and Recording Secretary
2. Appointments to Comprehensive Land Plan and Ordinance Committee
3. Approval of 2019 Meeting Dates (Page 126)
4. Annual Meeting-February 2, 2019 at 9:00 a.m. (Page 127)

OLD BUSINESS

1. Update on Petition 18-04-Request from the Kendall County Regional Planning Commission for Changes to the Future Land Use Map for Properties Located Near Route 47 in Lisbon Township (Pages 128-134)

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

1. Petition 17-28-Outdoor Gun Range Regulations (Referred back to Committee)
2. Petition 18-03-Roles and Responsibilities of ZPAC and Regional Planning Commission (Withdrawn at Committee)
3. Petition 18-07-Special Use Permit Renewals (Withdrawn at Committee)
4. Petition 18-13-Solar Panel Regulations (Approved by County Board)
5. Petition 18-15-Special Use Permit for Solar Panels at 16400 Newark Road (Approved by County Board)
6. Petition 18-20-Fox Metro Rezoning (Approved by County Board)
7. Petition 18-25-Tri-Star Rezoning at Route 52 Near Jughandle Road (Approved by County Board)
8. Petition 18-26-Special Use Permit for a Banquet Facility at 14905 Hughes Road (Approved County Board)

CORRESPONDENCE

1. United City of Yorkville Unified Development Ordinance Project (Pages 135-137)
2. Village of Oswego Unified Development Ordinance Project (Pages 138-150)
3. City of Joliet Comprehensive Plan Update Project (Pages 151-152)
4. Village of Minooka Comprehensive Plan Update Project (Pages 153-166)

OTHER BUSINESS/ANNOUNCEMENTS

ADJOURNMENT Annual Meeting on February 2, 2019, and Next Monthly Meeting on Wednesday, February 27, 2019

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

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

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

Unapproved Meeting Minutes of August 22, 2018- 7:00 p.m.

Chairman Ashton called the meeting to order at 7:01 p.m.

ROLL CALL

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

Members Absent: John Shaw

Staff Present: Matthew H. Asselmeier, Senior Planner, Jasmine Brown Watkins, Office Assistant

In the Audience: Tom Grant, Jaime Torres, Tim Wallace, Matt Ewert, Jim Martin, John Whitehouse, Gay Hoddy, and Anne Vickery

APPROVAL OF AGENDA

Mr. Wormley made a motion, seconded by Ms. Zubko, to approve the agenda as presented. With a voice vote of all ayes, the motion carried.

APPROVAL OF MINUTES

Ms. Zubko made a motion, Mr. Nelson seconded by, to approve the July 25, 2018, Kendall County Regional Planning Commission meeting minutes with the corrections of removing Ms. Zubko as present and adding Mr. Bledsoe to the present roll call list. With a voice of all ayes, the motion carried.

PETITIONS

18 – 25 – Paul Kovacevich on Behalf of Tri-Star Development, Inc.

Mr. Asselmeier summarized the request.

Paul Kovacevich, on behalf of Tri-Star Development, Inc., is requesting a map amendment rezoning the subject property from A-1 to R-1 in order to be able to build a forty (40) lot single-family residential subdivision. The Petitioner would like to have the zoning in place prior to going through the subdivision process.

At their meeting on October 10, 2017, the Planning, Building and Zoning Committee received general information from the Petitioner and his attorney about this proposed development. The Planning, Building and Zoning Committee was open to allowing the Petitioner to submit an application for a traditional subdivision instead of a Residential Planned Development.

The subject property is zoned A-1 and all of the adjoining properties are zoned A-1 or A-1 with a special use permit. There is R-1 PUD zoning within one half (1/2) mile of the subject property. The subject property is approximately one hundred eighty-three acres in size.

Joliet has trails planned along Route 52 and Minooka has trails planned along the Aux Sable Creek.

There is a floodplain on the east side of the property along Aux Sable Creek and there are wetlands along the Aux Sable Creek and in the woods on the east side of the property.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on April 12, 2018. The LESA Score was 230 indicating a high level of protection.

Petition information was sent to Seward Township on July 31, 2018.

The subject property is within one point five (1.5) miles of the City of Joliet. The City of Joliet submitted comments on July 27, 2018. They encouraged development to follow the Aux Sable Creek Watershed Plan.

The Village of Shorewood expressed no opposition to the proposal

Petition Information was sent to the Minooka Fire Protection District on July 31, 2018.

The Petitioner desires the map amendment in order to construct a forty (40) lot single-family residential subdivision in the future. The Petitioner would like to secure the applicable zoning before submitting preliminary and final plats. One (1) of the forty (40) lots will be transferred to the Forest Preserve District.

Lots 29 through 39 have an "A" designated lot attached to the primary lot. The "A" lot is floodplain and cannot have structures. The primary lot and the associated "A" lot is considered one (1) zoning lot under Kendall County's Zoning Ordinance. Lot 40 will be transferred to the Forest Preserve District.

Because zoning cannot be conditioned under Illinois law, any of the requirements associated with development (i.e. construction of trails, restricting the sale of "A" lots from their primary lot, etc.) cannot occur until the subdivisions plats are submitted.

The Land Resource Management Plan calls for this area to be Rural Residential in the future. This classification has a maximum zero point six-five (0.65) density units per acre. If the zoning is approved, the maximum number of lots that could be developed is sixty-one (61); (183 acres/2.99 acres). This figure does not take into consideration the undevelopable lands (i.e. wetlands, roads, etc.). The Petitioner is proposing fewer than the maximum number of lots. However, if the Petitioner did create a subdivision with R-1 zoning and the maximum number of lots permitted, the density units per acre would still be below zero point six-five (0.65).

Because the Land Resource Management Plan calls for this area to be Rural Residential in the future, Staff does not believe that the approval of this request would constitute spot zoning.

Any new homes or accessory structures would be required to meet applicable building codes. Building related matters for a subdivision would be addressed during the subdivision process.

The property fronts Route 52. Staff has no concerns regarding the ability of Route 52 to support the proposed map amendment. Access related issues for a subdivision would be addressed during the subdivision process.

No new odors are foreseen. Odor related issues for a subdivision would be addressed during the subdivision process.

Any new lighting would be for residential use only. Lighting related issues for a subdivision would be addressed during the subdivision process.

No fencing or buffer is presently planned for the property. Screening related issues for a subdivision would be addressed during the subdivision process.

Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance. Stormwater related issues for a subdivision would be addressed during the subdivision process.

Electricity is onsite. New well and septic information would have to be evaluated as part of the subdivision or building permit processes.

Ms. Zubko questioned the lot size for the area. Mr. Asselmeier responded the minimum lot size is approximately two point nine nine (2.99) acres.

Ms. Wilson questioned if horses would be allowed in the proposed subdivision. Tom Grant, attorney for the Petitioner, stated horses would not be allowed per the covenants and restrictions of the subdivision. Ms. Wilson did not agree that horses should be excluded from the subdivision. Mr. Grant stated the issue of horses was recently brought up at the township meeting and the township was not in favor of allowing the horses due to concerns of lack of maintenance of barns and manure control. Ms. Wilson stated, due to the subdivision's location near a forest preserve, it could be a greater attraction if horses were allowed. Mr. Grant responded the issue of horses would be discussed in future review if necessary; however, the initial review was no horses allowed.

Ms. Wilson questioned if an engineer report was provided. Mr. Asselmeier mentioned the WBK letter included in the packet and responded that, since the Petitioner is requesting a rezoning, engineering information would be provided during the subdivision review process.

Tom Grant, attorney for Petitioner, stated the focus is rezoning the property from A-1 to R-1 and they have started on any engineering specifics regarding the subdivision. He understood the concerns mentioned about the stormwater and those concerns would be addressed in the preliminary plat subdivision stage. He further explained that the subdivision would consist of thirty-nine (39) and the fortieth (40th) lot would be dedicated to the Forest Preserve. He stated the Forest Preserve wanted the access road moved. Mr. Grant further reiterated the focus of the petition was for rezoning the property and the request aligns with the future land use map contained in the Land Resource Management Plan. He requested a positive recommendation.

Mr. Rodriguez questioned the minimum lot size of the proposed subdivision. Mr. Grant responded the minimum lot size was approximately three (3) acres.

Mr. Nelson stated that zoning approval did not guarantee that the proposed subdivision would be developed in its current layout. The Petitioner stated he understood Mr. Nelson's comment stated.

Mr. Wormley questioned if the property is currently row-cropped. Mr. Grant stated yes.

Jamie Torres, Jughandle Road, stated he currently has issues with flooding in his area and believed the new subdivision would increase the problem. He furthered stated there is no retention pond proposed and the water runs into the creek. He also expressed concerns about increase traffic.

Tim Wallace, Lisbon-Seward Fire Protection District Chief, stated they were not notified by the Petitioner but a third party. Chief Wallace questioned if there would be access to water in case of a fire. The Petitioner responded that the question was an engineering question and cannot be answered at the time. Chief Wallace questioned if another access can be built since only one access from Route 52 is currently shown. The Petitioner stated the current frontage on Route 52 was approximately two hundred fifty-two feet (252') with no additional room to create another entrance. Chief Wallace questioned the setbacks of the district. The Petitioner stated that the setback is fifty feet (50'). Accessory structures would be allowed on the property per the Kendall County Zoning Ordinance. Mr. Grant reiterated that the petition was only for a map amendment and explained that the development is split between two (2) fire protection districts. Discussion occurred about the possibility of having the development in one (1) fire protection district.

Matt Ewert, Route 52, stated his concern was access. He stated his property is across the street from the subject

property and access would be a problem due to speeding and traffic volumes. He stated he already has a hard time getting in and out of his driveway. Mr. Rodriguez questioned if there have been any accidents in the area. Mr. Ewert responded, to his knowledge, there had been fatalities near the area.

Jim Martin, Bell Road, stated he is also a Seward Township trustee and the Petitioner has been to two (2) informational meetings with the Township. He stated Seward Township has not approved or disapproved of the potential subdivision. He expressed concerns regarding traffic and the nearby bridge. He requested signage be installed if the subdivision is approved. He suggested the developer present plans first to Seward Township and the residents for recommendation.

Ms. Wilson questioned if there could be a turning lane for the subdivision installed. Mr. Nelson responded the Illinois Department of Transportation would evaluate the need for turning lanes.

Ms. Zubko stated her concerns regarding the subdivision and recommended the Petitioner take into consideration the comments from the public and the Township. However, the rezoning request aligns with the Land Resource Management Plan. The Petitioner may want to consider installing a boulevard style street at the entrance to the subdivision.

Mr. Casey questioned if the Regional Planning Commission needed to make a decision before Seward Township made their decision. Mr. Asselmeier responded that Seward Township has thirty (30) days to file an objection after the Zoning Board of Appeals hearing, but the Regional Planning Commission could layover the petition until Seward Township provided comments. Mr. Nelson did not believe it was necessary to delay the proposal because Seward Township has already been presented information. Also, the Petitioner will have to return for additional review during the subdivision process.

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

Yes (6): Bledsoe, Nelson, Rodriguez, Wilson, Wormley, and Zubko
No (2): Ashton and Casey
Absent (1): Shaw

The motion carried.

Chairman Ashton voted no because of the LESA Score.

Petition 18-25 will go on to the Zoning Board of Appeals set for August 27, 2018.

18 – 26 – Maurice E. Ormiston as Trustee u/t/a No. 101 and Marilyn J. Ormiston as Trustee u/t/a 102 (Owners) and Gay Hoddy (Tenant)

Mr. Asselmeier summarized the request.

Gay Hoddy is the daughter-in-law of the Owners of the subject property at 14905 Hughes Road. Ms. Hoddy would like to establish a banquet facility at the subject property and is requesting variances to the requirement that the facility must be located on an arterial or major collector road, the requirement for hard surface parking areas (except for the ADA required parking spaces), and that the property not be required to have fully shielded parking facility lighting.

The subject property is zoned A-1 and all of adjoining properties share the same zoning classification.

There are no trails planned in the area.

There are no floodplains or wetlands in the area.

EcoCat submitted on July 11, 2018; consultation was termination.

NRI application submitted on July 11, 2018. The NRI was completed on August 14, 2018. The LESA Score was 201 indicating a medium level of protection.

Fox Township was emailed information on July 30, 2018.

Newark Fire Protection District was emailed information on July 30, 2018.

The United City of Yorkville was emailed information on July 30, 2018. While the property is within one point five (1.5) miles of the Yorkville City Limits, the subject property is not included in Yorkville's extraterritorial planning area as shown on the Yorkville Future Land Use Map.

ZPAC reviewed this proposal at their meeting on August 7, 2018. The consensus of ZPAC was to allow the Petitioner to install or expand her septic system in the future (thus removing the need for porta-potties) without having to amend her site plan. Discussion also occurred about requiring landscaping, berming, and/or trees if the neighbors complain. John Whitehouse, engineer for the Petitioner, expressed concerns installing buffering because of a complaint; he wondered who would investigate a complaint and if a complaint, whether founded or unfounded, would trigger a buffering requirement. The Petitioner agreed not to have music outside the barn except wedding ceremony music. No private security would be provided. Mr. Rybski indicated that private events are not under the jurisdiction of the Health Department so long as the well is not used. If all the water is trucked in, that is fine. Mr. Whitehouse said that he would provide additional information on the lines for the septic field. Mr. Asselmeier indicated that WBK had concerns about the unpaved parking area. Mr. Asselmeier indicated that, if the area looked bad, Ms. Hoddy's business would suffer because some prospective customers would not want to have events at a location that looked undesirable. Mr. Davidson said the Petitioner will have to let the grass grow slightly higher and mow it frequently. ZPAC unanimously recommended approval of the proposal with restrictions.

Gay Hoddy lives on the subject property with her husband and would like to operate the Harvest Moon Barn banquet facility. Ms. Hoddy requires a special use permit to operate a banquet facility at the subject property. Pictures of the property were included in the meeting packet. The barn furthest to the north will be used for events. The building with red doors will not be used for events.

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. (Variance is required for this requirement.)**
- b. The subject parcel must be a minimum of 5 acres.
- c. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
- d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of

Section 11 of the zoning ordinance.

- e. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.
- f. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
- g. The noise regulations are as follows:

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

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

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

Ms. Hoddy's business plans were included in the packet. The site plan was also included in the packet and was revised prior to the Kendall County Regional Planning Commission meeting to reflect concerns by the Health Department regarding the location of the septic field.

Events would be held in the frame barn located on the north side of site. Tents could be set up to the west of the barn. Based on the current size of the barn (approximately 1100 square feet), approximately one hundred twenty (120) people could fit inside the barn. Ms. Hoddy anticipates the largest group of attendees to be approximately two hundred fifty (250) people including staff. No members of the public would be allowed in the loft of the barn. At some point in the future, Ms. Hoddy may put concrete pavement in the barn; the current pavement is compacted gravel.

The facility would be operational from May 1st through October 31st. Ms. Hoddy would like the ability to have events outside these dates, weather permitting. The majority of events would be on weekends. However, she would like the ability to have weekday events as well. She seemed open to capping the number of events per week. The proposed hours of operation for events would be from 4:00 p.m. until Midnight. Setup for events would start at 10:00 a.m. and take down from events would be completed by 1:00 a.m.

Ms. Hoddy plans to have two (2) hostesses and four (4) servers at a maximum.

In the event of a security issue, Ms. Hoddy would call 911. The Sheriff's Department had no objections to this plan.

All events would be catered, both food and drink.

The reserving party would be responsible for securing applicable insurance. Ms. Hoddy will also have insurance.

The banquet hall will be used for weddings, birthdays, retirement parties, and similar events.

Ms. Hoddy and her husband live on the property. She has over twenty (20) years of experience as a waitress and banquet related work. She has taken CPR classes in the past and plans to take a refresher course.

Ms. Hoddy reported that she has received at least four (4) phone calls requesting weddings at the property. She had her wedding at the property. One (1) niece had a wedding at the property and another niece is planning a wedding at the property.

Ms. Hoddy agreed to follow all applicable laws related to this type of business and she also agreed to follow the Kendall County Right to Farm Clause.

If approved, Ms. Hoddy would like to start having events in May 2019.

A Change of Occupancy Permit will be required for each existing structure that will be used in conjunction with the proposed banquet facility.

Ms. Hoddy indicated that all water used for events will be brought into the site; no well water will be used. Porta-potties will be used for events. According to the site plan, one (1) handicapped accessible porta-potty and two (2) other porta-potties will be located to the northeast of the barn. Refuse containers and a dumpster will be located near the porta-potties. An ADA approved path from the barn to the handicapped accessible porta-potty will be installed with lights.

The Fox Township Highway Commissioner informed the Kendall County Highway Engineer that he had no issues with the proposed use at the subject property.

Ms. Hoddy submitted a parking plan showing sixty-three (63) parking spaces including four (4) handicapped parking spaces. The parking area is planned to be grass except for the handicapped parking spaces; Ms. Hoddy is requesting a variance to allow this type of parking. Parking will be to the south of the house west of the driveway and to the east of the driveway. No parking will encroach in the required setbacks. The site plan was revised prior to the Kendall County Regional Planning Commission meeting to reflect concerns by the Health Department regarding the location of the septic field.

Staff discussed the lack of paved parking areas with WBK. WBK submitted comments on this proposal. If the grass is maintained correctly, no parking or erosion issues related to bare soil should arise.

The ADA parking areas will be hard surfaced.

The Kendall County Sheriff's Department expressed no concerns regarding the internal traffic circulation pattern as it relates to public health and safety concerns at the site.

Ms. Hoddy submitted a photometric plan and lighting is shown on the parking plan. According to the plan, two (2) new lights would be added for the parking lot west of the driveway. Two (2) new lights would be added to the parking lot east of the driveway. One (1) new light would be installed north of the handicapped parking area. Eight (8) solar powered lights will be installed on the walkway between the barn and the handicapped parking area. Ms. Hoddy indicated additional lighting could be installed along the south and east sides of the barn. The photometric and site plans were revised prior to the Kendall County Regional Planning Commission meeting to reflect concerns by the Health Department regarding the location of the septic field.

A non-illuminated sign is proposed on the west side of the driveway as shown on the site plan. The sign will be approximately thirty-two (32) square feet in size and two (2) faced. The location and type of sign proposed meet the requirements of the Kendall County Zoning Ordinance.

Ms. Hoddy does not plan to install any additional landscaping.

The barn would not be air conditioned and the doors on the south and east sides would likely be open during events.

Ms. Hoddy indicated that no music related to events would originate outside the barn except for music related to a wedding ceremony.

Ms. Hoddy agreed to follow the Kendall County noise regulations. However, she did not provide a method for tracking noise.

Kendall County previously granted a special use permit at 13889 Hughes Road (Ordinance 2016-05) for a banquet facility. This banquet facility is approximately one point two (1.5) miles from the nearest major collector road (Newark Road via Hollenback Road). The proposed banquet facility at the subject property is approximately one point two (1.2) miles from Route 71.

Based on the Kendall County GIS, the barn at the subject property is approximately six hundred two feet (602') from the house at 14838 Hughes Road. The parking area east of the driveway is approximately two hundred twenty-four feet (224') from the house at 14838 Hughes Road. In comparison, the closest barn at 9111 Ashley Road is approximately six hundred twenty-four feet (624') from the house across the street and the parking area is approximately four hundred eleven feet (411') from the house across the street. The impact of noise and light on the adjoining property are concerns.

Because a similar special use permit and similar variances were granted at a property near the subject property, Staff recommends approval of the requested special use permit and variances subject to the following conditions and restrictions:

1. The site, including parking plan, shall be developed in accordance to the attached site plan. The owner of the business allowed by this special use permit may remove the porta-potties shown on the site plan if adequate, permitted facilities (i.e. septic system) are installed on the property for use at the banquet facility (**Amended by ZPAC**). The owner of the business allowed by this special use permit may also install one or more temporary tents located west of the framed barn. (**Clarified after ZPAC**).
2. A maximum of two hundred fifty (250) guests in attendance at a banquet center related event may be on the subject property at a given time (**Added after ZPAC**).
3. The lighting shall be developed in accordance to the attached site plan and photometric plan. The operator of the banquet facility may install two (2) decorative lights on the south side of the barn and two (2) decorative lights on the east side of the barn.
4. Events shall be confined to the framed barn, patio area, and grassy area west of the barn. No events may be held in the loft or second story or above of the framed barn, the corn crib, garage, residence, or any new barns or accessory buildings on the property without an amendment to this special use permit.
5. A variance shall be granted to the requirement that 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 as required in Section 7.01.D.10.a of the Kendall County Zoning Ordinance (**Clarified after ZPAC**).

6. The subject parcel must be a minimum of five (5) acres.
7. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
8. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance except where variances are granted.
9. A variance shall be granted to the requirement contained in Section 11.02.F.2 of the Kendall County Zoning Ordinance that the business allowed by this special use permit shall be exempt from the requirement that all required open off-street parking areas and access drives constructed or re-constructed after May 20, 2008 shall be improved with a permanent, concrete, unit paver, asphalt surface or some other environmentally friendly surface or green design practices. This variance shall not be extended to parking and parking related facilities required by the Americans with Disabilities Act (**Clarified after ZPAC**).
10. A variance shall be granted to the requirement contained in Section 11.02.F.12.B of the Kendall County Zoning Ordinance that the business allowed by this special use permit shall provide only “fully shielded” or “cut-off” light fixtures (**Clarified after ZPAC**).
11. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. The signage will not be illuminated.
12. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
13. 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.

14. No music shall originate outside of any building associated with the special use permit. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony (**Added at ZPAC**). No bands shall perform at any events (**Added at KCRPC**).
15. Events shall be held between May 1 and October 31. The property owner or banquet operator may hold events outside of this timeframe with the approval of the Planning, Building and Zoning Committee.
16. No more than four (4) events in a seven (7) day period may be held at the property.
17. Setup for events shall not commence prior to 10:00 a.m.
18. All events must cease by Midnight except for cleaning up after an event which must cease by 1:00 a.m.

19. A new certificate of occupancy must be issued for the framed barn.
20. The operator of the banquet facility allowed by this special use permit shall reside at the subject property as their primary place of residence.
21. The operator of the banquet facility and property owner(s) acknowledge and agree to follow Kendall County's Right to Farm Clause.
22. The property owner and operator 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.
23. 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.
24. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Ms. Wilson questioned if a renewal would be required. Mr. Asselmeier responded there was no renewal requirement proposed.

Ms. Zubko questioned if the special use permit will be void once the owners or tenant moves. Mr. Asselmeier responded the special use would stay with the property and any future property owner or tenant could continue the banquet facility.

Ms. Zubko asked if a tent was considered a building. Mr. Asselmeier responded no, not under the Zoning Ordinance.

Ms. Wilson requested clarification regarding the tenant having authority to submit the application and why signatures were redacted. Mr. Asselmeier responded that, he was advised due to the FOIA regulations, redacting was necessary. Mr. Nelson did not agree with the redaction if someone submitted an application for a zoning related action. Ms. Wilson commented the signature could be from anyone, yet the Regional Planning Commission has to approve or deny it without know if the property owner supported the application. Mr. Nelson suggested the Planning, Building and Zoning Department contact the Illinois Attorney General's Office regarding redacting the applicant's and speakers' information. Ms. Wilson requested to see the signatures of the owners of the property. Ms. Wilson stated the owners should provide a letter stating they agreed with the application.

Ms. Zubko sought clarification regarding proposed condition number 15; holding outside permissible months. Mr. Asselmeier responded the condition was included in the special use permit for Emerson Creek. Mr. Nelson questioned if such a request was a major or minor amendment. Mr. Asselmeier stated the request was neither because it was included as a condition in the special use permit.

John Whitehouse, engineer for Gay Hoddy, stated Ms. Hoddy is the daughter-in-law of the property owners, who are also listed as the trustees. The trust disclosure was signed by property owners Maurice and Marilyn Ormiston.

Ms. Wilson stated she had concerns with potential noise issues because of the proximity of the nearest neighboring house to the proposed venue. She questioned how the applicant would mediate the noise issue. Mr. Whitehouse responded there would not be bands at the banquet facility.

Mr. Bledsoe expressed concerns regarding lights from cars leaving the property and shining into the neighboring house.

Ms. Zubko suggested the Petitioner add landscaping to deal with the light issue and adjust the handicapped parking stall to prevent it from blocking the path from the parking area to the barn.

Ms. Zubko questioned Mr. Asselmeier if there had been any other concerns or complaints with other banquet facilities in the area. Mr. Asselmeier stated the main concern raised was the issue of noise.

Mr. Nelson suggests a buffer for the lights and a possible directional sign for guests when leaving property. Mr. Whitehouse stated the tenant from across the property has not stated he had a problem with the lights.

Anne Vickery stated that noise from other venues did not bother her upon a recent visit to her daughter's house which is near another banquet facility. She did not believe that directional signage would work. She also expressed frustration that some other similar venues were operating in the County without the appropriate special use permits.

Mr. Nelson questioned if notices had gone out regarding the petition. Mr. Asselmeier stated yes; the Petitioner notified the required property owners.

Motion to approve with recommended conditions by Mr. Nelson, seconded by Ms. Zubko.

Mr. Nelson made a motion, seconded by Ms. Zubko, to recommend approval of the special use permit and variances subject to the recommendations of Staff.

Yes (7): Ashton, Bledsoe, Casey, Nelson, Rodriguez, Wormley, and Zubko
No (1): Wilson
Absent (1): Shaw

The motion carried.

Ms. Wilson stated the Petitioner did not provide enough effort to control noise and light. She did not believe the County adequately enforced the noise regulations. She also expressed concerns as to whether or not the property owner supported the application.

Petition 18-26 will go onto the Zoning Board of Appeals on August 27, 2018.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

An unidentified resident asked about a special use request at 17 Ashe Road. Mr. Asselmeier stated that the Petitioner intended to increase the number horses allowed boarded on the property. However, the Petitioner's attorney was unaware that the Petitioner desired to demolish some structures and construct a new building. A new site plan had not been prepared. The matter was laid over at ZPAC. The matter will not come before the Regional Planning Commission until the site plan is submitted. Residents were advised to attend the August 27th Zoning Board of Appeals meeting. Neighbors will not be re-notified. Chairman Ashton suggested residents should go to the Kendall County website for agenda and upcoming meetings.

NEW BUSINESS

None

OLD BUSINESS

None

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier informed the Commission that Petition 18-15 was approved with one (1) dissenting vote. Petition 18-20 was unanimously approved by the County Board.

OTHER BUSINESS/ANNOUNCEMENTS

The next meeting of the Kendall County Regional Planning Commission is September 26, 2018.

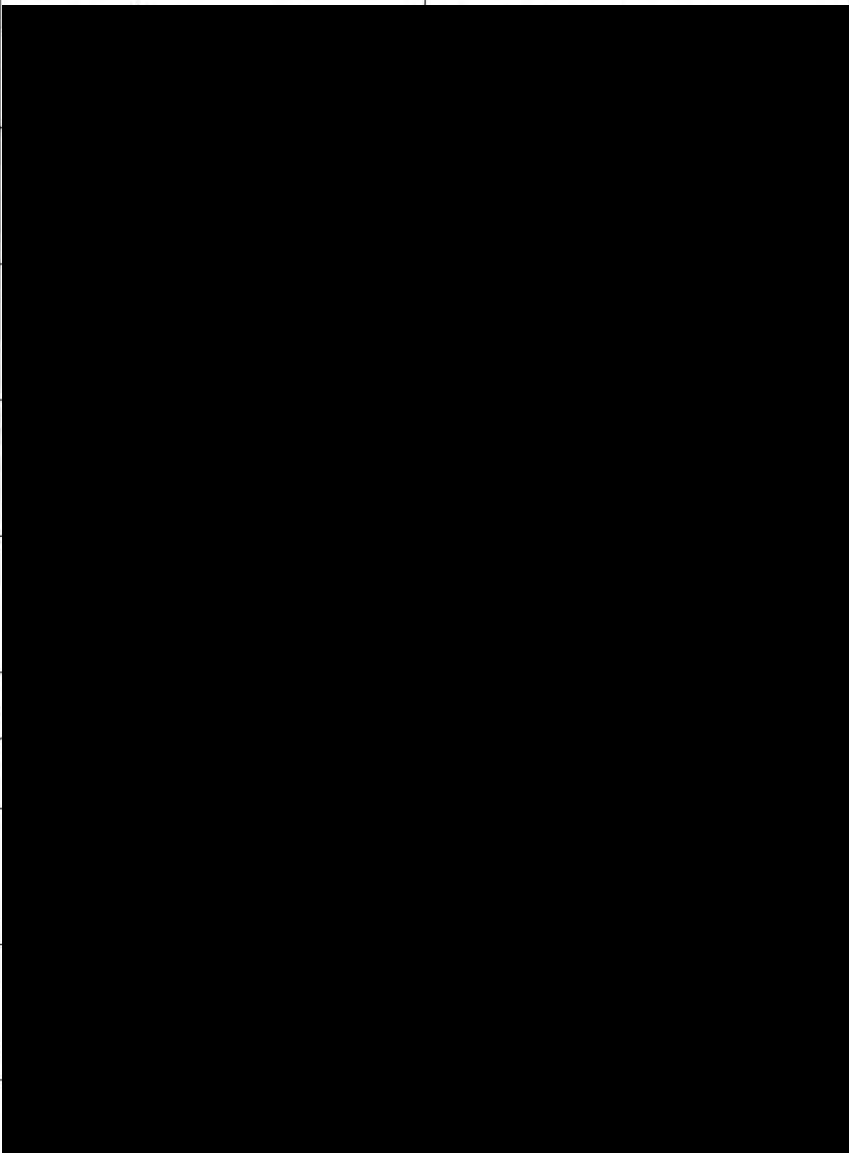
ADJOURNMENT

Ms. Zubko made a motion, seconded by Ms. Wilson, to adjourn. With a voice vote of all ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 8:31 p.m.

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

Enc.

**KENDALL COUNTY REGIONAL
PLANNING COMMISSION MEETING
AUGUST 22, 2018**

NAME	ADDRESS	EMAIL ADDRESS
Tom Grant		
Tim Jones		
Tim Wallace		
MATT EWEET		
Jim Martin		
JOHN WHITEHOUSE		
Gay Hoddy		
Arnell Yantis		

Matt Asselmeier

From: Logan Roberts
Sent: Friday, August 17, 2018 10:39 AM
To: Matt Asselmeier
Cc: Anne Vickery
Subject: Fw: Fwd: Subdivision

Mr. Asselmeier,

I am forwarding this letter to you on behalf of Seward Township Trustee Dan Roberts.

Thanks,
Logan Roberts

----- Forwarded Message -----

From: Dan Roberts
To: Logan <[REDACTED]>, Don <[REDACTED]>
Sent: Thursday, August 16, 2018, 12:30:53 PM CDT
Subject: Fwd: Subdivision

Sent from my iPhone

Begin forwarded message:

From: Dan Roberts
Date: August 16, 2018 at 10:25:55 AM CDT
To: Pete Fleming
Subject: Fwd: Subdivision

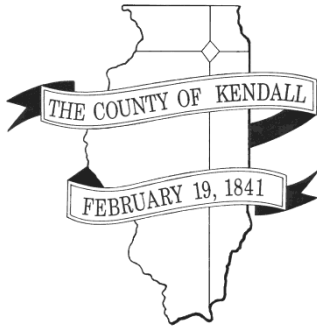
Sent from my iPhone

Begin forwarded message:

From: Deanna Roberts
Date: August 16, 2018 at 10:02:42 AM CDT
To: [REDACTED]
Cc: Dan <[REDACTED]>
Subject: Subdivision

Seward Township planning commission has been in active for many years because of no activity in the Township with the largest residential development ever proposed the now active planning commission should review the plan and make a recommendation to the township board who then would make a recommendation to the county. The developer has told the township board no water retention is proposed which is a concern since almost yearly the Auxsable Creek floods! Adding 40 homes and out buildings and streets to the area without retention will certainly add to the flooding issue especially when the ground is completely saturated almost everything runs off, also one way in and out is a big concern especially for fire and EMS and police, lack of a water supply for large fires is a concern especially since Lisbon Seward Fire Department does not have a full-time staff and so response time would be a problem! I would think for the good of the people living in Seward Township and going through Seward Township, the planning commission should be allowed to do their job.

Sincerely Dan Roberts Seward Township trustee
Sent from my iPhone



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 19-04

Rodolfo and Georgina Nunez

6725 Route 71

A-1 Special Use – Landscape Operation

INTRODUCTION

Rodolfo and Georgina Nunez are requesting an A-1 Special Use to operate a landscaping business, Outdoorscapes, Inc., at the subject property.

SITE INFORMATION

PETITIONER Rodolfo and Georgina Nunez

ADDRESS 6725 Route 71

LOCATION Approximately 0.41 Miles West of Orchard/Minkler Roads on the Northwest Side of Route 47



TOWNSHIP Oswego

PARCEL # 02-24-300-018 and 02-24-300-017

LOT SIZE 3.00 +/- acres

EXISTING LAND USE Residential/Agricultural

ZONING A-1 Agricultural District

LRMP	Existing Land Use	Farmstead
	Future Land Use	Rural Residential
	Roads	Route 47 is a State Highway classified as a Major Arterial Road.
	Trails	Oswego has a Trail planned along Route 47.
	Floodplain/ Wetlands	There is a pond on the property to the northwest.

REQUESTED ACTION A-1 Special Use to operate a landscaping business

- APPLICABLE REGULATIONS Section 7.01 D.28 – A-1 Special Uses – Permits Landscape Businesses with the following stipulations:
1. All vehicles, equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.
 2. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County's LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use. (Amended 7/17/2007)
 3. No landscape waste generated off the property can be burned on this site

Section 13.08 – Special Use Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural/Residential/ Horse Related	A-1	Rural Residential (0.60 DU/Acre)	A-1 and R-3
South	Agricultural	A-1	Rural Residential	A-1
East	Agricultural	A-1	Rural Residential.	A-1 and Court Ordered Mining (County) B-3 Commercial Business (Oswego)
West	Agricultural/Residential/ Horse Related	A-1	Rural Residential	A-1

Thirty-nine (39) homes are located within one half (1/2) mile of the property.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

The EcoCAT Report was submitted and several species were identified to be in the area. IDNR submitted a response stating that the consultation was closed on the condition that best management practices are employed when constructing structures and earthmoving on the property. The EcoCat Report and IDNR response are included as Attachment 6.

NATURAL RESOURCES INVENTORY

Application submitted on December 20, 2018.

ACTION SUMMARY

OSWEGO TOWNSHIP

Petition information was sent to Oswego Township on December 21, 2018.

VILLAGE OF OSWEGO

Petition information was sent to the Village of Oswego on December 21, 2018.

OSWEGO FIRE PROTECTION DISTRICT

Petition information was sent to Oswego Fire Protection District on December 21, 2018. The Petitioner and Oswego Fire Protection District exchanged correspondence regarding sprinkler requirements. This correspondence is included as Attachment 7.

ZPAC

ZPAC met on this case on January 8, 2019. ZPAC unanimously recommended approval of this proposal; the minutes of this meeting are included as Attachment 9.

BUSINESS OPERATION

The Petitioner plans to have at most three (3) employees report to the site for work. No landscaping debris would be stored onsite. The Petitioner might place nursery stock onsite. All equipment shall be stored in doors after sunset; the Petitioner indicated that he might keep a company vehicle parked (a truck) parked outside overnight.

