

**MINUTES
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, Room 209 and 210
YORKVILLE, IL 60560
July 1, 2019 – 7:00 p.m.**

CALL TO ORDER

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:00 p.m.

ROLL CALL:

Members Present: Randy Mohr (Chair), Scott Cherry, Karen Clementi, Cliff Fox, and Dick Thompson

Members Absent: Tom LeCuyer and Dick Whitfield

Staff Present: Matthew Asselmeier, AICP, Senior Planner, Mark Caldwell, Jeff Spang, John Vogt, JoAnn Bright-Theis, Adam Theis, Bob Bright, Nicola Bright, and Kurt Buhle

MINUTES:

Member Clementi made a motion, seconded by Member Fox to approve the minutes of the April 29, 2019 meeting. With a voice vote of five (5) ayes, the motion was approved.

PETITIONS

The Zoning Board of Appeals started their review of Petition 18-24 at 7:01 p.m.

Continuation of Hearing on Petition - 18-24 - Dorothy Flisk on Behalf of Skyfall Equestrian, LLC

Request:	Major Amendment to a Special Use Permit to Increase the Number of Horses Allowed Boarded at the Property from Twenty-Four (24) to Thirty-Six (36)
PINs:	01-01-200-020 and 02-06-102-009
Location:	17 Ashe Road, Little Rock and Bristol Townships
Purpose:	Increase the Number of Horses Allowed Boarded at the Property from Twenty-Four (24) to Thirty-Six (36)

Mr. Asselmeier read a letter from Attorney Dan Kramer, dated June 24, 2019, requesting a continuation of the public hearing until July 29, 2019.

Member Clementi made a motion, seconded by Member Cherry, to continue the public hearing on Petition 18-24 until July 29, 2019, with the condition that no further continuations occur. If the Petitioner requires further continuations, the case should be refiled.

The votes were as follows:

Ayes (5):	Mohr, Cherry, Clementi, Fox, and Thompson
Nays (0):	None
Absent (2):	LeCuyer and Whitfield

The motion passed.

The hearing will be continued until July 29, 2019.

The Zoning Board of Appeals completed their review of Petition 18-24 at 7:03 p.m.

The Zoning Board of Appeals started their review of Petition 19-11 at 7:03 p.m.

Chairman Mohr swore in all members of the public that wished to speak on the Petitions.

Petition 19-11 – Mark Caldwell on Behalf of Dickson Valley Ministries

Request: Major Amendment to a Special Use Permit Granted by Ordinance 2014-05 Permitting a Youth Camp and Retreat Center at Subject Property by Amending the Approved Site Plan

PINs: 04-17-100-002, 04-17-300-002, and 04-17-300-007

Location: 8250 Finnie Road, Fox Township

Purpose: Petitioner Desire to Amend the Approved Site Plan; Property is Zoned A-1

Mr. Asselmeier summarized the request.

Mark Caldwell, on behalf of Dickson Valley Ministries, is requesting a major amendment to their special use permit to repeal the site plan adopted by Ordinance 2014-05 and replace the site plan with the proposed site plan. The Petitioner desires this major amendment in order to have a long-range plan for their facilities and to provide more clarity to the site plan that was submitted in 2014.

The subject property is approximately one hundred sixty (160) acres in size and has a special use permit for a youth camp and retreat center. The use at the subject property was originally established in 1971. The subject property was zoned A-1 with a special use permit for a youth camp and retreat center following the 1974 Countywide rezoning.

The future land use map calls for this area to be agricultural, open space, and countryside residential. The adjacent zoning districts are A-1 and R-1. Zoning within one half (1/2) mile are A-1 and R-1.

Finnie Road is considered a scenic route and no trails are planned in the area.

There are floodplains and wetlands on the property. None of the proposed development is occurring in the floodplain or wetlands.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Dixon Valley Sedge Meadow INAI Site, Fox River INAI Site, Dickson Sedge Meadow Natural Heritage Landmark, and River Redhorse (*Moxostoma carinatum*). Negative impacts to the above are considered unlikely and consultation was terminated.

The Petitioner submitted an application for NRI. The LESA Score was 173 indicating a low level of protection.

Petition information was sent to Fox Township on March 26, 2019. Fox Township submitted comments on April 16, 2019. The Township requested the following:

1. Any encroachment onto the Finnie Road right-of-way close than one hundred and twenty-six feet (126') be required to obtain a traditional variance.

2. Any permits required for storm water management must be procured prior to the issuance of any building permit.
3. Fox Township Board and the Fox Township Highway Department reserve the right to approve or disapprove any overhead walkway on Finnie Road.

The Petitioner agreed with Fox Township's requests. The Petitioner submitted a revised site plan deleting the three (3') foot encroachment in Addition 1.

Petition information was sent to the Village of Millbrook on March 26, 2019. No comments were received.

Petition information was sent to the Sandwich Fire Protection District on March 26, 2019. No comments were received.

The existing zoning regulations on the property were established by Ordinance 2014-05. This ordinance repealed several pre-existing ordinances and combined the conditions and restrictions placed upon Dickson Valley Ministries into one (1) ordinance. The restrictions placed on the special use permit were:

1. The property can be utilized all year long.
2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
3. The number of over-night campers shall be limited to no more than 350 at any one time.
4. No more than 8 hook-ups for RV's.
5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

Ordinance 2014-05 also included a site plan, which the Petitioner wishes to amend.

ZPAC met on this proposal on April 2, 2019. The Petitioner stated that the projected number of people onsite will not change from the 2014 projection which was an increase of forty percent (40%). Discussion occurred regarding a right-of-way dedication for Finnie Road. The suggestion was made to have right-of-way dedication within ten (10) years. The sign would encroach into the setback if a dedication occurred. If the plan was developed fully, the investment would be Four Point Five Million Dollars (\$4.5 Million). Development will not occur onsite near any protected area as identified in the EcoCat Report. ZPAC unanimously recommended approval of the proposal.

At the April 24, 2019, meeting of the Kendall County Regional Planning Commission, the Commission requested less detail on the Petitioner's site plan. At the May 22, 2019, meeting, the Petitioner submitted a site plan with several changes.

The proposed changes are follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) "overnight campers." This number is inclusive of as many as one hundred (100) day-only campers during the summer.
2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).
3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.
4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house, various free standing decks for small group activities, at least two (2) open air camper pavilions, day camp specific activities, water activities (i.e. splash pad, or wading fountain), and combined septic field serving all new restrooms will also be located in this area.
5. Development B, Resident Camp Area, shall consist of five (5) year-round camper cabins; four (4) of which are new.
6. Development C, Activity Area, shall consist of an outdoor high ropes course, mini-golf course, ice rink pavilion, free standing decks for small groups and one (1) year-round camper cabin.
7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods, camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area.
8. Development E, Entrance Drive, shall consist of a new gatehouse for a controlled entrance and a multi-bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated.
9. Development F, Maintenance Area, shall consist of a new shop and removal or remodel of the old shop.
10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building.
11. Development H, North Activity Area, shall consist of primitive non-public campsites, no permanent structures, and a parking area off of Finnie Road. Experiential activities similar to, but not limited to, climbing tower(s), zip line(s), team activities, a high ropes course, and a pedestrian walkway over/under/across Finnie Road are planned for this area.
12. The Retreat Development Zone shall consist of a water filtration building or addition to the existing well and well house. A new building for recreation room, snack shop, and host offices. Within this zone, several buildings will have additions and/or remodels.
13. Addition 1, Director's Lodge, shall consist of an addition to the north end of the building. The current structure is one hundred twenty-six feet (126') offset from the road.
14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west.

15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces, an addition of at least two (2) separate “leaders” rooms with restrooms, and remodel and add-on to program office for camp store.
16. Addition 4, Oulund Chalet, shall consist of remodeling to improve housing space and remodeling of restrooms.
17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition of added housing.
18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar.
19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

Also at the April meeting, the Commission was concerned about Fox Township’s requests of the Petitioner. Fox Township clarified that they do not want a right-of-way dedication at this time, but they would like to be informed if a structure is constructed above or below Finnie Road.

The Kendall County Regional Planning Commission recommended approval of the Petition with conditions with seven (7) members in favor and two (2) members absent.

Any new buildings would have to meet applicable building codes.

The Petitioner owns property on both sides of Finnie Road.

As noted on the proposed site plan, lighting will be intentionally left low.

The subject property is heavily wooded. As noted on the proposed site plan, the Petitioner considers the natural landscape important to their operations.

Stormwater permits will be required in certain cases as the proposal is implemented.

The Petitioner proposes to make adjustments to their wells and septic systems. These changes will be evaluated as the proposal is implemented. Electricity is already onsite.

The proposed findings of fact were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The existing special use has been in existence since the 1970s with no known complaints to the Planning, Building and Zoning Department. Provided the site is developed as proposed, the proposed use of the site will not be detrimental 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 proposed use has been in existence at the subject property since the 1970s and no known issues exist which might cause injury to neighboring property owners or diminished property values.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Adequate utilities, access roads, points of ingress and egress, drainage, and other necessary facilities either exist on the site or are planned for in the proposed site plan.

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 special use permit amendment conforms to the applicable regulations of the A-1 Agricultural 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. This statement is true.

Staff recommends approval of the proposed major amendment to an existing special use permit subject to the following conditions and restrictions:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.
2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan. (Revised Site Plan-Attachment 2A)
3. Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road. (Added per Fox Township)
4. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use. (Though not mentioned specifically, the Kendall County Stormwater Management Ordinance is one (1) of the local laws that must be followed; this should address Fox Township's concerns about stormwater regulations.)
5. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.

6. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.
7. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

Mark Caldwell, on behalf of Dickson Valley Ministries, stated that the main point is that the Petitioner is not changing the scope and scale of their mission, but this proposal adds more detail to their site plan. All development will occur as funds allow. The current need is to accommodate day campers.

Member Clementi asked about the ideal timeframe for full building out. Mr. Caldwell said this proposal will take at least ten (10) years. This process provided the Petitioner the opportunity to evaluate their use of the land.

Chairman Mohr asked about the crossing of Finnie Road. Mr. Caldwell said that Petitioner owns and uses land on both sides of Finnie Road. If a donor came along, an overpass could be something to explore. At this time, an at-grade crossing is fine. Fox Township placed hiker signs along Finnie Road.

Chairman Mohr asked about access for the Sandwich Fire Protection District and first responders. Mr. Caldwell responded that the Petitioner has provided tours to the Sandwich Fire Protection District. Moderate size vehicles can get through to the site. The State Health Department regulates them as well.

Chairman Mohr re-opened the public hearing at 7:23 p.m.

Jeff Spang asked Mr. Asselmeier about the crossing. Mr. Asselmeier responded that overpasses or underpasses require the approval of Fox Township, but at-grade crossings do not require Fox Township's approval. Mr. Spang suggested a crosswalk with lights. Chairman Mohr advised that an improved at-grade crossing with lights could be installed if the Township and Petitioner desired, but the Petitioner would not need Fox Township's approval for at-grade crossings.

Chairman Mohr adjourned the public hearing at 7:26 p.m.

Member Thompson made a motion, seconded by Member Fox, to approve the findings of fact as proposed by Staff.

The votes were as follows:

Ayes (5): Mohr, Cherry, Clementi, Fox, and Thompson
Nays (0): None
Absent (2): LeCuyer and Whitfield

The motion passed.

Member Clementi made a motion, seconded by Member Cherry, to recommend approval of the major amendment of a special use permit with the conditions proposed by Staff.

The votes were as follows:

Ayes (5): Mohr, Cherry, Clementi, Fox, and Thompson

Nays (0): None
Absent (2): LeCuyer and Whitfield

The motion passed. This matter will go to the Kendall County Planning, Building and Zoning Committee on July 8, 2019.

The Zoning Board of Appeals completed their review of Petition 19-11 at 7:27 p.m.

The Zoning Board of Appeals started their review of Petition 19-12 at 7:27 p.m.

Petition 19 – 12 – Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis

Request: Request for a Special Use Permit for a Banquet Center
PIN: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-32-100-006, and 04-32-100-008
Location: 10978 Crimmin Road (Approximately 0.54 Miles South of the Intersection of Fox River Drive and Crimmin Road on the East Side of Crimmin Road), Fox Township
Purpose: Petitioners Wish to Operate a Banquet Center at the Subject Property. Property is Zoned A-1

Mr. Asselmeier summarized the request.

JoAnn Bright-Theis would like to establish the Brighter Daze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.

The subject property is approximately thirty-eight acres (38) acres in size.

Crimmin Road is a major collector and scenic route. No trails are planned along the road.

A riverine wetland is located along the southwest edge of the subject property.

The adjacent land uses are agricultural related, farmsteads, religious, or forest preserve. The adjacent zonings are A-1. Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Millington Fen INAI Site, Fox River INAI Site, Millington Railroad Fen Natural Landmark, Tucker-Millington Fen Natural Preserve, and River Redhorse (*Moxostoma carinatum*). Negative impacts to the above are considered unlikely and consultation was terminated.

The NRI application was submitted on March 14, 2019. The LESA Score was 181 indicating a low level of protection.

Fox Township was emailed information on March 27, 2019. Fox Township submitted comments on April 16, 2019. In particular, Fox Township reiterated that the Township was a dry township; the Township

disagreed with the functional classification of Crimmin Road contained in the Land Resource Management Plan; the Township requested a traffic study regarding the impact of the proposed venue on Crimmin Road, including the possibility of improvements to Crimmin Road necessitated by the proposed special use permit. On May 9, 2019, the Petitioner, Fox Township, and the Kendall County Planning, Building and Zoning Department held a conference call on the proposal. The Petitioner agreed to the dry regulations of the Township. The Township stated that they would not fight the functional classification of Crimmin Road in the Land Resource Management Plan. The Township stated that they (Fox Township) would request a traffic study from the Kendall County Highway Department. This study could result in a change of the speed limit on Crimmin Road to a speed less than the current fifty-five miles per hour (55 MPH), a requirement the Petitioners post additional one-way directional signage within their property, and the possibility that Fox Township adopt an ordinance forbidding parking along Crimmin Road. "Venue Ahead" signage along Crimmin Road was discussed. Also, the possible dedication of right-of-way was discussed.

On June 14, 2019, Fox Township submitted updated comments which are included as Attachment 20. In particular, Fox Township requested:

1. No parking on Crimmin Road.
2. A right-of-way dedication of forty-five feet (45') as measured from the centerline of Crimmin Road for the entire length of the subject property.
3. No sound greater than sixty-five (65) dBa as measured from the property line of the complaint.
4. The special use permit should be contingent on a completed traffic study with the Petitioner paying for any necessary construction caused by increased traffic on Crimmin Road.
5. A maximum of thirty (30) events per year with an operating season between April 1st and November 1st.
6. Saturday only events with a conclusion of no later than 10:00 p.m.
7. The Township believes inadequate parking is planned for the proposal.
8. No selling or serving of alcohol per Fox Township's dry regulations.