BUILDING CODES

The Petitioner plans to remove the containers on the property and construct an approximately two thousand four hundred (2,400) square foot building on the property. The building will have to meet all applicable codes

ACCESS

The property fronts Route 71.

TRAILS

The Village of Oswego's plans call for a trail along Route 71.

PARKING

The site plan shows parking around the existing house.

LIGHTING

No additional lighting was proposed.

SIGNAGE

No signage was proposed.

SCREENING

The Zoning Ordinance requires all vehicles, equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit. An existing berm with evergreens and other trees is located on the property.

STORMWATER

The property drains to the northwest and southwest of the site. WBK submitted a comment letter which is included as Attachment 8.

FINDINGS OF FACT

§ 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. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

*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. **Provided that the property is developed in accordance with the submitted site plan, that the maximum number of employees reporting to the site is minimal, that landscaping debris is not stored onsite, that the majority of equipment is stored in an enclosed structure, and that the new structure is constructed per applicable codes, the proposed use will not be detrimental to or endanger 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. **The submitted site plan shows the construction of a new two thousand four hundred (2,400) square foot building. A berm is already located on the subject property. The proposed use is consistent with similar agricultural related uses. The proposed use will not be located near any structures on adjoining properties. With appropriate restrictions, the proposed use should not adversely impact adjacent uses.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **The existing well, septic, and electrical systems are adequate for the proposed use. Route 71 is State maintained highway that can handle loads of at least seventy-three thousand two hundred eighty pounds (73,280 lbs). If best management practices are followed when constructing the new building and if no landscape debris is stored onsite, no concerns about drainage of stormwater runoff exist.***

*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. **The proposed business and site plan conform to all other applicable regulations of the A-1 Zoning 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. **The LRMP encourages agriculture and agribusiness (Page 3-3). The proposed use is consistent with the purpose and objectives of the LRMP.***

RECOMMENDATION

Staff recommends approval of the proposed special use permit subject to the following conditions:

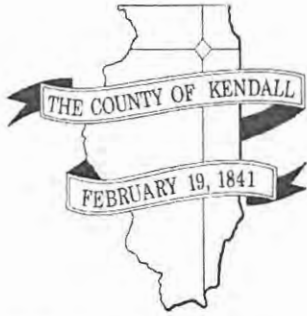
1. The site shall be developed substantially in accordance with the attached site plan.
2. Within sixty (60) days of the approval of this special use, the Petitioner shall supply the Kendall County Health Department with the locations of the existing well and septic systems on the property. This deadline may be extended by mutual agreement between the Petitioner and the Kendall County Health Department.
3. All vehicles, equipment and materials associated with a landscaping business shall be stored entirely within enclosed structures. The owner of the business allowed by this special use permit may store nursery stock outdoors. All equipment related to the business allowed by this special use permit shall be inside the enclosed structures between sunset and sunrise. The owner of the business allowed by

this special use permit may keep one (1) company truck parked outdoors between sunset and sunrise.

4. No landscape waste generated off the property can be burned on this site
5. A maximum of three (3) employees of the business allowed by this special use permit may report to this site for work.
6. Within sixty (60) days of the approval of this special use permit, the Petitioner shall remove the containers currently located on the property.
7. No permanent commercial related signage may be displayed at the property.
8. 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.
9. 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.
10. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

ATTACHMENTS

1. Application (Including Site Plan and Petitioner's Findings of Fact)
2. Aerial
3. Facing Southwest
4. Facing Straight
5. Facing Northeast
6. EcoCat and IDNR Comments
7. Oswego Fire Protection District Related Correspondence
8. 1-5-19 WBK Comment Letter
9. 1-8-19 ZPAC Minutes
10. Health Department Correspondence

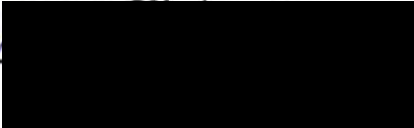


DEPARTMENT OF PLANNING, BUILDING & ZONING

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

APPLICATION

PROJECT NAME Nunez FILE # 19-07

NAME OF APPLICANT		
Rodolfo and Georgina Nunez		
CURRENT LANDOWNER/NAME(s)		
Rodolfo and Georgina Nunez		
SITE INFORMATION		
ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
3 acres	6725 Route 71, Yorkville, IL 60560	02-24-300-003
EXISTING LAND USE		
A-1		
LAND CLASSIFICATION ON LRMP		
Agricultural		
REQUESTED ACTION (Check All That Apply):		
<input checked="" type="checkbox"/> SPECIAL USE <input type="checkbox"/> MAP AMENDMENT (Rezone to <input type="text"/>) <input type="checkbox"/> VARIANCE		
<input type="checkbox"/> ADMINISTRATIVE VARIANCE <input type="checkbox"/> A-1 CONDITIONAL USE for: <input type="text"/> <input type="checkbox"/> SITE PLAN REVIEW		
<input type="checkbox"/> TEXT AMENDMENT <input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final) <input type="checkbox"/> ADMINISTRATIVE APPEAL		
<input type="checkbox"/> PRELIMINARY PLAT <input type="checkbox"/> FINAL PLAT <input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)		
AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
1PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Daniel J. Kramer	1107A S. Bridge St., Yorkville, IL 60560	dkramer@dankramerlaw.com
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER # (Cell, etc.)
630-553-9500	630-553-5764	
2ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
SIGNATURE OF APPLICANT		DATE
		8-30-18

FEE PAID: \$ 1155.00
CHECK #:

RECEIVED

DEC 21 2018

KENDALL COUNTY
PLANNING, BUILDING
& ZONING

¹Primary Contact will receive all correspondence from County

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

LEGAL DESCRIPTION OF TRACT TO BE REZONED:

That Part of the Southwest Quarter of Section 24, Township 37 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Northwestern Corner of Herren's Third Subdivision; thence South $68^{\circ}16'35''$ West, along the Southerly Right-of-Way Line of Illinois Railnet (formerly known as Chicago, Burlington and Quincy Railroad Company), 493.67 feet; thence South $23^{\circ}13'27''$ East, 405.50 feet; thence South $51^{\circ}25'35''$ West, 523.58 feet; thence South $41^{\circ}56'10''$ West, 1071.73 feet; thence South $66^{\circ}46'00''$ East, 742.45 feet to a point on the Northerly Right-of-Way Line of Illinois Route 71 hereinafter referred to as "Point A"; thence North $66^{\circ}46'00''$ West, 337.64 feet; thence North $41^{\circ}47'24''$ East, 141.40 feet for the point of beginning; thence South $66^{\circ}46'00''$ East, 316.51 feet to said Northerly Right-of-Way; thence Northeasterly, along said Northerly Right-of-Way being a curve to the right with a radius of 3233.23 feet and a chord bearing North $38^{\circ}34'44''$ East, an arc distance of 455.93 feet to a point on said Northerly Right-of-Way which is an arc distance of 592.09 feet from "Point A" aforesaid; thence North $66^{\circ}46'00''$ West, 289.60 feet; thence South $41^{\circ}47'24''$ West, 463.40 feet to the point of beginning in Oswego Township, Kendall County, Illinois.



WARRANTY DEED

(Deed #1)

AFTER RECORDING MAIL TO:

Morrise Brady Malone & Cwik



NAME & ADDRESS OF GRANTEE AND TAXPAYER:

Georgina M. Nunez



201800003604
DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL

RECORDED: 3/20/2018 08:29 AM
WD: 39.00 RHSPS FEE: 10.00
STATE TAX: 360.00
COUNTY TAX: 180.00
PAGES: 4

The Grantor, **Ezekiel LLC**, an Illinois limited liability company, with its principal place of business in the United City of Yorkville, County of Kendall, State of Illinois, for and in consideration of TEN AND 00/100THS (\$10.00) DOLLARS and other good and valuable consideration in hand paid, CONVEYS AND WARRANTS to the Grantee, **Georgina M. Nunez**, to have and to hold the following described real estate situated in the County of Kendall, in the State of Illinois, to wit:

SEE LEGAL DESCRIPTION ATTACHED AS EXHIBIT A

SUBJECT TO: (a) General real estate taxes not due and payable at time of closing; (b) Special taxes and assessments confirmed after contract date; (c) Building, building line and use or occupancy restrictions, easements, conditions and covenants of record; (d) Zoning laws and ordinances which conform to the present usage of the premises; (e) Public roads and highways, if any; and (f) Drainage ditches, feeders lateral and drain tile, pipe or other conduit.

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

Permanent Index Numbers: 02-24-300-003

Common Address: 6725 State Highway 71, Yorkville, Illinois 60560

17 NW 7131689 AM
1st CS

DATED this 13 day of March, 2018.

Ezekiel LLC, an Illinois Limited Liability Company

By:


Sandra Goeken Miles, manager

STATE OF ILLINOIS

)
) ss
)

COUNTY OF KENDALL

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that **Sandra Goeken Miles**, manager of **Ezekiel LLC**, known to me to be the same person whose name is subscribed to the foregoing Warranty Deed, appeared before me this day in person and acknowledged that she signed and delivered the said Warranty Deed, pursuant to the authority granted her in the operating agreement of the company and in her capacity as manager, as her free and voluntary act and deed of said company for the uses and purposes therein set forth.

Given under my hand and official seal this 13 day of March, 2018.




Notary Public

NAME AND ADDRESS OF PREPARER:
Dean J. Kleronomos, Esq.
LORENZINI & ASSOCIATES, LTD.
2679 US Route 34
Oswego, Illinois 60543

COUNTY OF KENDALL
REAL ESTATE TRANSFER TAX
\$180.00 lw

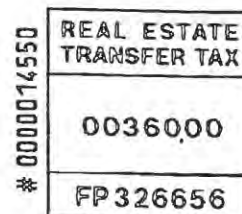


Exhibit A

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWESTERLY CORNER OF HERREN'S THIRD SUBDIVISION; THENCE SOUTH 68 DEGREES 16 MINUTES 35 SECONDS WEST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF THE CHICAGO BURLINGTON AND QUINCY RAILROAD COMPANY LANDS, 493.67 FEET; THENCE SOUTH 23 DEGREES 13 MINUTES 27 SECONDS EAST 405.50 FEET; THENCE SOUTH 51 DEGREES 25 MINUTES 35 SECONDS WEST 523.58 FEET; THENCE SOUTH 41 DEGREES 56 MINUTES 10 SECONDS WEST 1071.73 FEET; THENCE SOUTH 66 DEGREES 46 MINUTES EAST 741.70 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF ILLINOIS STATE HIGHWAY ROUTE NO. 71 FOR THE POINT OF BEGINNING; THENCE NORTH 66 DEGREES 46 MINUTES WEST 337.64 FEET; THENCE NORTH 41 DEGREES 46 MINUTES 03 SECONDS EAST 445.18 FEET; THENCE SOUTH 66 DEGREES 46 MINUTES EAST 291.26 FEET TO THE AFORESAID NORTHWESTERLY RIGHT OF WAY LINE; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE 432.99 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

Unofficial

Attachment 1, Page 6
RECORDER OF KENDALL COUNTY
AFFIDAVIT - PLAT ACT

STATE OF ILLINOIS

} SS


COUNTY OF
KENDALL

SANDRA GOEKEN MILES, being duly sworn on oath, states that she resides at 6621 Route 71, Yorkville, Illinois 60560. That the attached deed is not in violation of 765 ILCS 205/1 for one of the following reasons:

1. The sale or exchange is of an entire tract of land not being a part of a larger tract of land.
2. The division or subdivision of the land is into parcels or tracts of five acres or more of size which does not involve any new streets or easements of access.
3. The division is of lots or blocks of less than one acre in any recorded subdivision which does not involve any new streets or easements of access.
4. The sale or exchange of parcels of land is between owners of adjoining and contiguous land.
5. The conveyance is of parcels of land or interests therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easement of access.
6. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
7. The conveyance is of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
8. The conveyance is made to correct descriptions in prior conveyances.
9. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access.
10. The sale is of a single lot of less than five acres from a larger tract, the dimensions and configurations of said larger tract having been determined by the dimensions and configurations of said larger tract on October 1, 1973, and no sale prior to this sale, or any lot or lots from said larger tract having taken place since October 1, 1973, and a survey of said single lot having been made by a registered land surveyor.


THE APPLICABLE STATEMENT OR STATEMENTS ABOVE ARE CIRCLED.

Affiant further states that she makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording, and that all local requirements applicable to the subdivision of land are met by the attached deed and the tract described therein.


Sandra Goeken Miles

SUBSCRIBED AND SWORN to before me

this 13 day of March, 2018.


Notary public

KAPLATAF





WARRANTY DEED

(Deed #2)

AFTER RECORDING MAIL TO:

Morreale Brady Malone & Co.

NAME & ADDRESS OF GRANTEE
AND TAXPAYER:

Georgina M. Nunez

201800003605

DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL

RECORDED: 3/20/2018 08:29 AM
WD: 39.00 RHSPS FEE: 10.00
PAGES: 4

The Grantor, **Ezekiel LLC**, an Illinois limited liability company, with its principal place of business in the County of Kendall, State of Illinois, for and in consideration of TEN AND 00/100THS (\$10.00) DOLLARS and other good and valuable consideration in hand paid, CONVEYS AND WARRANTS to the Grantee, **Georgina M. Nunez**, to have and to hold the following described real estate situated in the County of Kendall, in the State of Illinois, to wit:

SEE LEGAL DESCRIPTION ATTACHED AS EXHIBIT A

SUBJECT TO: (a) General real estate taxes not due and payable at time of closing; (b) Special taxes and assessments confirmed after contract date; (c) Building, building line and use or occupancy restrictions, easements, conditions and covenants of record; (d) Zoning laws and ordinances which conform to the present usage of the premises; (e) Public roads and highways, if any; and (f) Drainage ditches, feeders lateral and drain tile, pipe or other conduit.

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

Permanent Index Numbers: Part of 02-24-300-002

Common Address: Part of 6621 Route 71, Yorkville, Illinois 60560

17 MW 7131699 A4
245 CR



CHICAGO TITLE INSURANCE CO.
RECORDED KENDALL COUNTY

DATED this 13 day of March, 2018.

Ezekiel LLC, an Illinois Limited Liability Company

By: [REDACTED]
Sandra Goeken Miles, its manager

STATE OF ILLINOIS)
) ss
COUNTY OF KENDALL)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that **Sandra Goeken Miles**, manager of **Ezekiel LLC**, known to me to be the same person whose name is subscribed to the foregoing Warranty Deed, appeared before me this day in person and acknowledged that she signed and delivered the said Warranty Deed, pursuant to the authority granted her in the operating agreement of the company and in her capacity as manager, as her free and voluntary act and deed of said company for the uses and purposes therein set forth.

Given under my hand and official seal this 13 day of March, 2018.



[REDACTED]
Notary Public

COUNTY - ILLINOIS TRANSFER STAMPS

EXEMPT UNDER PROVISIONS OF PARAGRAPH "E"
SECTION 4, REAL ESTATE TRANSFER ACT
DATE: 3/13/18

[REDACTED]
Buyer, Seller or Representative

NAME AND ADDRESS OF PREPARER:
Dean J. Kleronomos, Esq.
LORENZINI & ASSOCIATES, LTD.
2679 US Route 34
Oswego, Illinois 60543

**EAST PROPERTY LEGAL DESCRIPTION
FROM EZEKIEL TO NUNEZ**

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWESTERLY CORNER OF HERREN'S THIRD SUBDIVISION; THENCE SOUTH 68 DEGREES, 16 MINUTES, 35 SECONDS WEST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF IL RAILNET (FORMERLY CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY), 493.67 FEET; THENCE SOUTH 23 DEGREES, 13 MINUTES, 27 SECONDS EAST, 405.50 FEET; THENCE SOUTH 51 DEGREES, 25 MINUTES, 35 SECONDS WEST, 523.58 FEET; THENCE SOUTH 41 DEGREES, 56 MINUTES, 10 SECONDS WEST, 1071.73 FEET; THENCE SOUTH 66 DEGREES, 46 MINUTES, 00 SECONDS EAST, 742.45 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY, BEING A CURVE TO THE RIGHT HAVING A RADIUS OF 3233.23 FEET, AN ARC DISTANCE OF 592.09 FEET FOR THE POINT OF BEGINNING, THENCE NORTH 66 DEGREES, 46 MINUTES, 00 SECONDS WEST, 289.60 FEET; THENCE SOUTH 41 DEGREES, 47 MINUTES, 24 SECONDS WEST, 159.67 FEET; THENCE SOUTH 66 DEGREES, 46 MINUTES, 00 SECONDS EAST, 291.30 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY, BEING A CURVE TO THE RIGHT WITH A RADIUS OF 3233.23 FEET, AN ARC DISTANCE OF 159.15 FEET TO THE POINT OF BEGINNING, ALL IN OSWEGO TOWNSHIP, KENDALL COUNTY, ILLINOIS.

Unofficial

Attachment 1, Page 10
RECORDER OF KENDALL COUNTY
AFFIDAVIT - PLAT ACT

STATE OF ILLINOIS

} SS


COUNTY OF
KENDALL

SANDRA GOEKEN MILES, being duly sworn on oath, states that she resides at 6621 Route 71, Yorkville, Illinois 60560. That the attached deed is not in violation of 765 ILCS 205/1 for one of the following reasons:

1. The sale or exchange is of an entire tract of land not being a part of a larger tract of land.
2. The division or subdivision of the land is into parcels or tracts of five acres or more of size which does not involve any new streets or easements of access.
3. The division is of lots or blocks of less than one acre in any recorded subdivision which does not involve any new streets or easements of access.
- ④ 4. The sale or exchange of parcels of land is between owners of adjoining and contiguous land.
5. The conveyance is of parcels of land or interests therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easement of access.
6. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
7. The conveyance is of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
8. The conveyance is made to correct descriptions in prior conveyances.
9. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access.
10. The sale is of a single lot of less than five acres from a larger tract, the dimensions and configurations of said larger tract having been determined by the dimensions and configurations of said larger tract on October 1, 1973, and no sale prior to this sale, or any lot or lots from said larger tract having taken place since October 1, 1973, and a survey of said single lot having been made by a registered land surveyor.


THE APPLICABLE STATEMENT OR STATEMENTS ABOVE ARE CIRCLED.

Affiant further states that she makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording, and that all local requirements applicable to the subdivision of land are met by the attached deed and the tract described therein.


Sandra Goeken Miles

SUBSCRIBED AND SWORN to before me

this 13 day of March, 2018.


Notary public

KAPLATAP





**Kendall County Soil & Water
Conservation District**

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



www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Rodolfo and Georgina Nunuez

Address: [REDACTED]

City, State, Zip: [REDACTED]

Phone Number: [REDACTED]

Email: outdoorscapesinc@gmail.com

Contact Person: Attorney Daniel J. Kramer

1107A S. Bridge Street

Yorkville, IL 60560

(63) 553-9500

dkramer@dankramerlaw.com

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

Site Location & Proposed Use

Township Name Oswego Township 37 N, Range 7 E, Section(s) 24

Parcel Index Number(s) 02-24-300-003

Project or Subdivision Name _____ Number of Acres 3

Current Use of Site _____ Proposed Use _____

Proposed Number of Lots 1 Proposed Number of Structures 1

Proposed Water Supply well Proposed type of Wastewater Treatment _____

Proposed type of Storm Water Management septic

Type of Request

☐ Change in Zoning from _____ to _____

☐ Variance (Please describe fully on separate page)

☒ Special Use Permit (Please describe fully on separate page)

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

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

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

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

Full Report: \$375.00 for five acres and under, plus \$18.00 per acre for each additional acre or any fraction thereof over five.

Executive Summary Report: \$300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under \$ 375.00

_____ Additional Acres at \$18.00 each \$ _____

Total NRI Fee \$ _____

NOTE: Applications are due by the 1st of each month to be on that month's SWCD Board Meeting Agenda. Once a completed application is submitted, please allow 30 days for inspection, evaluation and processing of this report.

I (We) understand the filing of this application allows the authorized representative of the Kendall County Soil and Water Conservation District (SWCD) to visit and conduct an evaluation of the site described above. The completed NRI report expiration date will be 3 years after the date reported.

X [REDACTED]
Petitioner or Authorized Agent

8-30-18
Date

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

FOR OFFICE USE ONLY

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

PART OF THE SOUTHWEST QUARTER OF SECTION 24, T37N-R7E, 3rd PM
OSWEGO TOWNSHIP KENDALL COUNTY ILLINOIS

DEVELOPER:

OutdoorScapes, Inc.
Rodolfo Nunez
P.O. Box 851
Montgomery, Illinois 60538

PROPERTY LOCATION:

PINs: 02-24-300-017 and -018
6725 State Highway 71
Yorkville, Illinois 60560

AREA TO BE REZONED:

3.0004 Acres

PRESENT ZONING:

A-1

PROPOSED ZONING:

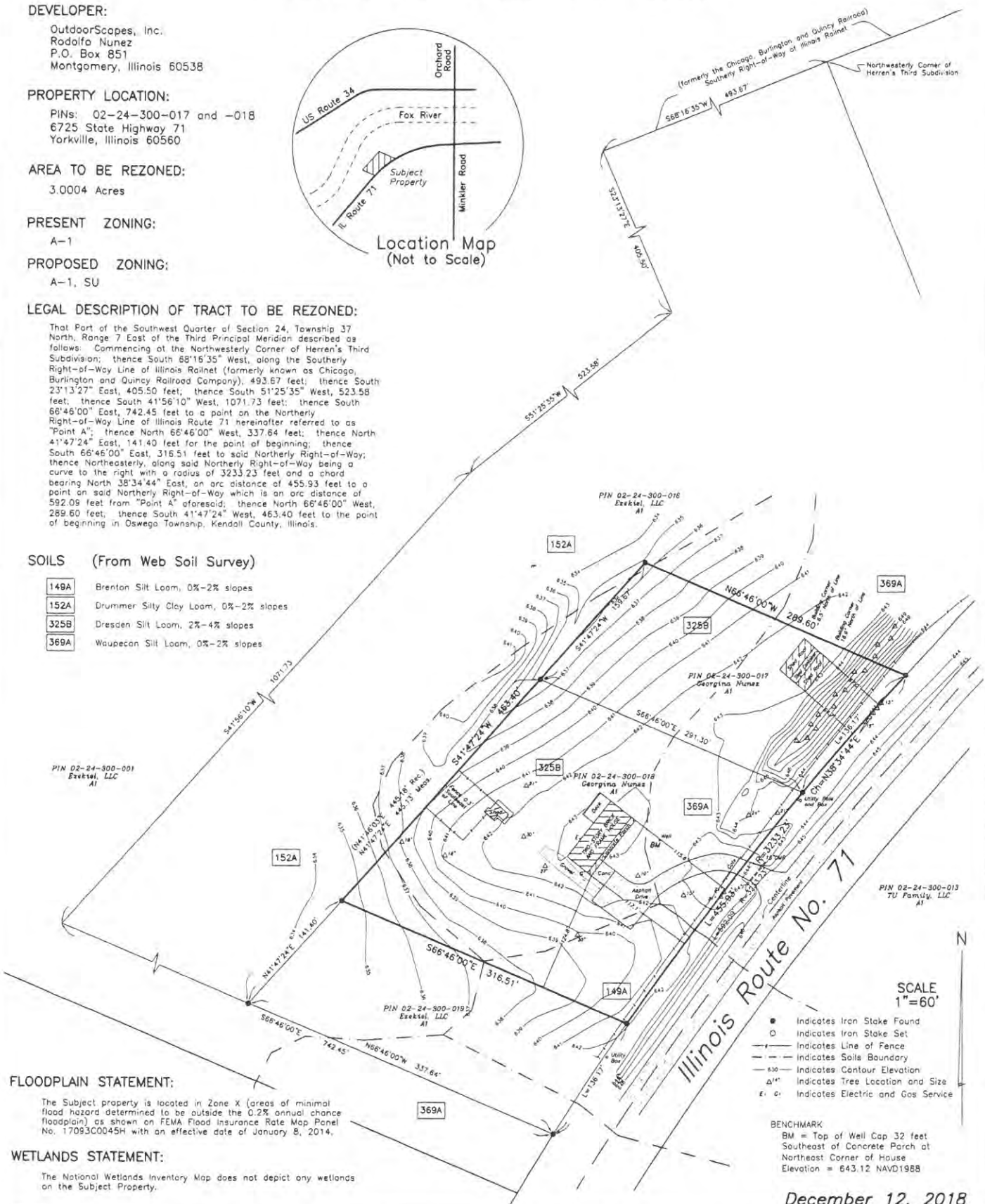
A-1, SU

LEGAL DESCRIPTION OF TRACT TO BE REZONED:

That Part of the Southwest Quarter of Section 24, Township 37 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Northwestern Corner of Herren's Third Subdivision; thence South 68°16'35" West, along the Southern Right-of-Way Line of Illinois Railroad (formerly known as Chicago, Burlington and Quincy Railroad Company), 493.67 feet; thence South 23°13'27" East, 405.50 feet; thence South 51°25'35" West, 523.58 feet; thence South 41°56'10" West, 1071.73 feet; thence South 66°46'00" East, 742.45 feet to a point on the Northern Right-of-Way Line of Illinois Route 71 hereinafter referred to as "Point A"; thence North 66°46'00" West, 337.64 feet; thence North 41°47'24" East, 141.40 feet for the point of beginning; thence South 66°46'00" East, 316.51 feet to said Northern Right-of-Way; thence Northeasterly, along said Northern Right-of-Way being a curve to the right with a radius of 3233.23 feet and a chord bearing North 38°34'44" East, an arc distance of 455.93 feet to a point on said Northern Right-of-Way which is an arc distance of 592.09 feet from "Point A" aforesaid; thence North 66°46'00" West, 289.60 feet; thence South 41°47'24" West, 463.40 feet to the point of beginning in Oswego Township, Kendall County, Illinois.

SOILS (From Web Soil Survey)

- | | |
|------|---------------------------------------|
| 149A | Brenton Silt Loam, 0%-2% slopes |
| 152A | Drummer Silty Clay Loam, 0%-2% slopes |
| 325B | Dresden Silt Loam, 2%-4% slopes |
| 369A | Waupeca Silt Loam, 0%-2% slopes |



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 8, 2014.

WETLANDS STATEMENT:

The National Wetlands Inventory Map does not depict any wetlands on the Subject Property.

SCALE
1"=60'

- Indicates Iron Stake Found
- Indicates Iron Stake Set
- Indicates Line of Fence
- - - Indicates Soils Boundary
- 630 Indicates Contour Elevation
- Δ(1') Indicates Tree Location and Size
- E, G, I Indicates Electric and Gas Service

BENCHMARK
BM = Top of Well Cap 32 feet
Southeast of Concrete Patch at
Northeast Corner of House
Elevation = 643.12 NAVD1988

December 12, 2018

JOB NO. 18305
JOB NAME NUNEZ
DWG FILE 18305

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

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

Please fill out the following findings of fact to the best of your capabilities. §13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals shall consider in rendering a decision, but is not required to make an affirmative finding on all items in order to grant a **special use**. They are as follows:

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

That the special use will not be substantially injurious to the use and enjoyment of other properties 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.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are 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

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.

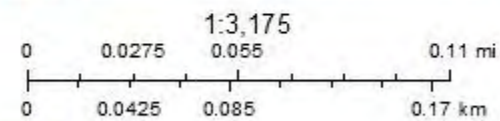
1. No impact what so ever will affect public health, safety, morals, comfort, or general welfare. Prior to the Applicants purchasing the subject property, a berm was constructed along the front of the property which shields the where their proposed Special Use Building would be located. Immediately adjacent north is a commercial horse stable with multiple out buildings that currently has multiple outside storage. The proposed use here would have all indoor storage in a building to be constructed by Applicants. Applicants do all of their work off-site and are primarily engaged in professional tree planting and landscaping. They currently do not have a large number of employees only using part time help in addition to applicants. It would be estimated that at its peak they would have no more than 3 employees parking their vehicles at the site in the morning and returning in the evening and removing those vehicles at night.
2. The current landscape buffer along Route 71 shelters the existing building on-site and the replacement building.
3. Adequate road access exists in that the property is located on Route 71, an area that is adjacent to a commercial stable and across the street form a gravel pit.
4. No variations form current Ordinance requirements of Kendall County.
5. Landscape and tree specialists are Special Uses that are allowed in A-1 Agricultural Districts throughout the County. In the preface to the Kendall County Land Resource Management Plan there is a stated purpose in Kendall County to preserve agricultural in endeavors which would of course include Special Uses that are allowed under the Agricultural Ordinances of Kendall County.

Attachment 2



December 17, 2018

-  Agricultural
 Agricultural-Building Permit
 Agricultural-Special Use
 Agricultural-Special Use-Planned Unit Development



Kendall County Illinois GIS



Attachment 4-Facing Straight







Applicant: Rodolfo and Georgina Nunez
Contact: Daniel J. Kramer
Address: 6725 Route 71
Yorkville, IL 60560

Project: Nunez Special Use
Address: 6725 Route 71, Yorkville

IDNR Project Number: 1906159
Date: 12/27/2018

Description: Petitioners would like an A-1 Special Use Permit to operate a landscaping business out of their home and store equipment

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Fox River INAI Site
Yorkville Prairie INAI Site
Yorkville Prairie Nature Preserve
Yorkville Prairie South Natural Heritage Landmark
Yorkville Railroad Prairie Natural Heritage Landmark
Greater Redhorse (*Moxostoma valenciennesi*)

An IDNR staff member will evaluate this information and contact you to request additional information or to terminate consultation if adverse effects are unlikely.

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Kendall

Township, Range, Section:
37N, 7E, 24



IL Department of Natural Resources
Contact
Justin Dillard
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Kendall County Planning, Building, & Zoning
Matt Asselmeier
111 W Foxt Street
Yorkville, Illinois 60560

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

IDNR Project Number: 1906159

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

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EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Bruce Rauner, Governor
Wayne A. Rosenthal, Director

December 27, 2018

Daniel J. Kramer
Rodolfo and Georgina Nunez
6725 Route 71
Yorkville, IL 60560

RE: Nunez Special Use
Project Number(s): 1906159
County: Kendall

Mr. Kramer,

The Department has received your submission for this project for the purposes of consultation pursuant to the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and *Title 17 Illinois Administrative Code Part 1075*. Additionally, the Department may offer advice and recommendations for species covered under the *Fish & Aquatic Life Code* [515 ILCS 5, et seq.]; the *Illinois Wildlife Code* [520 ILCS 5, et seq.]; and the *Herptiles-Herps Act* [510 ILCS 69].

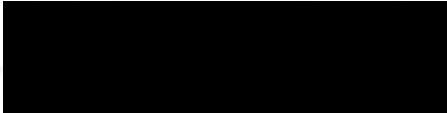
The proposed action being reviewed in this letter consists of an A-1 special use permit application for operation of a landscaping business (EcoCAT submittal #1906159). EcoCAT has identified two Illinois Natural Areas Inventory (INAI) sites, a dedicated Illinois Nature Preserve, two Illinois Natural Heritage Landmarks, and records of the state-listed endangered **greater redhorse** (*Moxostoma valenciennesi*) within the vicinity of the proposed project footprint.

The Department has determined that impacts to protected resources are not likely for this project, assuming all soil erosion and sediment control BMPs are practiced during all potential construction and large-scale earthmoving activities (e.g. grading, trenching) associated with the establishment of the landscaping business.

Consultation on the part of the Department is closed unless the applicant desires additional information or advice related to this proposal. Consultation for Part 1075 is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.



Justin Dillard

Resource Planner, Consultation Services
Illinois Dept. of Natural Resources
(217) 557-6723
Justin.Dillard@Illinois.gov

Matt Asselmeier

From: Alec Keenum [akeenum@oswegofire.com]
Sent: Wednesday, January 02, 2019 11:42 AM
To: Matt Asselmeier
Subject: RE: Kendall County Petition 19-04

Matt,

Project – Special Use for Landscape Business

Location – 6725 Rt 71

Project Mgr: Matt Asselmeier

Project # - 19-04

Date – December 21, 2018

FYI....

- The original address is noted as 6725 Rt 71, however throughout the remainder of the documentation its mistakenly listed as Rt 47
- Current OFPD ordinances require new construction (non single family residential) to be compliantly protected with an NFPA 13 sprinkler system and an NFPA 72 fire alarm system
- Additional comments with respect to access and site may be presented upon project moving forward

Regards,

Capt. Alec J Keenum
Fire Marshal
Oswego Fire Protection District



From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Friday, December 21, 2018 2:13 PM
To: Aaron Rybski; Andrews, Megan - NRCS-CD, Yorkville, IL; Brian Holdiman; David Guritz; Fran Klaas; 'Greg Chismark'; Jason Langston; Matthew G. Prochaska; Meagan Briganti; Scott Koepfel; Brian LeClercq; Kenneth Holmstrom; Bob Rogerson; Alec Keenum; Mike Veseling; Rod Zenner; ttouchette@oswegoil.org
Subject: Kendall County Petition 19-04

To All:

Matt Asselmeier

From: Daniel J Kramer [dkramer@dankramerlaw.com]
Sent: Wednesday, January 02, 2019 1:30 PM
To: Matt Asselmeier
Subject: RE: Kendall County Petition 19-04

We totally disagree. It is an outside cold storage building with no office or living quarters. In other words it is a pull building. We can find no legal authority to require a building of this use or size to be required to sprinkle contrary to regulation sighted by OFD.

Very Truly Yours,

Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560
Phone-630.553.9500
Fax-630.553.5764

NOTICE: This communication is covered by the Electronic Communications Privacy Act found at 18 USC 2510 et. seq. and is intended to remain confidential and is subject to the applicable attorney/client and or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and all attachments. Do not deliver, distribute or copy this message and/or any attachments and do not disclose the contents or take any action in reliance upon the information contained in this communication or any attachments if you are not the intended recipient.

From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Wednesday, January 02, 2019 11:45 AM
To: Daniel J Kramer <dkramer@dankramerlaw.com>
Subject: FW: Kendall County Petition 19-04

Dan:

Do you have any comments or concerns regarding these comments by the Oswego Fire Protection District?

Thanks,

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

From: Alec Keenum [mailto:akeenum@oswegofire.com]
Sent: Wednesday, January 02, 2019 11:42 AM
To: Matt Asselmeier
Subject: RE: Kendall County Petition 19-04

Matt,

Daniel J. Kramer

Law Offices
of
Daniel J. Kramer
1107A S. Bridge Street
Yorkville, Illinois 60560
630-553-9500
Fax: 630-553-5764

Kelly A. Helland
D.J. Kramer

January 3, 2019

Captain Alec J. Keenum
Fire Marshall

Via Email: akeenum@oswegofire.com

Dear Captain Keenum;

Can you please provide us with a copy of the Regulations you site as NFPA 13 sprinkler system and NFPA 72 fire alarm system, as well as a copy of any of your current Ordinance for Oswego Fire Protection District that is requiring sprinkling in a non-single-family residential building.

I have reviewed the correspondence you have sent with regard to Petition 19-04 which is going to be nothing more than a cold storage pole building under 3,000 square feet with no office or bathroom facilities. It literally is a farm building.

I want to see the basis for requiring a sprinkler there.