The Township also requested that the advisory bodies consider public safety when making their recommendations.

Newark Fire Protection District was emailed information on March 27, 2019.

The Village of Newark was emailed information on March 27, 2019.

ZPAC reviewed this proposal at their meeting on April 2, 2019. The Health Department provided information about well monitoring. A site survey will be completed defining the location of the existing

septic system. The equestrian business will continue at the property as a separate business. Discussion occurred regarding the planned realignment of Crimmin Road. ZPAC recommended approval with all but (1) member voting yes. One (1) member voted present.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on May 22, 2019. At this meeting, the Petitioners agreed to layover until the June meeting to allow Fox Township to complete their research on this request.

No variances were requested and the Petitioner will operate the banquet center in compliance with the regulations currently stated in the Zoning Ordinance.

The business plan for the proposed operations, building elevations, landscaping plan, parking illumination plan, and interior plan were provided.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately eight thousand (8,000) square foot barn for weddings and similar events. The maximum capacity will be approximately two hundred eighty (280) people, with one (1) additional employee. While banquets will occur inside the existing barn, prospective clients could use the exterior grounds for pictures and outdoor ceremonies. The interior of the barn is a converted arena with a concrete floor. The barn is approximately twenty-six feet (26') tall at its peak and ten feet (10') tall at the ends.

An existing pond is located east of the horse barn.

The hours of operation will be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st.

The proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

The proposed business would use luxury trailer bathrooms for events with the intention to have permanent restroom facilities by 2021. Restroom facilities will be located north of the barn by the parking area.

The dumpster shall be located next to the parking lot by the barn.

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

Ancillary items, such as Brighter Daze shirts and glasses, may be sold on the premises.

An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.

Portable bathrooms will be used for events.

The property fronts Crimmin Road. According to the site plan, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces will be located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights are proposed for site. According to the parking illumination plan, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign will be installed on the property. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown the on proposed site plan, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue.

All music and noise shall originate inside the venue except for processions and recessions at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face east and the barn doors will remain closed after 7:00 p.m.

With the combination of distance and plantings, the Petitioners believe noise will not be an issue.

According to information provided to the County, the Petitioners did not charge for events held previously on the property prior to June 1, 2019. On June 3, 2019, the Petitioners contacted the County and stated that they had an event on June 1, 2019, and charged a rental fee for this event. The Petitioners believed that the special use permit would be approved prior to the June 1st date and did not want to cancel the event.

The proposed findings of fact were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. 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 Kendall County Sheriff's Department has not submitted comments expressing concerns for public health and safety, based on the information provided by the Petitioners.

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, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by restrictions related to hours and days of operation, 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's site plan addresses 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. The site conforms to the regulations of the A-1 Agricultural 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. 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."

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

1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and parking illumination plan.
2. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.
3. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
4. The subject parcel must maintain a minimum of five (5) acres.
5. 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)
6. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
7. 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. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site

plan within their property. (Last sentence added after discussion with Fox Township).

8. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
9. 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.

10. 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. Barn doors shall close by 7:00 p.m.
11. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30). (Changed per Fox Township and KCRPC Meeting).
12. A new certificate of occupancy must be issued for the barn.
13. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way. (Added per Fox Township).
14. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road (Added per Fox Township).
15. A traffic study shall be conducted by the Kendall County Highway Department. (Amended at KCRPC Meeting).
16. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
17. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.

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

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

Mr. Asselmeier noted that the Petitioners had no control regarding the traffic study and the Petitioners are not bound by the results of the traffic study. Mr. Asselmeier suggested amending this restriction or removing this restriction. Member Thompson noted that the traffic on Crimmin Road will change when the bridge reopens.

Member Clementi asked how the Petitioners planned to prevent outside alcohol from coming onto the property. JoAnn Bright-Theis said that it would be difficult for people sneaking in alcohol for all their guests. There are areas to store beverages.

Chairman Mohr asked about the definition of dry. Adam Theis responded that serving was allowed, but selling was not allowed.

Mr. Asselmeier noted that Fox Township would have the most banquet facilities of any township if this proposal is approved.

Chairman Mohr stated that Crimmin Road might be the worst possible road to place this use.

Chairman Mohr asked about the distance to furthest away parking. Mr. Theis responded that the remote parking lot is approximately two (2) or three (3) blocks from the barn. The proposed parking area is open space. The proposed parking meets the criteria of the Zoning Ordinance.

Member Cherry asked if the barn was used for horses. Ms. Bright-Theis responded that the barn was a nine (9) stall barn with an arena. The arena is the new event space. No horses are located in the barn; there are horses on the property.

Member Thompson noted the scenery along Crimmin Road.

Chairman Mohr opened the public hearing at 7:48 p.m.

John Vogt expressed concerns about noise. Mr. Vogt notified that the noise shakes the glass in windows at his house. He stated that he observed decibel readings of eighty to eighty-five (80-85) have been recorded on his property. He expressed concerns about hill jumpers on Crimmin Road. He would like to see the doors on the south side of the barn be closed. He complained about a hay depot near his house. He would like to see the zoning regulations enforced. Mr. Asselmeier explained the special use revocation procedure. Mr. Vogt questioned the location of livestock in relation to food service. The Petitioners agreed to shut the south doors before the music gets loud.

Kurt Buhle submitted his comments in writing. Without objection, the Board accepted Mr. Buhle's written comments as an exhibit. Mr. Buhle's concerns were security, compliance and enforcement, negative impacts on land value, noise, traffic, and what's next.

Chairman Mohr asked Mr. Buhle the distance from Mr. Buhle's property to the building. Mr. Theis responded that distance was approximately one thousand feet (1,000').

Member Clementi and Mr. Asselmeier explained how violations are reported and processed.

The barn does not have air conditioning.

Mr. Asselmeier explained how other banquet facilities control noise.

Mr. Theis stated that he lives on the property.

Mr. Buhle asked about the hours of operation. Mr. Asselmeier reported that only one (1) event per weekend could occur. The definition of weekend was read.

Jeff Spang, Fox Township Supervisor, asked the Petitioners how they would control alcohol from entering the site. The Petitioners agreed not to have setup until the day of the event starting at 9:00 a.m.

Mr. Spang requested clarification on the definition of banquet center and event center. Ms. Bright-Theis said craft sales, in addition to banquets, would occur on the property.

Mr. Spang explained that the Fox Township Board is unanimous in remaining dry. The Township wanted the Petitioner to know that the dry rules will be enforced; the Township is not opposed to the banquet center. Mr. Spang explained that serving alcohol at a public venue is not allowed. Mr. Spang said a lawsuit will occur. Mr. Spang noted that the other banquet facilities in Fox Township are located on Hughes Road, which is a straight road.

Mr. Asselmeier read the definitions of banquet halls and seasonal festival. A craft show would need approval as a seasonal festival.

Mr. Spang stated that the CASA event had a cocktail hour. Drink tickets were purchased and exchanged for signature drinks and other alcohol was sold.

The Petitioners are planning a Harvest Vendor Fair in August. Brewers and wineries will be attending this event. A seasonal event permit will be required.

Mr. Spang requested that Fox Township be named explicitly in the federal, state, and local law requirement. The Board agreed to this request.

Chairman Mohr advised the Petitioners that a court action could occur because of the dry regulations.

Mr. Spang expressed concerns about the impact of the venue on Crimmin Road. In particular, he was concerned about having to reconstruct a portion of Crimmin Road for safety reasons. He expressed concerns about speed and sight lines on Crimmin Road. Chairman Mohr asked what a traffic study would show. Mr. Spang responded that, if improvements need to be made to the road because of the special use permit, the Petitioners should assist with paying for these improvements. Ms. Bright-Theis favored lowering the speeding limit and offered to donate space for a fundraiser to raise funds to realign the intersection of Fox River Drive and Crimmin Road.

Member Clementi requested clarification on the handling of alcohol. Ms. Bright-Theis said they would have to evaluate their options.

Chairman Mohr expressed concerns about the Petitioners' liability in the event someone is killed leaving their property.

Chairman Mohr adjourned the public hearing at 8:40 p.m.

Discussion occurred regarding allowing the Petitioners to have seasonal festivals.

The Board reviewed the findings of fact individually. The votes for each finding is as follows:

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

maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with an approved site plan, landscaping plan, and lighting plan. Proper buffering and noise controls will be necessary to prevent noise from negatively impacting neighboring properties. The Kendall County Sheriff's Department has not submitted comments expressing concerns for public health and safety, based on the information provided by the Petitioners.

Ayes (4): Mohr, Cherry, Fox, and Thompson

Nays (1): Clementi

Absent (2): LeCuyer and Whitfield

Member Clementi stated that the proposed special use permit would be detrimental and will endanger the public health.

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, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by restrictions related to hours and days of operation, and buffering within the ordinance granting the special use permit.

Ayes (3): Cherry, Fox, and Thompson

Nays (2): Mohr and Clementi

Absent (2): LeCuyer and Whitfield

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's site plan addresses utilities, drainage, and points of ingress and egress.

Ayes (5): Mohr, Cherry, Clementi, Fox, and Thompson

Nays (0): None

Absent (2): LeCuyer and Whitfield

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 site conforms to the regulations of the A-1 Agricultural Zoning District.

Ayes (5): Mohr, Cherry, Clementi, Fox, and Thompson

Nays (0): None

Absent (2): LeCuyer and Whitfield

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."

Ayes (5): Mohr, Cherry, Clementi, Fox, and Thompson

Nays (0): None

Absent (2): LeCuyer and Whitfield

Each finding passed.

Member Thompson made a motion, seconded by Member Cherry, to recommend approval of the special use permit with the conditions proposed by Staff and with the following amendments:

1. The last sentence of condition 10 was changed to read, "For events with music, all barn doors shall close by 7:00 p.m."
2. Condition 15, regarding the traffic study, should be deleted.
3. Condition 17 was changed to read, "The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to, Fox Township's laws, related to the operation of this type of business."

The votes were as follows:

Ayes (4): Mohr, Cherry, Fox, and Thompson

Nays (1): Clementi

Absent (2): LeCuyer and Whitfield

The motion passed. This matter will go to the Kendall County Planning, Building and Zoning Committee on July 8, 2019.

The Zoning Board of Appeals completed their review of Petition 19-12 at 8:53 p.m.

NEW BUSINESS/OLD BUSINESS

None

REVIEW OF PETITIONS THAT WENT TO THE COUNTY BOARD

Mr. Asselmeier reported that Petition 17-28, pertaining to the Kendall County gun range zoning regulations, was approved by the County Board and provided a summary of the regulations.

Mr. Asselmeier reported that Petition 19-07, pertaining to the parking and storage of mobile homes, trailers, and RVs, was withdrawn by the Planning, Building and Zoning Committee.

Mr. Asselmeier reported that Petition 19-08, pertaining to a rezoning on property east of 8225 Galena Road, was approved.

Mr. Asselmeier reported that Petition 19-13, pertaining to research and development home occupations, was rejected at the County Board, but could be considered again in the future.

PUBLIC COMMENTS

Mr. Asselmeier reported that a renewal of a special use permit for a billboard at Route 34 and Hafenrichter and a request for a special use permit for landscaping business at 276 Route 52 will be on the July 29th agenda.

Mr. Asselmeier reported that Teska Associates has delivered information for the Zoning Ordinance project. Staff is currently reviewing the information.

Mr. Asselmeier reported that the County will start researching proposed recreational marijuana zoning regulations.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Clementi made a motion, seconded by Chairman Mohr, to adjourn. With a voice vote of five (5) ayes, the motion passed unanimously. The Zoning Board of Appeals meeting adjourned at 8:56 p.m.

The next hearing/meeting will be on July 29, 2019.

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

Exhibits

1. June 24, 2019 Letter from Dan Kramer to Matthew Asselmeier Re: Legacy Farms Special Use Zoning Board of Appeals hearing July 1, 2019
2. Staff Report on Petition 19-11 Dated June 24, 2019
3. Certificate of Publication and Mailings for Petition 19-11 (Not Included with Report but on file in Planning, Building and Zoning Office).
4. Staff Report on Petition 19-12 Dated June 27, 2019.
5. Certificate of Publication for Petition 19-12 (Not Included with Report but on file in Planning, Building and Zoning Office).
6. July 1, 2019, Kurt Buhle Comments (Redacted)

**KENDALL COUNTY
ZONING BOARD OF APPEALS
JULY 1, 2019**

In order to be allowed to present any testimony, make any comment, engage in cross-examination, or ask any question during this public hearing, you must enter your name, address, and signature on this form prior to the commencement of the public hearing. By signing this registration sheet, you agree that you understand that anything you say will be considered sworn testimony, and that you will tell the truth, the whole truth and nothing but the truth.

[illegible]

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

June 24, 2019

Matt Asselmeier
Senior Planner
Kendall County Building & Zoning
Via Email: Masselmeier@co.kendall.il.us

Re: Skyfall Equestrian LLC Special Use Amendment

Dear Matt:

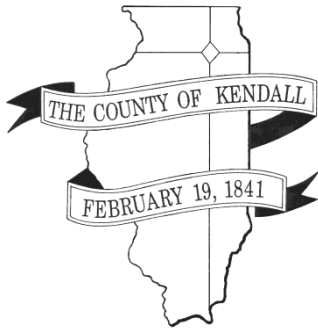
We would request that this Petition be placed on the July 29, 2019 7:00 pm Zoning Board of Appeals Meeting. Please confirm this is acceptable at your earliest convenience. If you have any questions or concerns please feel free to contact me.

Very truly yours,

Daniel J. Kramer

Daniel J. Kramer
Attorney at Law

DJK/cth



DEPARTMENT OF PLANNING, BUILDING & ZONING

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Petition 19-11**Mark Caldwell on Behalf of Dickson Valley Ministries
Major Amendment to a Special Use Permit****INTRODUCTION**

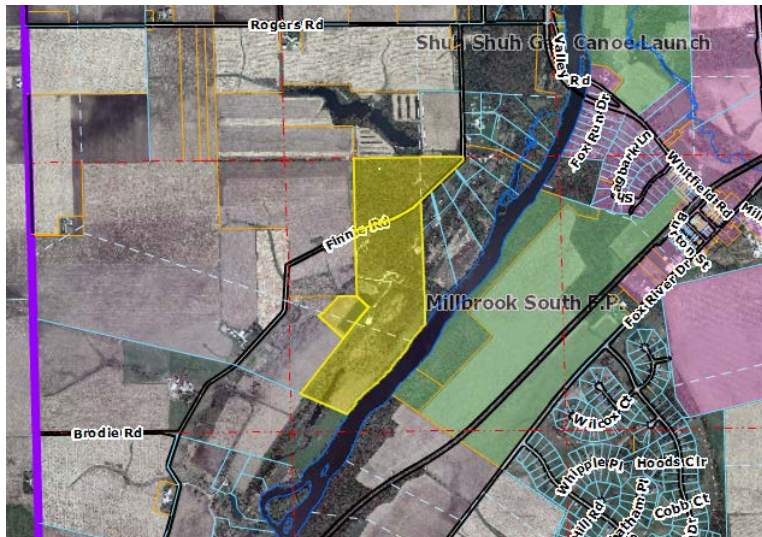
Mark Caldwell, on behalf of Dickson Valley Ministries, is requesting a major amendment to their special use permit to repeal the site plan adopted by Ordinance 2014-05 and replace the site plan with the proposed revised site plan (See Attachment 2A). The Petitioner desires the amendment in order to have a long-range plan for their facilities and to provide more clarity to the site plan that was submitted in 2014.

SITE INFORMATION

PETITIONER: Mark Caldwell on Behalf of Dickson Valley Ministries

ADDRESS: 8250 Finnie Road, Newark

LOCATION: North and South Sides of Finnie Road Approximately 0.8 Miles South of the Intersection of Finnie and Rogers Roads



TOWNSHIP: Fox

PARCEL #s: 04-17-100-002, 04-17-300-002, and 04-17-300-007

LOT SIZE: 160 +/- Acres

EXISTING LAND USE: Youth Camp

ZONING: A-1 with a Special Use Permit for Youth Camp and Retreat Center

LRMP:	Future Land Use	04-17-100-002: Agricultural 04-17-300-002: Open Space 04-17-300-007: Country Res. (Max. Density 0.33 du/acre)
	Roads	Finnie Road is considered a scenic route.
	Trails	None
	Floodplain/ Wetlands	There are floodplains and wetlands on the property. None of the proposed development is occurring in the floodplain or wetlands.

REQUESTED ACTION: Approval of a major amendment to an existing special use permit by repealing and replacing the approved site plan.

APPLICABLE REGULATIONS: §7.01.C (A-1 Agricultural Special Uses)
§13.08.O (Special Uses and Planned Developments; Major Amendments)

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Millbrook Hunting Club	A-1	Agricultural	A-1
South	Agricultural, Fox River, Forest Preserve	A-1	Rural Estate Residential and Forest Preserve	A-1
East	Single-Family Residential and Fox River	R-1	Countryside Residential and Forest Preserve	R-1 and Forest Preserve
West	Agricultural	A-1	Countryside Residential and Agricultural	A-1

An aerial of the property is included as Attachment 3.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

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

Dixon Valley Sedge Meadow INAI Site
Fox River INAI Site
Dickson Sedge Meadow Natural Heritage Landmark
River Redhorse (*Moxostoma carinatum*)

Negative impacts to the above are considered unlikely and consultation was terminated. EcoCat related materials are included as Attachment 1, Pages 20-23.

NATURAL RESOURCES INVENTORY

The Petitioner submitted an application for NRI. The related documents are included as Attachment 1, Page 19. The LESA Score was 173 indicating a low level of protection. The NRI Report is included as Attachment 20.

ACTION SUMMARY

FOX TOWNSHIP

Fox Township submitted comments on April 16, 2019. The Township requested the following:

1. Any encroachment onto the Finnie Road right-of-way closer than one hundred and twenty-six feet (126') be required to obtain a traditional variance. (The original site plan submitted by the Petitioner had a three foot (3') encroachment.)
2. Any permits required for storm water management must be procured prior to the issuance of any building permit.
3. Fox Township Board and the Fox Township Highway Department reserve the right to approve or disapprove any overhead walkway on Finnie Road.

The Township's comments are included as Attachment 19.

The Petitioner agreed with Fox Township's requests.

VILLAGE OF MILLBROOK

Petition information was sent to the Village of Millbrook on March 26, 2019. To date, no comments have received

SANDWICH FIRE PROTECTION DISTRICT

Petition information was sent to the Sandwich Fire Protection District on March 26, 2019. To date, no comments have been received

ZPAC

ZPAC met on this proposal on April 2, 2019. The Petitioner stated that the projected number of people onsite will not change from the 2014 projection which was an increase of forty percent (40%). Discussion occurred regarding a right-of-way dedication for Finnie Road. The suggestion was made to have right-of-way dedication within ten (10) years. The sign would encroach into the setback if a dedication occurred. If the plan was developed fully, the investment would be Four Point Five Million Dollars (\$4.5 Million). Development will not occur onsite near any protected area as identified in the EcoCat Report. ZPAC unanimously recommended approval of the proposal. The minutes of this meeting are included as Attachment 18.

KCRPC

The Kendall Regional Planning Commission initially reviewed this proposal at their meeting on April 24, 2019. Commissioners expressed concerns that the proposed site plan was too detailed and the Petitioner could be limiting their options if slight changes were required based on future development needs. Commissioners also expressed concerns regarding the Finnie Road right-of-way dedication requirement and the requirement that the Petitioner obtain Fox Township approval to cross Finnie Road. The Petitioner requested a layover of the request until a new site plan can be submitted. The minutes of the April 24, 2019 meeting are included as Attachment 21. At their meeting on May 22, 2019, the Commission seemed satisfied with the revised site plan with less detailed information and clarification that the Petitioner did not need Fox Township's approval for at-grade crossings. The Commission unanimously recommended approval of the proposal. The minutes of the meeting are included as Attachment 22.

ZBA

The Kendall County Zoning Board of Appeals started a public hearing on this request on April 29, 2019. The matter was continued until the Petitioner submitted a revised site plan. The minutes of the April 29th meeting pertaining to this request are included as Attachment 23.

RELATION TO EXISTING SPECIAL USE PERMIT

The use at the subject property was originally established in 1971. The subject property was zoned A-1 with a special use permit for a youth camp and retreat center following the 1974 Countywide rezoning.

The existing zoning regulations on the property were established by Ordinance 2014-05 which is included as Attachment 4. This ordinance repealed several pre-existing ordinances and combined the conditions and restrictions placed upon Dickson Valley Ministries into one (1) ordinance. The restrictions placed on the special use permit were:

1. The property can be utilized all year long.
2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
3. The number of over-night campers shall be limited to no more than 350 at any one time.
4. No more than 8 hook-ups for RV's.
5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

Ordinance 2014-05 also included a site plan, which the Petitioner wishes to clarify.

GENERAL INFORMATION

The Petitioner desires the update to their existing site plan in order to meet their needs. The long-range plan will take no less than ten (10) years and will occur as funding allows. This proposal is intended to add more clarity to the site plan submitted in 2014.

Dickson Valley Ministries has been operating a year-round youth camp and retreat center in Kendall County, Fox Township, for nearly 40 years.

In 1988, Dickson Valley served two thousand three hundred (2,300) people per year and, by 2014, had grown over three hundred percent (300%) to where it served seven thousand one hundred (7,100) people that year with retreats, summer resident camps, and day camps.

The current number of staff living onsite includes five (5) full-time long-term families. Also, two-three (2-3) full-time, short-term staff, and twenty-five (25) seasonal summer live onsite. Future ministry growth will increase staff to one (1) additional full-time long-term family, an additional twenty-five to thirty (25-30) full time short-term staff, and an additional forty (40) seasonal summer staff.

The original proposed site plan is included as Attachment 2. The revised site plan is included as Attachment 2A. Based on the revised site plan, the proposed changes are as follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) "overnight campers." This number is inclusive of as many as one hundred (100) day-only campers during the summer.
2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).
3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.
4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house, various free standing decks for small group activities, at least two (2) open air camper pavilions, day camp specific activities, water activities (i.e. splash pad, or wading fountain), and combined septic field serving all new restrooms will also be located in this area. A picture of the Development A is included as Attachment 5.
5. Development B, Resident Camp Area, shall consist of five (5) year-round camper cabins; four (4) of which are new. A picture of Development B is included as Attachment 6.
6. Development C, Activity Area, shall consist of an outdoor high ropes course, mini-golf course, ice rink pavilion, free standing decks for small groups and one (1) year-round camper cabin. A picture of Development C is included as Attachment 7.

7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods, camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area. A picture of Development D is included as Attachment 8.
8. Development E, Entrance Drive, shall consist of a new gatehouse for a controlled entrance and a multi-bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated. A picture of Development E is included as Attachment 9.
9. Development F, Maintenance Area, shall consist of a new shop and removal or remodel of the old shop.
10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building. A picture of Development G is included as Attachment 10.
11. Development H, North Activity Area, shall consist of primitive non-public campsites, no permanent structures, and a parking area off of Finnie Road. Experiential activities similar to, but not limited to, climbing tower(s), zip line(s), team activities, a high ropes course, and a pedestrian walkway over/under/across Finnie Road are planned for this area.
12. The Retreat Development Zone shall consist of a water filtration building or addition to the existing well and well house. A new building for recreation room, snack shop, and host offices. Within this zone, several buildings will have additions and/or remodels.
13. Addition 1, Director's Lodge, shall consist of an addition to the north end of the building. The current structure is one hundred twenty-six feet (126') offset from the road. A picture of Addition 1 is included as Attachment 11.
14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west. A picture of Addition 2 is included as Attachment 12.
15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces, an addition of at least two (2) separate "leaders" rooms with restrooms, and remodel and add-on to program office for camp store. A picture of Addition 3 is included as Attachment 13.
16. Addition 4, Oulund Chalet, shall consist of remodeling to improve housing space and remodeling of restrooms. A picture of Addition 4 is included as Attachment 14.
17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition of added housing. A picture of Addition 5 is included as Attachment 15.
18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar. A picture of Addition 6 is included as Attachment 16.
19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing. A picture of Addition 7 is included as Attachment 17.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

BUILDING CODES

Any new buildings would have to meet applicable building codes.

ACCESS

The Petitioner owns property on both sides of Finnie Road.

LIGHTING

As noted on the proposed site plan, lighting will be intentionally left low.

SCREENING

The subject property is heavily wooded. As noted on the proposed site plan, the Petitioner considers the natural landscape important to their operations.

STORMWATER

Stormwater permits will be required in certain cases as the proposal is implemented.

UTILITIES

The Petitioner proposes to make adjustments to their wells and septic systems. These changes will be evaluated as the proposal is implemented. Electricity is already onsite.

FINDINGS OF FACT

§ 13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant a special use permit. Staff's proposed findings are in bold:

*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 existing special use has been in existence since the 1970s with no known complaints to the Planning, Building and Zoning Department. Provided the site is developed as proposed, the proposed use of the site will not be detrimental 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 proposed use has been in existence at the subject property since the 1970s and no known issues exist which might cause injury to neighboring property owners or diminished property values.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **Adequate utilities, access roads, points of ingress and egress, drainage, and other necessary facilities either exist on the site or are planned for in the proposed site plan.***

*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 special use permit amendment conforms to the applicable regulations of the A-1 Agricultural 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. **This statement is true.***

RECOMMENDATION

Staff recommends approval of the proposed major amendment to an existing special use permit subject to the following conditions and restrictions:

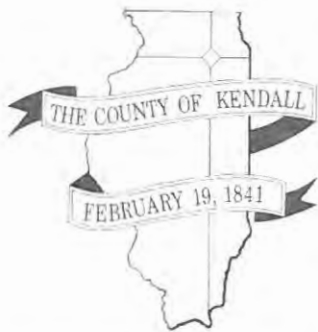
1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.
2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan. **(Revised Site Plan-Attachment 2A)**
3. **Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road. (Added**

per Fox Township)

4. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use. **(Though not mentioned specifically, the Kendall County Stormwater Management Ordinance is one (1) of the local laws that must be followed; this should address Fox Township's concerns about stormwater regulations.)**
5. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.
6. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.
7. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

ATTACHMENTS

1. Application Materials (Including EcoCat, and NRI Application)
2. Original Site Plan
- 2A. Revised Site Plan
3. Aerial
4. Ordinance 2014-05
5. Development A
6. Development B
7. Development C
8. Development D
9. Development E
10. Development G
11. Addition 1
12. Addition 2
13. Addition 3
14. Addition 4
15. Addition 5
16. Addition 6
17. Addition 7
18. April 2, 2019 ZPAC Minutes
19. April 16, 2019 Fox Township Comments
20. NRI Report
21. April 24, 2019 KCRPC Minutes
22. May 22, 2019 KCRPC Minutes
23. April 29, 2019 ZBA Minutes (Information for This Petition Only)



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

APPLICATION

PROJECT NAME Dickson Valley Site PlanFILE #: 19-11

NAME OF APPLICANT Dickson Valley Ministries		
CURRENT LANDOWNER/NAME(s) Dickson Valley Ministries		
SITE INFORMATION		
ACRES 160	SITE ADDRESS OR LOCATION 8250 Finnie Rd Newark 60541	ASSESSOR'S ID NUMBER (PIN) 04-17-300-002, 04-17-100-002, 04-17-300-007
EXISTING LAND USE Youth Camp	CURRENT ZONING A1-SU	LAND CLASSIFICATION ON LRMP Private Recreation
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE <input type="checkbox"/> MAP AMENDMENT (Rezone to <input type="checkbox"/>) <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.) <input checked="" type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input checked="" type="checkbox"/> Major; <input type="checkbox"/> Minor)		
¹PRIMARY CONTACT Mark Caldwell	PRIMARY CONTACT MAILING ADDRESS 8250 Finnie Rd Newark 60541	PRIMARY CONTACT EMAIL mark@dicksonvalley.com
PRIMARY CONTACT PHONE # 630-553-6233	PRIMARY CONTACT FAX # 630-553-6240	PRIMARY CONTACT OTHER # (Cell, etc.) 630-542-0590 cell
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 <u>3/19/19</u>

FEE PAID: \$577.50

CHECK #: 18442

RECEIVED

MAR 19 2019

KENDALL COUNTY
PLANNING, BUILDING
& ZONING¹Primary Contact will receive all correspondence from County²Engineering Contact will receive all correspondence from the County's Engineering Consultants

Phone (630) 553-4141

Attachment 1, Page 2

Thank You

FRD:eb

891283

BK 195 PG 273

CORPORATION QUIT CLAIM DEED

Form 893 - Perfection Legal Forms & Printing Co., Rockford, IL 61103

THIS INDENTURE WITNESSETH, That the Grantor

ACORN YOKEFELLOW CENTER, INC.