Very truly yours,

Daniel J. Kramer

Daniel J. Kramer
Attorney at Law

DJK:rg

cc: Matt Asselmeier

Oswego Fire Protection District

Chief Michael Veseling



Fire Prevention Bureau



Fire Marshal Alec J Keenum

Station #1 ♦ 3511 Woolley Road ♦ Phone: (630) 906-OFPD
Oswego, IL 60543 Fax: (630) 383-0630

January 7, 2019

Daniel J. Kramer
1107A S, Bridge Street
Yorkville, IL 60560

RE: Petition 19-04 - 67252 Rt. 71

Dear Mr. Kramer,

In response to your inquiry of January 3, 2019 regarding the above petition with Kendall County Planning, Building, and Zoning:

- The Oswego Fire Protection District website (www.oswegofire.com) has links to the fire prevention code ordinance of record. Exhibit A is the original, and exhibit G is the latest, which is an amended version of the International Fire Code (IFC) 2015
- Sections 903.2 of the amended version calls out the requirement for sprinkling new construction
- Section 903.3 of the un-amended IFC 2015 specifies design & installation of the sprinkler system as per NFPA13
- Section 907.2 of the amended version calls out the requirement for a fire alarm system
- Section 907.2 of the un-amended IFC specifies installation in accordance to NFPA 72

In your letter, you indicate that the structure is literally a farm building that will be used for cold storage only - no bathroom facilities, no office. Section 903.2 of the amended version of our fire prevention code also indicates the existence of some standard exceptions to the sprinkler requirement, with one of them being "Agriculture storage building less than 8,000 square feet".

If the petitioner is available to verify and attest to the proposed structure meeting said exception upon construction and thereafter, then it clearly would be exempt from the sprinkler requirement.

However, please note that if at any time additional build-out of the structure occurs such that it is no longer purely "agriculture storage", then the existing ordinances as it relates to sprinkler protection would be enforceable.

If there are any questions, I can be contacted at the above phone number.

Regards,

A black rectangular box redacting the signature of the Fire Marshal.

Capt. Alec J Keenum
Fire Marshal
Oswego Fire Protection District

cc: file

Kendall County Planner Matt Asselmeier

Daniel J. Kramer

Law Offices
of
Daniel J. Kramer
1107A S. Bridge Street
Yorkville, Illinois 60560
630-553-9500
Fax: 630-553-5764

Kelly A. Helland
D.J. Kramer

January 8, 2019

Captain Alec J. Keenum
Fire Marshall

Via Email: akeenum@oswegofire.com

Dear Captain Keenum;

Thank you for your letter of January 7, 2019. My Client Rodolfo and Georgina Nunez will definitely be available when the Building Permit is taken out for the building with the County so that you can see the size and the fact there are no bathrooms. Would you like me in the meantime to get you an Affidavit from my clients so you have it for your files? If so let me know and I will get it produced right away.

Very truly yours,

Daniel J. Kramer

Daniel J. Kramer
Attorney at Law

DJK:cth

cc: Matt Asselmeier

Matt Asselmeier

From: Alec Keenum [akeenum@oswegofire.com]
Sent: Thursday, January 10, 2019 1:41 PM
To: Daniel J Kramer
Cc: Matt Asselmeier; outdoorscapesinc@gmail.com
Subject: FW: Kendall County Petition 19-04
Attachments: Ltr to Captain Keenum1-8-19.pdf

Dan,

As indicated, either the petitioners or the building department would need to attest that the structure in question to be constructed is within the definition of that which the IFC considers an "exception". In addition, agreement/understanding that future use shall also remain as such, or it shall be held to the ordinance in affect at the time of the use change.

Regards,

Capt. Alec J Keenum
Fire Marshal
Oswego Fire Protection District



From: Real estate [mailto:realestate@dankramerlaw.com]
Sent: Wednesday, January 9, 2019 8:36 AM
To: Alec Keenum
Cc: masselmeier@co.kendall.il.us; outdoorscapesinc@gmail.com
Subject: Kendall County Petition 19-04

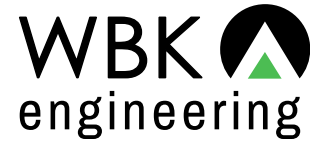
DO NOT RESPOND TO THIS EMAIL PLEASE SEND DIRECT TO: dkramer@dankramerlaw.com

Very Truly Yours,

Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560
Phone-630.553.9500

Fax-630.553.5764

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January 5, 2019

Mr. Matt Asselmeier
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498

Subject: Petition 19-04 6725 Rte 71 Outdoorscape

Dear Mr. Asselmeier:

WBK Engineering has reviewed the stormwater submittal and site plans for the subject project. We received the following information:

- Permit Application prepared by Rodolfo and Georgina Nunez including
 - Zoning Plat prepared by Philip D Young and Associates, Inc. dated December 12, 2018 and received December 21, 2018


The following comments are offered for the petitioner's consideration and require resolution prior to our recommendation for approval.

1. Provide a site plan that depicts all anticipated site disturbance for parking, new buildings, landscape material storage and grading to accommodate the business operation.
2. Provide an area summary of all site disturbance including pervious and impervious surfaces.

The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details, and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve applicant's design professionals of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications.

If you have any questions or comments, please contact us at (630) 443-7755.

Sincerely,


Greg Chismark, P.E.
Municipal Practice Principal
WBK Engineering LLC

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
January 8, 2019 – Unapproved Meeting Minutes**

Matthew Prochaska called the meeting to order at 9:02 a.m.

Present:

Aaron Rybski – Health Department
David Guritz – Forest Preserve
Fran Klaas – Highway Department
Brian Holdiman – PBZ Department
Matt Asselmeier – PBZ Department
Matthew Prochaska – PBZ Committee Chair

Absent:

Megan Andrews – Soil and Water Conservation District
Meagan Briganti – GIS
Greg Chismark – WBK Engineering, LLC
Deputy Commander Jason Langston – Sheriff's Department

Audience:

Joe Spencer, Dan Kramer, Rodolfo Nunez, Georgina Nunez, Stuart Weihler, and Paula Weihler

AGENDA

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

MINUTES

Mr. Guritz made a motion, seconded by Mr. Rybski, to approve the December 4, 2018, meeting minutes. With a voice vote of all ayes the motion carried unanimously.

PETITIONS

Petition 18-32 Joe Spencer on Behalf of Utility Dynamics – Site Plan Approval for Storage Building at 5237 Light Road (PIN 03-07-227-002) in Oswego Township

Mr. Asselmeier summarized the request. The Petitioner would like to construct an approximately four thousand eight hundred (4,800) square foot storage building on their property. The property is currently vacant and is zoned M-1. There are residential properties located immediately to the east of the subject property. Oswego Township did not submit comments. The Petitioner requested a variance from the sprinkler requirement from the Oswego Fire Protection District. Neither the Village of Montgomery nor the Village of Oswego provided comments.

Responsive to Site Conditions-Site plans should be based on an analysis of the site. Such site analysis shall examine characteristics such as site context; geology and soils; topography; climate and ecology; existing vegetation, structures and road network; visual features; and current use of the site. In addition to the standards listed below, petitioners must also follow the regulations outlined in this Zoning Ordinance. To the fullest extent possible, improvements shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative effects and alteration of natural features. Fragile areas such as wetlands shall and flood plains should be preserved as open space. Slopes in excess of 20 percent as measured over a 10-foot interval also should remain as open space, unless appropriate engineering measures concerning slope stability, erosion and safety are taken. The proposed structure shall utilize a minimal amount of the total acreage. There are no wetlands or flood plains on the property. There are no concerns regarding slopes or erosion, provided necessary steps are taken to prevent erosion during construction.

Traffic and Parking Layout-Site plans should minimize dangerous traffic movements and congestion, while achieving efficient traffic flow. An appropriate number of parking spaces shall be provided while maintaining County design standards. The number of curb cuts should be minimized and normally be located as far as possible from intersections. Connections shall be provided between parking areas to allow vehicles to travel among adjacent commercial or office uses. Cross-access easements or other recordable mechanisms must be employed. Ample space exists on the property for parking and the building will be setback further from Light Road than is required by the Kendall County Zoning Ordinance. The access point off of Light Road is already in existence.

Conflicts between pedestrians and vehicular movements should be minimized. When truck traffic will be present upon the site, the road size and configuration shall be adequate to provide for off-street parking and loading facilities for large

vehicles. Barrier curb should be employed for all perimeters of and islands in paved parking lots, as well as for all service drives, loading dock areas, and the equivalent. Parking lots in industrial or commercial areas shall be paved with hot-mix asphalt or concrete surfacing. This is not an issue.

Site Layout-Improvements shall be laid out to avoid adversely affecting ground water and aquifer recharge; minimize cut and fill; avoid unnecessary impervious cover; prevent flooding and pollution; provide adequate access to lots and sites; and mitigate adverse effects of shadow, noise, odor, traffic, drainage and utilities on neighboring properties. The site will be laid out in a manner that will not impact shadow, noise, odor, traffic, or drainage. The proposal will not adversely affect ground water or aquifer recharge.

Consistent with the Land Resource Management Plan-The proposed use and the design of the site should be consistent with the Land Resource Management Plan. This is true.

Building Materials-The proposed site plan design shall provide a desirable environment for its occupants and visitors as well as its neighbors through aesthetic use of materials, textures and colors that will remain appealing and will retain a reasonably adequate level of maintenance. Buildings shall be in scale with the ultimate development planned for the area. Monotony of design shall be avoided. Variations in detail, form, and setting shall be used to provide visual interest. Variation shall be balanced by coherence of design elements. Since this is the only building on the property, this item is not a concern.

Relationship to Surrounding Development-A site shall be developed in harmony with neighboring street pattern, setbacks and other design elements. The proposed site development is in harmony with the existing use of neighboring properties provided fencing meets the Kendall County Zoning Ordinance. Petitioner plans to install a mesh over the existing chain-link fence.

Open Space and Pedestrian Circulation-Improvements shall be designed to facilitate convenient and safe pedestrian and bicycle movement within and to the property. This is not applicable.

Buffering-Measures shall be taken to protect adjacent properties from any undue disturbance caused by excessive noise, smoke, vapors, fumes, dusts, odors, glare or stormwater runoff. Incompatible, unsightly activities are to be screened and buffered from public view. The Petitioner plans to install a mesh over the existing chain-link fence. The proposed building will be used for storage of equipment and no noise, smoke, vapors, fumes, dusts odors, or glare is planned. Given the size of the building and topography, stormwater should not be an issue provided necessary steps are taken during construction.

Emergency Vehicle Access-Every structure shall have sufficient access for emergency vehicles. Staff would like comments from the Kendall County Sheriff's Department and Oswego Fire Protection District on this issue.

Mechanical Equipment Screening-All heating, ventilation and air conditioning equipment shall be screened on sides where they abut residential districts. The proposed building will not be heated or cooled.

Lighting-The height and shielding of lighting fixtures shall provide proper lighting without hazard to motorists on adjacent roadways or nuisance to adjacent residents by extending onto adjacent property. Cut-off lighting should be used in most locations, with fixtures designed so that the bulb/light source is not visible from general side view. The Petitioner plans to install two (2) poles with two (2) floodlights on each pole. As long as the lights are pointed downward, light spilling onto neighboring property is not an issue.

Refuse Disposal and Recycling Storage Areas-All refuse disposal and recycling storage areas should be located in areas designed to provide adequate accessibility for service vehicles. Locations should be in areas where minimal exposure to public streets or residential districts will exist. Screening shall be required in areas which are adjacent to residential districts or are within public view. Such enclosures should not be located in landscape buffers. Refuse containers and compactor systems shall be placed on smooth surfaces of non-absorbent material such as concrete or machine-laid asphalt. A concrete pad shall be used for storing grease containers. Refuse disposal and recycling storage areas serving food establishments shall be located as far as possible from the building's doors and windows. The use of chain link fences with slats is prohibited. Refuse will not be collected onsite.

If approved, the Petitioner would have to submit information for a building permit.

Mr. Rybski asked about well and septic information on the site. Mr. Spencer responded that no wells or septic systems were onsite.

Mr. Klaas asked about the condition of Commerce Road. Discussion occurred regarding easements over Commerce Road. Mr. Spencer provided a history of improvements to Commerce Road.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to approve the site plan subject to the conditions that the floodlights shall be aimed in such a manner that does not cause light spillage onto neighboring residential properties and that the site be developed in accordance with the submitted site plan and in compliance with all applicable federal, state, and local laws.

Ayes (6): Asselmeier, Guritz, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Abstain (0): None
Absent (4): Andrews, Briganti, Chismark, and Langston

The motion passed unanimously.

Petition 19-04 Rodolfo and Georgina Nunez-Special Use Permit for a Landscaping Business at 6725 Route 71 (PINs 02-24-300-017 and 02-24-300-018) in Oswego Township

Mr. Asselmeier summarized the request. The Petitioners are requesting a special use permit to operate a landscaping business. The property is zoned A-1 and is approximately three (3) acres in size.

The EcoCAT Report was submitted and several species were identified in the area. However, IDNR expressed no concerns regarding the proposal provide best management practices are employed when building structures.

The Natural Resource Inventory application submitted on December 20, 2018, and is still under review.

Petition information was sent to Oswego Township on December 21, 2018.

Petition information was sent to the Village of Oswego on December 21, 2018. Information about this Petition will be discussed at a January Village Board meeting.

Petition information was sent to Oswego Fire Protection District on December 21, 2018. The Petitioner is in contact with the Fire Protection District to resolve sprinkling issues.

The Petitioner plans to have at most three (3) employees report to the site for work.

The Petitioner plans to remove the containers on the property and construction a small building on the property.

The property fronts Route 71 and the Village of Oswego's plans call for a trail along Route 71. The site plan shows parking around the existing house.

No additional lighting or signage was proposed.

The Zoning Ordinance requires all vehicles, equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit. An existing berm with evergreens and other trees is located on the property.

The property drains to the northwest and southwest of the site. WBK submitted a comment letter on the proposal.

Mr. Rybski asked about well or septic records. He also requested a soil study. Mr. Kramer indicated that no new wells or septic systems were proposed and the Petitioners will locate the existing well and septic system locations and supply that information to the Kendall County Health Department.

Mr. Kramer stated Mr. Nunez was a tree specialist and the proposed business would not be the traditional landscape business. They have one (1) part-time employee.

Mr. Kramer noted the existing berm and that the existing trailer shall be replaced with a building.

Mr. Kramer said that the Petitioner would secure a variance, if necessary, for the sprinkler requirement for the building. Mr. Kramer does not believe a sprinkler system will be required.

Mr. Kramer indicated that this proposal would go before Oswego Township on January 15th.

Mr. Kramer indicated that the Village of Oswego will provide a letter of no objection to the County.

Mr. Kramer confirmed the building size will be approximately two thousand four hundred (2,400) square feet.

No landscaping debris would be outdoors. Shrubs and trees could be stored outside. Equipment storage would be outdoors except for his pickup truck.

Discussion occurred regarding trail dedication. Mr. Kramer expressed concerns about the relocation of the existing berm particularly if Route 71 were widened.

No variances would be needed based on current measurements of structures.

Discussion occurred regarding potential complaints by neighbors. Mr. Kramer could definitively say if objections could or would arise.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to recommend approval of the special use permit with the conditions that no landscaping debris or equipment may be stored outside except for nursery stock.

Ayes (6): Asselmeier, Guritz, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Abstain (0): None
Absent (4): Andrews, Briganti, Chismark, and Langston

The motion passed unanimously. This matter will go before the Kendall County Regional Planning Commission on January 23rd.

Petition 19-05 Specialty Oswego, LLC and Stuart and Paula Weihler-Special Use Permit for a Banquet Facility and Variance to the Requirement that Banquet Facilities be Located on a Primary Highway or Major Collector in the 5100 Block of Schlapp Road Approximately 0.48 Miles South of the Intersection of Plainfield Road and Schlapp Road (PIN 03-34-100-024 South 10 Acres) in Oswego Township

Mr. Asselmeier summarized the request. Stuart and Paula Weihler would like to establish a banquet facility, Heritage Homestead at the subject property. The property is currently owned by Specialty Oswego, LLC and the Weihler's have a contract to purchase the property subject to obtaining the required zoning permits to operate a banquet facility. The special use permit would apply to the southern ten (10) acres of the property. A variance would be required because Schlapp Road is not an arterial road or a major collector as defined by the Land Resource Management Plan. The property is zoned A-1.

EcoCat submitted on December 18, 2018 and consultation was terminated

NRI application submitted on December 21, 2018, and currently under review.

Oswego Township was emailed information on December 21, 2018, and no comments have been received.

Oswego Fire Protection District was emailed information on December 21, 2018. The Petitioner is in discussions with the Fire Protection District regarding securing applicable variances.

The Village of Oswego was emailed information on December 21, 2018, and they are currently reviewing the proposal.

The Weihler's business plan, plat of survey, and site plan were provided. As noted in the business plan, plat of survey and site plan, the Weihler's would use the southern ten (10) acres of the current property configuration for their event business. They plan to construct a four thousand, nine hundred fifty (4,950) square foot barn with two (2) two thousand five hundred (2,500) square foot outdoor areas on the southwest and northeast sides of the barn. One two thousand (2,000) square foot tent with concrete pad would be located northwest of the barn. Two (2) grain bins, one (1) for the bride and one (1) for the groom, would be constructed to the northwest of each outdoor area. An additional bar grain bin would be constructed west of the tent. Each grain bin would be one hundred seventy-one (171) square feet in size. One (1) outdoor grassy ceremony area, measuring three thousand five hundred (3,500) square feet would be located east of the barn area. One (1) one hundred eighty-one (181) square foot gazebo would be located southeast of the barn. One (1) additional one thousand five hundred (1,500) square foot storage building would be located to the east of the parking

area. One (1) one hundred (100) square foot trash enclosure is planned east of the parking area. Gravel pathways would connect the parking lot to the various structures and areas of interest on the property.

The Weihlers propose an approximately thirty-seven thousand seven hundred sixty-two (37,762) square foot wet detention pond around the southern portion of the gazebo. Based on the information provided regarding the amount of disturbed ground (land disturbed for parking, facilities, and detention), a stormwater management permit will be required. WBK submitted a letter regarding stormwater requirements.

The Weihlers plan to have events year-round. For weekdays, events would start no sooner than 9:00 a.m. and end no later than 10:00 p.m. For weekends and holidays, events would start no sooner than 9:00 a.m. and end no later than midnight.

The Weihlers plan to use select caterers and will have adequate insurance.

If approved, the Weihlers plan to start construction by April 2019 and start having events in October 2019 with a full season of bookings for 2020.

A Building and Occupancy Permit will be required for each existing structure that will be used in conjunction with the proposed banquet facility.

A raised septic area with three sanitary holding tanks is proposed southwest of the proposed barn. The proposed water well will be located northeast of the tent area.

The property fronts Schlapp Road.

Based on the information provided, the maximum number of attendees would be two hundred eight-five (285) guests. Four (4) additional full-time employees plus the two (2) owners would be onsite during events. Pending any concerns from first responders, the proposed facility would have more than adequate parking facilities. The Weihlers are proposing one hundred fifty-one (151) parking spaces including seven (7) handicapped accessible spaces.

The Weihlers propose five (5) twenty foot (20') fixture light poles and two (2) twenty foot (20') single fixture light poles.

One (1) monument sign is proposed along Schlapp Road. No information was provided regarding the size of the light or whether or not the sign will be illuminated. No information was provided regarding one-way vehicular movement signs.

The landscaping plan call for thirty-two (32) canopy trees, sixteen (16) evergreens, ten (10) understory trees, ten (10) ornamental trees, and one hundred twenty-six (126) deciduous bushes.

The Weihlers plan to have music originate indoors with speakers facing indoors except for processionalists at weddings.

The Weihlers plan to install some berming and, with the combination of distance and new plantings, they believe noise will not be an issue.

The subject property was awarded a special use permit by Kendall County for a residential unit for a stable employee in 1999.

This proposed banquet facility is less than one half (1/2) mile from the nearest road meeting the functional classification requirements in the Zoning Ordinance. By comparison, the banquet facility at 13889 Hughes Road is approximately one point five (1.5) miles from the nearest major collector road (Newark Road via Hollenback Road).

Mr. Holdiman noted that the Petitioners will ask for a variance from the Oswego Fire Protection District for sprinkler requirements. Mr. Kramer indicated that they would apply for a variance from the Fire Protection District for sprinkler system, if necessary. The Petitioners will install a security system. The project would continue to move forward if the variance is not granted. The structures on the property will be heated and cooled.

The Petitioners are working on the septic system information.

Fridays, Saturdays, and the night before holidays are considered weekends. Sunday would be considered a weekday. Cleanup would be finished by 1:00 a.m. on weekends and 11:00 on weekdays.

Discussion occurred regarding the roadway classification of Schlapp Road. Mr. Asselmeier stated that the classification came from the Land Resource Management Plan. Mr. Klaas indicated that the Highway Department classified Schlapp Road as a minor collector.

Mr. Kramer noted that Oswego Township is a dry township; he discussed the caterer's license.

Mr. Rybski discussed the well testing requirements based on the number of events and number of people in attendance at these events. No food would be made onsite. He discussed the requirements of the septic system, including the location of a secondary septic field. The bathroom facilities will be inside the buildings.

The Petitioners acknowledged the Right to Farm Clause.

The Petitioners will use their cell phones to measure noise. The speakers will be turned inward.

The size of the monument sign has not been determined. The sign will be a low-level monument sign. The sign will not be illuminated. Staff requested additional information on the dimensions of the sign. Mr. Kramer was unsure about directional signage at the egress/ingress to the property.

The Petitioners indicated that they no longer needed the special use permit for a stable employee.

The Petitioners will apply for a stormwater management permit.

Mr. Holdiman asked if the barn will be a two (2) story structure. This question was not answered.

Mr. Rybski said that the proposal could be moved forward, but the septic and well review can occur as the proposal moves through the process.

Mr. Asselmeier asked Mr. Klaas if he saw any concerns regarding the ability of Schlapp Road to support this type of use. Mr. Klaas requested that the Township weigh-in on the question. The Township would have to permit the ingress/egress points.

Mr. Klaas requested a right-of-way dedication. The Petitioners agreed to dedicate the appropriate amount of right-of-way; the right-of-way would extend to fifty feet (50') from the centerline of Schlapp Road. The dedication would occur within sixty (60) days of approval of the special use permit. The site plan would be adjusted to reflect the dedication.

Mr. Asselmeier made a motion, seconded by Mr. Rybski, to approve special use permit and variance as requested.

Ayes (6): Asselmeier, Guritz, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Abstain (0): None
Absent (4): Andrews, Briganti, Chismark, and Langston

The motion passed unanimously. This matter will go before the Kendall County Regional Planning Commission on January 23rd.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OLD BUSINESS/NEW BUSINESS

None

CORRESPONDENCE

None

PUBLIC COMMENT

Mr. Asselmeier noted that an application for a banquet facility on Crimmins Road could be submitted.

Mr. Kramer indicated that the owner of 17 Ashe Road is working with the homeowners association to resolve issues related to their special use permit amendment request.

ADJOURNMENT

Mr. Klaas made a motion, seconded by Mr. Guritz to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:57 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

Law Offices
of
Daniel J. Kramer

1107A S. Bridge Street
Yorkville, Illinois 60560
630-553-9500
Fax: 630-553-5764

Daniel J. Kramer

Kelly A. Helland
D.J. Kramer

January 15, 2019

Rodolfo and Georgina Nunez


Via E-mail: Outdoorscapesinc@gmail.com

RE: Kendall County Special Use Application

Dear Rodolfo and Georgina:

I received the enclosed correspondence from the County Health Officer in regard to the septic and well. The up shot of comments at the ZPAC Meeting and this confirming Memo indicates one of two things either sloppy record keeping on the part of the County given the fact that the home you are in is not ancient; or whoever built the home perhaps in conjunction with Maple Lane simply went out and installed well and septic on their own without permits. To be honest with you I very much doubt the latter explanation because I would suspect the home is no older than sometime from 1970's forward.

I need your permission to contact our well and septic man to do a bit of digging to see if perhaps he can find an old well permit at the State Level because every private well drilled anywhere in the State of Illinois has to be drilled by a licensed well driller, and be recorded with the State so they have an accurate survey of depths of wells. I believe the inspection people I use can follow up on that and find that information out.

The septic might be a bit more difficult, but an on-site inspection may disclose where the tank is and the septic man might be able to plot out a field form that location. Let me know if I have your authority to embark on those inspections and I will contact and get an estimate.

Very truly yours,


Daniel J. Kramer
Attorney at Law

DJK:cth
Enclosures

Daniel J Kramer

From: Daniel J Kramer
Sent: Wednesday, January 09, 2019 4:40 PM
To: 'Aaron Rybski'
Cc: Lauren Belville
Subject: RE: 6725 Rte 71, Nunez

No problem thanks.

Very Truly Yours,

Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560
Phone-630.553.9500
Fax-630.553.5764

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From: Aaron Rybski [mailto:ARybski@co.kendall.il.us]
Sent: Wednesday, January 09, 2019 4:37 PM
To: Daniel J Kramer <dkramer@dankramerlaw.com>
Cc: Lauren Belville <lbelville@co.kendall.il.us>
Subject: 6725 Rte 71, Nunez

Hello,

I'm sending this email to reiterate our conversation yesterday at ZPAC concerning the septic system for the Nunez special use permit.

In order to determine that the home septic system is capable to support the potential change of use of the structure, we need to be able to assess the system. Unfortunately, we have no records for this property for the well or the septic. As such, we need to be provided with a drawing of the septic system including all pertinent measurements, component sizes and types as well as a soil analysis of the septic field area. Please feel free to contact me if you have questions concerning who can provide these services.

While this change of use will likely not overload the system, an assessment is required by Illinois Department of Public Health for us to determine that the system is appropriately sized in change of use situations like these.

Please provide the documents (email is fine if preferred). If there are questions concerning this, please feel free to contact me directly at the number listed below.

A.R.
Aaron J. Rybski, L.E.H.P.
Director of Environmental Health Services

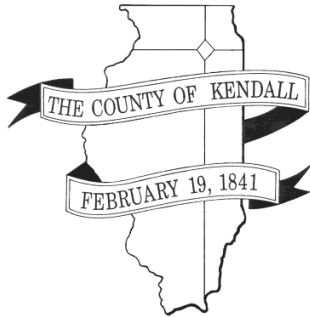
Kendall County Health Department
811 W. John St., Yorkville, IL 60560
630-553-8057

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DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 19-05

**Specialty Oswego, LLC (Current Owners) and Stuart and Paula
Weihler (Prospective Owners)**

5100 Block of Schlapp Road

A-1 Special Use – Banquet Facility

INTRODUCTION

Stuart and Paula Weihler would like to establish a banquet facility, Heritage Homestead at the subject property. The property is currently owned by Specialty Oswego, LLC and the Weihler's have a contract to purchase the property subject to obtaining the required zoning permits to operate a banquet facility.

SITE INFORMATION

PETITIONER Specialty Oswego, LLC (Current Owners) and Stuart and Paula Weihler (Prospective Buyers)

ADDRESS 5100 Hundred Block of Schlapp Road

LOCATION Approximately 0.48 Miles South of the Intersection of Plainfield Road and Schlapp Road on the East Side of Schlapp Road



TOWNSHIP Oswego

PARCEL # 03-34-100-024 (Southern 10 Acres)

LOT SIZE 10.00 +/- Acres

EXISTING LAND USE Agricultural

ZONING A-1 Agricultural District

LRMP	Current Land Use	Agricultural and Farmstead
	Future Land Use	Rural Residential (Max 0.60 Du/Acre)
	Roads	Schlapp Road is a Township Road Classified as a Minor Collector.
	Trails	None
	Floodplain/Wetlands	None

REQUESTED ACTION A-1 Special Use to Operate a Banquet Facility

APPLICABLE REGULATIONS Section 7.01 D.10 – A-1 Special Uses – Permits Banquet Facilities to be Located in the A-1 District with Approval of a Special Use Provided that the Facility Meets Certain Criteria

Section 13.08 – Special Use Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural/Farmstead	A-1	Rural Residential (Max 0.60 DU/Acre) and Rural Estate Residential (Max 0.45 DU/Acre)	A-1
South	Agricultural	A-1	Rural Residential	A-1
East	Agricultural/Farmstead	A-1 and A-1 SU	Rural Residential	A-1, A-1 SU, and R-1 and R-3
West	Agricultural	A-1	Rural Residential	A-1

The A-1 SU immediately to the east of the subject property is a church. One (1) additional A-1 SU is located within one half (1/2) mile of the property to the northeast; this special use permit is for the selling of agricultural products not grown on the premises.

Seven (7) houses, not including the homes in the Douglas Hill Subdivision and Leisure Lea Subdivision, are located within one half (1/2) mile of the existing property lines.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCat submitted on December 18, 2018, consultation was terminated (see Attachment 1, Pages 17-19).

NATURAL RESOURCES INVENTORY

NRI application submitted on December 21, 2018 (see Attachment 1, Page 16).

ACTION SUMMARY

OSWEGO TOWNSHIP

Oswego Township was emailed information on December 21, 2018. At ZPAC, discussion occurred regarding dedicating a portion of the frontage of the property for Schlapp Road right-of-way. Correspondence related to this matter is included as Attachment 13.

OSWEGO FIRE PROTECTION DISTRICT

Oswego Fire Protection District was emailed information on December 21, 2018. The Petitioner will seek a variance to the sprinkler requirements and they plan to install a security system. Correspondence with the Fire Protection District is included as Attachment 14.

VILLAGE OF OSWEGO

The Village of Oswego was emailed information on December 21, 2018. Correspondence with the Village of Oswego is included as Attachment 15.

ZPAC

ZPAC met on this proposal on January 8, 2019. Discussion occurred regarding a sprinkler variance from the Oswego Fire Protection District. Clarification was provided regarding the terms "weekends" and "weekdays." Discussion occurred regarding well testing based on the number of events. The Petitioners acknowledged Kendall County's Right to Farm Clause. The Petitioners stated that they no longer wanted the special use permit previously granted at the property. The Petitioners acknowledged that they would have to apply for a stormwater management permit. ZPAC unanimously recommended approval of the proposal. The minutes of this meeting are included as Attachment 16.

GENERAL

The Weihlers intend to establish the Hertiage Homestead banquet facility and wedding venue as a limited liability company. A special use permit is required to operate a banquet facility at the subject property. Pictures of the property are included as Attachments 6-12. There are currently no structures on the property.

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. (Variance is required for this requirement.)** A variance is required because Schlapp Road is not an arterial roadway or major collector as defined in the Land Resource Management Plan.
- b. The subject parcel must be a minimum of 5 acres.
- c. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
- d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance.
- e. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.
- f. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
- g. The noise regulations are as follows:

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

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

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

BUSINESS OPERATION

The Weihler's business plan is included as Attachment 1, Pages 2-10. The plat of survey is included as Attachment 2. The site plan is included as Attachment 3.

As noted in the business plan, plat of survey and site plan, the Weihler's would use the southern ten (10) acres of the current property configuration for their event business. They plan to construct a four thousand, nine hundred fifty (4,950) square foot barn with two (2) two thousand five hundred (2,500) square foot outdoor areas on the southwest and northeast sides of the barn. One (1) two thousand (2,000) square foot tent with concrete pad would be located northwest of the barn. Two (2) grain bins, one (1) for the bride and one (1) for the groom, would be constructed to the northwest of each outdoor area. An additional bar grain bin would be constructed west of the tent. Each grain bin would be one hundred seventy-one (171) square feet in size. One (1) outdoor grassy ceremony area, measuring three thousand five hundred (3,500) square feet would be located east of the barn area. One (1) one hundred eighty-one (181) square foot gazebo would be located southeast of the barn. One (1) additional one thousand five hundred (1,500) square foot storage building would be located to the east of the parking area. One (1) one hundred (100) square foot trash enclosure is planned east of the parking area. Gravel pathways would connect the parking lot to the various structures and areas of interest on the property.

The Weihlers propose an approximately thirty-seven thousand seven hundred sixty-two (37,762) square foot wet detention pond around the southern portion of the gazebo. Based on the information provided regarding the amount of disturbed ground (land disturbed for parking, facilities, and detention), a stormwater management permit will be required.

The Weihlers plan to have events year-round. For weekdays, events would start no sooner than 9:00 a.m. and end no later than 10:00 p.m. For weekends and holidays, events would start no sooner than 9:00 a.m. and end no later than midnight. The terms weekdays and weekends were not defined. Also, Staff questions whether maintenance (including set up and take down) will be included in the hours of operation.

The Weihlers plan to use select caterers and will have adequate insurance.

If approved, the Weihlers plan to start construction by April 2019 and start having events in October 2019 with a full season of bookings for 2020.

BUILDING CODES

A Building and Occupancy Permit will be required for each existing structure that will be used in conjunction with the proposed banquet facility.

ENVIRONMENTAL HEALTH

A raised septic area with three sanitary holding tanks is proposed southwest of the proposed barn. The proposed water well will be located northeast of the tent area. No detailed information about the well or septic system was provided. The Petitioner agreed to work with the Kendall County Health Department regarding the logistics of establishing a well and septic system as proposed.

ROAD ACCESS

The property fronts Schlapp Road. A variance will be required to have a banquet facility at this property.

PARKING AND INTERNAL TRAFFIC CIRCULATION

Based on the information provided, the maximum number of attendees would be two hundred eight-five (285) guests. Four (4) additional full-time employees plus the two (2) owners would be onsite during events. Pending any concerns from first responders, the proposed facility would have more than adequate parking facilities. The Weihlers are proposing one hundred fifty-one (151) parking spaces including seven (7) handicapped accessible spaces.

LIGHTING

The Weihlers propose five (5) twenty foot (20') fixture light poles and two (2) twenty foot (20') single fixture light poles. The lighting plan is included as Attachment 5.

SIGNAGE

One (1) monument sign is proposed along Schlapp Road as shown on Attachment 3. No information was provided regarding the size of the sign. The sign would not be illuminated. No information was provided regarding one-way vehicular movement signs.

LANDSCAPING

The landscaping plan call for thirty-two (32) canopy trees, sixteen (16) evergreens, ten (10) understory trees, ten (10) ornamental trees, and one hundred twenty-six (126) deciduous bushes. The landscaping plan is included as Attachment 4.

NOISE CONTROL

The Weihlers plan to have music originate indoors with speakers facing indoors except for processions at weddings.

The Weihlers plan to install some berming and, with the combination of distance and new plantings, they believe noise will not be an issue.

STORMWATER

WBK submitted comments regarding stormwater related matters. This letter is included as Attachment 17. The Petitioners acknowledged that they would need to apply for a stormwater management permit. The Petitioners' engineers are working on gathering the information requested in WBK's letter.

RELATION TO OTHER SPECIAL USES

The subject property was granted a special use permit for a residential unit for a stable employee in 1999. At ZPAC, the Petitioners were agreeable to removing this special use permit.

This proposed banquet facility is less than one half (1/2) mile from the nearest road meeting the functional classification requirements in the Zoning Ordinance. By comparison, the banquet facility at 13889 Hughes Road is approximately one point five (1.5) miles from the nearest major collector road (Newark Road via Hollenback Road).

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. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

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. The Petitioners plan to seek a variance from the Oswego Fire Protection District for sprinkler requirements. The Petitioners are agreeable to dedicating land for Schlapp Road right-of-way. The Kendall County Sheriff's Department has not submitted comments expressing concerns for public health and safety.