FILED FOR RECORD
KENDALL COUNTY ILL.
DOC # 891283
125PM
MAR 09 1989

RECORDED OF DEEDS

not-for-profit
a corporation duly organized and existing under and by virtue
of the laws of the State of Illinois
and duly authorized to transact business in the State where the
following described real estate is located, for and in consider-
ation of One Dollar and other good and valuable consider-
ations, the receipt of which is hereby acknowledged, and
pursuant to authority given by the Board of Directors of said
corporation, CONVEYS AND QUIT CLAIMS to DICKSON VALLEY CORPORATION, an Illinois
not-for-profit corporation

THE ABOVE SPACE FOR RECORDER'S USE ONLY

This conveyance is exempt
under the provisions of
Par. E, Sec. 4, of the Real
Estate Transfer Tax Act.
Dated 3-5-89

whose address is 2012 N. Summit Street, Wheaton, Illinois 60187

the following described real estate to-wit:

That part of the East half of the Northwest quarter of Section 17, Township 36 North, Range 6 East of the Third Principal Meridian, described as follows: Beginning at the Northeast corner of said Northwest quarter; thence West along the North line of said Northwest quarter 1319 feet to the Northwest corner of the East half of said Northwest quarter; thence South along the West line of the East half of said Northwest quarter 1376.78 feet to the center line of a road running Northeasterly and Southwesterly through said Northwest quarter; thence Northeasterly along said center line to the East line of said Northwest quarter; thence North along said East line 778 feet to the point of beginning, in the Township of Fox, Kendall County, Illinois; ALSO that part of the Northeast quarter of Section 17, Township 36 North, Range 6 East of the Third Principal Meridian, described as follows: Beginning at the Northwest corner of said Northeast quarter; thence South along the West line of said Northeast quarter 11.70 chains to the center line of a road; thence Northeasterly along said center

(Continue legal description on reverse side)

situated in the County of Kendall In the State of 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 5th day of March 1989

ACORN YOKEFELLOW CENTER, INC.

(Affix corporate seal here)

Attest: Jean Sancken Secretary.

By: Virgil Sancken President.

STATE OF ILLINOIS

Kane

COUNTY

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT

VIRGIL SANCKEN
personally known to me to be the President
JEAN SANCKEN

of said Corporation who is the grantor, and personally known to me to be the Secretary of said corporation, and personally known to me to be the 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 of said corporation, and caused the corporate seal of said corporation to be affixed thereto, 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 of said corporation, for the purposes therein set forth.

Given under my hand and Notarial Seal this 5th day of March 1989.

OFFICIAL SEAL
FRED H. DICKSON
NOTARY PUBLIC STATE OF ILLINOIS
MY COMM. EXP. 12/31/90
Notary Public

Future Taxes to Grantee's Address (X) OR to

Fred H. Dickson
P. O. Box 40
Aurora, IL 60507

This instrument was prepared by: FRED H. DICKSON, GOLDSMITH, THELIN, SCHILLER & DICKSON, P. O. Box 40
Whose address is: 104 E. Downer Place, Aurora, IL 60507

BK 195 Pg 274

LEGAL DESCRIPTION (Continued)

to the North line of said Northeast quarter; thence West along said North line 12.63 chains to the point of beginning, in the Township of Fox, Kendall County, Illinois.

SUBJECT TO: the terms of the Charitable Trust impressed upon the foregoing land by ALICE H. DICKSON, a/k/a ALICE I. DICKSON, and the Testamentary Trust of HOMER G. DICKSON, which provides as follows:

That the property shall be maintained and used "...for the purpose of maintaining a Christian retreat center, and in the event that said property is no longer used as a Christian retreat center or for Christian purposes, then this property shall be conveyed to such church or other religious organization as may be able to use the said property for Christian purposes and for no other purposes, to be determined by my sons, FRED H. DICKSON of Aurora, Illinois, and ELMER G. DICKSON of Chico, California, or the survivor of them, and in the event that neither survives, then by the Board of Trustees of the Yorkville Congregational Church, Yorkville, Illinois.

The above referred to grant is made for the purpose and with the intent that said acreage and any improvements thereon shall always be used as a gift to the Lord, and anyone receiving this property, by virtue of this grant and conveyance impressed with this trust, is entrusted with carrying out this purpose. Further, it is the purpose of this grant, and with trust and faith in the people of the Acomn Yokefellow Center, Inc. and the Yokefellow Movement and principles, that it will be countless generations everlasting spiritual good."

BK 195 PG 275

(FILE WITH JEAN P. BRADY, RECORDER OF DEEDS OF KENDALL COUNTY)

DOCUMENT # 271253

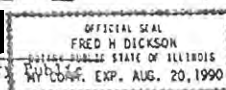
That the attached deed represents:

- CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

3

Virgil Sanchez

this 05 th of March, 1989.



Requested By: MDC 04/16/2007

IMBROS & COLE
LEGAL FORMS
NO. 801
OCTOBER, 1967
WARRANTY DEED

Statutory (ILLINOIS)

(Corporation to Corporation)

892445
FILED FOR RECORD
KENDALL COUNTY ILL.
OCC # 892445
P.M.
MAY 04 1983

BK 206 PG 169

(The Above Space For Recorder's Use Only)
RECORDED OF DEEDS

THE GRANTOR Christian Camping and Conference Association International,
not for profit
a corporation created and existing under and by virtue of the laws of the State of California
and duly authorized to transact business in the State of Illinois, for and in consideration
of Ten (\$10.00) DOLLARS.

in hand paid, and pursuant to authority given by the Board of Trustees of said corporation
CONVEY and WARRANT to Dickson Valley Corporation

a corporation organized and existing under and by virtue of the laws of the State of Illinois
having its principal office in the City of Wheaton County of DuPage
and State of Illinois the following described Real Estate situated in the County of
Kendall and State of Illinois, to wit:

See legal description attached

Subject to the following restriction:

If at any time after the date of the deed the grantee, or any party claiming by, through or under grantee, ceases to use the Real Estate for the purpose of bringing Christ to the young people and adults of Fox Valley and other communities, title to the Real Estate and all improvements thereto shall revert, without compensation, to grantor or its successors and assigns.

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 Secretary, this 28 day of April, 1983.

Christian Camping and Conference Assoc. International

IMPRESS
CORPORATE SEAL
HERE

BY

PRESIDENT

SEAL

SECRETARY

State of Illinois, County of Cook, ss. I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that George H. Williams, Jr., personally known to me to be the President of the Christian Camping and Conference Association International

corporation, and Samuel E. Johnson 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 as President and Secretary of said corporation, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority, given by the Board of Trustees 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 28 day of April, 1983.

Commission expires April 1, 1983.

GLASS, HILL, DALLMEYER & ROTH
(Firm)
MAIL TO: 899 Skokie Blvd., Suite 420
(Address)
Northbrook, IL 60062
(City, State and Zip)

OR RECORDER'S OFFICE BOX NO.

ADDRESS OF PROPERTY:

17422 FINNIE ROAD

NEWARK, IL 60541

THIS ABOVE ADDRESS IS FOR STATISTICAL PURPOSES ONLY AND IS NOT A PART OF THIS DEED.

SEND SUBSEQUENT TAX DEEDS TO

Dickson Valley Corporation

2014 N. SUMMIT STREET

WHEATON, ILL 60187

DOCUMENT NUMBER

4/28/83
[Signature]

BK 206 PG 170

That part of the West half of Section 17, Township 36 North, Range 6 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of the Southwest quarter of Section 18, Township and Range aforesaid; thence South 1° 07' 54" East along the West line of said Section 18, 380.17 feet; thence South 76° 29' 58" East 4010.24 feet; thence South 66° 02' 58" East 33.6 feet to the center line of Finnie Road; thence South 66° 02' 58" East 1377.07 feet for the point of beginning; thence North 38° 58' 51" East 2280.95 feet; thence North 71° 00' 24" West 331.99 feet to the Southwest corner of the Southeast quarter of the Northwest quarter of said Section 17; thence North 1° 14' 05" West along the West line of said quarter quarter section 1269.52 feet to the center line of Finnie Road; thence North 63° 32' 29" East along said center line 51.54 feet; thence North 73° 54' 02" East along said center line 785.94 feet; thence North 57° 52' 02" East along said center line 459.76 feet; thence North 46° 37' 32" East along said center line 158.96 feet to the East line of the Northwest quarter of said Section 17; thence South 1° 16' East along said East line 1864.30 feet to the Southeast corner of the Northwest quarter of said Section 17; thence South 1° 12' 58" East along the East line of the Southwest quarter of said Section 17, 513.64 feet to the Westerly bank of the Fox River; thence South 36° 20' 02" West along said Westerly bank 227.1 feet; thence South 34° 34' 02" West along said Westerly bank 224.1 feet; thence South 40° 48' 02" West along said Westerly bank 346.69 feet; thence South 35° 57' 02" West along said Westerly bank 257.65 feet; thence South 47° 35' 02" West along said Westerly bank 201.1 feet; thence South 46° 16' 02" West along said Westerly bank 256.45 feet; thence South 44° 58' 02" West along said Westerly bank 415.78 feet; thence South 39° 20' 02" West along said Westerly bank 424.92 feet to a point on a line drawn South 66° 02' 58" East from the point of beginning; thence North 66° 02' 58" West 1001.65 feet to the point of beginning; in the Township of Fox, Kendall County, Illinois.

WARRANTY DEED

MAIL TO:

Attorney John S. Talley
12525 Helmar Road West
Newark, IL 60541

SEND SUBSEQUENT TAX BILLS TO:

Dickson Valley Corporation
8250 Finney Road
Newark, IL 60541

DEED PREPARED BY:

Attorney John S. Talley
12525 Helmar Road West
Newark, IL 60541

THE GRANTOR, Dickson Valley Farm, LLC, for and in consideration of Ten and 00/100 Dollars and other good and valuable consideration in hand paid

CONVEYS AND WARRANTS TO: Dickson Valley Corporation, Newark, Illinois all interest in the following described Real Estate situated in the County of Kendall in the State of Illinois, to wit:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING DESCRIBED BY COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 90 DEGREES 00 MINUTES EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1320.0 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER FOR THE POINT OF BEGINNING; THENCE NORTH 90 DEGREES 00 MINUTES WEST ALONG SAID NORTH LINE, 346.63 FEET; THENCE SOUTH 44 DEGREES 10 MINUTES 58 SECONDS WEST, 455.16 FEET; THENCE SOUTH 60 DEGREES 38 MINUTES 12 SECONDS WEST, 98.54 FEET; THENCE SOUTH 48 DEGREES 46 MINUTES 57 SECONDS EAST, 659.61 FEET; THENCE NORTH 38 DEGREES 58 MINUTES 47 SECONDS EAST, 776.48 FEET TO A LINE BEARING SOUTH 48 DEGREES 46 MINUTES 57 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 48 DEGREES 46 MINUTES 57 SECONDS WEST ALONG SAID LINE, 312.24 FEET TO THE POINT OF BEGINNING BEING ALL LOCATED IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.

Subject to general real estate taxes for the year 2009 and subsequent years, covenants, conditions, restrictions and easements of record; rights of way for drainage ditches, drain tiles, feeders, laterals and underground pipes, if any, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Underlying PIN: 04-17-300-001

Property Address: 10 acres along Finney Road

DATED this October 27, 2009.

DICKSON VALLEY FARM, LLC

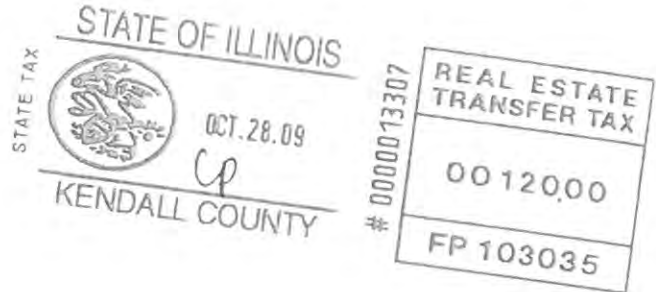
By: [REDACTED]
Jane A. Strobeck

Its: Member-Manager

By: Charles L. Strobeck Family Trust

Its: Member-Manager

By: [REDACTED]
Jane A. Strobeck, Co-Trustee



COUNTY OF KENDAL
REAL ESTATE TRANSFER TAX
CP 60.00

State of Illinois }
 } SS
County of DuPage }

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Jane A. Strobeck known to me to be the same persons whose names are subscribed to the foregoing instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

GIVEN under my hand and Notarial Seal, this October 27, 2009

[REDACTED]
Notary Public



PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)
COUNTY OF KENDALL)ss

Mark A. Caldwell, being duly sworn on oath, states that affiant resides at 8250 Finney Road, Newark,
IL 60541-9573

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. [XX] 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 sale or exchange of an entire tract of land not being a part of a larger tract of land
2. A distinct, separate parcel qualifying for a Kendall County building permit prior to August 10, 1971.
- ③ 3. 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;
4. 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;
5. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
6. 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;
7. The conveyance of land owned by a railroad or other public utility which does not involve any new
streets or easements of access;
8. 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;
9. Conveyances made to correct descriptions in prior conveyances;
10. The sale or exchange of parcels or tracts of land following the division into no 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;
11. 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;
12. This conveyance is of land described in the same manner as title was taken by grantor(s).


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



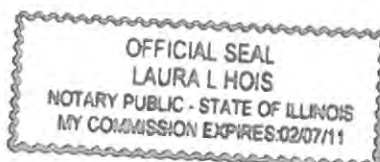
Signature of Affiant

SUBSCRIBED AND SWORN TO BEFORE ME

This 27 day of October 2009.