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. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by restrictions related to hours of operation, number of events, and buffering 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 Petitioner plans to work with the Kendall County Health Department, the Kendall County Planning, Building and Zoning Department and Oswego Township to address utilities, drainage, and points of ingress and egress.

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. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

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 facility is approximately one half (1/2) mile from an arterial or major collector (Plainfield Road). In 2018, the County granted a similar variance for a banquet facility 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 facilities 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 created the hardship by desiring to have a banquet facility at the subject property.

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, Oswego Township, and the Oswego 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 provided the right-of-way dedication occurs and provided that the Petitioners secure applicable variances from the Oswego Fire Protection District.

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 value of the property located southeast of the subject property.

RECOMMENDATION

Because a similar variance was granted at a property further away from a required roadway, 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 attached site plan, landscaping plan, and lighting plan. The previously listed plans may be altered to meet the right-of-way dedication mentioned in condition 2.
2. Within sixty (60) days of approval of this special use permit ordinance, the property owners shall convey a strip of land along the entire western portion of the property to Oswego Township to be used as Schlapp Road right-of-way. This dedication shall have a depth of fifty feet (50') as measured from the centerline of Schlapp Road.
3. A maximum of two hundred eighty-five (285) guests in attendance at a banquet center related event may be on the subject property at a given time.
4. A variance shall be granted to the requirement that 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 as required in Section 7.01.D.10.a of the Kendall County Zoning Ordinance.
5. The subject parcel must maintain a minimum of five (5) acres.
6. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
7. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance except where variances are granted.
8. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. The owners of the business allowed by this special use permit may install two (2) directional signs along Schlapp Road. Any signage provided will not be illuminated. **(Signage size should be clarified)**
9. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
10. 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.

11. No music shall originate outside of any building. This exemption 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 buildings.
12. The hours of operation shall be between 9:00 a.m. and Midnight on weekends and between 9:00 a.m. and 10:00 p.m. on weekdays. The owners of the business allowed by this special use permit shall be allowed an additional one (1) hour after each event for the purposes of cleanup. Setup for events shall occur during the hours of operation. For the purposes of this special use permit ordinance, the term "weekend" shall mean Fridays, Saturdays, the day prior to any Federal or State holiday, and any

Federal or State holiday that falls on a Thursday. The term “weekday” shall mean the other days of the week not included in the definition of “weekend.”

13. A new certificate of occupancy must be issued for all buildings.
14. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County’s Right to Farm Clause.
15. The special use permit for the residential unit of a stable employee, previously granted by Ordinance 1999-10, shall be repealed.
16. 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.
17. 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.
18. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

ATTACHMENTS

1. Application Materials (Including Business Plan)
2. Plat of Survey
3. Site Plan
4. Landscaping Plan
5. Photometric Plan and Information
6. Aerial
7. Looking Northeast
8. Looking East
9. Looking South
10. Looking Northwest
11. Looking West
12. Looking Southwest
13. Oswego Township Related Correspondence
14. Oswego Fire Protection Related Correspondence
15. Village of Oswego Related Correspondence
16. 1-8-19 ZPAC Minutes
17. WBK Letter



DEPARTMENT OF PLANNING, BUILDING & ZONING

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

APPLICATION

PROJECT NAME Weihler Special Use

FILE #: 19-05

NAME OF APPLICANT		
Stuart Weihler and Paula Weihler		
CURRENT LANDOWNER/NAME(s)		
Specialty Oswego, LLC		
SITE INFORMATION		
ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
10 acres	vacant farm land on Schalpp Road, Oswego, IL	part of 03-34-100-024
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
Farmland	A-1 Agricultural	Rural Residential
REQUESTED ACTION (Check All That Apply):		
<input checked="" type="checkbox"/> SPECIAL USE <input type="checkbox"/> MAP AMENDMENT (Rezoned to _____) <input type="checkbox"/> VARIANCE		
<input type="checkbox"/> ADMINISTRATIVE VARIANCE <input type="checkbox"/> A-1 CONDITIONAL USE for: _____ <input type="checkbox"/> SITE PLAN REVIEW		
<input type="checkbox"/> TEXT AMENDMENT <input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final) <input type="checkbox"/> ADMINISTRATIVE APPEAL		
<input type="checkbox"/> PRELIMINARY PLAT <input type="checkbox"/> FINAL PLAT <input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)		
AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
1 PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Daniel J. Kramer	1107A S. Bridge St., Yorkville, IL 60560	dkramer@dankramerlaw.com
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER # (Cell, etc.)
630-553-9500	630-553-5764	
2 ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
John Tebrugge	john@tebruggeengineering.com	
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
815-786-0195		
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
SIGNATURE OF APPLICANT		DATE
		December 21, 2018

FEE PAID: \$ 1155.00
CHECK #: 630-553-5764

¹ Primary Contact will receive all correspondence from County

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

RECEIVED

DEC 21 2018

Heritage Homestead Wedding and Event Venue Business Plan

By

Dr. Paula Weihler

Executive Summary

Heritage Homestead is a wedding and event venue business which will be based in Oswego, Illinois at the address to be given at a later date, but is approx. 10 acres and is now known as the East side of Schlapp Rd at the Plainfield Rd and Schlapp Rd intersection in Oswego.

With this venue fully registered and licensed, Heritage Homestead will provide amazing yet unforgettable memories to a diverse range of customers with the specific needs of each client taken into consideration and services patterned to ensure maximum satisfaction. However, our services are not only restricted to hosting of weddings, but we plan on having several family centered events, hosting of Annual General Meetings, parties, wedding planning services, as well as hosting a variety of other corporate events. Client expectations are very important to us. This is why we seek to exceed these expectations by offering top-notch services.

Our choice of location is very strategic to achieving our goals. Hence rural Oswego presents boundless opportunities with a young and growing population within the 18 to 35 age bracket and is located 47 miles south of Chicago. This rural, yet doable location will also draw from surrounding communities like Naperville, Plainfield and all of Fox Valley. **See attachment for land location.**

Heritage Homestead is a wedding and event venue concept brought about by Dr. Paula Weihler and her husband Stuart, who have been very active in the community for over 10 years. This business will be run as a Limited Liability Company, and her several years of experience owning her own small business in Yorkville, will be an essential part in running an efficient wedding and event venue business.

Mission Statement

Heritage Homestead will be a wedding venue business that will provide excellent services to clients. At Heritage Homestead, we also will have year round family friendly activities that are sure to bring the "Normal Rockwell" paintings to life. **See attached calendar for some event ideas.** These services will be budget friendly and will seek to fully satisfy every client. We are poised to build an unforgettable brand name in the wedding venue sector with our clients at the center of all our activities.

Vision Statement

We envision Heritage Homestead to bring smiles to faces when they hear this name. Not only do recognize the importance of our esteemed clients to the growth of our business, we are determined to be among the top 5 wedding and event venue businesses located in Illinois, achievable within 5 years from the date of commencement of business operations. We also have several family center events that are going to take place at Heritage Homestead. See attached Calendar. We hope to have the land zoned for various use by March 2019, with construction starting no later than April of 2019 and the first event hosted no later than Oct 2019 while booking future events for 2020 starting on open day, again, no later than Oct 2019. **See attachment for vision of main building.**

Event Assumptions:

This event venue will be available for about 250 persons; we would like to ask for a 14% variance for the occasional event if a need should arise where it would be over that amount.

The hours of operation would be as follows for Weekdays: start no sooner than 9 am and end no later than 10pm. For Weekends and Holidays, start no sooner than 9 am and end no later than midnight. There would also be a maximum of 65 events at this venue per year. Months of operation with this climate controlled venue would be 12 months a year.

We have estimated that we would have no more than four full-time employees, in addition to ourselves being part of this vision.

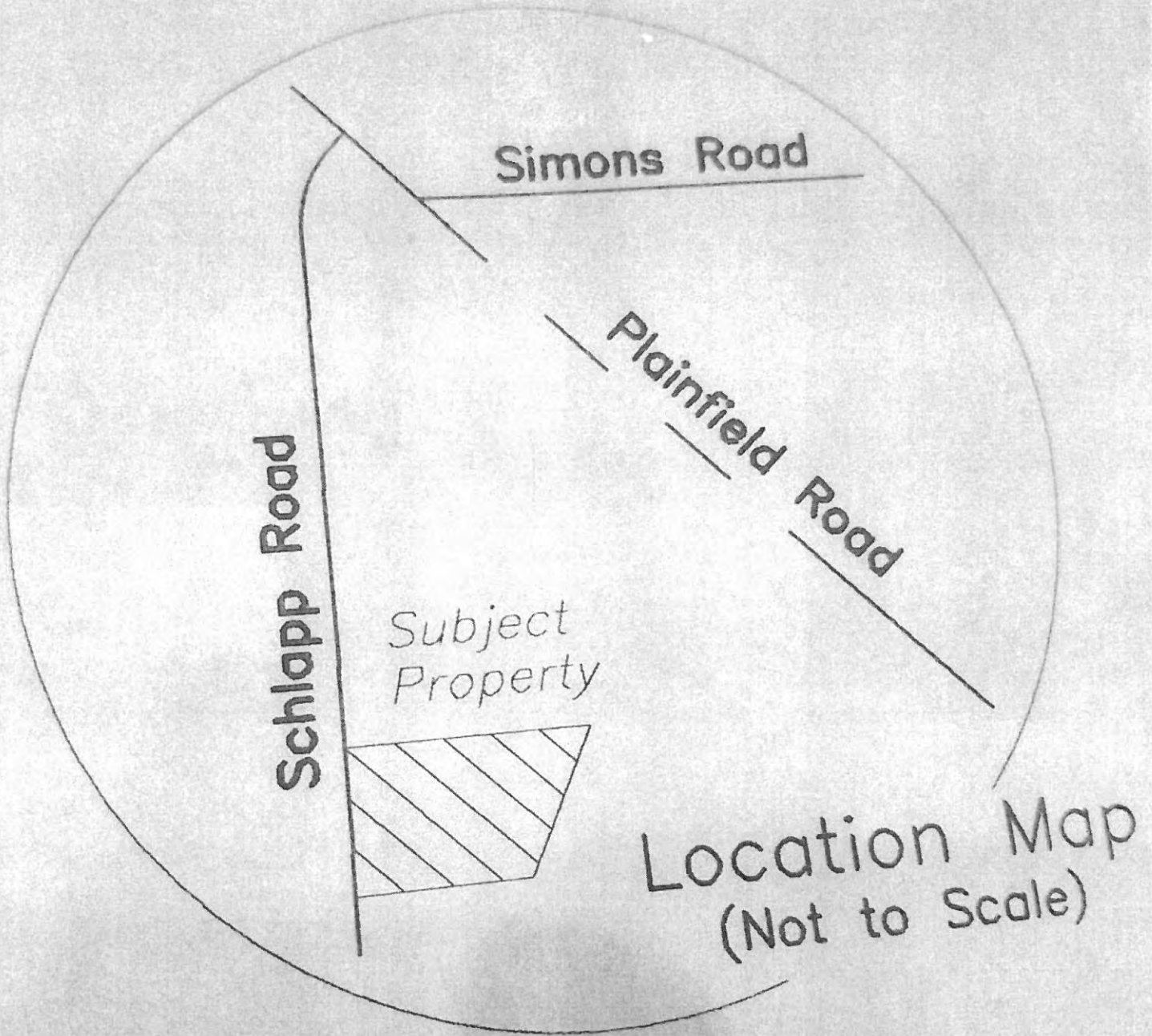
As for insuring compliance with decibel reading levels, as of right now, our nearest neighbor is more than 750 feet away. To insure that they are not disturbed, all music would be played indoors with speakers turned inwards. Outdoor music for processional and wedding/ event would be well below the County Standards at the property line as is measured by County Ordinance. Our layout also has some berms on the plan, if approved; these too would help to dampen any noise.

As for other relevant information, please know that they will only be using a few select caterers who are known for excellence, each with their own traveling liquor license for events. The owners will also have adequate liability insurance for any unforeseen circumstances.

They will have permitted signage at the front of the property per code standards.

Attachments to follow:

28



Site location

DEVELOPER:

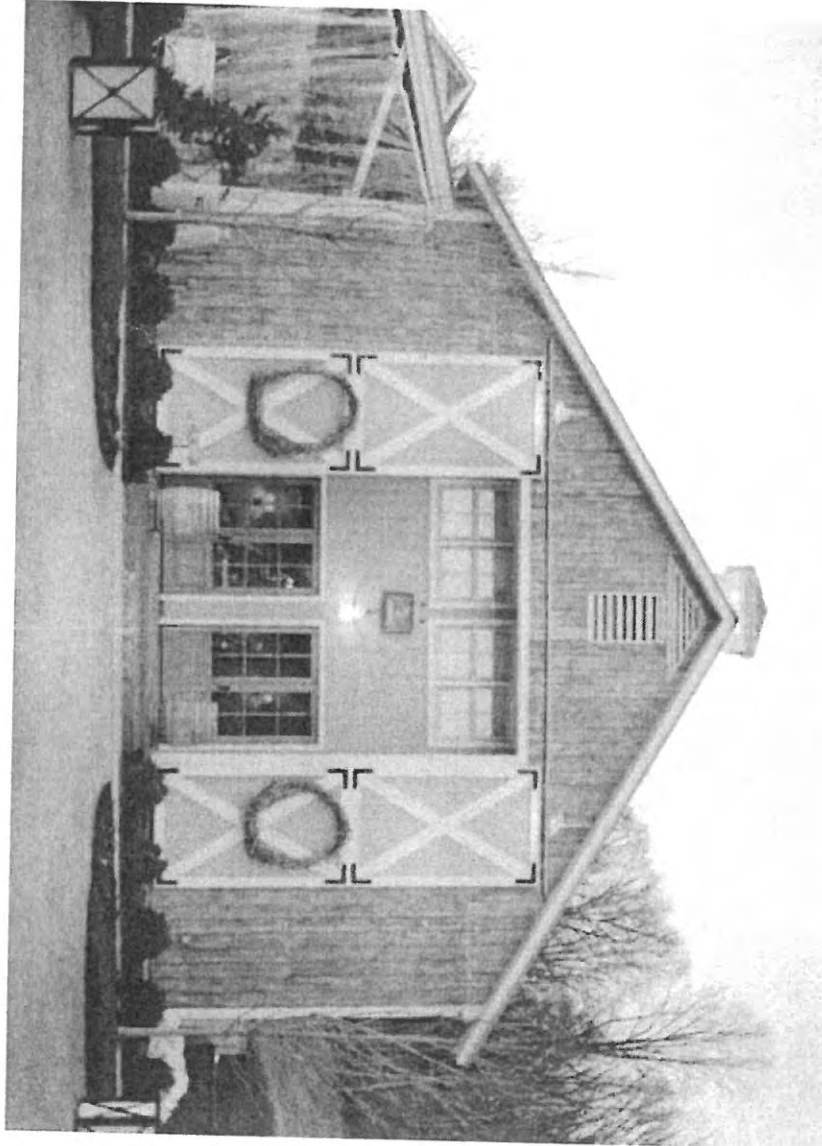
Wibler Road

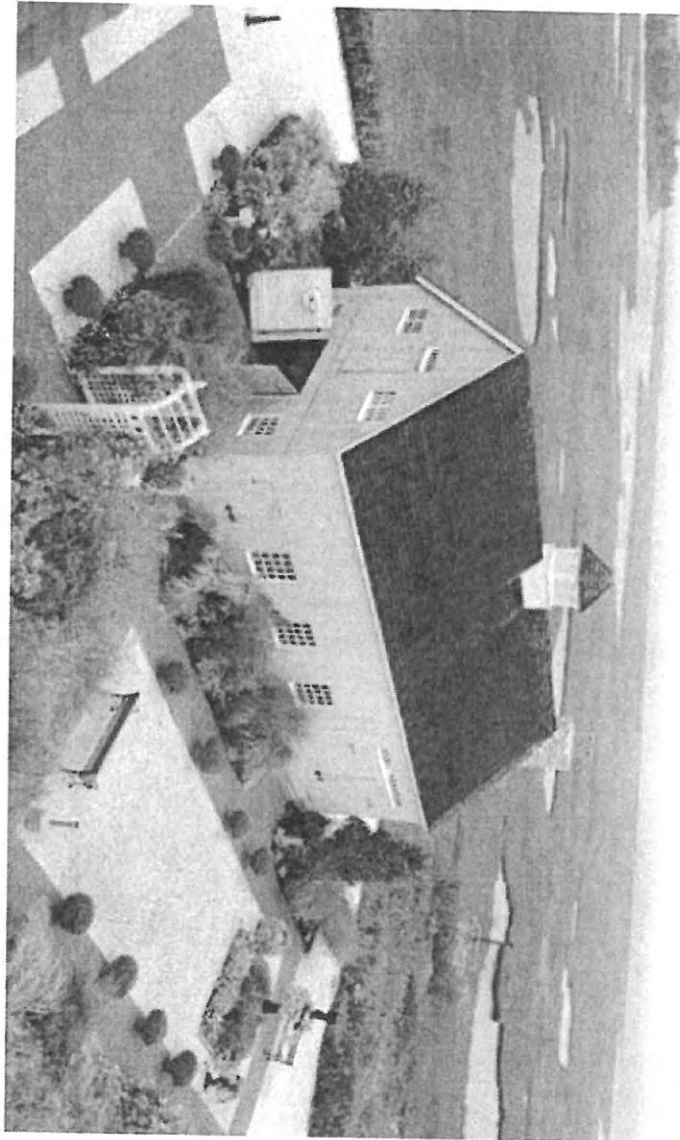
Family Centered Events at Heritage Homestead

Attachment 1, Page 6

January	New Year's Eve Celebration, ball drop at 10pm for kids
February	Valentine's Dinner/Super bowl event
March	St. Patrick's Day Corn Beef Dinner Easter event if in March
April	Easter Brunch, Breakfast with the Bunny, Weddings
May	Weddings
June	Weddings
July	Weddings
August	Weddings
Sept	Weddings
October	Weddings, Fall Festival, pumpkin patch, apple event
November	Christmas Market vendor events
December	Christmas at the Farm Event, Breakfast with Santa

Front of Main Building
Vision

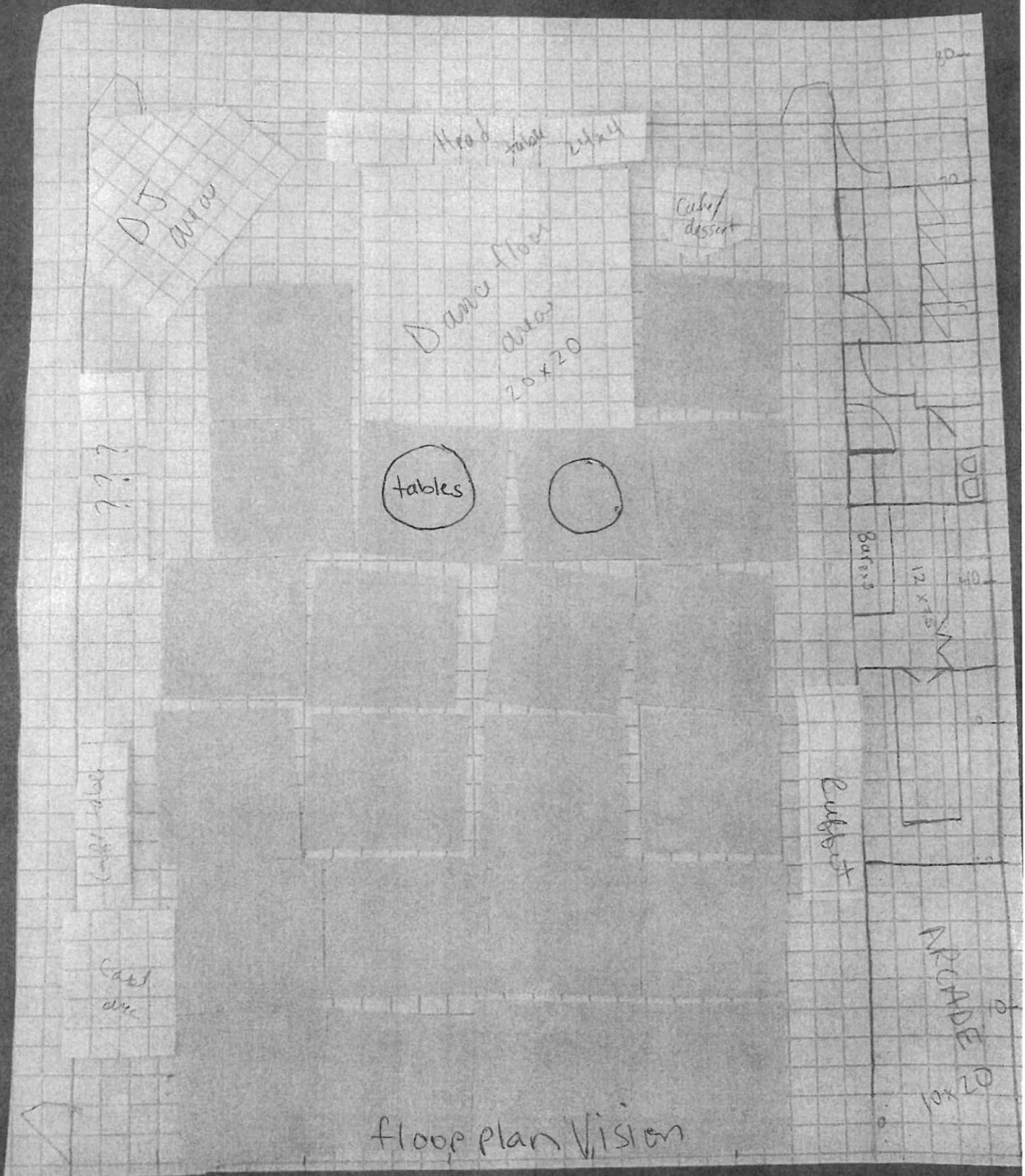




Outdoor Area
Vision



Inside
Vision



Legal Description

That Part of the Northwest Quarter of Section 34, Township 37 North, Range 8 East of the Third Principal Meridian described as follows: Beginning at the Southwest Corner of said Northwest Quarter; thence Easterly, along the South Line of said Northwest Quarter, 660.0 feet; thence Northeasterly along a line which forms an angle of $116^{\circ}06'03''$ with the last described course, measured clockwise therefrom, (said Northeasterly Line which if extended would intersect the the North Line of said Northwest Quarter at a point which is 660.0 feet Westerly of the Northeast Corner of said Northwest Quarter), 609.24 feet; thence Westerly, parallel with the South Line of said Northwest Quarter, 932.37 feet to the West Line of said Northwest Quarter; thence Southerly, along said West Line, 547.13 feet to the point of beginning in Oswego Township, Kendall County, Illinois.



QUIT CLAIM DEED
 Statutory (ILLINOIS)
 (Corporation to Corporation)

201500020158

**DEBBIE
 GILLETTE**
 KENDALL COUNTY, IL

RECORDED: 12/22/2015 10:48 AM
 QCD: 49.00 RHSPS FEE: 10.00
 PAGES: 4

THE GRANTOR, SPECIALTY LENDING, INC., of Anaheim, California, a corporation created and existing under and by virtue of the laws of the State of California, for the consideration of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration in hand paid, and pursuant to authority given by the Board of Directors of said corporation, CONVEYS and QUIT CLAIMS to:

SPECIALTY OSWEGO, LLC
 8191 East Kaiser Boulevard
 Anaheim, CA 92808

a limited liability company organized and existing under and by virtue of the laws of the State of Illinois, having its principal office at the following address: 8191 East Kaiser Boulevard, Anaheim, California 92808, all interest in the following described Real Estate situated in the County of Kendall and State of Illinois, to wit:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 37 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE WESTERLY ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, 660.0 FEET FOR A POINT OF BEGINNING; THENCE WESTERLY ALONG SAID NORTH LINE, 1318.95 FEET TO A POINT ON SAID NORTH LINE WHICH IS 486.13 FEET EASTERLY OF THE INTERSECTION OF SAID NORTH LINE WITH THE CENTER LINE OF PLAINFIELD ROAD; THENCE SOUTHERLY ALONG A LINE WHICH FORMS AN ANGLE OF 97 DEGREES 01 MINUTES 33 SECONDS WITH THE LAST DESCRIBED COURSE MEASURED CLOCKWISE THEREFROM, 266.50 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 154 DEGREES 02 MINUTES 28 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 123.27 FEET; THENCE SOUTHERLY ALONG A LINE WHICH FORMS AN ANGLE OF 220 DEGREES 50 MINUTES 05 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 156.84 FEET TO THE CENTER LINE OF PLAINFIELD ROAD; THENCE NORTHWESTERLY ALONG SAID CENTER LINE, WHICH FORMS AN ANGLE OF 61 DEGREES 27 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE MEASURED COUNTERCLOCKWISE THEREFROM, 683.06 FEET TO SAID NORTH LINE; THENCE WESTERLY ALONG SAID NORTH LINE 171.87 FEET TO THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTHERLY ALONG THE WEST LINE

OF SAID NORTHWEST QUARTER, 2644.33 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, 660.0 FEET; THENCE NORTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 116 DEGREES 06 MINUTES 03 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 2946.03 FEET TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THAT PART THEREOF DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER THAT IS 660.0 FEET WEST OF THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTHWESTERLY TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER THAT IS 660.0 FEET EAST OF THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTHEASTERLY ALONG THE LAST DESCRIBED LINE, 1056.0 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING NORTHEASTERLY ALONG THE LAST DESCRIBED LINE, 417.81 FEET TO THE CENTER LINE OF PLAINFIELD ROAD; THENCE NORTHWESTERLY ALONG SAID CENTER LINE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 2232.49 FEET, A DISTANCE OF 472.81 FEET TO A POINT OF TANGENCY; THENCE NORTHWESTERLY ALONG SAID CENTER LINE, A DISTANCE OF 18.45 FEET; THENCE SOUTHWESTERLY AT AN ANGLE OF 75 DEGREES 46 MINUTES 00 SECONDS MEASURED FROM SOUTHEAST TO SOUTHWEST, A DISTANCE OF 548.15 FEET; THENCE SOUTHEASTERLY AT ANGLE OF 83 DEGREES 20 MINUTES 12 SECONDS MEASURED FROM NORTHEAST TO SOUTHEAST, A DISTANCE OF 561.85 FEET TO THE POINT OF BEGINNING, AND ALSO EXCEPTING THEREFROM THAT PART OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 34, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF PLAINFIELD ROAD WITH THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE EASTERLY, ALONG SAID NORTH LINE, 589.13 FEET FOR THE POINT OF BEGINNING; THENCE WESTERLY, ALONG SAID NORTH LINE, 103.0 FEET; THENCE SOUTHERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 97 DEGREES 01 MINUTES 33 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 266.50 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 154 DEGREES 02 MINUTES 28 SECONDS WITH THE LAST DESCRIBED COURSE MEASURED CLOCKWISE THEREFROM, 41.15 FEET; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 40 DEGREES 52 MINUTES 37 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 327.12 FEET TO THE POINT OF BEGINNING), IN OSWEGO TOWNSHIP, KENDALL COUNTY, ILLINOIS.

Permanent Real Estate Index Numbers: 03-34-100-14 (affects part), 03-34-100-016 (affects part), 03-34-100-018 (affects part), and 03-34-100-021 (affects part)

Address of Real Estate: approximately 71.37 acres located on Plainfield Road in Oswego Township, Kendall County, Illinois

In Witness Whereof, said Grantor has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its President, and attested by its Secretary, this 18 day of September, 2015.

(CORPORATE SEAL)

SPECIALTY LENDING, INC.

By: _____

Its President

ATTEST: _____

Its Secretary

STATE OF CALIFORNIA, COUNTY OF ORANGE SS. I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY that John D. Tallichet, personally known to me to be the President of the corporation, and Charles Ochoa, personally known to me to be the secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and severally acknowledged that as such President and Secretary, they signed and delivered the said instrument pursuant to authority given by the Board of Directors of said corporation, as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth

Given under my hand and official seal, this

18th day of September, 2015.

(Seal)



Notary Public

This instrument was prepared by: Attorney James C. James, III, Alschuler, Simantz & Hem, LLC, 1961 West Downer Place, Aurora, IL 60506-4384; (630) 892-7021

MAIL TO:

Attorney James C. James, III
Alschuler, Simantz & Hem, LLC
1961 West Downer Place
Aurora, IL 60506

SEND SUBSEQUENT TAX BILLS TO:

Specialty Oswego, LLC
8191 East Kaiser Boulevard
Anaheim, CA 92808

This transaction is exempt under 35 ILCS 200/31-45(e)

12-21-15
Date

Buyer, Seller or Representative



Debbie Gillette
Kendall County Clerk & Recorder

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)

) SS

COUNTY OF KENDALL)

Carrie A. Group, being duly sworn on oath, And further states
 that: (please check the appropriate box)

- A. ☒ That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being a part of a larger tract of land; or
 B. ☐ That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

AFFIANT further states that 5 he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO BEFORE ME

This 22 day of December, 20 15.

Signature of Notary Public





**Kendall County Soil & Water
Conservation District**

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



www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Stuart Weihler **Contact Person:** Same as Petitioner
Address: _____
City, State, Zip: _____
Phone Number: _____ () _____
Email: _____

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

Site Location & Proposed Use

Township Name Oswego Township 37 N, Range 8 E, Section(s) 34
 Parcel Index Number(s) 03-34-100-024
 Project or Subdivision Name Heritage Homestead - Banquet Center Number of Acres 10.0
 Current Use of Site Ag Proposed Use A-1 SU
 Proposed Number of Lots 1 Proposed Number of Structures 5
 Proposed Water Supply Well Proposed type of Wastewater Treatment Septic
 Proposed type of Storm Water Management Retention Pond

Type of Request

- ☒ Change in Zoning from A-1 SU to A-1 SU
☐ Variance (Please describe fully on separate page)
☐ Special Use Permit (Please describe fully on separate page)
 Name of County or Municipality the request is being filed with: _____

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

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

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

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

Fee for first five acres and under	\$ <u>375.00</u>
<u>5</u> Additional Acres at \$18.00 each	\$ <u>90.00</u>
Total NRI Fee	\$ <u>465.00</u>

NOTE: Applications are due by the 1st of each month to be on that month's SWCD Board Meeting Agenda. Once a completed application is submitted, please allow 30 days for inspection, evaluation and processing of this report.

I (We) understand the filing of this application allows the authorized representative of the Kendall County Soil and Water Conservation District (SWCD) to visit and conduct an evaluation of the site described above. The completed NRI report expiration date will be 3 years after the date reported.

12/21/18

 Date

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

FOR OFFICE USE ONLY

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



Applicant: Stuart Weihler
Contact: John Tebrugge
Address: [REDACTED]

IDNR Project Number: 1906011
Date: 12/18/2018

Project: Heritage Homestead - Banquet Center
Address: 5139-5199 S Schlapp Road, Oswego

Description: This is a 10 ac site. The owners want to construct a banquet facility to hold weddings and special events. The site will have well and septic. It will also have a barn structure and retention pond.

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Consultation is terminated. This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary. Termination does not imply IDNR's authorization or endorsement.

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Kendall

Township, Range, Section:
 37N, 8E, 34



IL Department of Natural Resources
Contact
 Nathan Grider
 217-785-5500
 Division of Ecosystems & Environment

Government Jurisdiction
 Kendall County
 Matt Asselmeier
 111 West Fox Street
 Yorkville, Illinois 60560

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

IDNR Project Number: 1906011

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

Security

EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

IDNR Project Number: 1906011

**EcoCAT Receipt****Project Code** 1906011**APPLICANT****DATE**Stuart Weihler
John Tebrugge
[REDACTED]

12/18/2018

DESCRIPTION**FEE****CONVENIENCE
FEE****TOTAL PAID**

EcoCAT Consultation

\$ 125.00

\$ 2.94

\$ 127.94

TOTAL PAID \$ 127.94

Illinois Department of Natural Resources
 One Natural Resources Way
 Springfield, IL 62702
 217-785-5500
dnr.ecocat@illinois.gov

Please fill out the following Attachment 1, Page 20 the best of your capabilities. §13.08.J of the Zoning Ordinance outlines findings that the Hearing Officer shall consider in rendering a decision, but is not required to make an affirmative finding on all items in order to grant a **special use**. They are as follows:

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

The establishment of wedding ceremony facility will be using all existing building and will create service for the people of Kendall County. It is in a rural 10 acre setting so there is a large buffer to all surrounding neighbors.

That the special use will not be substantially injurious to the use and enjoyment of other properties 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.

This facility is using all new buildings to fulfill the need for citizens who would like a rural barn type wedding. It has plenty of acreage as to buffer the surrounding neighbors.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided.

Schlapp Road is a hard surface Road on the west boundary of the property providing adequate access

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 Hearing Officer.

The Special Use is in conformance with all other A-1 Specifications.

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.

This is consistent with other A-1 Special Uses for wedding facilities in the area.



Illinois Environmental Protection Agency

1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276 • (217) 782-3397

Division of Water Pollution Control Notice of Intent (NOI) for General Permit to Discharge Storm Water Associated with Construction Site Activities

This fillable form may be completed online, a copy saved locally, printed and signed before it is submitted to the Permit Section at the above address.

For Office Use Only

OWNER INFORMATION

Permit No. ILR10 _____

Company/Owner Name: Stuart Weihler

Mailing Address: _____ Phone: _____

City: _____ State: _____ Zip: _____ Fax: _____

Contact Person: Stuart Weihler E-mail: _____Owner Type (select one) PrivateMS4 Community: ☐ Yes ☐ No**CONTRACTOR INFORMATION**Contractor Name: TBD

Mailing Address: _____ Phone: _____

City: _____ State: _____ Zip: _____ Fax: _____

CONSTRUCTION SITE INFORMATIONSelect One: ☒ New ☐ Change of information for: ILR10 _____Project Name: Heritage Homestead - Banquet Center County: KendallStreet Address: TBD - Approx 5139-5199 S Schlapp City: Oswego IL Zip: 60543Latitude: 41 38 41.866 Longitude: 88 18 57.414 34 37N 8E
(Deg) (Min) (Sec) (Deg) (Min) (Sec) Section Township RangeApproximate Construction Start Date Mar 4, 2019 Approximate Construction End Date Mar 2, 2020Total size of construction site in acres: 10.0

If less than 1 acre, is the site part of a larger common plan of development?

☐ Yes ☒ No

Fee Schedule for Construction Sites:
Less than 5 acres - \$250
5 or more acres - \$750

STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

Has the SWPPP been submitted to the Agency?

☒ Yes ☐ No(Submit SWPPP electronically to: epa.constilr10swppp@illinois.gov)Location of SWPPP for viewing: Address: TBD - Approx 5139-5199 S Schlapp City: Oswego

SWPPP contact information: Inspector qualifications:

Contact Name: Stuart Weihler

Phone: _____ Fax: _____ E-mail: _____

Project inspector, if different from above Inspector qualifications:

Inspector's Name: _____

Phone: _____ Fax: _____ E-mail: _____

This Agency is authorized to require this information under Section 4 and Title X of the Environmental Protection Act (415 ILCS 5/4, 5/39). Failure to disclose this information may result in: a civil penalty of not to exceed \$50,000 for the violation and an additional civil penalty of not to exceed \$10,000 for each day during which the violation continues (415 ILCS 5/42) and may also prevent this form from being processed and could result in your application being denied. This form has been approved by the Forms Management Center.