Signature of Notary Public





FORM NFP 110.30R (rev. Dec. 2003)

**ARTICLES OF AMENDMENT
 RESTATED ARTICLES
 OF INCORPORATION**

General Not For Profit Corporation Act

2010000014108

**DEBBIE
 GILLETTE**
 KENDALL COUNTY, IL

 RECORDED: 8/13/2010 2:27 PM
 CTF: 43.00 RHSPS FEE: 10.00
 PAGES: 8

 Jesse White, Secretary of State
 Department of Business Services
 Springfield, IL 62756
 Telephone (217) 782-1832
 www.cyberdriveillinois.com

FILED
JUL 29 2010
JESSE WHITE
SECRETARY OF STATE

 Remit payment in the form of a
 check or money order payable
 to the Secretary of State

File #

54972059

Filing Fee \$100.00

Approved

MDK

----- Submit in duplicate ----- Type or Print clearly in black ink ----- Do not write above this line -----

1. Corporate name (Note 1): Dickson Valley Corporation
2. Manner of adoption of amendment:
 The following amendment to the Articles of Incorporation was adopted on February 20, 2010 in the manner
 indicated below (Check one only):
 (Month, Day & Year)

✓

 By affirmative vote of a majority of the directors in office, at a meeting of the board of directors, in accordance
 with Section 110.15. (Note 2)

 By written consent, signed by all the directors in office, in compliance with Sections 110.15 and 108.45
 (Note 3)

 By members at a meeting of members entitled to vote by the affirmative vote of the members having not less
 than the minimum number of votes necessary to adopt such amendment, as provided by this Act, the articles
 of incorporation or the bylaws, in accordance with Section 110.20. (Note 4)

 By written consent signed by members entitled to vote having not less than the minimum number of votes
 necessary to adopt such amendment, as provided by this Act, the articles of incorporation, or the bylaws, in
 compliance with Sections 107.10 and 110.20. (Note 5)

- 3(a). List all provisions of the restated articles of incorporation that amend the existing articles of incorporation. (Attach
 additional pages if extra space is needed.)

By resolution of the Board of Directors on February 20, 2010, it was resolved that the original
 Articles of Incorporation of Dickson Valley Corporation dated February 18 1988 and amended
 January 23, 1989 be replaced with the attached Exhibit A

- 3(b). Text of the Restated Articles of Incorporation (Note 6)
 (Attach additional pages if extra space is needed.)

See attached Exhibit A

MD

WHEREAS: Dickson Valley Corporation was incorporated February 18th 1988 together with amendments adopted by the Board on January 1st, 1989 and filed with the Illinois Secretary of State on January 23rd 1989; and

WHEREAS: The Corporation's purpose was to manage the property known as Dickson Valley Camp and Retreat Center under an agreement with Metro Chicago Youth For Christ to operate the camp on a day-by-day basis; and

WHEREAS: After Metro Chicago Youth For Christ terminated a long-term lease, the Board of Directors of Dickson Valley Corporation continued to develop and manage the property and provide ministry to hundreds of churches each year through it's own staff and multifaceted programs; and

WHEREAS: The Board of Directors desired to update the Articles as amended to better reflect the ever-growing and strengthening ministry that is taking place with churches and other organizations and to better represent to the public our desire to see youth and adults come to a strong and personal relationship with Jesus Christ; and

WHEREAS: The Board wanted to include in the Articles statements that form and explain the biblical beliefs held by it's members and staff.

NOW THEREFORE, BE IT RESOLVED: That the Articles of Incorporation be amended and restated as attached in Exhibit A.

AND FURTHER RESOLVED: That such Amended and Restated Articles of Incorporation are to be duly filed with the Illinois Secretary of State and placed in the Records of the Corporation.

Dated: February 20, 2010

Location: Dickson Valley Camp and Retreat Center

EXHIBIT A
RESTATED ARTICLES OF INCORPORATION
OF
DICKSON VALLEY MINISTRIES

The following Restated Articles of Incorporation replace in their entirety the Articles of Incorporation of the Illinois Not for Profit Corporation originally named Dickson Valley Corporation dated February 18th 1988 together with amendments adopted by the Board on January 1st, 1989 and filed with the Illinois Secretary of State on January 23rd 1989.

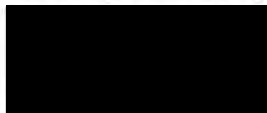
ARTICLE 1. The name of the Corporation is:

Dickson Valley Ministries

ARTICLE 2. Name and Address of Registered Agent and Registered Office in Illinois:

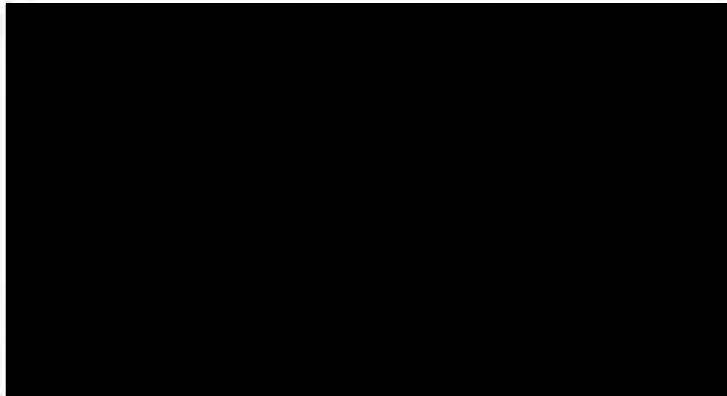
Registered agent: John Sessions Talley

Registered Office:



ARTICLE 3. The Board of Directors shall be 10 in number, their Names and Addresses being as follows:

George H. Williams, Jr.
Bill Seitz
Howard Duncan
Todd Walker
Vic Graham
Ed Brouch
Dr. Linda Duncan
Ward Kreigbaum
Jennifer King Soderquist
Jack Vandiver



ARTICLE 4. The purposes for which the Corporation is organized are:

Dickson Valley Ministries is the successor in name to Dickson Valley Corporation. Dickson Valley Corporation was, and its successor is, organized exclusively for charitable, educational and religious purposes within the meaning of section 501(c)(3) of the U.S. Internal Revenue Code of 1986. More specifically the Corporation seeks to bring individuals to a strong and personal relationship with Jesus Christ and His Word, through unique programs, services and partnerships that joyfully support and encourage the ongoing work of Christ in and through His Church.

Furthermore: This corporation is not a Condominium Association under the Condominium Property Act. This corporation is not a Cooperative Housing Corporation

4. The undersigned corporation has caused these articles to be signed by a duly authorized officer, who affirms, under penalties of perjury, that the facts stated herein are true. (All signatures must be in **BLACK INK**.)

Dated July 14 2010
 [Redacted Signature]
 (Any Authorized Officer's Signature)
HOWARD J. DUNCAN SECRETARY
 (Print Name and Title)

Dickson Valley Ministries
 (Exact Name of Corporation)

5. If there are no duly authorized officers, then the persons designated under Section 101.10(b)(2) must sign below and print name and title.
 The undersigned affirms, under penalties of perjury, that the facts stated herein are true.

Dated _____ (Month, Day & Year)

Signature

Print Name and Title

NOTES

Note 1: State the true and exact corporate name as it appears on the records of the Secretary of State, BEFORE any amendment herein reported.

Note 2: Directors may adopt amendments without member approval only when the corporation has no members, or no members entitled to vote pursuant to §110.15

Note 3: Director approval may be (1) by vote at a director's meeting (*either annual or special*) or (2) by consent, in writing, without a meeting.

Note 4: All amendments not adopted under Sec. 110.15 require (1) that the board of directors adopt a resolution setting forth the proposed amendment and (2) that the members approve the amendment.

Member approval may be (1) by vote at a members meeting (*either annual or special*) or (2) by consent, in writing, without a meeting.

To be adopted, the amendment must receive the affirmative vote or consent of the holders of at least 2/3 of the outstanding members entitled to vote on the amendment, (*but if class voting applies, then also at least a 2/3 vote within each class is required*).

The articles of incorporation may supersede the 2/3 vote requirement by specifying any smaller or larger vote requirement not less than a majority of the outstanding votes of such members entitled to vote and not less than a majority within each when class voting applies. (*Sec. 110.20*)

Note 5: When member approval is by written consent, all members must be given notice of the proposed amendment at least 5 days before the consent is signed. If the amendment is adopted, members who have not signed the consent must be promptly notified of the passage of the amendment. (*Sec. 107.10 & 110.20*)

Note 6: The text of the restated articles of incorporation must set forth the following:

(i) The date of incorporation, the name under which the corporation was incorporated, subsequent names, if any, that the corporation adopted pursuant to amendment of its articles of incorporation, and the effective date of any such amendments;

(ii) the address of the registered office and the name of the registered agent on the date of filing the restated articles of incorporation.

If the registered agent and/or registered office have changed, it will be necessary to accompany this document with form NFP 105.10.

To: Kendall County Planning, Building & Zoning Committee
Yorkville, Illinois 60560

Petitioner: Dickson Valley Ministries, DBA Dickson Valley Camp & Retreat Center
8250 Finnie Rd. Newark, IL 60541-9573 630-553-6233

Dickson Valley Ministries would like to request the adoption of a new long-range site plan. Since the last version of the site plan, which was approved in 2014, there has been a request to have a more detailed plan on record. The purpose and ministry of Dickson Valley has not changed since its inception, and the maximum capacity and overall scale of the camp has not increased since 2014.

This new site plan is an attempt to be more detailed in location of needs, and has included a few additional structures that were not considered in the previous version. The facility needs for certain programs is an always evolving consideration so this plan has tried to include even ideas which may not be needed as we attempt to use our current facility in the wisest possible ways.

Dickson Valley Camp & Retreat Center has served churches, ministries and public and private schools for almost 40 years. In 1988 the number of groups using Dickson Valley was 75 with about 2,000 people in attendance. In 2018 we were excited to serve around 140 groups and had almost 400 kids attend one of our 10 weeks of summer camp. Just over 7,000 people attended various programs at the camp during all months of the year. We continually give thanks for all the blessings God has provided and, as with any business, know that our location is one of those key provisions we are blessed with. Our setting in Kendall County, along the Fox River, has been key to our growth which has far outpace most other Christian camps our size. It was a generous gift from Homer and Alice Dickson of Yorkville that made this ministry possible and the ongoing relationships with the family that have helped it grow.

OVERVIEW OF OPERATION:

Dickson Valley Camp & Retreat Center is a twelve month, 365 day a year ministry. We partner with churches, ministries and public and private schools to help them run youth retreats, summer camps, outdoor education and other programs that can benefit from being in a remote natural setting. Our own Dickson Valley run day and resident camps have grown over the past few years and have provided great new relationships with kids and families in Kendall County. All individuals who attend Dickson Valley are a part of a programmed event and we are always making sure that each program supports our ministry purpose. More details of the ministries are available at www.dicksonvalley.com

HISTORY OF OWNERSHIP:

In 1983 the original Special Use Zoning was setup with Christian Camping International, US Division. That not-for-profit corporation worked with Metro Chicago Youth For Christ to develop the early stages of the camp and start it on its ministry growth.

In 1988 those organizations transferred ownership to the newly formed not-for-profit Dickson Valley Corporation formed from members of both previous organizations.

In 2011 an update to Dickson Valley Corporations founding documents included the name change to Dickson Valley Ministries with the DBA of Dickson Valley Camp & Retreat Center

DEVELOPMENT PLANNING DESIGN CRITERIA:

The board and staff of Dickson Valley have sought many professionals in the Christian camping field for input. We have used various methods to determine the maximum capacity of our property both physically and mainly programmatically. The natural setting is one of our primary assets; we desire to care for, and protect it.

- Locations for future development has been defined into "Development Zones" with no significant development planned for outside these areas.
- Youth ministry needs are continually changing, and long-term planning is at best just setting the framework for what will be needed. This site plan incorporates all possible ideas that can be dreamed of; all projects may not need to be completed.
- Final locations, sizes, and designs will be approved at the time of permitting seeking the appropriate approvals from the Illinois Department of Public Health, the Sandwich Fire Protection District, and the Kendall County Planning Building and Zoning Department.
- The design of all new buildings and structures is to fit into the natural setting, limiting the impact and the need for any extra landscaping.
- Lighting around camp is intentionally left low to reduce the impact on observing the night features. Most additional light is provided by individuals and eliminates intrusion on any neighbors.

SCOPE OF NEW LONG RANGE PLANS:

- Dickson Valley Camp & Retreat Center is not changing its stated purpose or programs but is submitting a more detailed site plan in an attempt to document future needs more completely.
- This site plan represents a long-range plan, no less than 10 years, and will be driven by available funds from donors who give financially to the ministry. Dickson Valley does not enter into long term debt to develop its property.
- The ministry desires to retain conditions stated in the previous special use major amendment, Ordinance #2014-05 dated 3/31/2014
 1. The property can be utilized all year long.
 2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
 3. The number of over-night campers shall be limited to no more than 350 at any one time.
 4. No more than 8 hook-ups for RV's.
 5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.
- One note of clarification on the conditional statement that total capacity is 350 "over-night campers." This number is inclusive of as many as 100 day-only campers during the summer.
- Additionally, the live-on-site staff needed in supporting the ministry is composed of;
 - as many as 6 full time, long-term families (currently 5),
 - as many as 24 single short-term(12-month program) staff,
 - and 64 seasonal(summer) staff

DICKSON VALLEY CAMP OVERALL LEGAL DESCRIPTION

THAT PART OF THE SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18 OF AFORESAID TOWNSHIP AND RANGE; THENCE SOUTH 1 DEGREE 07 MINUTES 54 SECONDS EAST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18, A DISTANCE OF 380.17 FEET; THENCE SOUTH 76 DEGREES 29 MINUTES 58 SECONDS EAST ALONG THE SOUTHERLY LINE OF THE PREMISES CONVEYED TO HARLEY B. HOBBS BY DEED DATED JANUARY 25, 1958 AND RECORDED JANUARY 29, 1958 IN DEED RECORD 118, PAGE 143 AS DOCUMENT #120930 A DISTANCE OF 3973.05 FEET FOR A POINT OF BEND IN SAID LINE; THENCE SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST ALONG SAID SOUTHERLY LINE A DISTANCE OF 33.60 FEET TO A POINT IN THE CENTER LINE OF FINNIE ROAD; THENCE CONTINUING SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 1377.07 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS EAST, A DISTANCE OF 1378.96 FEET; THENCE NORTH 48 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 659.61 FEET; THENCE NORTH 60 DEGREES 38 MINUTES 12 SECONDS EAST, A DISTANCE OF 98.54 FEET; THENCE NORTH 44 DEGREES 10 MINUTES 58 SECONDS EAST, A DISTANCE OF 455.16 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17 THAT IS LOCATED 346.63 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID NORTHWEST QUARTER OF SECTION 17; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID SOUTH LINE OF THE NORTHWEST QUARTER, A DISTANCE OF 346.63 FEET TO SAID SOUTHEAST CORNER; THENCE NORTH 01 DEGREES 32 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 1269.25 FEET TO THE CENTER LINE OF FINNIE ROAD; THENCE CONTINUING NORTH 01 DEGREE 32 MINUTES 37 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 1374.32 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 89 DEGREES 51 MINUTES 52 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1317.98 FEET TO A FOUND STONE MONUMENT; THENCE NORTH 89 DEGREES 38 MINUTES 22 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 840.82 FEET TO THE POINT OF INTERSECTION WITH THE CENTER LINE OF FINNIE ROAD; THENCE SOUTH 00 DEGREES 11 MINUTES 42 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 3.05 FEET TO THE POINT OF BEND IN SAID FINNIE ROAD AS PLATTED IN THE SUBDIVISION OF WEST MILLBROOK PHASE 2 RECORDED AS DOCUMENT NUMBER 883172 IN PLAT CABINET 3 OF PLATS AT SLOT 410B; THENCE SOUTH 46 DEGREES 26 MINUTES 12 SECONDS WEST, A DISTANCE OF 1130.89 FEET TO THE NORTHWEST CORNER OF SAID WEST MILLBROOK PHASE 2, SAID POINT BEING LOCATED ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE SOUTH 01 DEGREES 34 MINUTES 26 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 1862.29 FEET TO THE CENTER OF SAID SECTION 17; THENCE SOUTH 01 DEGREES 12 MINUTES 58 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17 AND THE WEST LINE OF SAID WEST MILLBROOK PHASE 2, A DISTANCE OF 514.33 FEET TO THE NORTHERLY BANK OF THE FOX RIVER; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY BANK OF THE FOX RIVER, A DISTANCE OF 2346.73 FEET MORE OR LESS TO A LINE DRAWN SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 66 DEGREES 02 MINUTES 58 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 1001.65 FEET TO THE POINT OF BEGINNING ALL IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.