TYPE OF CONSTRUCTION (select one)Construction Type Commercial

SIC Code: _____

Type a detailed description of the project:

This is a 10 ac site. The owners want to construct a banquet facility to hold weddings and special events. The site will have well and septic. It will also have a barn structure and retention pond. The current site is farmland.

HISTORIC PRESERVATION AND ENDANGERED SPECIES COMPLIANCE

Has the project been submitted to the following state agencies to satisfy applicable requirements for compliance with Illinois law on:

Historic Preservation Agency ☒ Yes ☐ No

Endangered Species ☒ Yes ☐ No

RECEIVING WATER INFORMATION

Does your storm water discharge directly to: ☒ Waters of the State or ☐ Storm Sewer

Owner of storm sewer system: N/A

Name of closest receiving water body to which you discharge: Morgan Creek

Mail completed form to: Illinois Environmental Protection Agency
Division of Water Pollution Control
Attn: Permit Section
Post Office Box 19276
Springfield, Illinois 62794-9276
or call (217) 782-0610
FAX: (217) 782-9891

Or submit electronically to: epa.constilr10swppp@illinois.gov

I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage this system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. In addition, I certify that the provisions of the permit, including the development and implementation of a storm water pollution prevention plan and a monitoring program plan, will be complied with.

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

 _____
Owner Signature:

12/21/18
Date:

 _____
Title:

Printed Name:

INSTRUCTIONS FOR COMPLETION OF CONSTRUCTION ACTIVITY NOTICE OF INTENT (NOI) FORM

Submit original, electronic or facsimile copies. Facsimile and/or electronic copies should be followed-up with submission of an original signature copy as soon as possible. Please write "copy" under the "For Office Use Only" box in the upper right hand corner of the first page.

This fillable form may be completed online, a copy saved locally, printed and signed before it is submitted to the Permit Section at:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Permit Section
Post Office Box 19276
Springfield, Illinois 62794-9276
or call (217) 782-0610

FAX: (217) 782-9891

Or submit electronically to: epa.constilr10swppp@illinois.gov

Reports must be typed or printed legibly and signed.

Any facility that is not presently covered by the General NPDES Permit for Storm Water Discharges From Construction Site Activities is considered a new facility.

If this is a change in your facility information, renewal, etc., please fill in your permit number on the appropriate line, changes of information or permit renewal notifications do not require a fee.

NOTE: FACILITY LOCATION IS NOT NECESSARILY THE FACILITY MAILING ADDRESS, BUT SHOULD DESCRIBE WHERE THE FACILITY IS LOCATED.

Use the formats given in the following examples for correct form completion.

	Example	Format
Section	12	1 or 2 numerical digits
Township	12N	1 or 2 numerical digits followed by "N" or "S"
Range	12W	1 or 2 numerical digits followed by "E" or "W"

For the Name of Closest Receiving Waters, do not use terms such as ditch or channel. For unnamed tributaries, use terms which include at least a named main tributary such as "Unnamed Tributary to Sugar Creek to Sangamon River."

Submission of initial fee and an electronic submission of Storm Water Pollution Prevention Plan (SWPPP) for Initial Permit prior to the Notice of Intent being considered complete for coverage by the ILR10 General Permits. Please make checks payable to: Illinois EPA at the above address.

Construction sites with less than 5 acres of land disturbance - fee is \$250.

Construction sites with 5 or more acres of land disturbance - fee is \$750.

SWPPP should be submitted electronically to: epa.constilr10swppp@illinois.gov. When submitting electronically, use Project Name and City as indicated on NOI form.

STATE OF ILLINOIS)
)
COUNTY OF KENDALL)

CONSENT TO KENDALL COUNTY SPECIAL USE APPLICATION

NOW COMES OSWEGO SPECIALTY, LLC, OWNER, who does hereby consent to the
Kendall County Special Use Application submitted by Stuart Weihler and Paula Weihler for a
wedding venue.

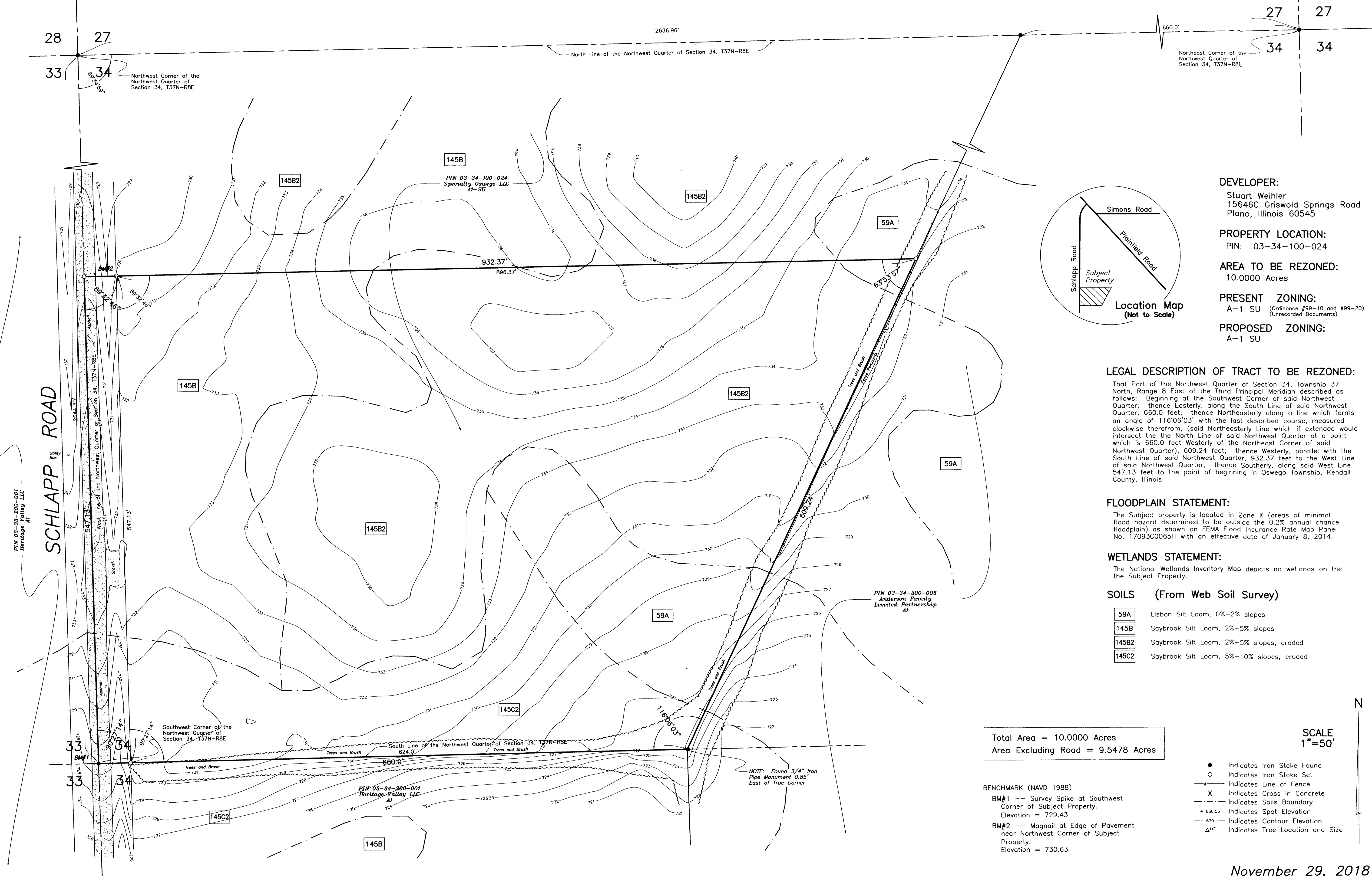
OWNER
Oswego Specialty LLC
BY:



Manager

Dated: 12/27/18

ZONING PLAT OF PART OF THE NORTHWEST QUARTER OF SECTION 34, T37N-R8E, 3rd PM OSWEGO TOWNSHIP KENDALL COUNTY ILLINOIS

**DEVELOPER:**

Stuart Wehler
15646C Griswold Springs Road
Plano, Illinois 60545

PROPERTY LOCATION:

PIN: 03-34-100-024

AREA TO BE REZONED:

10.0000 Acres

PRESENT ZONING:

A-1 SU (Ordinance #99-10 and #99-20)
(Unrecorded Documents)

PROPOSED ZONING:

A-1 SU

LEGAL DESCRIPTION OF TRACT TO BE REZONED:

That Part of the Northwest Quarter of Section 34, Township 37 North, Range 8 East of the Third Principal Meridian described as follows: Beginning at the Southwest Corner of said Northwest Quarter; thence Easterly, along the South Line of said Northwest Quarter, 660.0 feet; thence Northeasterly along a line which forms an angle of 116°06'03" with the last described course, measured clockwise therefrom, (said Northeasterly Line which if extended would intersect the the North Line of said Northwest Quarter at a point which is 660.0 feet Westerly of the Northeast Corner of said Northwest Quarter), 609.24 feet; thence Westerly, parallel with the South Line of said Northwest Quarter, 932.37 feet to the West Line of said Northwest Quarter; thence Southerly, along said West Line, 547.13 feet to the point of beginning in Oswego 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. 17093C0065H with an effective date of January 8, 2014.

WETLANDS STATEMENT:

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

SOILS (From Web Soil Survey)

59A	Lisbon Silt Loam, 0%-2% slopes
145B	Saybrook Silt Loam, 2%-5% slopes
145B2	Saybrook Silt Loam, 2%-5% slopes, eroded
145C2	Saybrook Silt Loam, 5%-10% slopes, eroded

Total Area = 10.0000 Acres
Area Excluding Road = 9.5478 Acres

BENCHMARK (NAVD 1988)

BM#1 -- Survey Spike at Southwest
Corner of Subject Property.
Elevation = 729.43

BM#2 -- Magonail at Edge of Pavement
near Northwest Corner of Subject
Property.
Elevation = 730.63

- Indicates Iron Stake Found
- Indicates Iron Stake Set
- Indicates Line of Fence
- X Indicates Cross in Concrete
- - - Indicates Soils Boundary
- + 630.53 Indicates Spot Elevation
- 630 Indicates Contour Elevation
- Δ1" Indicates Tree Location and Size

SCALE
1"=50'

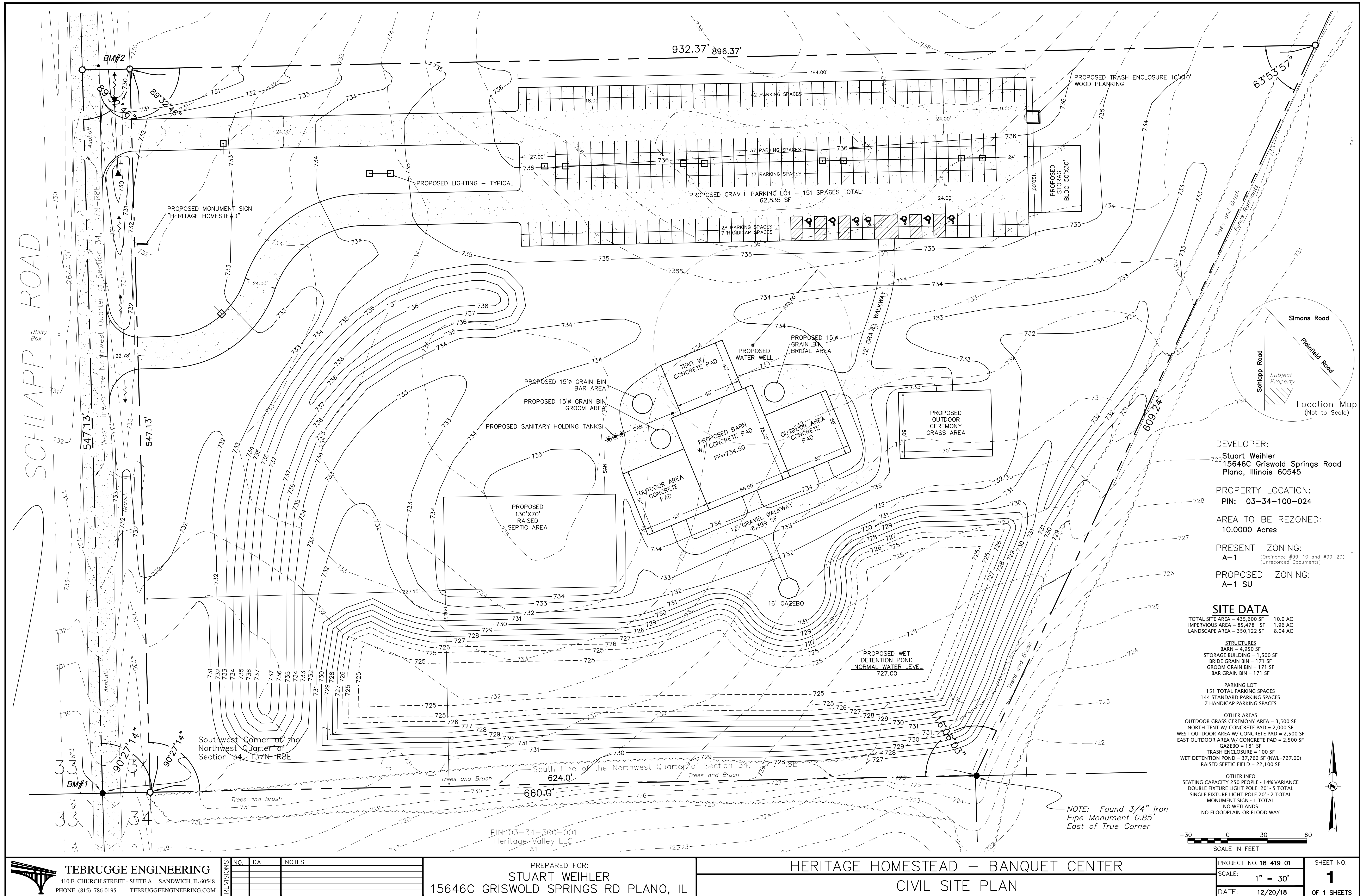
N

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

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

JOB NO.	18292
JOB NAME	WEHLER
DWG FILE	18292
REVISION DATE	

November 29, 2018



DEVELOPER:
Stuart Weihler
15646C Griswold Springs Road
Plano, Illinois 60545

PROPERTY LOCATION:
PIN: 03-34-100-024

AREA TO BE REZONED:
10.0000 Acres

PRESENT ZONING:
A-1 (Ordinance #99-10 and #99-20)
(Unrecorded Documents)

PROPOSED ZONING:
A-1 SU

SITE DATA
TOTAL SITE AREA = 435,600 SF 10.0 AC
IMPERVIOUS AREA = 85,478 SF 1.96 AC
LANDSCAPE AREA = 350,122 SF 8.04 AC

STRUCTURES
BARN = 4,950 SF
STORAGE BUILDING = 1,500 SF
BRIDE GRAIN BIN = 171 SF
GROOM GRAIN BIN = 171 SF
BAR GRAIN BIN = 171 SF

PARKING LOT
151 TOTAL PARKING SPACES
144 STANDARD PARKING SPACES
7 HANDICAP PARKING SPACES

OTHER AREAS
OUTDOOR GRASS CEREMONY AREA = 3,500 SF
NORTH TENT W/ CONCRETE PAD = 2,000 SF
WEST OUTDOOR AREA W/ CONCRETE PAD = 2,500 SF
EAST OUTDOOR AREA W/ CONCRETE PAD = 2,500 SF
GAZEBO = 181 SF
TRASH ENCLOSURE = 100 SF
WET DETENTION POND = 37,762 SF (NW=727.00)
RAISED SEPTIC FIELD = 22,100 SF

OTHER INFO
SEATING CAPACITY 250 PEOPLE - 14% VARIANCE
DOUBLE FIXTURE LIGHT POLE 20' - 5 TOTAL
SINGLE FIXTURE LIGHT POLE 20' - 2 TOTAL
MONUMENT SIGN - 1 TOTAL
NO WETLANDS
NO FLOODPLAIN OR FLOOD WAY

NOTE: Found 3/4" Iron
Pipe Monument 0.85'
East of True Corner

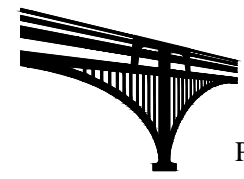
TEBRUGGE ENGINEERING
410 E. CHURCH STREET - SUITE A SANDWICH, IL 60548
PHONE: (815) 786-0195 TEBRUGGEENGINEERING.COM

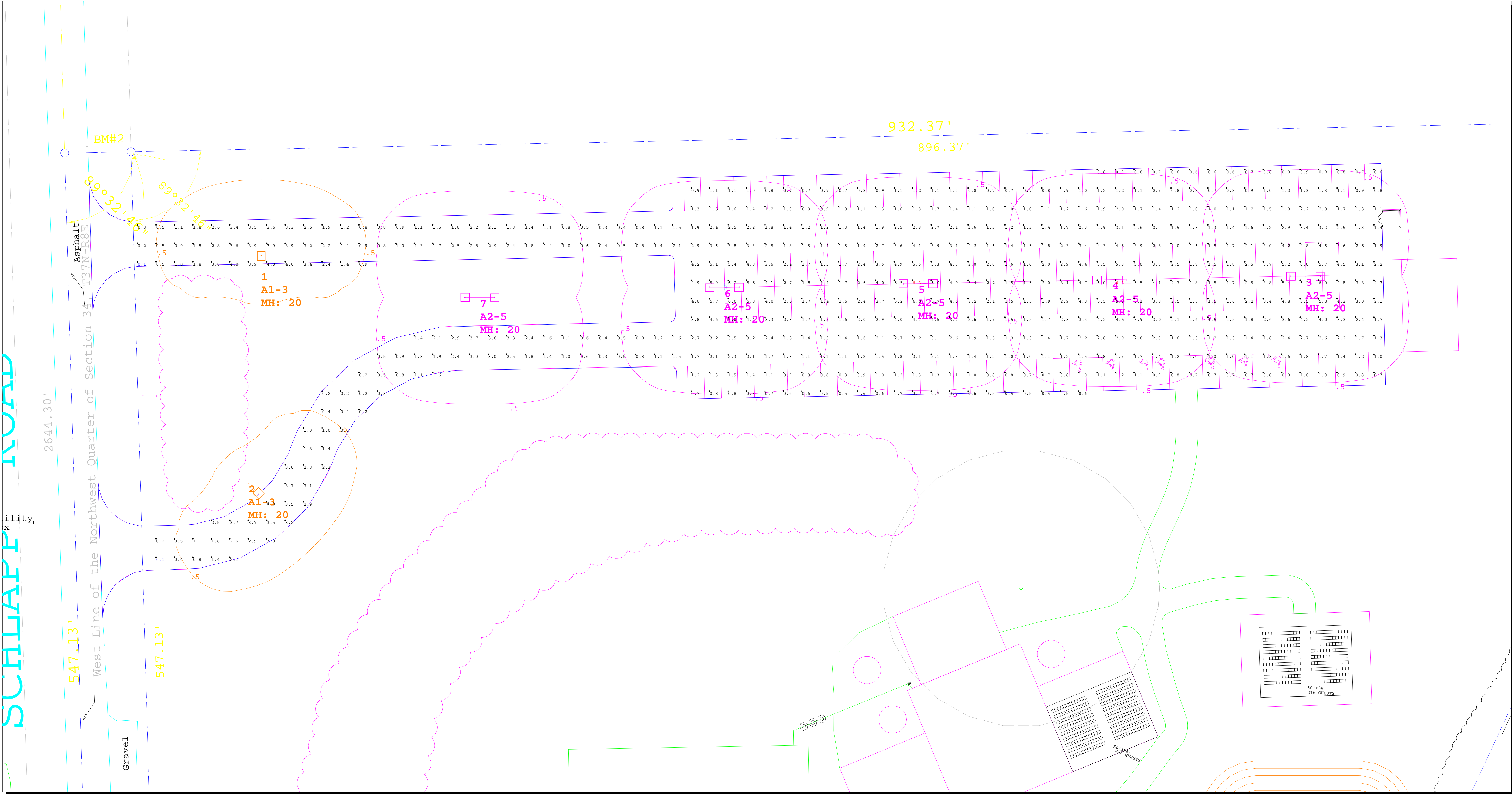
NO.	DATE	NOTES

PREPARED FOR:
STUART WEIHLER
15646C GRISWOLD SPRINGS RD PLANO, IL



HERITAGE HOMESTEAD - BANQUET CENTER
CIVIL SITE PLAN

PROJECT NO. 18 419 01
SCALE: 1" = 30'
DATE: 12/20/18
SHEET NO. 1
OF 1 SHEETS





Scale: 1 inch= 25 Ft.

Luminaire Schedule										
Symbol	Qty	Label	Arrangement	Lum. Watts	Arr. Watts	Lum. Lumens	Arr. Lum. Lumens	LLF	Description	Manufacturer
	2	A1-3	SINGLE	132	132	15269	15269	0.900	AR18-20M2-MV-NW-3-XX-530 S	Leotek Electronics USA LLC., 1955 Lundy Ave.,
	5	A2-5	BACK-BACK	132	264	15209	30418	0.900	AR18-20M2-MV-NW-5-XX-530 S	Leotek Electronics USA LLC., 1955 Lundy Ave.,

Calculation Summary									
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Readings Taken @	
PARKING LOT_Planar	Illuminance	Fc	2.07	6.3	0.1	20.70	63.00	GRADE LEVEL	

Luminaire Location Summary						
LumNo	Label	X	Y	Z	Orient	Tilt
1	A1-3	8145.5	5616	20	90	0
2	A1-3	8138.5	5501	20	315	0
3	A2-5	8711.5	5613	20	0	0
4	A2-5	8606.5	5611	20	0	0
5	A2-5	8501.5	5609	20	0	0
6	A2-5	8396.5	5607	20	0	0
7	A2-5	8264	5601.5	20	0	0

Parking Lot Design Guide	Basic (for typical conditions)	Basic Enhanced Security (in consideration of personal security or vandalism)	Security (security lighting for public spaces)	High Security (security lighting for public spaces)
	lux/ftc	lux/ftc	lux/ftc	lux/ftc
Minimum Horizontal Illuminance (Measured on parking surface without any shadowing from any object)	2.0/0.2	5.0/0.5	10.0/1.0	30.0-60.0/3.0-6.0
Uniformity Ratio Maximum - to - Minimum	20:1	15:1	15:1	*4:1 *Avg-Min
Minimum Vertical Illuminance (for facial recognition measured at 5' above the parking surface at the point of lowest horizontal illuminance)	1.0/0.1	2.5/0.25	5.0-8.0/0.5-0.8	12-60/1.2-6.0

Recommendations based on RP-33-99, RP-20-98, 9th Edition IESNA Lighting Handbook

enlighten

PG

#	Date	Comments
Revisions		

Drawn By: Jose Saucedo

Drawn By: jose.saucedo@pg-enlighten.com

Date: 12/19/2018

Scale: 1" = 25'

Project Name:

Heritage Homestead Banquet Ctr

Client Name:

Zach Stevens - TEBRUGGE ENGINEERING

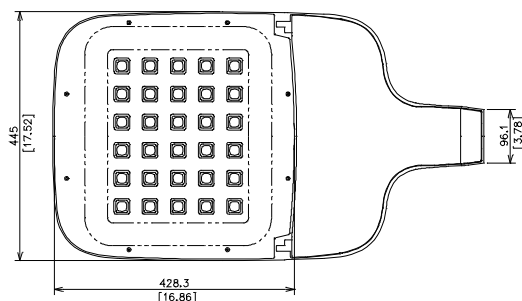
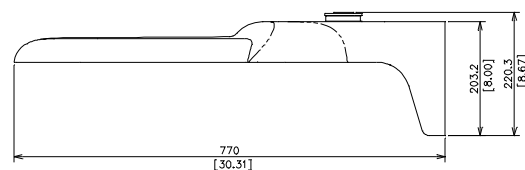
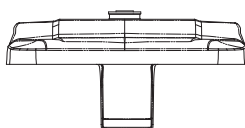
Page 1 of 1

ARIETA™ 18 Architectural LED Area Luminaire

AR18 M2 Series Specification Data Sheet

Luminaire Data

Weight 24 lbs [10.9 kg]
EPA 0.55 ft²



Ordering Information

Sample Catalog No. AR18 20M2 MV NW 3 DB 700 HSS

Product	LED Code	Voltage	Nominal Color Temperature	Distribution	Finish ¹	Drive Current Code ²	Options
AR18	6M2	MV 120-277V	WW 3000K	2 Type 2	BK Black	350	HSS ³ House Side Shield (Factory Installed)
	10M2	HV 347-480V	NW 4000K	3 Type 3	DB Dark Bronze	530	FDC ⁴ Fixed Drive Current
	15M2		CW 5000K	4 Type 4	WH White	700	FFA ⁵ Full Field Adjustability
	18M2			5 Type 5	GY Gray		PCR ⁶ NEMA Photocontrol Receptacle
	20M2				NA Natural Aluminum		PCR7 ⁶ ANSI 7-wire Photocontrol Receptacle
	24M2						PCR7-CR ⁷ Control Ready 7-wire Photocontrol Receptacle
	30M2						MSL7 ⁸ Motion Sensor with L7 Lens
							MSL3 ⁸ Motion Sensor with L3 Lens
							PND1 ⁹ Part-Night Dimming
							PND2 ⁹ Part-Night Dimming
							PND3 ⁹ Part-Night Dimming
							ORR Optics Rotated Right
							ORL Optics Rotated Left
							WL Utility Wattage Label

Notes:

- Black, Dark Bronze, White, Gray, or Natural Aluminum standard. Consult factory for other finishes.
- Specified drive current code is the factory set maximum drive current. Field adjustable current selector enables standard dimming to lower wattage drive currents only. Consult factory if wattage limits require a special drive current.
- Flush mounted shield factory installed, also available for field installation. House Side Shield cuts light off at 1/2 mounting height behind luminaire.
- Non-field adjustable drive current. Specify 350mA, 530mA or 700mA setting.
- The FFA option enables full field adjustability from the specified drive current code to all drive currents available. This option is not DLC qualified.
- Field adjustable current selector included to enable standard dimming to lower wattage drive currents only. Field changeable connectors included to enable connection to PCR7 (wireless node dimming is disabled by default).
- Control-ready wired at factory for wireless node dimming. Supplied at maximum drive current. If lower drive current is required, consult factory.
- Motion Sensor available with MV or HV. See L7 or L3 Lens coverage details on page 5. Consult factory for MS specified with ANSI 7-wire Photocontrol Receptacle. PCR option is required for On/Off control using light detection.
- For PND profile options see page 6. Only available with MV (120-277V).
- Specify Color (GY, DB, BK, WH, NA)
- Specify MV (120-277V) or HV (347V or 480V)

Accessories*

HSSAR18 ^{3,10}	House Side Shield
RPA ¹⁰	Round Pole Adapter
PTF1 ¹⁰	Square Pole Top Fitter Single
PTF2 ¹⁰	Square Pole Top Fitter Twin at 180°
PTF4 ¹⁰	Square Pole Top Fitter Quad
WM ¹⁰	Wall Mount
BSK	Bird Deterrent Spider Kit
LLPC ¹¹	Long-Life Twist Lock Photocontrol
SC	Twist Lock Shorting Cap
FSIR100	Motion Sensor Configuration Tool

*Accessories are ordered separately and not to be included in the catalog number

Luminaire Specifications

Housing

Die cast aluminum housing with universal mounting design allows for attachment to existing pole without redrilling for retrofit applications. Aluminum housing provides passive heat-sinking of the LEDs and has upper surfaces that shed precipitation. Mounting provisions meet 3G vibration per ANSI C136.31-2010 Normal Application, Bridge & Overpass. Electrical components are accessed without tools and are mounted on removable power door.

Light Emitting Diodes

Hi-flux/Hi-power white LEDs produce a minimum of 90% of initial intensity at 100,000 hours of life based on IES TM-21. LEDs are tested in accordance with IES LM-80 testing procedures. LEDs have correlated color temperature of 3000K (WW), 4000K (NW), or 5000K (CW) and 70 CRI minimum. LEDs are 100% mercury and lead free.

Field Adjustability

LED drive current can be changed in the field to adjust light output for local conditions (not available with PCR7-CR option). The specified drive current code will be the factory set maximum drive current and field adjustments can only be made to available lower wattage drive currents. Select the FFA option if full field adjustability to all available drive currents (700mA max) is desired. The FFA option is not DLC qualified.

Quality Control

Every luminaire is performance tested before and after a 2-hour burn-in period. Assembled in the USA.

Optical Systems

Micro-lens optical systems produce IESNA Type 2, Type 3, Type 4 or Type 5 distributions and are fully sealed to maintain an IP66 rating. Luminaire produces 0% total lumens above 90° (BUG Rating, U=0). Optional house side shield (HSS) cuts light off at 1/2 mounting height behind luminaire. Optics may be rotated right or left with options ORR/ORL, respectively.

Electrical

Rated life of electrical components is 100,000 hours. Uses isolated power supply that is 1-10V dimmable. Power supply is wired with quick-disconnect terminals. Power supply features a minimum power factor of .90 and <20% Total Harmonic Distortion (THD). EMC meets or exceeds FCC CFR Part 15. Terminal block accommodates 6 to 14 gauge wire. Surge protection complies with IEEE/ANSI C62.41 Category C High, 20kV/10kA and ANSI C136.2-2015, 20kV/10kA.

Controls

3-Wire photocontrol receptacle (PCR) is available. ANSI C136.41 or 7-wire (PCR7) photocontrol receptacles are available. All photocontrol receptacles have tool-less rotatable bases. Wireless control module is provided by others.

Finish

Housing receives a fade and abrasion resistant polyester powder coat finish with 3.0 mil nominal thickness. Finish tested to withstand 5000 hours in salt spray exposure per ASTM B117. Finish meets scribe creepage rating 8 per ASTM D1654. Finish tested 500 hours in UV exposure per ASTM G154 and meets ASTM D523 gloss retention.

Listings/Ratings/Labels

luminaires are UL listed for use in wet locations in the United States and Canada. DesignLights Consortium™ qualified product. Consult DLC QPL for Standard and Premium Classification Listings. International Dark Sky Association listed. Luminaire is qualified to operate at ambient temperatures of -40°C to 40°C.

Photometry

luminaires photometrics are tested by certified independent testing laboratories in accordance with IES LM-79 testing procedures.

Warranty

10-year limited warranty is standard on luminaire and components. 5-year limited warranty on luminaires and components with a motion sensor.

Standards

Luminaire complies with:

ANSI: C136.2, C136.3, C136.10, C136.13, C136.15, C136.22, C136.31, C136.35, C136.37, C136.41, C62.41, C78.377, C82.77

Other: FCC 47 CFR, IEC 60598, ROHS II, UL 1449, UL 1598

Performance Data 3000K (WW)

All data nominal. IES files are available at leotek.com.

LED Code	Current Code	System Wattage (W)	Type 2, 3, 4		Type 5	
			Delivered Lumens (Lm) ¹	Efficacy (Lm/W)	Delivered Lumens (Lm) ¹	Efficacy (Lm/W)
6M2	350	29	2930	101	2750	95
	530	41	4110	99	3860	93
	700	54	5040	94	4950	92
10M2	350	41	4600	112	4500	109
	530	63	6700	106	6600	104
	700	87	8500	97	8400	96
15M2	350	63	7400	117	7300	116
	530	90	9600	107	9500	106
	700	124	12900	104	12700	102
18M2	350	81	9000	111	9100	112
	530	122	12800	105	13000	107
	700	160	16400	103	16700	104
20M2	350	84	10700	127	10800	129
	530	132	15300	116	15500	117
	700	172	18200	106	18500	108
24M2	350	98	10700	109	10800	110
	530	152	15300	100	15500	102
	700	209	19500	93	19900	95
30M2	350	133	14300	107	14500	109
	530	202	20400	101	20600	102
	700	262	24500	93	24800	95

Notes:

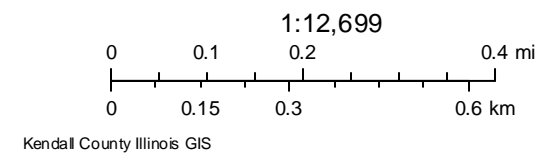
1 Normal tolerance $\pm 10\%$ due to factors including distribution type, LED bin variance, driver variance, and ambient temperatures.

Attachment 6



December 21, 2018

- | | | |
|--------------|--------------|------------|
| — Arrow 100 | — FromTo 400 | — Tip 100 |
| — Arrow 400 | — Hook 100 | — Tip 400 |
| — FromTo 100 | — Hook 400 | Road Names |



Attachment 7 Looking Northeast



Attachment 8 Looking East



Attachment 9 Looking South



Attachment 10 Looking Northwest



Attachment 11 Looking West



Attachment 12 Looking Southwest



DANIEL J. KRAMER

LAW OFFICES
OF
Daniel J. Kramer
1107A SOUTH BRIDGE STREET
YORKVILLE, ILLINOIS 60560
(630) 553-9500
Fax: (630) 553-5764

KELLY A. HELLAND
D.J. KRAMER

January 9, 2019

Robert D. Rogerson
Oswego Township Highway Commissioner
Via Facsimile: 630-264-6695

Re: Weihler Special Use Application 19-05

Dear Bob:

Enclosed please find a copy of our Petition 19-05 which should be before your Township Board for review and recommendation on the zoning for a Special Use on the 15th.

I am enclosing a colored copy of the overhead of the 10-acre parcel.

Under the County Ordinance they are trying to get the wedding facilities on major roadways, and this one requires a Variance since it is a minor collector street.

Fran Klaas was at the ZPAC Meeting at the County Level and had no problem with project in that all of the wedding venue facilities that have been approved by the County lack being on a major collector. However, he did ask us to work with you and asked if we would be willing to give a dedication for 50 feet from the center of Schlapp road east so if the roadway was ever approved by your Department or his right-of-way would not have to be acquired. It appears that would necessitate us dedicating approximately another 16 feet from what is in the roadway to ditch now form the center line.

My clients are perfectly willing to dedicate the additional 16 feet if the zoning is in fact approved to Oswego Township Highway Department. Could you let me know if that is agreeable with you and give us a positive recommendation to both Fran and the Kendall County Planning, Building, and Zoning Office? Should you have any questions please feel free to call my office.

Very truly yours,

Daniel J. Kramer

Daniel J. Kramer
Attorney at Law

DJK/cth
Enclosure

Matt Asselmeier

From: Fran Klaas
Sent: Tuesday, January 15, 2019 8:03 AM
To: 'Daniel J Kramer'; Stuart Weihler
Cc: Matt Asselmeier
Subject: RE:

That's great, Dan. Thanks. For simplicity, it would probably be best to just make the dedication 50' wide from the centerline of existing roadway, since the section line and centerline may not be coincidental. Thanks again.

Fran

From: Daniel J Kramer [<mailto:dkramer@dankramerlaw.com>]
Sent: Monday, January 14, 2019 12:32 PM
To: Stuart Weihler
Cc: Fran Klaas; Matt Asselmeier
Subject:

Gentlemen. I spoke with Oswego Township Highway Commissioner today. He is both happy with the project and delighted about the forward thinking of the 16 foot dedication for future road improvement.