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: Dickson Valley Ministries **Contact Person:** Mark Caldwell
Address: 8250 Finnie Rd 8250 Finnie Rd
City, State, Zip: Newark, IL 60541 Newark, IL 60541
Phone Number: (630) 553-6233 [REDACTED]
Email: [REDACTED] mark@dicksonvalley.com

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

Site Location & Proposed Use

Township Name Fox **Township** 36N **N, Range** 6E **E, Section(s)** 17
Parcel Index Number(s) 04-17-100-002, 04-17-300-002, 04-17-300-007
Project or Subdivision Name _____ **Number of Acres** 160
Current Use of Site Year-Round Youth Camp **Proposed Use** Same, no changes
Proposed Number of Lots _____ **Proposed Number of Structures** 20+
Proposed Water Supply Well **Proposed type of Wastewater Treatment** Covered septic field
Proposed type of Storm Water Management Natural

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: Kendall County

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 \$ 75.00 *Review letter*

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.

[REDACTED]
Petitioner or Authorized Agent

Executive Director

3/18/19

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# 1905 Date initially rec'd 3/14/19 Date all rec'd _____ Board Meeting April 8, 2019
 Fee Due \$ 75.00 Fee Paid \$ 75.00 Check # 4277 Over/Under Payment _____ Refund Due _____



Applicant: Dickson Valley Ministries
Contact: Mark Caldwell
Address: 8250 Finnie Rd.
 Newark, IL 60541

IDNR Project Number: 1908785
Date: 03/14/2019

Project: 2019 Long Range Plan
Address: 8250 Finnie Rd, Newark

Description: Updated site plan to include development of day and resident camp activities and facilities.

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:

Dixon Valley Sedge Meadow INAI Site
 Fox River INAI Site
 Dickson Sedge Meadow Natural Heritage Landmark
 River Redhorse (*Moxostoma carinatum*)

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:

36N, 6E, 8
 36N, 6E, 17



IL Department of Natural Resources

Contact

Justin Dillard
 217-785-5500
 Division of Ecosystems & Environment

Government Jurisdiction

Kendall County Dept. of Planning, Building &
 Zonin
 Matt Asselmeier
 111 West Fox Street
 Yorkville, Illinois 60560 -9999

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: 1908785

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: 1908785

**EcoCAT Receipt****Project Code** 1908785**APPLICANT****DATE**

Dickson Valley Ministries
 Mark Caldwell
 8250 Finnie Rd
 Newark, IL 60541

3/14/2019

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



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

JB Pritzker, Governor

Colleen Callahan, Director

March 18, 2019

Mark Caldwell
Dickson Valley Ministries
8250 Finnie Rd.
Newark, IL 60541 9573

RE: 2019 Long Range Plan
Project Number(s): 1908785
County: Kendall

Dear Applicant:

This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 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.

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
Division of Ecosystems and Environment
217-785-5500

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 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.

Dickson Valley Ministries is formed only for the purpose to benefit the community, and has proved to be a very safe and people focused organization

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.

Dickson Valley has had great relationships with all neighbors, never causing any negative situations and quit often benefiting neighbors with the use of the land and resources.

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

Of the 160 acres of mostly wooded land, only about 25% has been developed, leaving a lot of great natural resources. The township road has been updated and has always proved adequate for our traffic and still is a seldom traveled road.

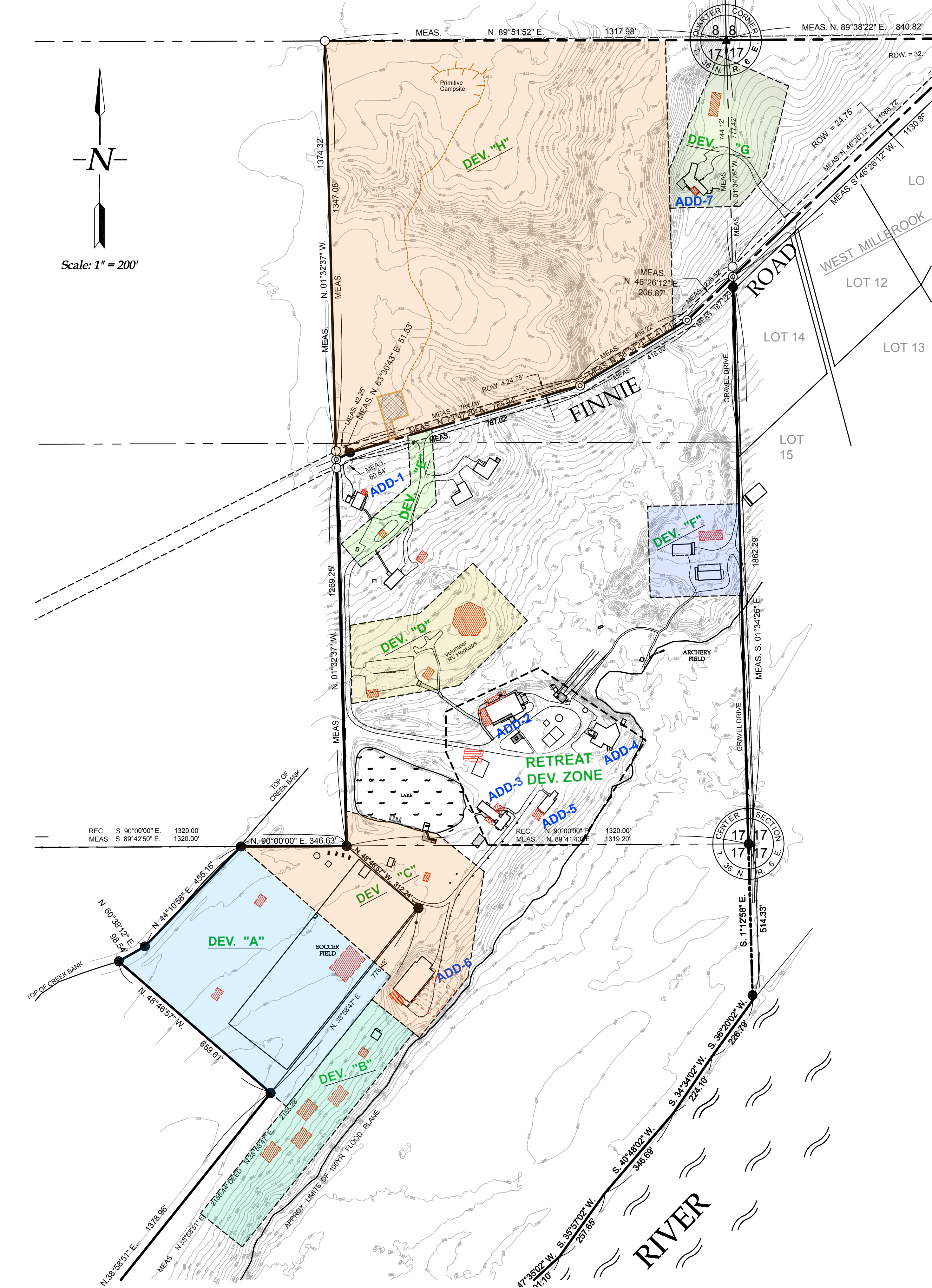
That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer.

Dickson Valley has had 30+ years in the county with no problems in following regulations.

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.

Dickson Valley has worked with many local agencies on resource management and other plans and continues to follow through and work within them.

DICKSON VALLEY LONG-RANGE SITE PLAN



REV. MAR 5, 2019

04-17-100-002 "Acorn" property, north of Finnie Rd
04-17-300-002 Main Camp Property
04-17-300-007 Sports field/day camp addition (10acres)
Total: 160acres

OWNER/DEVELOPER
Dickson Valley Ministries
8250 Finnie Rd
Newark, IL 60541
630-553-6233
C/O Mark Caldwell, Executive Director
mark@dicksonvalley.com

- SCOPE OF DEVELOPMENT**
- Dickson Valley Camp & Retreat Center is not changing its stated purpose or programs but is submitting a more detailed site plan in an attempt to document future needs more completely.
 - This site plan represents a long-range plan, no less than 10 years, and will be driven by available funds from donors who give financially to the ministry. Dickson Valley does not enter into long term debt to develop its property.
 - The ministry desires to retain conditions stated in the previous special use major amendment, Ordinance #2014-05 dated 3/31/2014
 1. The property can be utilized all year long.
 2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
 3. The number of over-night campers shall be limited to no more than 350 at any one time.
 4. No more than 8 hook-ups for RV's.
 5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.
 - One note of clarification on the conditional statement that total capacity is 350 "over-night campers." This number is inclusive of as many as 100 day-only campers during the summer.
 - Additionally, the live-on-site staff needed in supporting the ministry is composed of;
 - as many as 6 full time, long-term families (currently 5),
 - as many as 24 single short-term (12-month program) staff,
 - and 64 seasonal (summer) staff

- DESIGN CRITERIA**
- The board and staff of Dickson Valley have sought many professionals in the Christian camping field for input. We have used various methods to determine the maximum capacity of our property both physically and mainly programmatically. The natural setting is one of our primary assets; we desire to care for, and protect it.
 - Locations for future development has been defined into "Development Zones" with no significant development planned for outside these areas.
 - Youth ministry needs are continually changing, and long-term planning is at best just setting the framework for what will be needed. This site plan incorporates all possible ideas that can be dreamed of; all projects may not need to be completed.
 - Final locations, sizes, and designs will be approved at the time of permitting seeking the appropriate approvals from the Illinois Department of Public Health, the Sandwich Fire Protection District, and the Kendall County Planning Building and Zoning Department.
 - The design of all new buildings and structures is to fit into the natural setting, limiting the impact and the need for any extra landscaping.
 - Lighting around camp is intentionally left low to reduce the impact on observing the night features. Most additional light is provided by individuals and eliminates intrusion on any neighbors.

- DEVELOPMENT ZONE A; DAY CAMP AREA**
- Multipurpose Field-house
 - No more than a total of 12,000 sq.ft. under roof,
 - Capacity for meetings and activities up to 250 campers year-round,
 - Some sections could be open-air activity areas,
 - Various freestanding decks for small groups or activities
 - Open air Camper pavilion #1, capacity 50, up to 2,000 sq.ft.
 - Open air Camper Pavilion #2, capacity 50, up to 2,000 sq.ft.
 - Day camp specific activities
 - Water activity, i.e., splash pad, or wading fountain
 - Up to 50,000 sq.ft. of combined septic field serving all new restrooms

- DEVELOPMENT ZONE B; RESIDENT CAMP AREA**
- 4 year-round camper cabins
 - No more than 2,500 sq.ft. each
 - total housing = 20 each
 - 1 additional summer staff cabin
 - No more than 2,000 sq.ft.
 - total housing = 14

- DEVELOPMENT ZONE C; ACTIVITY AREA**
- An outdoor high ropes course
 - By Sky-tracks or similar
 - Mini golf course
 - Ice rink pavilion
 - Free standing decks for small groups
 - 1 additional summer staff cabin
 - No more than 2,000 sq.ft.
 - total housing = 14

- DEVELOPMENT ZONE D; ENTRANCE PARKING**
- Welcome pavilions for day camp
 - Chapel in the Woods, seating up to 350
 - Camper check-in area
 - Volunteer RV hook-ups
 - Consideration of freestanding office structure

- DEVELOPMENT ZONE E; ENTRANCE DRIVE**
- Gatehouse for a controlled entrance
 - 6 bay staff lodge garage, near Whitaker Lodge, just outside the zone
 - Upgrade driveway and entrance
 - Keep lighted sign, upgrade landscaping

- DEVELOPMENT ZONE F; MAINTENANCE AREA**
- New shop not to exceed 8,000 sq.ft.
 - Removal of the old shop or remodel into storage

- DEVELOPMENT ZONE G; ACORN LODGE SITE**
- Separate activities pavilion and activities
 - Separate program/meeting building

- DEVELOPMENT ZONE H; NORTH ACTIVITY AREAS**
- Primitive campsites, no permanent structures, parking area off of Finnie Rd
 - High climbing tower
 - Zip lines
 - Misc. team activities
 - A pedestrian walkway over/under/across Finnie Rd

- RETREAT DEVELOPMENT ZONE**
- Water filtration station, possible new structure or addition to existing well
 - New building for recreation room, snack shop, host offices
 - Additions and remodels noted for each building below:

- #1 ADDITIONS, DIRECTOR'S LODGE**
- Addition of 14' x 18' dining room addition
 - The current structure is 126' offset from the road

- #2 ADDITIONS, CHROUSER LODGE**
- Options for an addition for dining space to the North or West
 - Increase seating from 200-250
 - Lower level of addition could included offices or meeting space
 - Upgrade kitchen equipment as needed

- #3 ADDITIONS, DICKSON LODGE**
- Addition of meeting space to accommodate 80-100
 - Addition of two separate "leaders" rooms with restrooms
 - Remodel and add-on to program office for camp store

- #4 ADDITIONS, OULUND CHALET**
- Remodeling of the upper level to improve housing space
 - Remodeling of restrooms

- #5 ADDITIONS, SILVER FOX LODGE**
- Addition for new restrooms
 - Addition for four separate "leaders" rooms with restrooms

- #6 ADDITIONS, SPORTS CENTER**
- South addition for upgraded activities
 - Remodels to restrooms
 - Exterior development of high ropes course or similar

- #7 ADDITIONS, ACORN LODGE**
- Remodel of the current lodge for updated plumbing and housing
 - Additions to lodge for possible staff housing and extra space