Very Truly Yours,

Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560
Phone-630.553.9500
Fax-630.553.5764

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Matt Asselmeier

From: Daniel J Kramer [dkramer@dankramerlaw.com]
Sent: Wednesday, January 16, 2019 10:38 AM
To: Stuart Weihler; Matt Asselmeier; John Tebrugge
Cc: PHIL YOUNG
Subject: FW: Weihler Special Use Application 19-05

Approval of Schlapp Rd dedication by Oswego Township.

Very Truly Yours,

Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560
Phone-630.553.9500
Fax-630.553.5764

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From: Bob Rogerson [mailto:brogerson@oswegotownship.org]
Sent: Wednesday, January 16, 2019 10:16 AM
To: Daniel J Kramer <dkramer@dankramerlaw.com>
Subject: Weihler Special Use Application 19-05

To whom it may concern,

After our Board meeting last night, we the Township and the Road District are willing to except the agreement of the dedicated 50' from center line of right of way into the deed for future road expansion. We would recommend to the County that this would be a great addition to the County and the Township of Oswego.

Thank you,



BOB ROGERSON
Highway Commissioner
Oswego Township Road District
Mailing : 84 Templeton Dr. Suite 104 Oswego, IL 60543
Shipping: 1150 Rt. 25 Oswego, IL 60543 P: (630)-264-4587 F: (630) 264-6695

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Matt Asselmeier

From: Alec Keenum [akeenum@oswegofire.com]
Sent: Wednesday, January 02, 2019 11:46 AM
To: Matt Asselmeier
Subject: RE: CORRECTED Kendall County Petition 19-05

Matt,

Project – Special Use for Banquet Facility

Location – 5100 block of Schlapp

Project Mgr: Matt Asselmeier

Project # - 19-05

Date – December 21, 2018

FYI...

- Current OFPD ordinances require new construction (non single family residential) to be compliantly protected with an NFPA 13 sprinkler system and an NFPA 72 fire alarm system
- Additional comments with respect to access and site may be presented upon project moving forward

Regards,

Capt. Alec J Keenum
Fire Marshal
Oswego Fire Protection District



From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]

Sent: Friday, December 21, 2018 4:36 PM

To: Aaron Rybski; Andrews, Megan - NRCS-CD, Yorkville, IL; Brian Holdiman; David Guritz; Fran Klaas; 'Greg Chismark'; Jason Langston; Matthew G. Prochaska; Meagan Briganti; Scott Koeppel; Brian LeClercq; Kenneth Holmstrom; Bob Rogerson; Alec Keenum; Mike Veseling; Rod Zenner; ttouchette@oswegoil.org

Subject: CORRECTED Kendall County Petition 19-05

To All:

Attached please find a correct Staff Report regarding Petition 19-05.

If you have any questions, please let me know.

Daniel J. Kramer	Law Offices of <i>Daniel J. Kramer</i> 1107A S. Bridge Street Yorkville, Illinois 60560 630-553-9500 Fax: 630-553-5764	Kelly A. Helland D.J. Kramer
------------------	---	---------------------------------

January 3, 2019

Captain Alec J. Keenum
Fire Marshall

Via Email: akeenum@oswegofire.com

RE: Petition 19-05 Weihler

Dear Captain Keenum;

With regard to Petition 19-05, I am sure they will have a security system but again not being in a Municipality there is no Municipal water supply to service a sprinkling system. Let me know if you have a formal Variance Petition, or if we could meet with your Board to discuss the issue concerning Petition 19-05, the Wedding Venue Facility.

Very truly yours,

Daniel J. Kramer

Daniel J. Kramer
Attorney at Law

DJK:rg

cc: Matt Asselmeier

Oswego Fire Protection District

Chief Michael Veseling



Fire Prevention Bureau



Fire Marshal Alec J Keenum

Station #1 ♦ 3511 Woolley Road ♦ Phone: (630) 906-OFPD
Oswego, IL 60543 Fax: (630) 383-0630

January 8, 2019

Daniel J. Kramer
1107A S, Bridge Street
Yorkville, IL 60560

RE: Petition 19-05 - 5100 Block of Schlapp Rd. Oswego, IL 60543

Dear Mr. Kramer,

In response to your inquiry of January 3, 2019 regarding the above petition with Kendall County Planning, Building, and Zoning:

- The Oswego Fire Protection District website (www.oswegofire.com) has links to the fire prevention code ordinance of record. Exhibit A is the original, and exhibit G is the latest, which is an amended version of the International Fire Code (IFC) 2015
- Sections 903.2 of the amended version calls out the requirement for sprinkling new construction
- Section 903.3 of the un-amended IFC 2015 specifies design & installation of the sprinkler system as per NFPA13
- Section 907.2 of the amended version calls out the requirement for a fire alarm system
- Section 907.2 of the un-amended IFC specifies installation in accordance to NFPA 72

In your letter, you indicate that the area in question is not served by a municipal water service. Although a vast number of the sprinkler systems within the Oswego Fire Protection District jurisdiction are indeed fed by a municipal water service, that is not the deciding factor for the requirement of a sprinkler installation - NFPA 13 spells out and allows for other water sources as well. Static water supplies (water tanks) are also a compliant water source for supplying an NFPA 13 compliant sprinkler system, and this option has been used throughout the jurisdiction in areas not served by municipal water services.

If the petitioner wishes to request a variance to an ordinance, they may do so. This shall be a written request for variance due to practical difficulties, as illustrated in the request, with alternative provisions offered that shall provide compliance to the spirit of the ordinance, secure public safety, and offer substantial justice with respect to the ordinance in question. This written request shall be authored by the owner of record or their duly authorized agent and sent to the Oswego Fire Prevention Bureau at the above address. Upon receipt, the variance request will be evaluated and assessed amongst the Chiefs of the Fire Department and the Fire Marshal. At that point, a written decision may be rendered or a request for additional information may be requested of the petitioner.

If there are any questions, I can be contacted at the above phone number.

Regards,

A black rectangular redaction box covering the signature of Capt. Alec J Keenum.

Capt. Alec J Keenum
Fire Marshal
Oswego Fire Protection District

cc: file

Kendall County Planner Matt Asselmeier

Matt Asselmeier

From: Daniel J Kramer [dkramer@dankramerlaw.com]
Sent: Thursday, January 03, 2019 11:15 AM
To: Matt Asselmeier
Subject: FW: Kendall County Petition 19-05

It sounds like we are fine with the Village of Oswego on the Weihler, 1 ½ milereview.

Very Truly Yours,

Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560
Phone-630.553.9500
Fax-630.553.5764

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From: Daniel J Kramer
Sent: Thursday, January 03, 2019 11:09 AM
To: 'rzenner@oswegoil.org' <rzenner@oswegoil.org>
Subject: FW: Kendall County Petition 19-05

Rod thankyou very much.That isfine.

Very Truly Yours,

Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560
Phone-630.553.9500
Fax-630.553.5764

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From: Real estate
Sent: Thursday, January 03, 2019 10:39 AM
To: Daniel J Kramer <dkramer@dankramerlaw.com>
Subject: Fw: Kendall County Petition 19-05

DO NOT RESPOND TO THIS EMAIL PLEASE SEND DIRECT TO: dkramer@dankramerlaw.com

Very Truly Yours,

Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560
Phone-630.553.9500
Fax-630.553.5764

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From: Rod Zenner <RZenner@oswegoil.org>
Sent: Thursday, January 3, 2019 10:19 AM
To: Real estate
Subject: RE: Kendall County Petition 19-05

Since it is a Special Use permit, we don't take those to the plan commission. We can only object/legally object to rezonings and subdivisions, so Special Uses we only send to the Village Board as an FYI. Sounds like a good plan with the catering package. If in the future they want a liquor license, let us know and we can look at an annexation agreement like we did for Fox Valley Winery and Arranmore farm.

Rod

From: Real estate <realestate@dankramerlaw.com>
Sent: Wednesday, January 2, 2019 3:19 PM
To: Rod Zenner <RZenner@oswegoil.org>
Cc: masselmeier@co.kendall.il.us
Subject: Fw: Kendall County Petition 19-05

Dear Rod:

They like a few of the other wedding venues in Oswego Township do not acquire a local liquor license. The Catering firms that will serve food have a mobile liquor license which permits them to serve alcohol at functions. It is part of the entire catering package with no cash bar or sales on-site permitted. I will speak with them about annexation. They are a bit away from Village limits currently. Will you put us on Plan Commission Agenda for January?

Very Truly Yours,

Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560

Phone-630.553.9500

Fax-630.553.5764

NOTICE: This communication is covered by the Electronic Communications Privacy Act found at 18 USC 2510 et. seq. and is intended to remain confidential and is subject to the applicable attorney/client and or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and all attachments. Do not deliver, distribute or copy this message and/or any attachments and do not disclose the contents or take any action in reliance upon the information contained in this communication or any attachments if you are not the intended recipient.

From: Matt Asselmeier [<mailto:masselmeier@co.kendall.il.us>]

Sent: Wednesday, January 02, 2019 11:28 AM

To: Daniel J Kramer <dkramer@dankramerlaw.com>

Cc: Rod Zenner <RZenner@oswegoil.org>

Subject: FW: Kendall County Petition 19-05

Dan:

Could you address Rod questions?

Thanks,

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

From: Rod Zenner [<mailto:RZenner@oswegoil.org>]

Sent: Wednesday, January 02, 2019 11:26 AM

To: Matt Asselmeier

Subject: RE: Kendall County Petition 19-05

Hello,

Have a question. How do they handle the liquor license as I think this is a dry township? Since they are in the Village's planning boundary, do they want to meet with us to talk about their development and the potential to annex to the village sometime in the future?

Thanks

Rod Zenner, AICP
Community Development Director



100 Parkers Mill
Oswego, IL 60543

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
January 8, 2019 – Unapproved Meeting Minutes**

Matthew Prochaska called the meeting to order at 9:02 a.m.

Present:

Aaron Rybski – Health Department
David Guritz – Forest Preserve
Fran Klaas – Highway Department
Brian Holdiman – PBZ Department
Matt Asselmeier – PBZ Department
Matthew Prochaska – PBZ Committee Chair

Absent:

Megan Andrews – Soil and Water Conservation District
Meagan Briganti – GIS
Greg Chismark – WBK Engineering, LLC
Deputy Commander Jason Langston – Sheriff's Department

Audience:

Joe Spencer, Dan Kramer, Rodolfo Nunez, Georgina Nunez, Stuart Weihler, and Paula Weihler

AGENDA

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

MINUTES

Mr. Guritz made a motion, seconded by Mr. Rybski, to approve the December 4, 2018, meeting minutes. With a voice vote of all ayes the motion carried unanimously.

PETITIONS

Petition 18-32 Joe Spencer on Behalf of Utility Dynamics – Site Plan Approval for Storage Building at 5237 Light Road (PIN 03-07-227-002) in Oswego Township

Mr. Asselmeier summarized the request. The Petitioner would like to construct an approximately four thousand eight hundred (4,800) square foot storage building on their property. The property is currently vacant and is zoned M-1. There are residential properties located immediately to the east of the subject property. Oswego Township did not submit comments. The Petitioner requested a variance from the sprinkler requirement from the Oswego Fire Protection District. Neither the Village of Montgomery nor the Village of Oswego provided comments.

Responsive to Site Conditions-Site plans should be based on an analysis of the site. Such site analysis shall examine characteristics such as site context; geology and soils; topography; climate and ecology; existing vegetation, structures and road network; visual features; and current use of the site. In addition to the standards listed below, petitioners must also follow the regulations outlined in this Zoning Ordinance. To the fullest extent possible, improvements shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative effects and alteration of natural features. Fragile areas such as wetlands shall and flood plains should be preserved as open space. Slopes in excess of 20 percent as measured over a 10-foot interval also should remain as open space, unless appropriate engineering measures concerning slope stability, erosion and safety are taken. The proposed structure shall utilize a minimal amount of the total acreage. There are no wetlands or flood plains on the property. There are no concerns regarding slopes or erosion, provided necessary steps are taken to prevent erosion during construction.

Traffic and Parking Layout-Site plans should minimize dangerous traffic movements and congestion, while achieving efficient traffic flow. An appropriate number of parking spaces shall be provided while maintaining County design standards. The number of curb cuts should be minimized and normally be located as far as possible from intersections. Connections shall be provided between parking areas to allow vehicles to travel among adjacent commercial or office uses. Cross-access easements or other recordable mechanisms must be employed. Ample space exists on the property for parking and the building will be setback further from Light Road than is required by the Kendall County Zoning Ordinance. The access point off of Light Road is already in existence.

Conflicts between pedestrians and vehicular movements should be minimized. When truck traffic will be present upon the site, the road size and configuration shall be adequate to provide for off-street parking and loading facilities for large

vehicles. Barrier curb should be employed for all perimeters of and islands in paved parking lots, as well as for all service drives, loading dock areas, and the equivalent. Parking lots in industrial or commercial areas shall be paved with hot-mix asphalt or concrete surfacing. This is not an issue.

Site Layout-Improvements shall be laid out to avoid adversely affecting ground water and aquifer recharge; minimize cut and fill; avoid unnecessary impervious cover; prevent flooding and pollution; provide adequate access to lots and sites; and mitigate adverse effects of shadow, noise, odor, traffic, drainage and utilities on neighboring properties. The site will be laid out in a manner that will not impact shadow, noise, odor, traffic, or drainage. The proposal will not adversely affect ground water or aquifer recharge.

Consistent with the Land Resource Management Plan-The proposed use and the design of the site should be consistent with the Land Resource Management Plan. This is true.

Building Materials-The proposed site plan design shall provide a desirable environment for its occupants and visitors as well as its neighbors through aesthetic use of materials, textures and colors that will remain appealing and will retain a reasonably adequate level of maintenance. Buildings shall be in scale with the ultimate development planned for the area. Monotony of design shall be avoided. Variations in detail, form, and setting shall be used to provide visual interest. Variation shall be balanced by coherence of design elements. Since this is the only building on the property, this item is not a concern.

Relationship to Surrounding Development-A site shall be developed in harmony with neighboring street pattern, setbacks and other design elements. The proposed site development is in harmony with the existing use of neighboring properties provided fencing meets the Kendall County Zoning Ordinance. Petitioner plans to install a mesh over the existing chain-link fence.

Open Space and Pedestrian Circulation-Improvements shall be designed to facilitate convenient and safe pedestrian and bicycle movement within and to the property. This is not applicable.

Buffering-Measures shall be taken to protect adjacent properties from any undue disturbance caused by excessive noise, smoke, vapors, fumes, dusts, odors, glare or stormwater runoff. Incompatible, unsightly activities are to be screened and buffered from public view. The Petitioner plans to install a mesh over the existing chain-link fence. The proposed building will be used for storage of equipment and no noise, smoke, vapors, fumes, dusts odors, or glare is planned. Given the size of the building and topography, stormwater should not be an issue provided necessary steps are taken during construction.

Emergency Vehicle Access-Every structure shall have sufficient access for emergency vehicles. Staff would like comments from the Kendall County Sheriff's Department and Oswego Fire Protection District on this issue.

Mechanical Equipment Screening-All heating, ventilation and air conditioning equipment shall be screened on sides where they abut residential districts. The proposed building will not be heated or cooled.

Lighting-The height and shielding of lighting fixtures shall provide proper lighting without hazard to motorists on adjacent roadways or nuisance to adjacent residents by extending onto adjacent property. Cut-off lighting should be used in most locations, with fixtures designed so that the bulb/light source is not visible from general side view. The Petitioner plans to install two (2) poles with two (2) floodlights on each pole. As long as the lights are pointed downward, light spilling onto neighboring property is not an issue.

Refuse Disposal and Recycling Storage Areas-All refuse disposal and recycling storage areas should be located in areas designed to provide adequate accessibility for service vehicles. Locations should be in areas where minimal exposure to public streets or residential districts will exist. Screening shall be required in areas which are adjacent to residential districts or are within public view. Such enclosures should not be located in landscape buffers. Refuse containers and compactor systems shall be placed on smooth surfaces of non-absorbent material such as concrete or machine-laid asphalt. A concrete pad shall be used for storing grease containers. Refuse disposal and recycling storage areas serving food establishments shall be located as far as possible from the building's doors and windows. The use of chain link fences with slats is prohibited. Refuse will not be collected onsite.

If approved, the Petitioner would have to submit information for a building permit.

Mr. Rybski asked about well and septic information on the site. Mr. Spencer responded that no wells or septic systems were onsite.

Mr. Klaas asked about the condition of Commerce Road. Discussion occurred regarding easements over Commerce Road. Mr. Spencer provided a history of improvements to Commerce Road.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to approve the site plan subject to the conditions that the floodlights shall be aimed in such a manner that does not cause light spillage onto neighboring residential properties and that the site be developed in accordance with the submitted site plan and in compliance with all applicable federal, state, and local laws.

Ayes (6): Asselmeier, Guritz, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Abstain (0): None
Absent (4): Andrews, Briganti, Chismark, and Langston

The motion passed unanimously.

Petition 19-04 Rodolfo and Georgina Nunez-Special Use Permit for a Landscaping Business at 6725 Route 71 (PINs 02-24-300-017 and 02-24-300-018) in Oswego Township

Mr. Asselmeier summarized the request. The Petitioners are requesting a special use permit to operate a landscaping business. The property is zoned A-1 and is approximately three (3) acres in size.

The EcoCAT Report was submitted and several species were identified in the area. However, IDNR expressed no concerns regarding the proposal provide best management practices are employed when building structures.

The Natural Resource Inventory application submitted on December 20, 2018, and is still under review.

Petition information was sent to Oswego Township on December 21, 2018.

Petition information was sent to the Village of Oswego on December 21, 2018. Information about this Petition will be discussed at a January Village Board meeting.

Petition information was sent to Oswego Fire Protection District on December 21, 2018. The Petitioner is in contact with the Fire Protection District to resolve sprinkling issues.

The Petitioner plans to have at most three (3) employees report to the site for work.

The Petitioner plans to remove the containers on the property and construction a small building on the property.

The property fronts Route 71 and the Village of Oswego's plans call for a trail along Route 71. The site plan shows parking around the existing house.

No additional lighting or signage was proposed.

The Zoning Ordinance requires all vehicles, equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit. An existing berm with evergreens and other trees is located on the property.

The property drains to the northwest and southwest of the site. WBK submitted a comment letter on the proposal.

Mr. Rybski asked about well or septic records. He also requested a soil study. Mr. Kramer indicated that no new wells or septic systems were proposed and the Petitioners will locate the existing well and septic system locations and supply that information to the Kendall County Health Department.

Mr. Kramer stated Mr. Nunez was a tree specialist and the proposed business would not be the traditional landscape business. They have one (1) part-time employee.

Mr. Kramer noted the existing berm and that the existing trailer shall be replaced with a building.

Mr. Kramer said that the Petitioner would secure a variance, if necessary, for the sprinkler requirement for the building. Mr. Kramer does not believe a sprinkler system will be required.

Mr. Kramer indicated that this proposal would go before Oswego Township on January 15th.

Mr. Kramer indicated that the Village of Oswego will provide a letter of no objection to the County.

Mr. Kramer confirmed the building size will be approximately two thousand four hundred (2,400) square feet.

No landscaping debris would be outdoors. Shrubs and trees could be stored outside. Equipment storage would be outdoors except for his pickup truck.

Discussion occurred regarding trail dedication. Mr. Kramer expressed concerns about the relocation of the existing berm particularly if Route 71 were widened.

No variances would be needed based on current measurements of structures.

Discussion occurred regarding potential complaints by neighbors. Mr. Kramer could definitively say if objections could or would arise.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to recommend approval of the special use permit with the conditions that no landscaping debris or equipment may be stored outside except for nursery stock.

Ayes (6): Asselmeier, Guritz, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Abstain (0): None
Absent (4): Andrews, Briganti, Chismark, and Langston

The motion passed unanimously. This matter will go before the Kendall County Regional Planning Commission on January 23rd.

Petition 19-05 Specialty Oswego, LLC and Stuart and Paula Weihler-Special Use Permit for a Banquet Facility and Variance to the Requirement that Banquet Facilities be Located on a Primary Highway or Major Collector in the 5100 Block of Schlapp Road Approximately 0.48 Miles South of the Intersection of Plainfield Road and Schlapp Road (PIN 03-34-100-024 South 10 Acres) in Oswego Township

Mr. Asselmeier summarized the request. Stuart and Paula Weihler would like to establish a banquet facility, Heritage Homestead at the subject property. The property is currently owned by Specialty Oswego, LLC and the Weihler's have a contract to purchase the property subject to obtaining the required zoning permits to operate a banquet facility. The special use permit would apply to the southern ten (10) acres of the property. A variance would be required because Schlapp Road is not an arterial road or a major collector as defined by the Land Resource Management Plan. The property is zoned A-1.

EcoCat submitted on December 18, 2018 and consultation was terminated

NRI application submitted on December 21, 2018, and currently under review.

Oswego Township was emailed information on December 21, 2018, and no comments have been received.

Oswego Fire Protection District was emailed information on December 21, 2018. The Petitioner is in discussions with the Fire Protection District regarding securing applicable variances.

The Village of Oswego was emailed information on December 21, 2018, and they are currently reviewing the proposal.

The Weihler's business plan, plat of survey, and site plan were provided. As noted in the business plan, plat of survey and site plan, the Weihler's would use the southern ten (10) acres of the current property configuration for their event business. They plan to construct a four thousand, nine hundred fifty (4,950) square foot barn with two (2) two thousand five hundred (2,500) square foot outdoor areas on the southwest and northeast sides of the barn. One two thousand (2,000) square foot tent with concrete pad would be located northwest of the barn. Two (2) grain bins, one (1) for the bride and one (1) for the groom, would be constructed to the northwest of each outdoor area. An additional bar grain bin would be constructed west of the tent. Each grain bin would be one hundred seventy-one (171) square feet in size. One (1) outdoor grassy ceremony area, measuring three thousand five hundred (3,500) square feet would be located east of the barn area. One (1) one hundred eighty-one (181) square foot gazebo would be located southeast of the barn. One (1) additional one thousand five hundred (1,500) square foot storage building would be located to the east of the parking

area. One (1) one hundred (100) square foot trash enclosure is planned east of the parking area. Gravel pathways would connect the parking lot to the various structures and areas of interest on the property.

The Weihlers propose an approximately thirty-seven thousand seven hundred sixty-two (37,762) square foot wet detention pond around the southern portion of the gazebo. Based on the information provided regarding the amount of disturbed ground (land disturbed for parking, facilities, and detention), a stormwater management permit will be required. WBK submitted a letter regarding stormwater requirements.

The Weihlers plan to have events year-round. For weekdays, events would start no sooner than 9:00 a.m. and end no later than 10:00 p.m. For weekends and holidays, events would start no sooner than 9:00 a.m. and end no later than midnight.

The Weihlers plan to use select caterers and will have adequate insurance.

If approved, the Weihlers plan to start construction by April 2019 and start having events in October 2019 with a full season of bookings for 2020.

A Building and Occupancy Permit will be required for each existing structure that will be used in conjunction with the proposed banquet facility.

A raised septic area with three sanitary holding tanks is proposed southwest of the proposed barn. The proposed water well will be located northeast of the tent area.

The property fronts Schlapp Road.

Based on the information provided, the maximum number of attendees would be two hundred eight-five (285) guests. Four (4) additional full-time employees plus the two (2) owners would be onsite during events. Pending any concerns from first responders, the proposed facility would have more than adequate parking facilities. The Weihlers are proposing one hundred fifty-one (151) parking spaces including seven (7) handicapped accessible spaces.

The Weihlers propose five (5) twenty foot (20') fixture light poles and two (2) twenty foot (20') single fixture light poles.

One (1) monument sign is proposed along Schlapp Road. No information was provided regarding the size of the light or whether or not the sign will be illuminated. No information was provided regarding one-way vehicular movement signs.

The landscaping plan call for thirty-two (32) canopy trees, sixteen (16) evergreens, ten (10) understory trees, ten (10) ornamental trees, and one hundred twenty-six (126) deciduous bushes.

The Weihlers plan to have music originate indoors with speakers facing indoors except for processionalists at weddings.

The Weihlers plan to install some berming and, with the combination of distance and new plantings, they believe noise will not be an issue.

The subject property was awarded a special use permit by Kendall County for a residential unit for a stable employee in 1999.

This proposed banquet facility is less than one half (1/2) mile from the nearest road meeting the functional classification requirements in the Zoning Ordinance. By comparison, the banquet facility at 13889 Hughes Road is approximately one point five (1.5) miles from the nearest major collector road (Newark Road via Hollenback Road).

Mr. Holdiman noted that the Petitioners will ask for a variance from the Oswego Fire Protection District for sprinkler requirements. Mr. Kramer indicated that they would apply for a variance from the Fire Protection District for sprinkler system, if necessary. The Petitioners will install a security system. The project would continue to move forward if the variance is not granted. The structures on the property will be heated and cooled.

The Petitioners are working on the septic system information.

Fridays, Saturdays, and the night before holidays are considered weekends. Sunday would be considered a weekday. Cleanup would be finished by 1:00 a.m. on weekends and 11:00 on weekdays.

Discussion occurred regarding the roadway classification of Schlapp Road. Mr. Asselmeier stated that the classification came from the Land Resource Management Plan. Mr. Klaas indicated that the Highway Department classified Schlapp Road as a minor collector.

Mr. Kramer noted that Oswego Township is a dry township; he discussed the caterer's license.

Mr. Rybski discussed the well testing requirements based on the number of events and number of people in attendance at these events. No food would be made onsite. He discussed the requirements of the septic system, including the location of a secondary septic field. The bathroom facilities will be inside the buildings.

The Petitioners acknowledged the Right to Farm Clause.

The Petitioners will use their cell phones to measure noise. The speakers will be turned inward.

The size of the monument sign has not been determined. The sign will be a low-level monument sign. The sign will not be illuminated. Staff requested additional information on the dimensions of the sign. Mr. Kramer was unsure about directional signage at the egress/ingress to the property.

The Petitioners indicated that they no longer needed the special use permit for a stable employee.

The Petitioners will apply for a stormwater management permit.

Mr. Holdiman asked if the barn will be a two (2) story structure. This question was not answered.

Mr. Rybski said that the proposal could be moved forward, but the septic and well review can occur as the proposal moves through the process.

Mr. Asselmeier asked Mr. Klaas if he saw any concerns regarding the ability of Schlapp Road to support this type of use. Mr. Klaas requested that the Township weigh-in on the question. The Township would have to permit the ingress/egress points.

Mr. Klaas requested a right-of-way dedication. The Petitioners agreed to dedicate the appropriate amount of right-of-way; the right-of-way would extend to fifty feet (50') from the centerline of Schlapp Road. The dedication would occur within sixty (60) days of approval of the special use permit. The site plan would be adjusted to reflect the dedication.

Mr. Asselmeier made a motion, seconded by Mr. Rybski, to approve special use permit and variance as requested.

Ayes (6): Asselmeier, Guritz, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Abstain (0): None
Absent (4): Andrews, Briganti, Chismark, and Langston

The motion passed unanimously. This matter will go before the Kendall County Regional Planning Commission on January 23rd.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OLD BUSINESS/NEW BUSINESS

None

CORRESPONDENCE

None

PUBLIC COMMENT

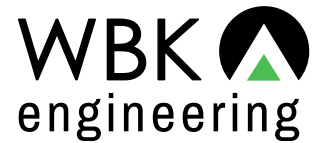
Mr. Asselmeier noted that an application for a banquet facility on Crimmins Road could be submitted.

Mr. Kramer indicated that the owner of 17 Ashe Road is working with the homeowners association to resolve issues related to their special use permit amendment request.

ADJOURNMENT

Mr. Klaas made a motion, seconded by Mr. Guritz to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:57 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner



January 5, 2019

Mr. Matt Asselmeier
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498

Subject: Petition 19-05 Schlapp Road Banquet Facility

Dear Mr. Asselmeier:

WBK Engineering has reviewed the stormwater submittal and site plans for the subject project. We received the following information:

- Permit Application prepared by Stuart and Paula Weihler including
 - Zoning Plat prepared by Philip D. Young and Associates, Inc. dated November 29, 2018 received December 21, 2018
 - Civil Site Plan prepared by Tebrugge Engineering. dated December 20, 2018 received December 21, 2018

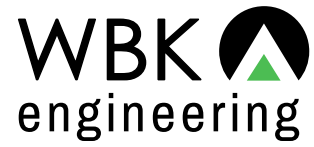
The following comments are offered for the petitioner's consideration and require resolution prior to our recommendation for approval.

Stormwater Management

1. Submit a stormwater management report that documents and demonstrates the following:
 - a. Existing drainage patterns, ridge lines and flow rates.
 - b. Proposed stormwater basin design basis
 - c. Proposed stormwater basin outlet location and viability
 - d. Existing field tile survey

Civil Site Plan

1. Depict the 100 year high water elevation in the basin and the emergency overflow route location.
2. Depict the stormwater basin outlet location and controlled release configuration.



3. The drainage swales and overflow routes east of the proposed barn will require a design basis and cross section with final engineering plans.
4. Access locations and configurations shall be approved by Oswego Township.

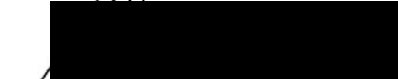
Landscape Plan

1. Several on site swales appear to be good opportunities to incorporate native landscape plants as a stormwater best management practice. Specifically this should be considered where runoff from paved areas is being facilitated.
2. It appears the stormwater basin has a depth of two feet. Please confirm and identify how the basin will be planted and maintained.

The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details, and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve applicant's design professionals of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications.

If you have any questions or comments, please contact us at (630) 443-7755.

Sincerely,



Greg Chismark, P.E.
Municipal Practice Principal
WBK Engineering LLC

Listing of KCRPC Dates for 2019
7:00PM (4th Wednesday of the
Month Unless Otherwise Noted)

January 23, 2019

February 2, 2019 (Annual Meeting- 9am)

February 27, 2019

March 27, 2019

April 24, 2019

May 22, 2019

June 26, 2019

July 24, 2019

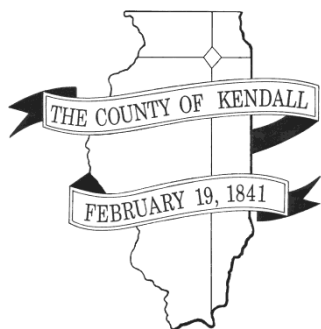
August 28, 2019

September 25, 2019

October 23, 2019

November 2019-No Meeting

December 11, 2019 (Second Wednesday)



**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
ANNUAL MEETING**

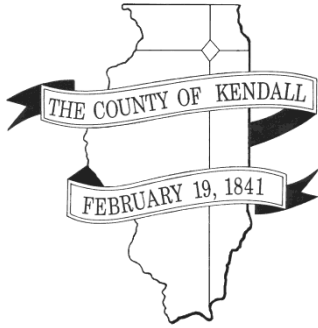
111 West Fox Street • Rooms 209 and 210 • Yorkville, IL • 60560

AGENDA

February 2, 2019 – 9:00 a.m.

- I. Call to Order**
- II. KCRPC Roll Call**
Bill Ashton (Chairman), Roger Bledsoe, Tom Casey, Bill Davis, Larry Nelson, Ruben Rodriguez, Benjamin Schreoder, John Shaw, Claire Wilson, and, Angela Zubko
- III. Welcoming Remarks**
Bill Ashton, Kendall County Regional Plan Commission Chairman
- IV. Approval of Agenda**
- V. Review of Minutes from 2018 Annual Meeting**
- VI. Requests for Plan Amendments**
Residents of Kendall County & Staff
- VII. 2018 Projects Summary & 2019 Future Projects/Goals**
Matthew H. Asselmeier, Senior Planner & Others in Attendance
- VIII. Old Business**
- IX. New Business**
- X. Other Business**
- XI. Public Comment**
- XII. Adjournment**

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



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Planning, Building and Zoning Committee

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: December 5, 2018

Re: Proposed Future Land Use Map Change Along Route 47 in Lisbon Township

After the November 27th Kendall County Board meeting, the Village of Lisbon, as required by State law, recorded a notice of adoption of a Comprehensive Plan. This was the Comprehensive Plan that the Village adopted in January 2009.

The Village of Lisbon Future Land Use Map that was recorded with their Comprehensive Plan does not match the map previously reviewed by the County.

Attached to this memo are the proposed Future Land Use Map incorporating the old Village of Lisbon Future Land Use Map's mining area, the old Village of Lisbon's Future Land Use Map, the new Village of Lisbon's Future Land Use Map, a map incorporating the Mining Area on the new Village of Lisbon's Future Land Use Map, a map showing sections 32 and 33 as mixed use business, and the existing Future Land Use Map for Lisbon Township.

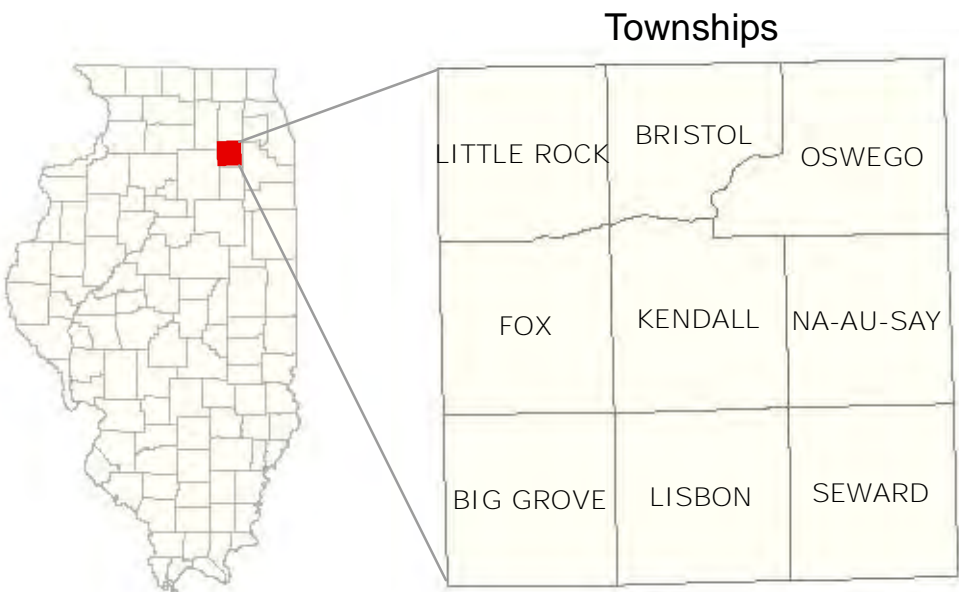
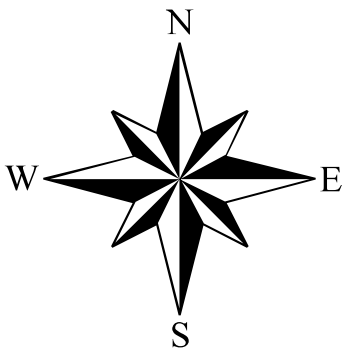
If you have any questions, please let me know.