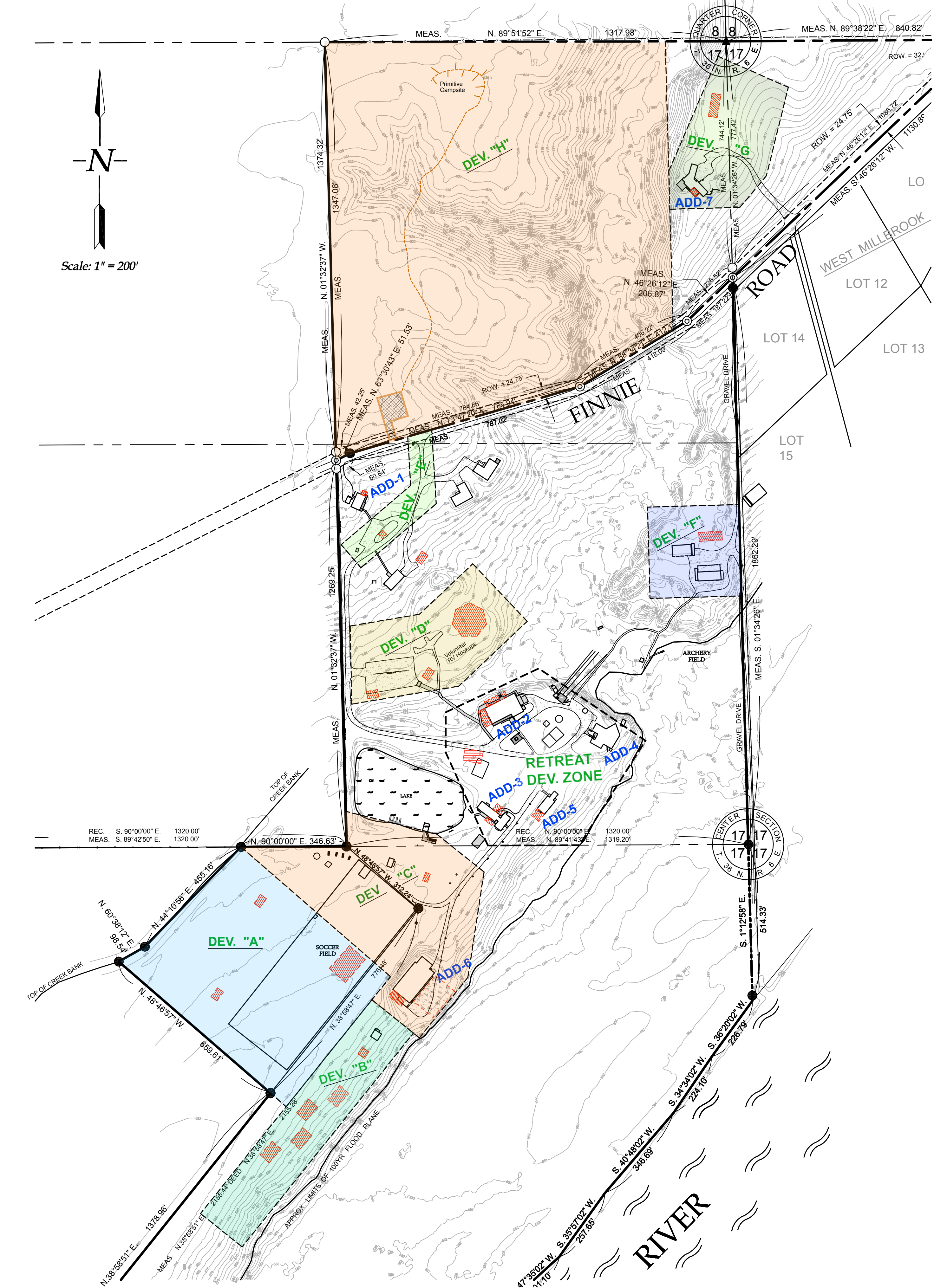
rbac

RB & ASSOCIATES
CONSULTING, INC

4 W MAIN STREET
PLANO, IL 60545
(630) 552-7452

DESIGN FIRM #
184-004475
www.rb-associates.net

DICKSON VALLEY LONG-RANGE SITE PLAN



This updated site plan has been produced to add more clarity to the site plan that was submitted in 2014.

This plan has all existing structures (in black), plus the additional projects (in red) needed to grow to an anticipated capacity of only 21%, or 1,500 people, above the 2014 usage of 7,100 people per year.

Only a few of these projects were not included in the 2014 overall plan, noted as **[New]** in this description.

CURRENT MINISTRY STATUS :

- Dickson Valley Ministries has been operating a year-round youth camp and retreat center in Kendall County, Fox township, for nearly 40 years.
- In 1988 Dickson Valley served 2,300 people per year and by 2014 had grown over 300% to where it served 7,100 people that year with retreats, summer resident camps and day camps.
- The current number of staff living on-site includes 5 full-time long-term families. Also 2-3 full-time short-term staff, and 25 seasonal summer staff.

SCOPE OF FUTURE DEVELOPMENT

- Dickson Valley Camp & Retreat Center is not changing its stated purpose or programs but is submitting a more detailed site plan in an attempt to document future needs for more clarity.
- This site plan represents a long-range plan of no less than 10 years, and will be driven by available funds from donors who give financially to the ministry. Dickson Valley does not enter into long term debt to develop its property.
- Future ministry growth will increase staff to 1 additional full-time long-term family, an additional 25-30 full time short-term staff, and an additional 40 seasonal summer staff.
- The ministry desires to retain conditions stated in the previous special use major amendment, Ordinance #2014-05 dated 3/31/2014, and ONLY add more clarity to the ordinance attached site plan.
 1. The property can be utilized all year long.
 2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
 3. The number of over-night campers shall be limited to no more than 350 at any one time.
 4. No more than 8 hook-ups for RV's.
 5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

DESIGN CRITERIA

- The board and staff of Dickson Valley have sought many professionals in the Christian camping field for input. We have used various methods to determine the maximum capacity of our property(21% above current usage) both physically and programmatically. The natural setting is one of our primary assets; we desire to care for, and protect it.
- Locations for future development has been defined into "Development Zones" with no significant development planned for outside these areas.
- Youth ministry needs are continually changing, and long-term planning is at best just setting the framework for what will be needed. This site plan incorporates all current foreseen needs; all projects may not need to be completed.
- Final locations, sizes, and designs will be approved at the time of permitting seeking the appropriate approvals from the Illinois Department of Public Health, Kendall County Public Health Department, the Sandwich Fire Protection District, and the Kendall County Planning Building and Zoning Department.
- The design of all new buildings and structures is to fit into the natural setting, limiting the impact and the need for any extra landscaping.
- Lighting around camp is intentionally left low to reduce the impact on observing night features. Most additional light is provided by individuals and eliminates intrusion on any neighbors.

NEW DEVELOPMENT:

DEVELOPMENT ZONE A; DAY CAMP AREA

- Multipurpose Field-house
- Various freestanding decks for small groups or activities
- At least 2 open air camper pavilion
- Day camp specific activities
- Water activity similar to splash pad, or wading fountain
- combined septic field serving all new restrooms

DEVELOPMENT ZONE B; RESIDENT CAMP AREA

- [4 New]** 5 year-round camper cabins

DEVELOPMENT ZONE C; ACTIVITY AREA

- An outdoor high ropes course
- Mini golf course
- Ice rink pavilion
- Free standing decks for small groups
- 1 year-round camper cabin

DEVELOPMENT ZONE D; ENTRANCE PARKING

- Welcome pavilions for day camp
- Chapel in the Woods
- Camper check-in area
- Volunteer RV hook-ups
- Possible new office building site

DEVELOPMENT ZONE E; ENTRANCE DRIVE

- [New]** Gatehouse for a controlled entrance
- Multi-bay staff lodge garage, near Whitaker Lodge, just outside the zone
- Upgrade driveway and entrance
- Keep lighted sign, upgrade landscaping

DEVELOPMENT ZONE F; MAINTENANCE AREA

- New shop
- Removal or remodel of existing shop

DEVELOPMENT ZONE G; ACORN LODGE SITE

- Separate activities pavilion and activities
- Separate program/meeting building

DEVELOPMENT ZONE H; NORTH ACTIVITY AREAS

- Primitive non-public campsites, no permanent structures, parking area off of Finnie Rd
- Experiential activities similar to but not limited to, climbing tower(s), zip line(s), team activities, high ropes course
- A pedestrian walkway over/under/across Finnie Rd

RETREAT DEVELOPMENT ZONE

- Water filtration building or addition to existing well and well house
- [New]** New building for recreation room, snack shop, host offices
- Additions and remodels noted for each building below:

#1 ADDITIONS, DIRECTOR'S LODGE

- Addition to north end of building
- The current structure is 126' offset from the road

#2 ADDITIONS, CHROUSER LODGE

- Addition for dining space increase to the North or West

#3 ADDITIONS, DICKSON LODGE

- Addition of meeting space
- Addition of at least two "leaders" rooms with restrooms
- Remodel and add-on to program office for camp store

#4 ADDITIONS, OULUND CHALET

- Remodeling improve housing spaces
- Remodeling of restrooms

#5 ADDITIONS, SILVER FOX LODGE

- Addition for new restrooms
- Addition for added housing

#6 ADDITIONS, SPORTS CENTER

- South addition for upgraded activities
- Remodels to restrooms
- Exterior development of high ropes course or similar

#7 ADDITIONS, ACORN LODGE

- Remodel of the current lodge for updated plumbing and additional housing

04-17-100-002 "Acorn" property, north of Finnie Rd
04-17-300-002 Main Camp Property
04-17-300-007 Sports field/day camp addition (10acres)
Total: 160acres

OWNER/DEVELOPER
Dickson Valley Ministries
8250 Finnie Rd
Newark, IL 60541
630-553-6233
C/O Mark Caldwell, Executive Director
mark@dicksonvalley.com



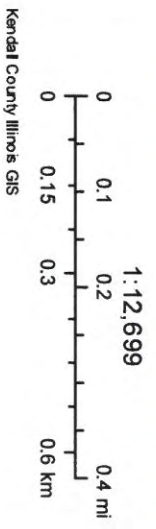
RB & ASSOCIATES
CONSULTING, INC
4 W MAIN STREET
PLANO, IL 60545
(630) 552-7452
DESIGN FIRM #
184-004475
www.rb-associates.net

Attachment 3-Aerial



March 25, 2019

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





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GILLETTE
KENDALL COUNTY, IL

RECORDED: 3/31/2014 11:34 AM
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State of Illinois
County of Kendall

Zoning Petition
#14-02

ORDINANCE # 2014 - 05

**GRANTING A MAJOR AMENDMENT TO A SPECIAL USE FOR
DICKSON VALLEY MINISTRIES AT 8250 FINNIE ROAD**

Mailed to and Prepared by:
Angela Zubko
111 West Fox Street Rm. 203
Yorkville, IL 60543

SEAL



Subscribed and sworn to before me
This 31st day of March, 2014



Angela Zubko
Kendall County Planning & Zoning Manager



Notary Public

State of Illinois
County of Kendall

Zoning Petition
#14-02

ORDINANCE NUMBER 2014 - 65

**GRANTING A MAJOR AMENDMENT TO A SPECIAL USE FOR
DICKSON VALLEY MINISTRIES AT 8250 FINNIE ROAD**

WHEREAS, Dickson Valley Ministries dba of Dickson Valley Camp and Retreat Center has filed a petition for a major amendment to their Special Use within the A-1 Agricultural Zoning District for a 161 acre property located On the north & south side of Finnie Road, 0.8 miles south of Finnie & Rogers Road, commonly known as 8250 Finnie Road, (PIN# 04-17-100-002, 04-17-300-002 & 04-17-300-007), in Fox Township; and

WHEREAS, said property is currently zoned A-1 Agricultural with an existing Special Use for operation for a camp and retreat center; and

WHEREAS, said petition is to amend their existing special use permit to continue operation of their camp and retreat center and add 51.74 acres and modify their site plan; and

WHEREAS, during the 1974 Countywide rezoning the County Board of Kendall County, Illinois rezoned this property to A-1SU for non-profit camping uses; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request for a special use for a Christian Youth Camp for 108 acres as Ordinance 1983-17 on December 13, 1983; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request to amend the site plan to include a dining and meeting hall north of the original site plan and expand the bath house and chapel as Ordinance 2000-17A & 2000-24 on June 20, 2000; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request for a lighted sign at the camp entrance with conditions as Ordinance 2002-12 on May 21, 2002; and

WHEREAS, said property is legally described as:

PARCEL 1:

THAT PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE WEST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER 1319 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF SAID NORTHWEST QUARTER; THENCE SOUTH ALONG THE WEST LINE OF THE EAST HALF OF SAID NORTHWEST QUARTER 1376.78 FEET TO THE CENTER LINE OF A ROAD RUNNING NORTHEASTERLY AND SOUTHWESTERLY THROUGH SAID NORTHWEST QUARTER; THENCE NORTHEASTERLY ALONG SAID CENTER LINE TO THE EAST LINE OF SAID NORTHWEST QUARTER; THENCE NORTH ALONG SAID EAST LINE 778 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF FOX, KENDALL COUNTY,