MHA

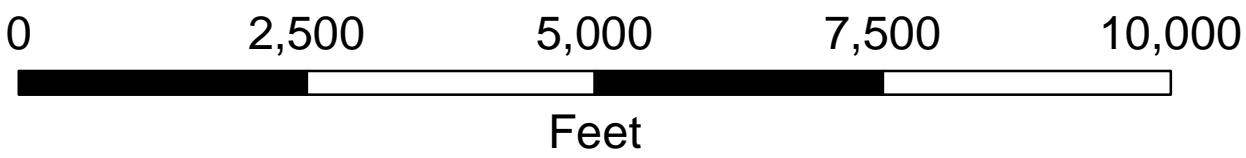
ENC: Proposed Future Land Use Map (Old Lisbon Map)
Proposed Future Land Use Map (New Lisbon Map)
Mixed Use Business Map
Old Lisbon Future Land Use Map
New Lisbon Future Land Use Map
Current Future Land Use Map for Lisbon Township

Lisbon Future LRMP
Helmar Rd to Sherrill Rd
KENDALL COUNTY
- 2018 -

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



Scale: 1 in = 1,667 feet

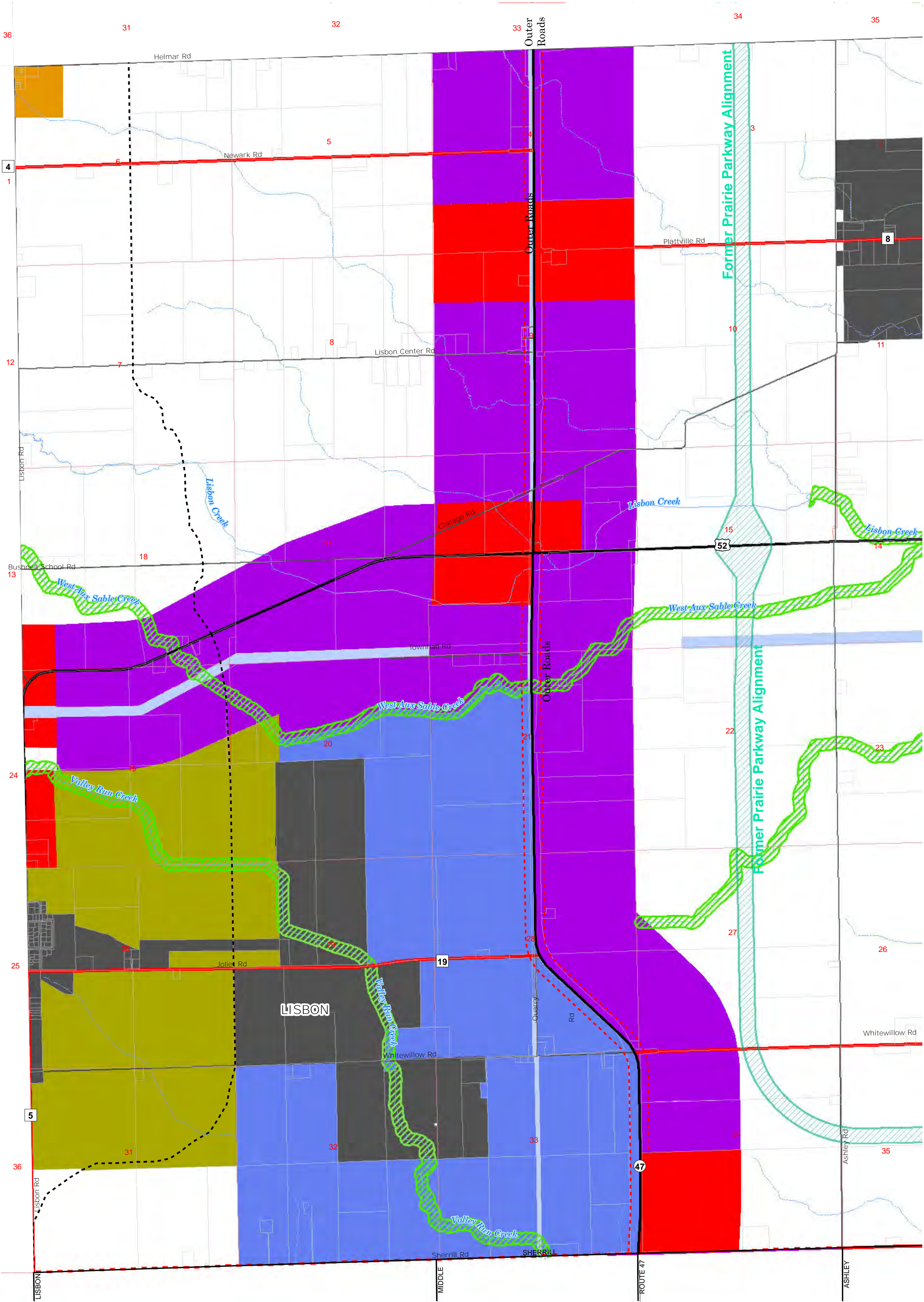


Legend

- Outer Roads
- Proposed Roadways
- Future LRMP**
- Abbreviation**
- Natural Resource Areas
- Grundy Mixed Use Business
- Court Ordered Mining
- Open Space
- Urbanized Areas
- Mixed Use Business
- Transportation Corridors
- Public Institutional
- Mining
- Rural Settlements
- Commercial
- Continued Growth Suburban Residential

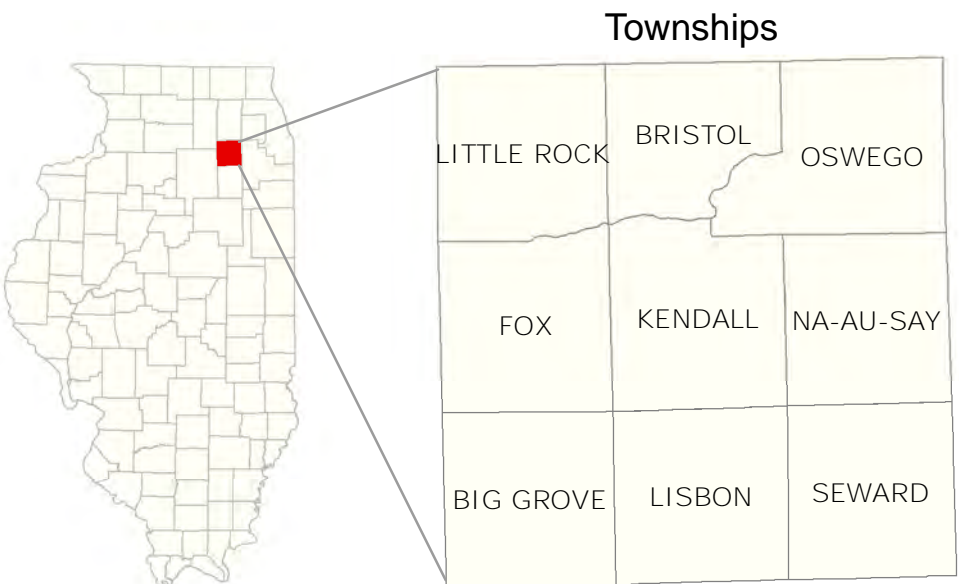
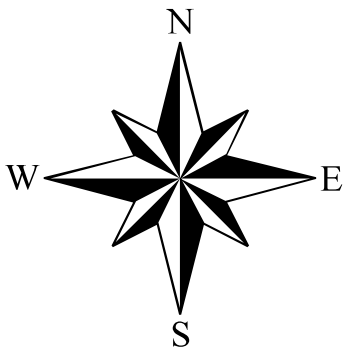


Kendall County GIS
111 West Fox Street - Room 308
Yorkville, Illinois 60560-1498
630.553.4030

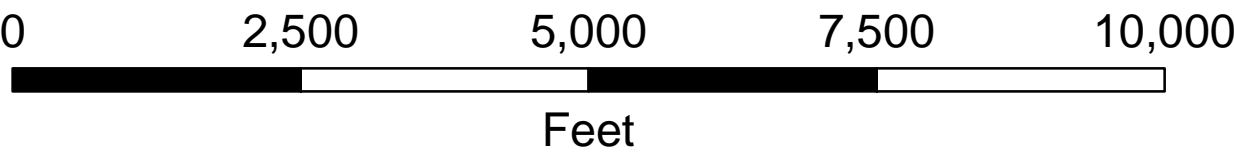


Lisbon Future LRMP
Helmar Rd to Sherrill Rd
KENDALL COUNTY
- 2018 -

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



Scale: 1 in = 1,667 feet



Legend

- Outer Roads
- Proposed Roadways

Future LRMP

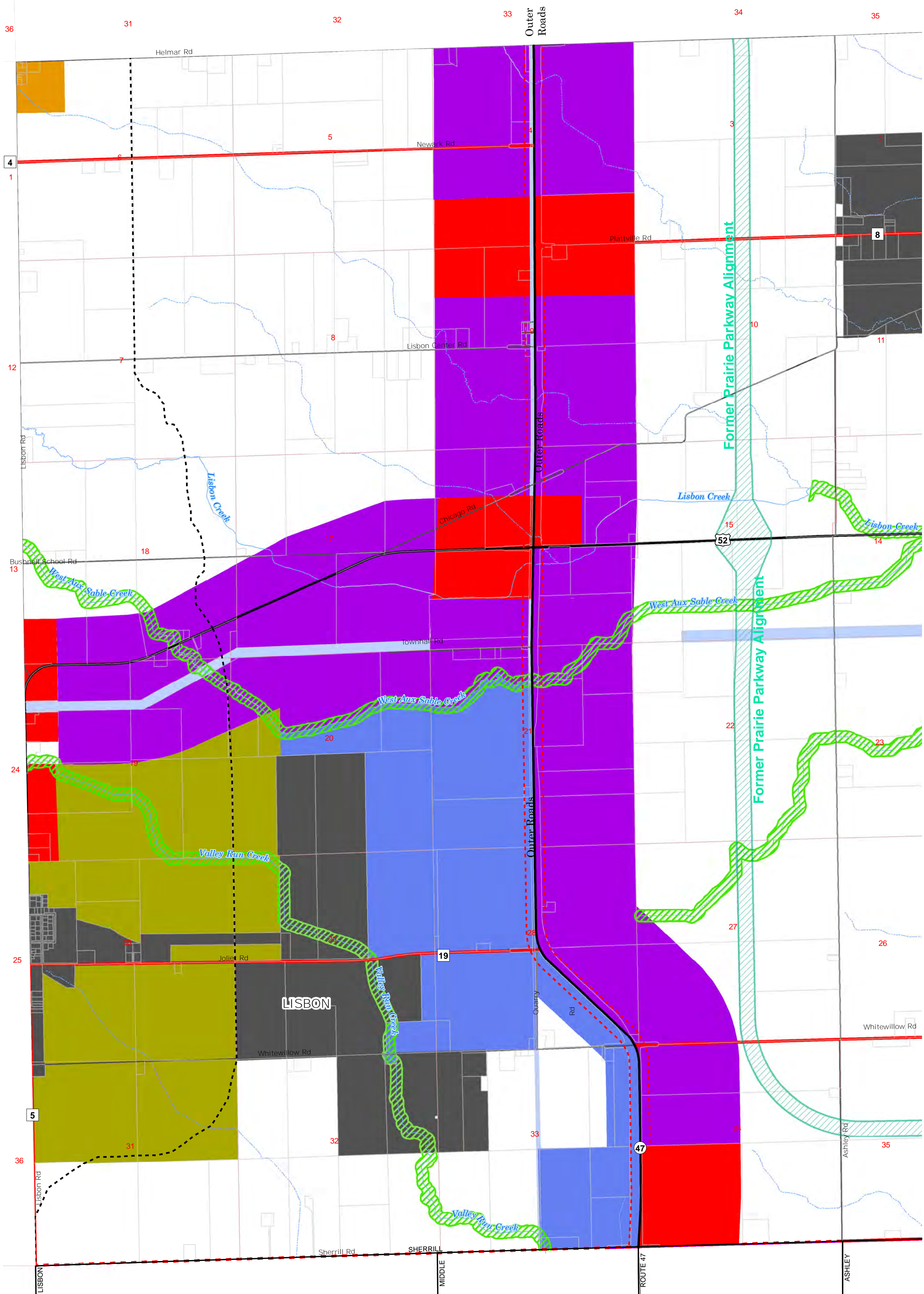
Abbreviation

- Urbanized Areas
- Mixed Use Business
- Public Institutional
- Mining
- Rural Settlements
- Commercial
- Continued Growth Suburban Residential



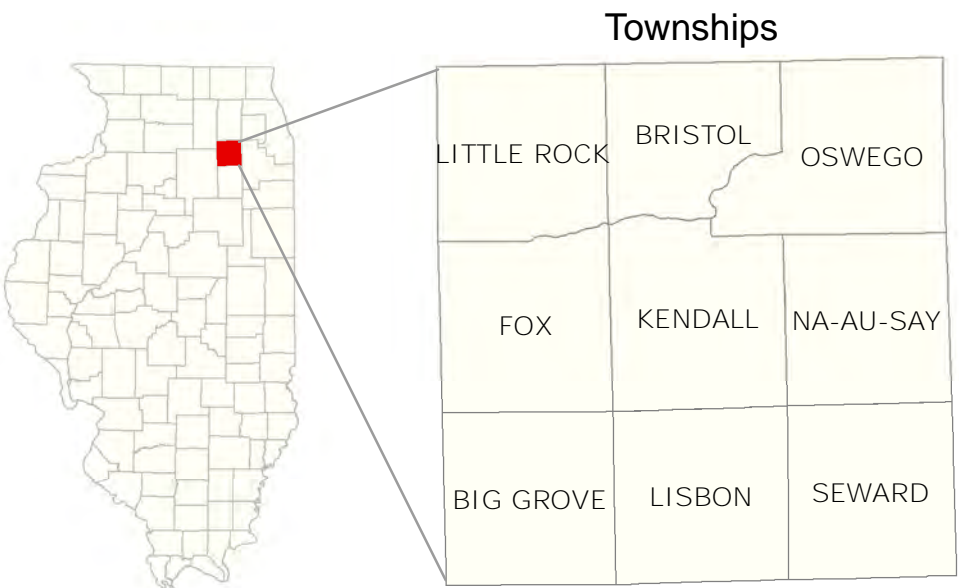
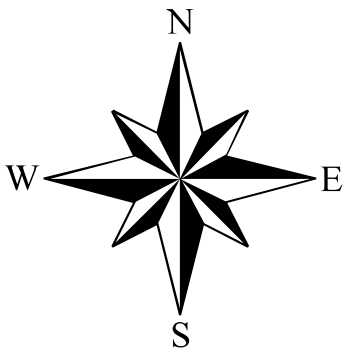
Kendall County GIS

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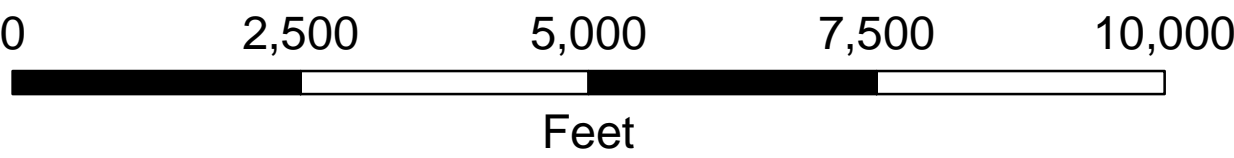


Lisbon Future LRMP
Helmar Rd to Sherrill Rd
KENDALL COUNTY
- 2018 -

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Scale: 1 in = 1,667 feet



Legend

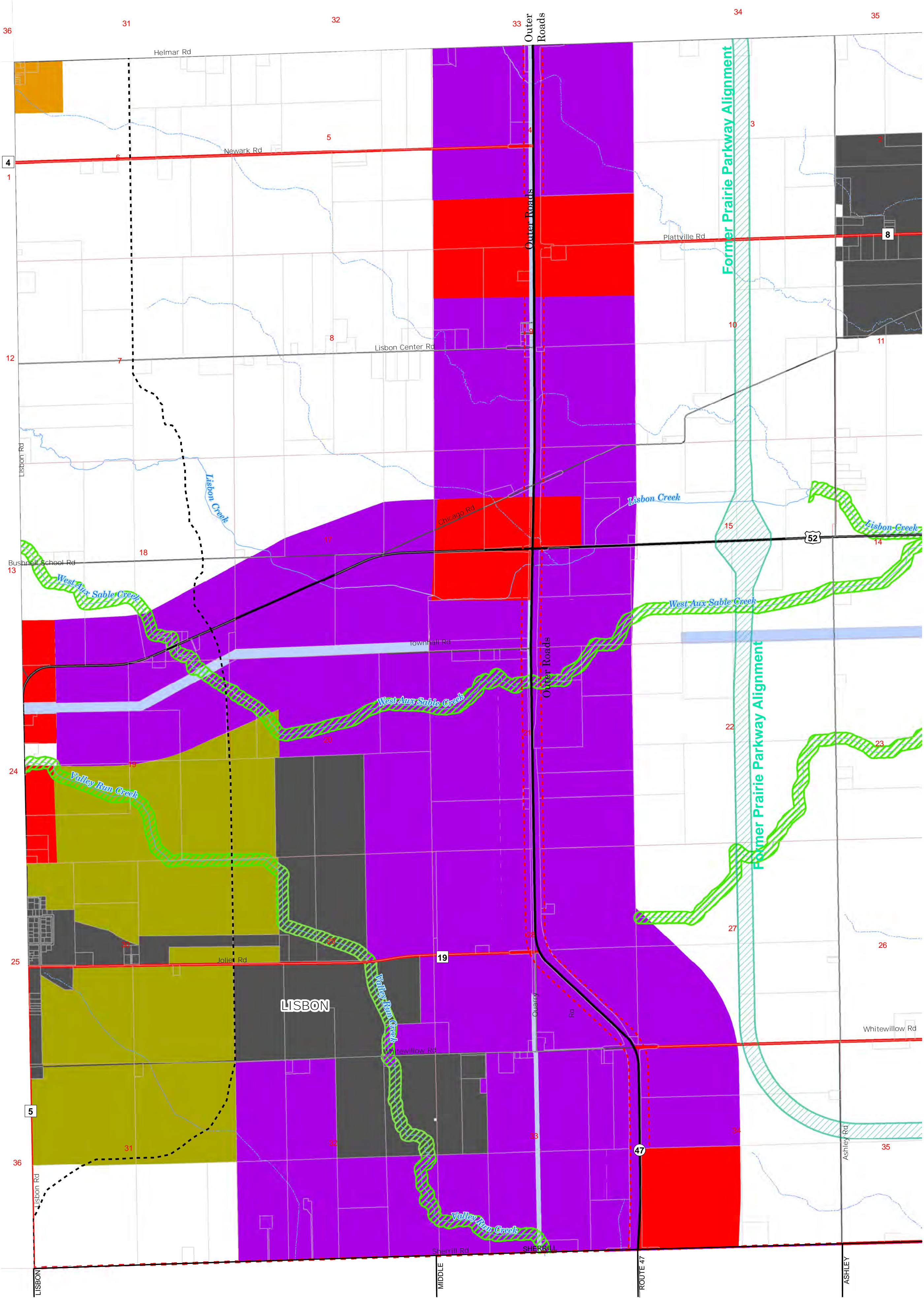
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- Proposed Roadways

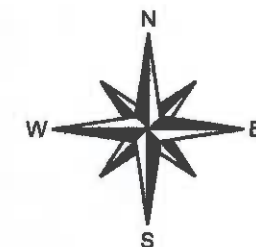
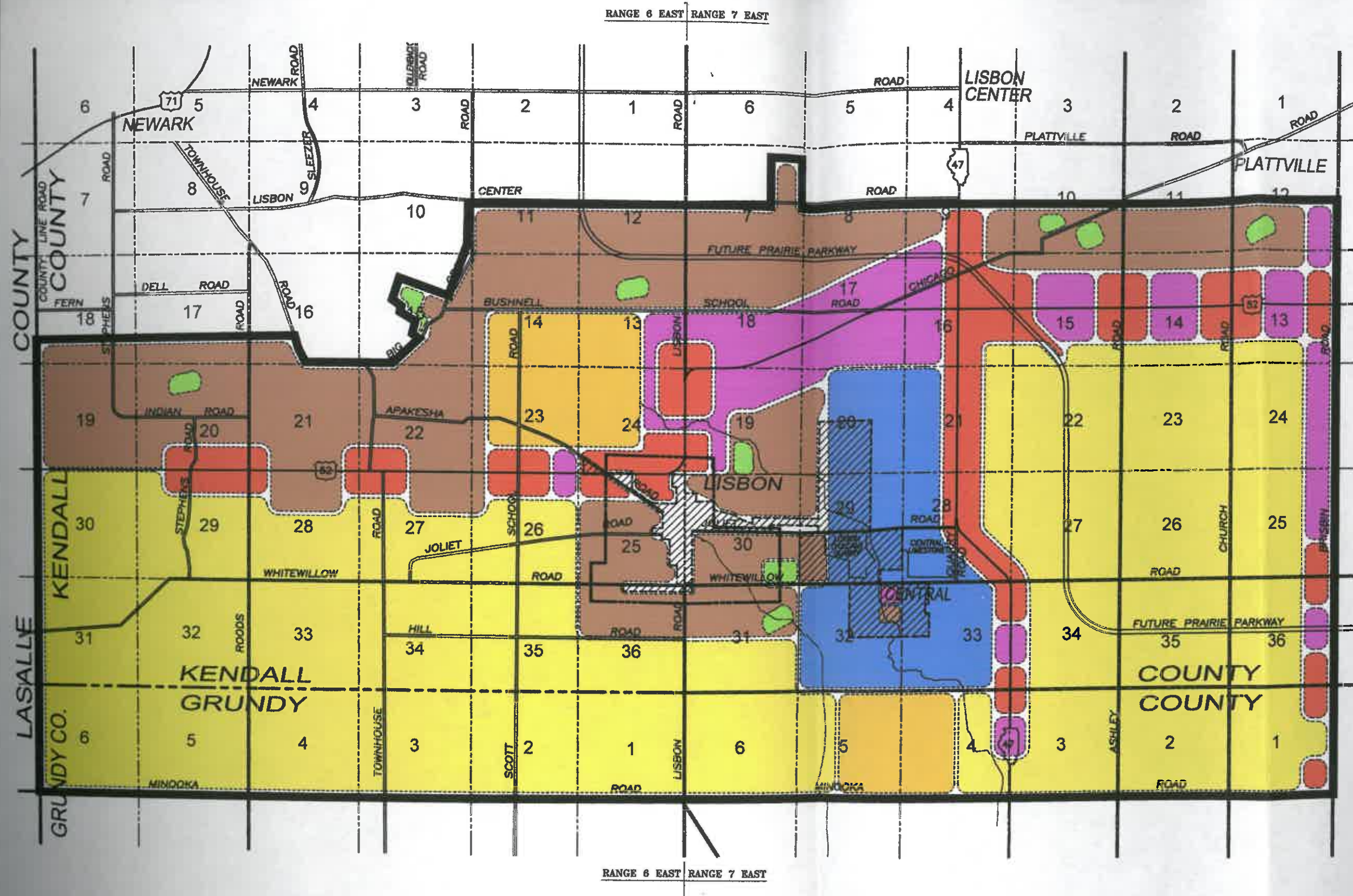
Future LRMP

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



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





LEGEND

- LISBON COMPREHENSIVE BOUNDARY
- EXISTING LISBON VILLAGE LIMITS
- ORIGINAL LISBON VILLAGE LIMITS
- COMMERCIAL
- MIXED USE BUSINESS
- MINING
- OPEN SPACE
- 1 ACRE CITY LOTS
- INDUSTRIAL
- AGRICULTURAL

TOWNSHIP 34 NORTH
TOWNSHIP 33 NORTH

DRAWN BY: MAR	SCALE: 1" = 1700'
CHECKED BY: GRC	DATE: 8/14/07

CHAMLIN
ASSOCIATES

PERU MORRIS
ILLINOIS

COMPREHENSIVE PLANNING MAP VILLAGE OF LISBON, KENDALL COUNTY, ILLINOIS

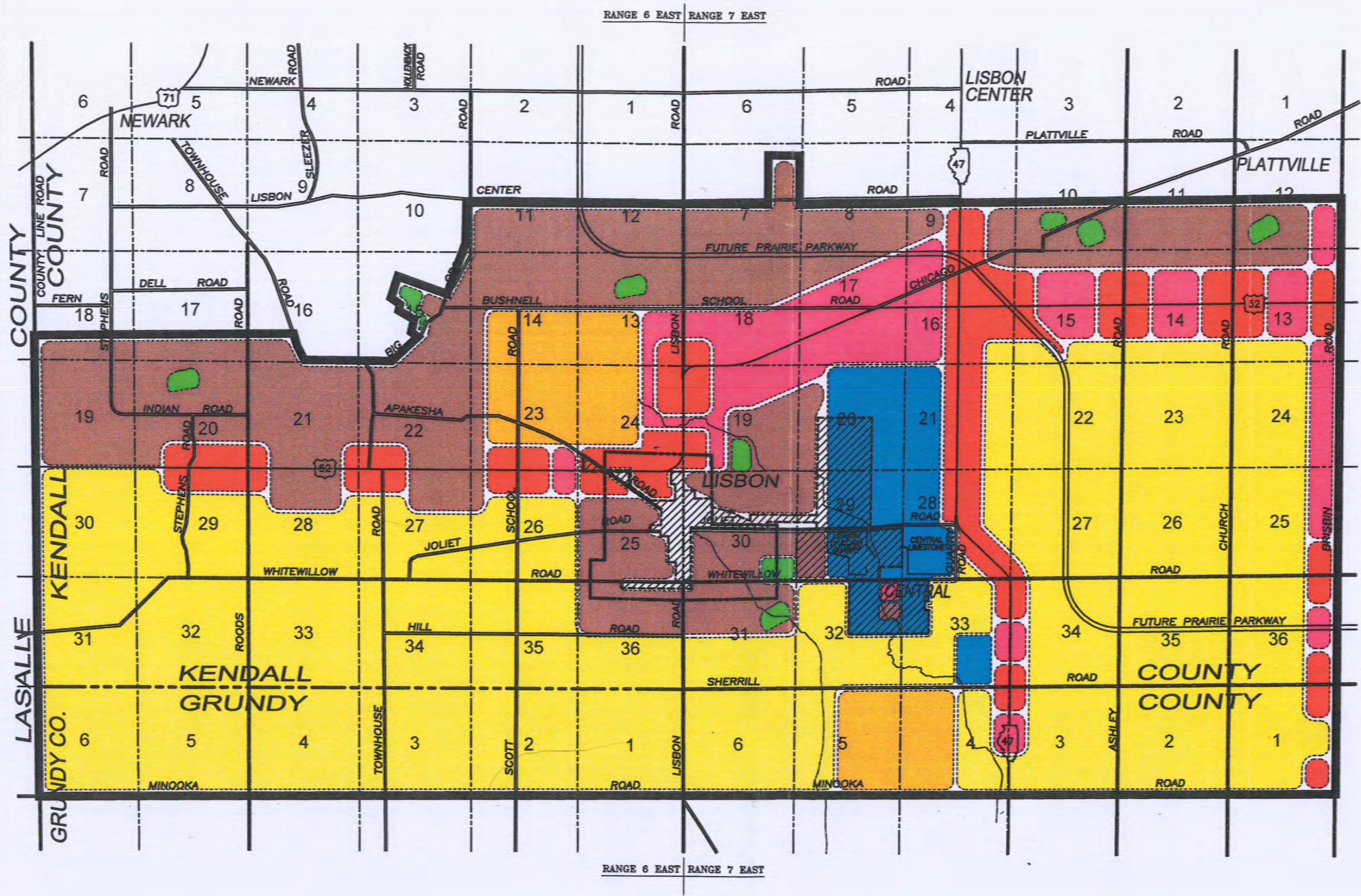
PLANNING AREAS

SCALE: 1" = 1700'

SHEET

FILE NO.:

OF



NOTE: DO NOT SCALE DIMENSIONS FROM THIS MAP

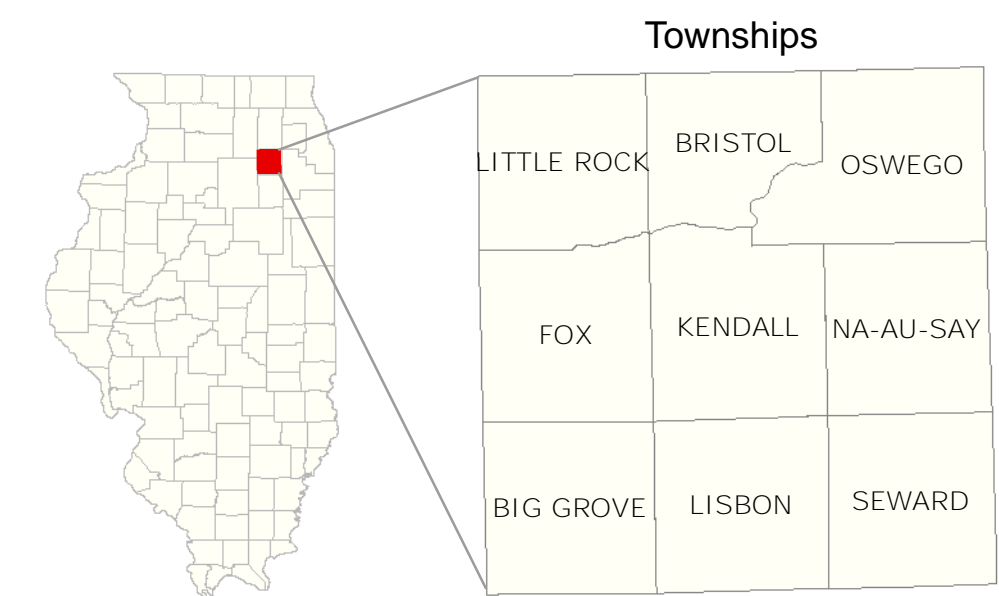
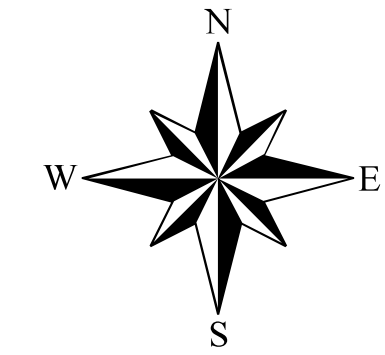
LEGEND

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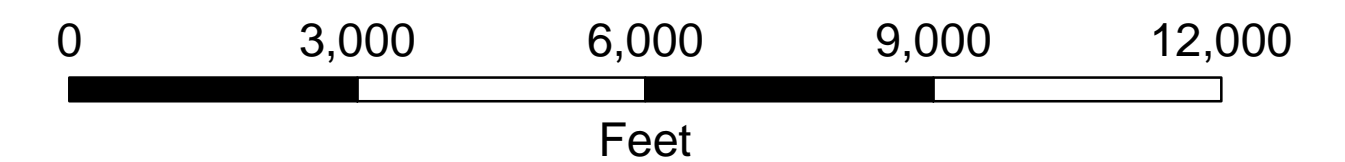
TOWNSHIP 34 NORTH
TOWNSHIP 33 NORTH

Future Land Use Lisbon Township KENDALL COUNTY - 2017 -

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



Scale: 1 in = 2,000 feet

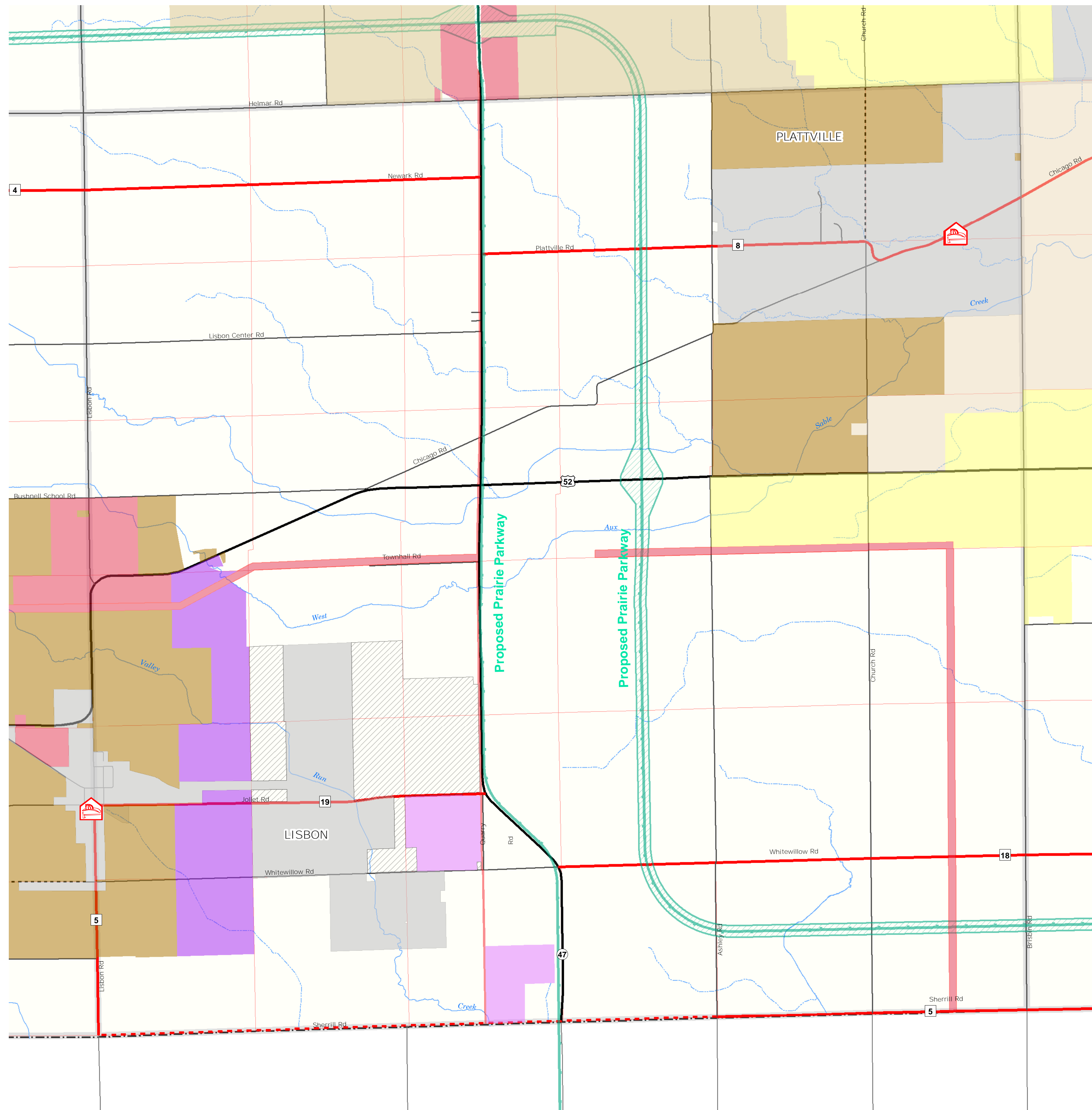


Legend

Future Land Use

Land Use Type

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



Kendall County GIS

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

Unified Development Ordinance

UNITED CITY OF YORKVILLE

Yorkville, IL

In 2014 the City overhauled its Zoning Ordinance followed by an update to its Comprehensive Plan in 2016. Several goals and implementation strategies in the Comprehensive Plan recommended improving residential subdivision design and enhancing the physical appearance of the community through an update to certain codes and establishing quality design standards which encourages the protection and preservation of Yorkville's environmental assets.

Therefore, the United City of Yorkville is requesting proposals from qualified firms with considerable experience in land use planning, zoning, subdivision/site development and landscape architecture to modernize and consolidate the various existing City ordinances into a cohesive, single-reference, graphic-based document known as a Unified Development Ordinance (UDO). The ordinances requested for review include the following documents:

1. Zoning Ordinance (originally adopted 1974, amended 2014)
2. Subdivision Control Ordinance and Standard Specification for Improvements (adopted 2004)
3. Landscape Ordinance (adopted 2009)
4. Appearance Code (adopted 2005)

The City is currently preparing a Downtown Overlay District with streetscape master plan guidelines and Form Based Code regulations which will also be incorporated in the UDO.

A. PROJECT OBJECTIVES

The Unified Development Ordinance (UDO) should address or have the following components:

- Review and assess the land use regulations of the Zoning Ordinance, Subdivision Control Ordinance and Standard Specifications, Landscape Ordinance, Stormwater Management Ordinance, Appearance Code and all other relevant City Ordinances governing development.
- Identification of deficiencies and inconsistencies within these variance ordinances and proposer recommendations prior to fully incorporating changes into the formal UDO draft document.
- Modernization of design standards, paying particular attention to areas related to:
 - Off-Street Parking – update the parking schedule with new contemporary concepts such as payment in lieu of parking, autonomous vehicle planning, designated vehicle charging stations, etc.
 - Green Infrastructure – integration of stormwater regulations for a spectrum of densities and incentivize best management practices.
 - Subdivision Control – utilization of engineering and planning best management practices for sustainable and smart growth development.
 - Landscape Ordinance and Park Development Standards
 - Sign Ordinance
 - Appearance Code
- Alignment of the UDO with the goals and action steps outlined in the Comprehensive Plan Update 2016.
- Incorporate the Downtown Overlay District with streetscape master plan guidelines and Form Based Code regulations into the UDO.
- Use of innovative methods to cooperatively develop regulations with City staff and consultants throughout the development of the UDO.
- Integration of codes into a user-friendly format so that all development related regulations are consolidated into a single document and easily cross-referenced.
- In addition to document format, the creation of an online web-based "smart code" version of the UDO with interactive site specific zoning analysis capabilities.
- Extensive use of graphics, illustrations, images, photographs, diagrams and tables for ease of use and reference. Clear and concise review criteria and guidelines.

- Creation of a simple, streamlined review process with flexibility to fast-track development proposals which exceed minimum design criteria.
- Public input documents, surveys, questionnaires, social media outreach and/or project website and overall community outreach.
- Presentation of the final draft of the Unified Development Ordinance at meetings and public hearings, which at a minimum may include two (2) Economic Development Committee meeting; two (2) Planning and Zoning Commission meetings; and one (1) City Council meeting.
- Recommendations for the managing and maintaining codification of the new Unified Development Ordinance following adoption.

B. DELIVERABLES

- The Consultant will prepare exhibits for citizens and elected official review as part of scheduled public presentations and meetings. These exhibits shall illustrate all major changes, revisions or additions proposed as part of the Unified Development Ordinance.
- The Consultant will be responsible for reproduction of twenty-five (25) final plan documents in hardcopy form.
- The Consultant will be responsible for providing the draft and final documents in both electronic formats (Microsoft Word and Adobe PDF) allowing reproduction, revision, and web posting by City staff.
- The Consultant will format the document in 8½" x 11"(vertically oriented) format.
- All final graphics, illustrations, images, photographs, diagrams and tables shall be provided in JPEG, PNG, PDF and the source format used to create such illustrations will be provided to the City.
- Provide digital, web ready drafts of the UDO for easy posting on the City's website, project website and other social media platform.
- An online digital "smart code" UDO version with interactive site specific zoning analysis capable of rendering calculations for zoning criteria such as minimum parking requirements for a proposed land use, maximum lot coverage, required setbacks and transition yards, and volumetric limits (FAR, height, etc) based upon ESRI® ArcGIS™ base layer data provided by the City.
- Produce final copies for approval and adoption by the City Council.

C. PROJECT TIMELINE

The overall timeline for the completion of the Unified Development Ordinance(UDO) is anticipated to be eighteen (18) months, not including the adoption process. The entire process from authorization, commencement, and approval of the **UDO should be completed within 24 months**. As a submittal requirement, the applicant will provide a project schedule showing key task target dates, including public meeting and hearings with estimated task duration. Variations from the City's established timeline should be discussed in the RFP.

D. REVIEW OF SUBMISSIONS

Selection criteria are outlined below and will be used to evaluate proposals for invitation to interview/ presentation. This RFP does not commit the City to award a contract or to pay any costs incurred in the preparations or submission of proposals. The City reserves the right to reject any or all proposals received in response to this RFP.

Selection of the successful proposal for interview/ presentation will be made based upon the following criteria:

- Responsiveness and proposed approach to work scope and project needs. Although City has identified a general nature of services to be provided, the consultant is given leeway toward the approach to the methodology to provide the requested services. Innovative strategies and creativity are desired.
- Demonstrated experience and technical competence in similar projects.
- Past record of performance of the firm with respect to such factors as working relationship with sub-consultants or peer consultants on the same project, control of costs, quality of work, and ability to meet schedules.
- Cost-effectiveness.
- Capacity and capability of the firm/team to perform the work in question, including specialized services.
- Quality of key personnel assigned: bios, qualifications.
- Understanding of local conditions related to the completion of the services.

E. SUBMISSION FORMAT

- Interested firms/consultants should submit **four (4) paper copies** and **one (1) digital copy (CD)** of the proposal requirements by the deadline of **December 7, 2018**.
- The hard copy proposals shall be submitted in a sealed envelope marked "REQUEST FOR PROPOSALS, UNIFIED DEVELOPMENT ORDINANCE 2018," addressed to:
 UNITED CITY OF YORKVILLE
 COMMUNITY DEVELOPMENT DEPARTMENT
 800 GAME FARM ROAD
 YORKVILLE, ILLINOIS 60560
- Proposals submitted by fax or e-mail will not be accepted. All submittals shall be retained by the City and will not be returned.

F. PRE-PROPOSAL CONFERENCE

A pre-proposal conference is scheduled for **Monday, November 19, 2018** beginning at 1:00 PM in the City Hall Council Chambers located at 800 Game Farm Road, Yorkville, Illinois 60560. The purpose of the pre-proposal conference is to assist prospective consultants with questions related to the RFP scope of services and submittal requirements. Attendance at the pre-proposal conference is not mandatory.

Attendees must register by **Friday, November 16, 2018** to Krysti J. Barksdale-Noble, Community Development Director via e-mail at knoble@yorkville.il.us

If no firms register, the meeting will not be held.

REQUEST TYPE

DEADLINE

REQUEST TYPE

RFP

DEADLINE

Friday, December 7, 2018

CONTACT INFORMATION

Website

<https://www.yorkville.il.us/>

Contact Email

knoble@yorkville.il.us

CALL FOR PROJECTS

CMAP Local Technical Assistance Program and RTA Community Planning Program

September 6, 2018



CMAP



Program Guide

The Chicago Metropolitan Agency for Planning (CMAP) and Regional Transportation Authority (RTA) announce the availability of funding for planning technical assistance and implementation projects throughout the region.

While the RTA and CMAP have separate technical assistance programs, applicants are able to apply to both programs with a single application. This agency coordination allows us to offer planning and plan implementation assistance to an expanded base of eligible applicants, align all efforts with CMAP's draft [ON TO 2050](#) priorities, and/or [Invest in Transit](#), the 2018-2023 Regional Transit Strategic Plan, and provide technical assistance in a coordinated manner that benefits the entire region.

How to apply

Applicants should complete the application form available at www.rtachicago.org/applications and email the completed application, along with any letters of support, to applications@rtachicago.org as one PDF document by October 26, 2018. Please avoid submitting multiple PDFs for the same application.

Program application timeline

September 6	Call for Projects released
September 11	Application Information Session CMAP offices (233 S. Wacker Drive, Suite 800) 9:00-11:00 a.m. Please RSVP to Tony Manno at tmanno@cmmap.illinois.gov by Monday, September 10th if you would like to attend.
September 28	Due date for transit-related project applicants to make contact with transit agency for letter of support. Non-required letters of support may be submitted up to one week after application deadline.
October 26	Applications due before 12:00pm

Local contribution

The RTA and CMAP require a local financial contribution for their respective programs. Contribution requirements are based on the economic and demographic characteristics of the area served, with lower contribution rates for smaller communities and those with a lower tax base or median income. Contribution rates are calculated based on the best available data for the area affected by the project. For large municipalities and counties, projects that affect only one part of the jurisdiction will have local contributions based on the demographic and economic conditions of the study area. CMAP and the RTA will provide contribution rate information to applicants upon request, and applicants will be advised of the estimated local contribution amount prior to project selection.

Eligible applicants and projects

Municipalities, counties, townships, councils of government (COGs), municipal associations, groups of two or more municipalities located within CMAP's seven-county region (Cook, DuPage, Kane, Kendall, Lake, McHenry, and Will Counties) and the RTA Service Boards (CTA, Metra, Pace) are eligible to apply for assistance. Nongovernmental organizations in the region are eligible to apply for CMAP assistance, but are required to submit a letter of support from the local government in which their project will take place. Nongovernmental organizations in the region must partner with a governmental organization to be eligible to apply for RTA assistance.

The CMAP and RTA planning assistance programs encourage applicants to undertake a balanced, coordinated, and integrated approach to land use and transportation planning benefitting local communities. Applicants are encouraged to study the draft ON TO 2050 priorities as well as the RTA's *Invest in Transit* goals when drafting an application to ensure that the proposed project addresses our region's planning priorities.

Both agencies have common priorities, including projects which:

- Support development of compact, walkable communities
- Match regional and local housing supply with the types that residents want
- Advocate for and develop policies that strengthen communities and the transit system
- Incorporate market and fiscal feasibility into planning and development processes
- Encourage multi-jurisdictional partnerships and study areas
- Make transit more competitive
- Target [disinvested](#) and [economically disconnected](#) areas
- Leverage the transportation network to promote [inclusive growth](#)

The RTA also has additional criteria that is unique to their program:

Eligible transit-related planning and implementation projects are evaluated for consideration under the RTA's Community Planning program. Transit/TOD projects must be located on the existing transit system.

Transit service planning is only available to the Service Boards (Metra, Pace, CTA). Municipalities interested in transit service planning should request a partnership with the appropriate Service Board(s) to apply for assistance.

All applicants are required to obtain a letter of support from the impacted Service Board by emailing a brief description of their project to the appropriate Service Board contacts. Requests for letters of support and/or partnerships must be submitted by September 28, 2018. Please email your request to:

- CTA – Gerald Nichols, gnichols@transitchicago.com
- Metra – David Kralik, dkralik@metrarr.com
- Pace – David Tomzik, David.Tomzik@pacebus.com

Eligible projects are as follows:

Plans and Reports, covering:

- Transit-Oriented Development
- Transportation planning (including downtown, neighborhood, subarea, site-specific, and corridor planning)
- Bicycle and pedestrian focused transportation planning
- Comprehensive planning and Economic Development planning (including downtown, neighborhood, subarea, site-specific, and corridor planning)
- Sustainability, climate action, or climate resilience plans
- Planning priorities reports
- Parking management and pricing plans
- Planning Assessments or Studies on special topics (including water-related plans and housing plans)

Implementation, including:

- Zoning ordinances (municipality-wide or subarea, e.g. TOD areas), subdivision ordinances, and Unified Development Ordinances
- Developer Discussion panels (TOD areas, transit corridors, downtown areas, etc.)
- Special funding districts (TIF, SSA, BID)
- Training
- Innovative implementation projects on special topics covered in CMAP's draft ON TO 2050 priorities, and/or *Invest in Transit*, the 2018-2023 Regional Transit Strategic Plan

Please see the project category descriptions found at www.rtachicago.org/applications. Funds available through these programs are for planning purposes only. Capital, engineering, operating, land acquisition, or equipment costs are not eligible. Selection of projects is dependent on funding availability, particularly for projects that do not have a direct transportation or land use connection.

Project evaluation and selection process

These programs are competitive, and both agencies expect to receive more applications than can be accommodated in this year's program. Each application is initially screened for program eligibility based on the following criteria:

- Study area is located in the seven-county CMAP region
- Applicant is eligible
- Project type is eligible
- Does not duplicate previous work

Eligible projects are then evaluated based on the following criteria for both programs:

- Project aligns with CMAP's draft ON TO 2050 priorities, and/or *Invest in Transit*, the 2018-2023 Regional Transit Strategic Plan
- Project subject matter matches available funding sources
- Project is feasible
- For plan implementation efforts, the project must implement a recommendation from an adopted plan. Priority for implementation assistance is given to previous RTA and CMAP project sponsors, but others are also eligible to apply.
- Support from partners
- Demonstrated applicant commitment to project development and implementation

CMAP and RTA may consult other partner agencies including counties, COGs, and transit agencies. During the review process, the RTA and CMAP staff may contact each applicant to ask questions regarding the details of the proposed project. Project selection is dependent on funding availability. RTA projects should expect to commence within six months of RTA project selection. CMAP projects should expect to commence towards the end of calendar year 2019 or the first part of calendar year 2020.

November - December 2018	CMAP / RTA staff evaluate applications and may contact applicants with additional questions on their application
January 2019	Preliminary project selection recommendations released RTA conducts a public comment period on the recommended projects
February - March 2019	CMAP Board is presented with the selected program of projects for consideration RTA Board is notified of recommended Community Planning projects; successful applicants notified

For questions regarding the RTA Community Planning Program or the CMAP Local Technical Assistance Programs, or regarding your application, please contact:

CMAP Local Technical Assistance Program

Tony Manno
Senior Planner
Chicago Metropolitan Agency for Planning
tmanno@cmaphillinois.gov
312.386.8606
www.cmap.illinois.gov/programs-and-resources/ltat/call-for-projects

RTA Community Planning Program

Michael Horsting, AICP
Manager, Local Planning
Regional Transportation Authority
horstingm@rtachicag.org
312.913.3159
www.rtachicago.org/cp

APPLICATION FORM

RTA Community Planning Program and CMAP Local Technical Assistance Program

Deadline: Noon on Friday, October 26, 2018

This application form is online at www.rtachicago.org/applications. You may submit the form by email to applications@rtachicago.org. Please submit one application per project as a PDF package. Please avoid submitting multiple PDFs for the same application.

Please list the members of the group (including government and nongovernmental organizations):

Name:

Applicant

Name:

Main Contact of Application

Title:

Phone:

Email:

TYPE OF APPLICANT

(please check all that apply)

- ☐ **Local Government**
- ☐ **Multijurisdictional group***
- ☐ **Nongovernmental organization***

*Applications submitted by multijurisdictional groups and nongovernmental organizations must include a letter indicating support from each relevant local government. See the FAQs for more information. Nongovernmental applicants are strongly encouraged to contact CMAP or the RTA prior to submitting their application to discuss their project and the demonstration of local support.

1. Project Location. Please provide a brief description of the location of your project. You may include a map if that helps to describe location, but this is not required. If your project helps to implement a past plan, please include a link to that plan.

2. Project Description. Please tell us what you would like to do in your community, and what assistance is needed. If you have more than one idea, please submit a separate application for each project. Please be specific, but also brief (less than two pages per project idea)—we simply want to have a basic understanding of what you want to do. For plan updates please tell us how you will be building upon (or replacing) the previous work. Program staff will follow-up with you if we need any additional information to fully understand your proposed project. (Please limit your responses to 6000 characters including spaces).

2. Project Description (continued)

3. Additional Strategic Partnerships. Please list any additional partners you may want to include in this planning project, and specify if you have made contact with them in advance of submitting this application. **(Please limit your response to 1400 characters).**

PLAN CHARACTERISTICS

My project involves:

- ☐ The preparation of a plan.
- ☐ Updating an existing plan.
- ☐ Implementation of a previous plan.
- ☐ My project has direct relevance to public transit and supports the use of the existing transit system.
- ☐ My project is not directly related to transportation or land use, but addresses ON TO 2050 and/or Invest In Transit in other ways.

ON TO 2050 ALIGNMENT

(Please check all that apply)

- ☐ Inclusive Growth
- ☐ Prioritized Investment
- ☐ Resilience

RTA INVEST IN TRANSIT ALIGNMENT

(please check all that apply)

- ☐ Deliver Value on our transit investments
- ☐ Build on the strengths of the transit network
- ☐ Keep transit competitive

CMAP Offices

233 South Wacker Drive, Suite 800
Chicago, Illinois 60606
312-454-0400

ONTO2050@cmmap.illinois.gov

www.cmap.illinois.gov

The Chicago Metropolitan Agency for Planning (CMAP) is our region's comprehensive planning organization. The agency and its partners are developing ON TO 2050, a new comprehensive regional plan to help the seven counties and 284 communities of northeastern Illinois implement strategies that address transportation, housing, economic development, open space, the environment, and other quality-of-life issues.

RTA Administrative Offices

175 W. Jackson Blvd, Suite 1650
Chicago, IL 60604
312-913-3200

www.rtachicago.org

The Regional Transportation Authority (RTA) is the unit of local government charged with financial oversight, funding, and regional transit planning for the Chicago Transit Authority (CTA), Metra, and Pace bus and Pace's Americans with Disabilities Act (ADA) Paratransit Service. The RTA system serves two million riders each weekday with 145 CTA rail stations, 240 Metra commuter rail stations, 350 bus routes, with a combined 7,200 transit route miles throughout Cook, DuPage, Kane, Lake, McHenry, and Will Counties of northeastern Illinois.

From: Schwarz, Michael [<mailto:mschwarz@jolietcity.org>]
Sent: Wednesday, November 07, 2018 10:33 AM
To: Matt Asselmeier
Cc: Scott Koeppel; Jackson, Kendall B
Subject: RE: Joliet Comprehensive Plan Update Question

Good Morning Matt,

The City completed the RFQ phase on October 25th and received qualifications from a total of six (6) consultant teams. An internal evaluation team scored the qualifications submittals and has decided to invite only the top four (4) consultant teams to submit formal proposals, which are due by December 14. After another scoring and interview process in early 2019, the City hopes to begin the project in March 2019, which will kick-off an extensive public engagement process. Once the consultant team is under contract, I will be able to provide more information on what that public engagement process will look like, including a project schedule.

Feel free to contact me if you need any other information that would be helpful.

Kind Regards,
Mike

Michael J. Schwarz, AICP
Planning Director
City of Joliet, Planning Division
150 W. Jefferson St.
Joliet, IL 60432
Phone: (815) 724-4041
Email: mschwarz@jolietcity.org

Bids & Requests For Proposals

[Chemicals](#) | [Construction - Other](#) | [Construction - Public Utilities](#) | [Construction - Public Works](#) | [Consulting](#) | [Demolition](#) | [Development Opportunities](#) | [Labor and Services](#) | [Materials & Supplies](#) | [Printing](#) | [Purchase of Vehicles](#) | [Well Projects](#)

REQUEST FOR QUALIFICATIONS FOR A COMPREHENSIVE PLAN FOR THE CITY OF JOLIET

Department: Community Development
Category: Consulting
RFP Number: 2375-1218
Start Date: 10/04/2018 6:00 AM
Close Date: 10/25/2018 11:00 AM

It is the responsibility of the potential vendor/contractor to ensure they receive all addenda for this Request for Qualifications should any be issued. Addenda will be sent only to those individuals who have signed up for the [Consulting RSS feed](#). The potential vendor/contractor remains responsible for obtaining all addenda to the original specification. Any addenda to this Request for Qualifications will also be posted on this page. You may contact Purchasing by emailing purchasing@jolietycity.org if you have questions about how to sign up to receive addendums/notifications.

THIS RFQ IS COMPRISED OF THE DOCUMENTS BELOW

RFQ DOCUMENT

[ATTACHMENT A - 1959 Master Plan.pdf](#)

[ATTACHMENT B - Kendall County Sub Area Comprehensive Plan.pdf](#)

[ATTACHMENT C - South Side Comprehensive Plan.pdf](#)

[ATTACHMENT D - Downtown Plan.pdf](#)

[ATTACHMENT E - Corridor Plan for IL Route 53 - Will County.pdf](#)

[ATTACHMENT F - Quality of Life Plan for the 4th and 5th Council Districts.pdf](#)

[ATTACHMENT G - Chicago Street Corridor Plan.pdf](#)

[ATTACHMENT H - Will County Community Friendly Freight Mobility Plan Summary.pdf](#)

[ATTACHMENT I - Joliet Intermodal Transportation Master Plan RFP Scope.pdf](#)

CALL FOR PROJECTS

CMAP Local Technical Assistance Program and RTA Community Planning Program

September 6, 2018



CMAP



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September 6	Call for Projects released
September 11	Application Information Session
	CMAP offices (233 S. Wacker Drive, Suite 800) 9:00-11:00 a.m.
	Please RSVP to Tony Manno at tmanno@cmmap.illinois.gov by Monday, September 10th if you would like to attend.
September 28	Due date for transit-related project applicants to make contact with transit agency for letter of support. Non-required letters of support may be submitted up to one week after application deadline.
October 26	Applications due before 12:00pm

Local contribution

The RTA and CMAP require a local financial contribution for their respective programs. Contribution requirements are based on the economic and demographic characteristics of the area served, with lower contribution rates for smaller communities and those with a lower tax base or median income. Contribution rates are calculated based on the best available data for the area affected by the project. For large municipalities and counties, projects that affect only one part of the jurisdiction will have local contributions based on the demographic and economic conditions of the study area. CMAP and the RTA will provide contribution rate information to applicants upon request, and applicants will be advised of the estimated local contribution amount prior to project selection.

Eligible applicants and projects

Municipalities, counties, townships, councils of government (COGs), municipal associations, groups of two or more municipalities located within CMAP's seven-county region (Cook, DuPage, Kane, Kendall, Lake, McHenry, and Will Counties) and the RTA Service Boards (CTA, Metra, Pace) are eligible to apply for assistance. Nongovernmental organizations in the region are eligible to apply for CMAP assistance, but are required to submit a letter of support from the local government in which their project will take place. Nongovernmental organizations in the region must partner with a governmental organization to be eligible to apply for RTA assistance.

The CMAP and RTA planning assistance programs encourage applicants to undertake a balanced, coordinated, and integrated approach to land use and transportation planning benefitting local communities. Applicants are encouraged to study the draft ON TO 2050 priorities as well as the RTA's *Invest in Transit* goals when drafting an application to ensure that the proposed project addresses our region's planning priorities.

Both agencies have common priorities, including projects which:

- Support development of compact, walkable communities
- Match regional and local housing supply with the types that residents want
- Advocate for and develop policies that strengthen communities and the transit system
- Incorporate market and fiscal feasibility into planning and development processes
- Encourage multi-jurisdictional partnerships and study areas
- Make transit more competitive
- Target [disinvested](#) and [economically disconnected](#) areas
- Leverage the transportation network to promote [inclusive growth](#)

The RTA also has additional criteria that is unique to their program:

Eligible transit-related planning and implementation projects are evaluated for consideration under the RTA's Community Planning program. Transit/TOD projects must be located on the existing transit system.

Transit service planning is only available to the Service Boards (Metra, Pace, CTA). Municipalities interested in transit service planning should request a partnership with the appropriate Service Board(s) to apply for assistance.

All applicants are required to obtain a letter of support from the impacted Service Board by emailing a brief description of their project to the appropriate Service Board contacts. Requests for letters of support and/or partnerships must be submitted by September 28, 2018. Please email your request to:

- CTA – Gerald Nichols, gnichols@transitchicago.com
- Metra – David Kralik, dkralik@metrarr.com
- Pace – David Tomzik, David.Tomzik@pacebus.com

Eligible projects are as follows:

Plans and Reports, covering:

- Transit-Oriented Development
- Transportation planning (including downtown, neighborhood, subarea, site-specific, and corridor planning)
- Bicycle and pedestrian focused transportation planning
- Comprehensive planning and Economic Development planning (including downtown, neighborhood, subarea, site-specific, and corridor planning)
- Sustainability, climate action, or climate resilience plans
- Planning priorities reports
- Parking management and pricing plans
- Planning Assessments or Studies on special topics (including water-related plans and housing plans)

Implementation, including:

- Zoning ordinances (municipality-wide or subarea, e.g. TOD areas), subdivision ordinances, and Unified Development Ordinances
- Developer Discussion panels (TOD areas, transit corridors, downtown areas, etc.)
- Special funding districts (TIF, SSA, BID)
- Training
- Innovative implementation projects on special topics covered in CMAP's draft ON TO 2050 priorities, and/or *Invest in Transit*, the 2018-2023 Regional Transit Strategic Plan

Please see the project category descriptions found at www.rtachicago.org/applications. Funds available through these programs are for planning purposes only. Capital, engineering, operating, land acquisition, or equipment costs are not eligible. Selection of projects is dependent on funding availability, particularly for projects that do not have a direct transportation or land use connection.

Project evaluation and selection process

These programs are competitive, and both agencies expect to receive more applications than can be accommodated in this year's program. Each application is initially screened for program eligibility based on the following criteria:

- Study area is located in the seven-county CMAP region
- Applicant is eligible
- Project type is eligible
- Does not duplicate previous work

Eligible projects are then evaluated based on the following criteria for both programs:

- Project aligns with CMAP's draft ON TO 2050 priorities, and/or *Invest in Transit*, the 2018–2023 Regional Transit Strategic Plan
- Project subject matter matches available funding sources
- Project is feasible
- For plan implementation efforts, the project must implement a recommendation from an adopted plan. Priority for implementation assistance is given to previous RTA and CMAP project sponsors, but others are also eligible to apply.
- Support from partners
- Demonstrated applicant commitment to project development and implementation

CMAQ and RTA may consult other partner agencies including counties, COGs, and transit agencies. During the review process, the RTA and CMAQ staff may contact each applicant to ask questions regarding the details of the proposed project. Project selection is dependent on funding availability. RTA projects should expect to commence within six months of RTA project selection. CMAQ projects should expect to commence towards the end of calendar year 2019 or the first part of calendar year 2020.

November - December 2018	CMAQ / RTA staff evaluate applications and may contact applicants with additional questions on their application
January 2019	Preliminary project selection recommendations released RTA conducts a public comment period on the recommended projects
February - March 2019	CMAQ Board is presented with the selected program of projects for consideration RTA Board is notified of recommended Community Planning projects; successful applicants notified

For questions regarding the RTA Community Planning Program or the CMAQ Local Technical Assistance Programs, or regarding your application, please contact:

CMAQ Local Technical Assistance Program

Tony Manno
Senior Planner
Chicago Metropolitan Agency for Planning
tmanno@cmap.illinois.gov
312.386.8606
www.cmap.illinois.gov/programs-and-resources/ltta/call-for-projects

RTA Community Planning Program

Michael Horsting, AICP
Manager, Local Planning
Regional Transportation Authority
horstingm@rtachicag.org
312.913.3159
www.rtachicago.org/cp

APPLICATION FORM

RTA Community Planning Program and CMAP Local Technical Assistance Program

Deadline: Noon on Friday, October 26, 2018

This application form is online at www.rtachicago.org/applications. You may submit the form by email to applications@rtachicago.org. Please submit one application per project as a PDF package. Please avoid submitting multiple PDFs for the same application.

Please list the members of the group (including government and nongovernmental organizations):

Name: Village of Minooka

Applicant

Name: Daniel Duffy

Main Contact of Application

Title: Village Administrator

Phone: 815.467.2151

Email: dan.duffy@minooka.com

TYPE OF APPLICANT

(please check all that apply)

☒
☐
☐

Local Government

Multijurisdictional group*

Nongovernmental organization*

*Applications submitted by multijurisdictional groups and nongovernmental organizations must include a letter indicating support from each relevant local government. See the FAQs for more information. Nongovernmental applicants are strongly encouraged to contact CMAP or the RTA prior to submitting their application to discuss their project and the demonstration of local support.

1. Project Location. Please provide a brief description of the location of your project. You may include a map if that helps to describe location, but this is not required. If your project helps to implement a past plan, please include a link to that plan.

The Village of Minooka is located two (2) miles west off the I-55/I-80 interchange along Interstate 80 and is situated within three (3) counties; Grundy, Kendall and Will. According to the 2000 census, Minooka had a population of 3,971 residents. By 2010, Minooka had grown to a population of 10,924 residents (2010 census), which is a 175% growth within ten (10) years.

Since 2010, the Village has continued to experience growth over the last eight (8) years with current census estimates of around 12,000 residents. Due to its proximity to the Chicagoland Market, 45 minutes south of Chicago, the Village has not only seen residential growth, but tremendous industrial growth in the logistics industry.

In 2000 the Village had one (1) large warehouse/logistic center, fast forward to 2018, and the Village now has fourteen (14) logistic centers ranging from 30,000 sf to 1,000,000 sf. (with two 800,000 sf additions planned for in 2019-20). The mix of residential, commercial, and industrial growth has created one of the fastest growing communities in the Midwest.

Minooka has a total incorporated area of 9.526 square miles, BUT within its current neighboring municipal boundary line agreements, the Village can grow an additional 22 square miles, with a potential final buildout population of 60-70,000 residents.

It has been six (6) years since our last Comprehensive Plan was updated, a link provided: <https://www.minooka.com/business/comprehensive-plan/>

2. Project Description. Please tell us what you would like to do in your community, and what assistance is needed. If you have more than one idea, please submit a separate application for each project. Please be specific, but also brief (less than two pages per project idea)—we simply want to have a basic understanding of what you want to do. For plan updates please tell us how you will be building upon (or replacing) the previous work. Program staff will follow-up with you if we need any additional information to fully understand your proposed project. (Please limit your responses to 6000 characters including spaces).

The Village of Minooka is in need of a comprehensive plan update. The last plan was updated six (6) years ago and consisted of municipal staff working with Village Trustees to update the plan. The Villages plan is outdated and does not clearly identify a vision for the future. The plan does not have any written or narrative to accompany the map and justify the current/projected zoning. The Village Board would like to create a professional plan that consists of a vision, a landuse map and guidelines for the community to refer to when addressing potential uses and proposed zoning actions within Village.

Minooka has seen tremendous growth across the board, both in residential and in the industrial/commercial sectors. With 9.526 square miles (2010 census) in it's current corporate limits, the Village has a potential to grow an additional 22 square miles (in the unincorporated area), with an estimated final buildout population of 60-70,000 residents over the next 20-30 years. Due to such rapid growth, the Village would like to not only update the current comprehensive plan, but also develop and create a professional plan that includes a vision intended to act and provide a blueprint for the community's future.

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2. Project Description (continued)

Here are a few specific goals/objectives the Village would like to achieve and create in its future updated Comprehensive Plan:

- 1) Hire and utilize a professional planning firm to assist the Village in not only updating its comprehensive plan, but help create a vision and blueprint for the Village to move forward.
- 2) Update and create a professional Comprehensive Plan that will promote the health, safety and general welfare for the residents of Minooka and give due consideration to the needs of the people of the region of which the community is a part.
- 3) Identify and interview key decision makers both within and outside the Village to assist with the Comprehensive Plan as it relates to fostering cooperation among multi-jurisdictional governmental agencies in hopes of protecting the regions resources, and planning for community and/or future service needs.
- 4) Create a new Land Use Plan intended to serve as a general guide for future development in the unincorporated areas that will include: economic development incentive zones (example TIFs), industrial/commercial corridors, high and low-density residential areas, and open space preservation which would include access to those locations with future alternative transportation routes (multi-use walking paths) throughout the Village's unincorporated area, (adding to our current 5 miles of paths).
- 5) Create a Comprehensive Plan that will identify numerous specific planning recommendations and implementation strategies of which the Village, residents, businesses, property owners and/or organizations can initiate to help achieve the future vision for Minooka (examples include a location for future waste water treatment plants, regional retention facilities, dedicated truck routes, utility/capital needs, etc.).
- 6) Utilize a professional firm to help create a written narrative to accompany the Comprehensive Plan in which certain growth trends, market studies and truck/traffic studies are all incorporated to assist with specific future objectives.
- 7) Host and create an open environment with participation of citizens that will assist in the updates and planning process, essential to the designing of the new Comprehensive Plan.
- 8) Lastly, the primary mission of the Comprehensive Plan is to provide a balance between the need to accommodate anticipated population growth and the need to preserve the quality of life and natural resources that make Minooka a unique place to live.

3. Additional Strategic Partnerships. Please list any additional partners you may want to include in this planning project, and specify if you have made contact with them in advance of submitting this application. (Please limit your response to 1400 characters).

We would most definately want to include our neighboring community (in the planning portion). Example, The Village of Channhon, received assistance and was awarded the CMAP LTA planning grant last year, and contacted Minooka during their Comp Plan update. We would like to work with a professional planning firm to assit the Village in making sure our comprehensive plan flows and works well with our surrounding municipal plans (Channahon, Shorewood, Morris and Joliet).

Also, The Village of Minooka has been working with the Village of Channahon for the past five years with respect to developing our far west region (currently consists of mainly farmland) and both municipalitites working together to plan for shared utility services. Neither community has developed our western boundary area, but with a new interchange constructed on I-80 (Brisbin Road Interchange) , both municipalities have it zoned commerical/industrial and are lookig to develop one (1) waste water treatment plan together, and possibly shared wells for accessable potable water.

The Village is hoping to recieve assistance from CMAP with the LTA grant that will directly assist in those multi-municipal planning efforts and help produce a blueprint for those future shared capital needs and services.

PLAN CHARACTERISTICS

My project involves:

- ☒ The preparation of a plan.
- ☒ Updating an existing plan.
- ☒ Implementation of a previous plan.
- ☐ My project has direct relevance to public transit and supports the use of the existing transit system.
- ☐ My project is not directly related to transportation or land use, but addresses ON TO 2050 and/or Invest In Transit in other ways.

ON TO 2050 ALIGNMENT

(Please check all that apply)

- ☒ Inclusive Growth
- ☒ Prioritized Investment
- ☐ Resilience

RTA INVEST IN TRANSIT ALIGNMENT

(please check all that apply)

- ☐ Deliver Value on our transit investments
- ☐ Build on the strengths of the transit network
- ☐ Keep transit competitive

CMAP Offices

233 South Wacker Drive, Suite 800
Chicago, Illinois 60606
312-454-0400

ONTO2050@cmap.illinois.gov

www.cmap.illinois.gov

The Chicago Metropolitan Agency for Planning (CMAP) is our region's comprehensive planning organization. The agency and its partners are developing ON TO 2050, a new comprehensive regional plan to help the seven counties and 284 communities of northeastern Illinois implement strategies that address transportation, housing, economic development, open space, the environment, and other quality-of-life issues.

RTA Administrative Offices

175 W. Jackson Blvd, Suite 1650
Chicago, IL 60604
312-913-3200

www.rtachicago.org

The Regional Transportation Authority (RTA) is the unit of local government charged with financial oversight, funding, and regional transit planning for the Chicago Transit Authority (CTA), Metra, and Pace bus and Pace's Americans with Disabilities Act (ADA) Paratransit Service. The RTA system serves two million riders each weekday with 145 CTA rail stations, 240 Metra commuter rail stations, 350 bus routes, with a combined 7,200 transit route miles throughout Cook, DuPage, Kane, Lake, McHenry, and Will Counties of northeastern Illinois.