State of Illinois
County of Kendall

Zoning Petition
#14-02

ILLINOIS; ALSO THAT PART OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH ALONG THE WEST LINE OF SAID NORTHEAST QUARTER 11.70 CHAINS (772.2 FEET) TO THE CENTER LINE OF A ROAD; THENCE NORTHEASTERLY ALONG SAID CENTER LINE TO THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE WEST ALONG SAID NORTH LINE 12.63 CHAINS (833.58 FEET) TO THE POINT OF BEGINNING, CONTAINING 42.59 ACRES MORE OR LESS, IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE WEST HALF OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH 01 DEGREES 07 SECONDS 54 MINUTES EAST ALONG THE WEST LINE OF SAID SECTION 18, A DISTANCE OF 380.17 FEET; THENCE SOUTH 76 DEGREES 29 MINUTES 58 SECONDS EAST, A DISTANCE OF 4010.24 FEET; THENCE SOUTH 66 DEGREES 02 MINUTES 58 MINUTES EAST, A DISTANCE OF 33.6 FEET TO THE CENTER LINE OF FINNIE ROAD; THENCE SOUTH 66 DEGREES 02 MINUTES 58 MINUTES EAST, A DISTANCE OF 1377.07 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS EAST, A DISTANCE OF 1378.96 FEET; THENCE NORTH 48 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 659.61 FEET; THENCE NORTH 60 DEGREES 38 MINUTES 12 SECONDS EAST, A DISTANCE OF 98.54 FEET; THENCE NORTH 44 DEGREES 10 MINUTES 58 MINUTES EAST, A DISTANCE OF 455.16 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 90 DEGREES EAST, A DISTANCE OF 346.63 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 01 DEGREES 14 MINUTES 05 SECONDS WEST ALONG THE WEST LINE OF SAID QUARTER/QUARTER SECTION A DISTANCE OF 1269.52 FEET TO THE CENTER LINE OF FINNIE ROAD; THENCE NORTH 63 DEGREES 32 MINUTES 29 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 51.54 FEET; THENCE NORTH 73 DEGREES 54 MINUTES 02 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 785.94 FEET; THENCE NORTH 57 DEGREES 52 MINUTES 02 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 459.76 FEET; THENCE NORTH 46 DEGREES 37 MINUTES 32 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 158.96 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE SOUTH 01 DEGREES 16 MINUTES 00 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 1864.30 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE SOUTH 01 DEGREES 12 MINUTES 58 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 513.64 FEET TO THE WESTERLY BANK OF THE FOX RIVER; THENCE SOUTH 36 DEGREES 20 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 227.1 FEET; THENCE SOUTH 34 DEGREES 34 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 224.1 FEET; THENCE SOUTH 40 DEGREES 48 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 346.69 FEET; THENCE SOUTH 35 DEGREES 57 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 257.65 FEET; THENCE SOUTH 47 DEGREES 35 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 201.1 FEET; THENCE SOUTH 46 DEGREES 16 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 256.45 FEET; THENCE SOUTH 44 DEGREES 58 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 415.78 FEET; THENCE SOUTH 39 DEGREES 20 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 424.92 FEET TO A POINT ON A LINE DRAWN SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 66 DEGREES 02 MINUTES 58 SECONDS WEST 1001.65 FEET TO THE POINT OF BEGINNING CONTAINING 118.00 ACRES

State of Illinois
County of Kendall

Zoning Petition
#14-02

ALL IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on March 3, 2014; and

WHEREAS, the findings of fact were approved as follows:

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **Dickson Valley Ministries is formed only for the purpose to benefit the community, and has proved to be a very safe and people focused organization.***

*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. **Dickson Valley has had great relationships with all neighbors, never causing any negative situations and quite often benefiting neighbors with the use of the land and resources.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **Of the 160 acres of mostly wooded land, only about 25% has been developed, leaving a lot of great natural resources. The township road has been updated and has always proved adequate for our traffic and still is a seldom traveled road.***

*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. **Dickson Valley has had 30+ years in the county with no problems in following regulations.***

*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. **Dickson Valley has worked with many local agencies on resource management and other plans and continues to follow through and work within them.***

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

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

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby repeals Kendall

State of Illinois
County of Kendall

Zoning Petition
#14-02

County Ordinances #02-12, #00-24, #00-17A & #83-17 in their entirety and grants approval of a major amendment to their existing special use zoning permit to continue operation of their camp and retreat center at 8250 Finnie Road in accordance to the submitted Site Plan included as "Exhibit A" attached hereto and incorporated herein subject to the following conditions:

1. The property can be utilized all year long.
2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
3. The number of over-night campers shall be limited to no more than 350 at any one time.
4. No more than 8 hook-ups for RV's.
5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on March 19th, 2014.

Attest:



Debbie Gillette
Kendall County Clerk


John Shaw
Kendall County Board Chairman

**EXISTING STRUCTURES:**

1. Acorn Lodge
2. Director's Lodge
3. Whitaker Lodge
4. Maintenance 1
5. Maintenance 2
6. Chrouser Dining Hall
7. Oulund Chalet
8. Silver Fox Lodge
9. Dickson Dorm
11. Picnic Pavilion
12. 2 Camper Cabins
13. Sports Center

DEVELOPMENT PLANS:

- A. Remote Rustic Camp (no structures)
- B. Remote Camp Parking
- C. 2 Year-Round Lodges
- D. Chapel Pavilion
- E. New Road
- F. Day Camp Parking
- G. 4 Camper Cabins, 4 season
- H. Day Camp Restrooms & Pavilion

* Also Various Remodels and Small Additions to Upgrade Existing Structures

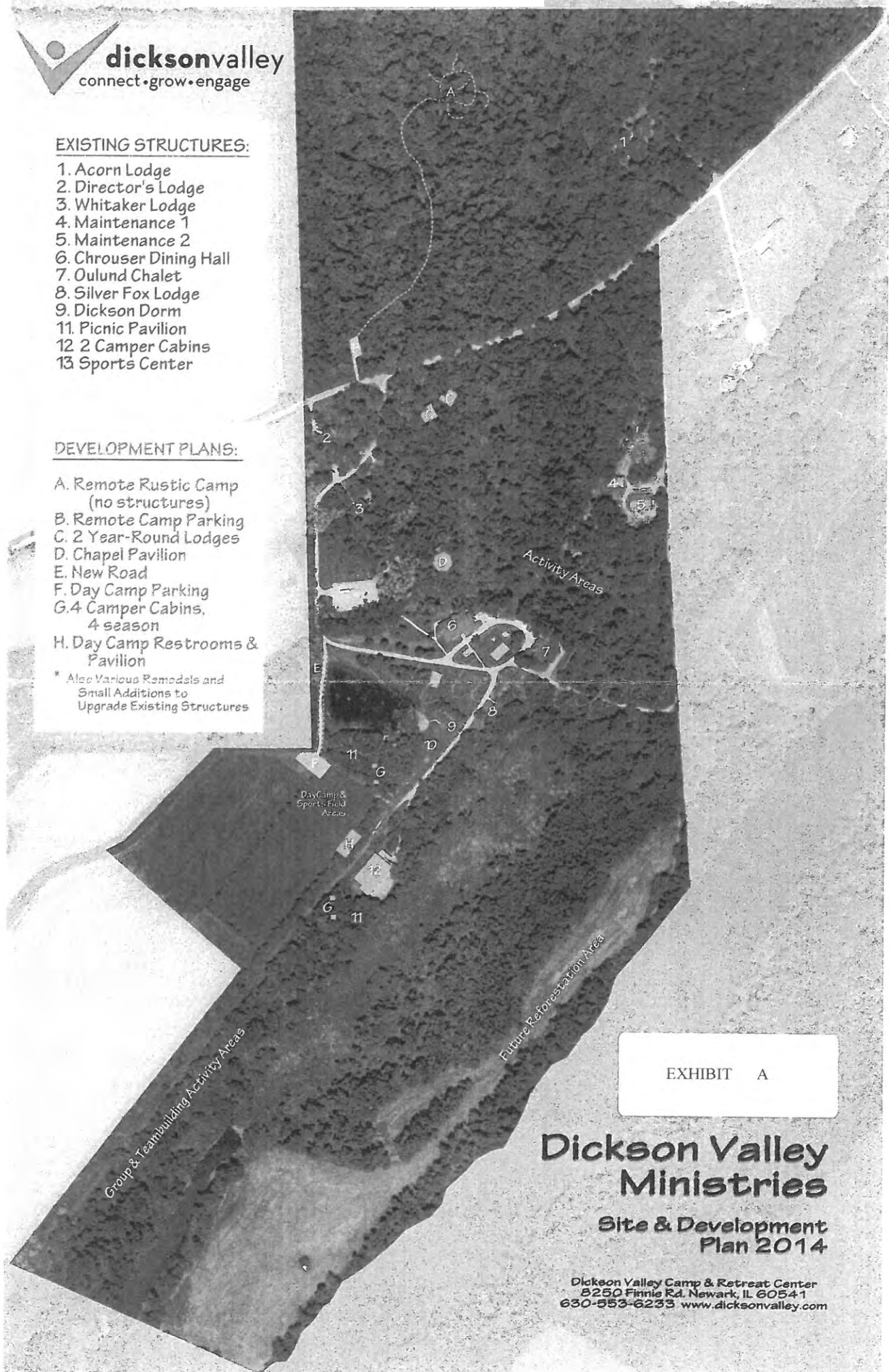


EXHIBIT A

Dickson Valley Ministries

Site & Development Plan 2014

Dickson Valley Camp & Retreat Center
8250 Finnie Rd. Newark, IL 60541
630-553-6233 www.dicksonvalley.com





























**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
April 2, 2019 – Unapproved Meeting Minutes**

PBZ Committee Chairman Matthew Prochaska called the meeting to order at 9:00 a.m.

Present:

Megan Andrews – Soil and Water Conservation District (Arrived at 9:03 a.m.)
Matt Asselmeier – PBZ Department
Meagan Briganti – GIS
David Guritz – Forest Preserve (Arrived at 9:05 a.m.)
Deputy Commander Mitchell Hattan – Sheriff's Department
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Aaron Rybski – Health Department
Matthew Prochaska – PBZ Committee Chair

Absent:

Greg Chismark – WBK Engineering, LLC

Audience:

Mark Caldwell, Adam Theis, and JoAnn Bright-Theis

AGENDA

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

MINUTES

Mr. Hattan made a motion, seconded by Mr. Klaas, to approve the March 5, 2019, meeting minutes. With a voice vote of all ayes, the motion carried unanimously.

PETITIONS

Petition 19-11 Mark Caldwell on Behalf of Dickson Valley Ministries – Major Amendment to a Special Use Permit by Repealing and Replacing Their Approved Site Plan at 8250 Finnie Road in Fox Township

Mr. Asselmeier summarized the request.

The subject property is approximately one hundred sixty (160) acres in size and has a special use permit for a youth camp and retreat center. The use at the subject property was originally established in 1971. The subject property was zoned A-1 with a special use permit for a youth camp and retreat center following the 1974 Countywide rezoning.

Ms. Andrews arrived at this time (9:03 a.m.).

The existing zoning regulations on the property were established by Ordinance 2014-05. This ordinance repealed several pre-existing ordinances and combined the conditions and restrictions placed upon Dickson Valley Ministries into one (1) ordinance. The restrictions placed on the special use permit were:

1. The property can be utilized all year long.
2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
3. The number of over-night campers shall be limited to no more than 350 at any one time.
4. No more than 8 hook-ups for RV's.
5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

Ordinance 2014-05 also included a site plan, which the Petitioner wishes to amend.

The Petitioner desires the update to their existing site plan in order to meet their needs. The long-range plan will take no less than ten (10) years and will occur as funding allows.

Mr. Guritz arrived at this time (9:05 a.m.)

The proposed changes are as follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) "overnight campers." This number is inclusive of as many as one hundred (100) day-only campers during the summer.
2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).
3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.
4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house with no more than a total of twelve thousand square feet (12,000 sq. ft.) under roof. The capacity for meetings and activities for up to two hundred fifty (250) campers year-round with some sections for open air activities. The plan also calls for various freestanding decks for small groups or activities, two (2) open air camper pavilion areas with maximum capacity of fifty (50) people each at two thousand square feet (2,000 sq. ft.) in size. The area will also host day camp activities, including water activities (i.e. splash pad, or wading fountain). The fifty thousand square feet (50,000 sq. ft.) of combined septic field serving all new restrooms will also be located in this area. A picture of the Development A is included as Attachment 5.
5. Development B, Resident Camp Area, shall consist of four (4) year-round camper cabins of no more than two thousand five hundred square feet (2,500 sq. ft.) each for total house of twenty (20) persons per cabin. There will be one (1) additional summer staff cabin at two thousand square feet (2,000 sq. ft.). A picture of Development B is included as Attachment 6.
6. Development C, Activity Area shall consist of an outdoor high ropes course, by sky-tracks or similar, mini golf course, ice rink pavilion, free standing decks for small groups and one (1) summer staff cabin of no more than two thousand square feet (2,000 sq. ft.) A picture of Development C is included as Attachment 7.
7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods with seating up to three hundred fifty (350), camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area. A picture of Development D is included as Attachment 8.
8. Development E, Entrance Drive, shall consist of a gatehouse for a controlled entrance and a six (6) bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated. A picture of Development E is included as Attachment 9.
9. Development F, Maintenance Area, shall consist of a new shop not to exceed eight thousand square feet (8,000 sq. ft.) and removal of the old shop or remodel the old shop into storage.
10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building. A picture of Development G is included as Attachment 10.
11. Development H, North Activity Area, shall consist of primitive campsites, no permanent structures, a parking area off of Finnie Road, high climbing tower, zip lines, miscellaneous team activities and a pedestrian walkway over/under/across Finnie Road.
12. The Retreat Development Zone shall consist of a water filtration station, including possible new structures or addition to the existing well. A new building for recreation room, snack shop, and host offices are also planned for this zone.

13. Addition 1, Director's Lodge, shall consist of a fourteen foot by eighteen foot (14' x 18') dining room addition. The current structure is one hundred twenty-six feet (126') offset from the road and the addition may encroach no more than an additional three feet (3'). A picture of Addition 1 is included as Attachment 11.
14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west, which will increase seating from two hundred (200) to two hundred fifty (250). A lower level of addition could include offices or meeting space and the kitchen will be upgraded as needed. A picture of Addition 2 is included as Attachment 12.
15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces to accommodate eighty to one hundred (80-100) people, an addition of two (2) separate "leaders" rooms with restrooms, and remodel and add-on to program office for camp store. A picture of Addition 3 is included as Attachment 13.
16. Addition 4, Oulund Chalet, shall consist of remodeling of the upper level to improve housing space and remodeling of restrooms. A picture of Addition 4 is included as Attachment 14.
17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition for four (4) separate "leaders" rooms with restrooms. A picture of Addition 5 is included as Attachment 15.
18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar. A picture of Addition 6 is included as Attachment 16.
19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing and Additions to lodge for possible staff housing and extra space. A picture of Addition 7 is included as Attachment 17.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

The future land use map calls for this area to be agricultural, open space, and countryside residential. The adjacent zoning districts are A-1 and R-1. Zoning within one half (1/2) mile are A-1 and R-1.

Finnie Road is considered a scenic route and no trails are planned in the area.

There are floodplains and wetlands on the property. None of the proposed development is occurring in the floodplain or wetlands.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Dixon Valley Sedge Meadow INAI Site, Fox River INAI Site, Dickson Sedge Meadow Natural Heritage Landmark, and River Redhorse (*Moxostoma carinatum*). Negative impacts to the above are considered unlikely and consultation was terminated.

The Petitioner submitted an application for NRI.

Petition information was sent to Fox Township on March 26, 2019.

Petition information was sent to the Village of Millbrook on March 26, 2019.

Petition information was sent to the Sandwich Fire Protection District on March 26, 2019.

Any new buildings would have to meet applicable building codes.

As noted on the proposed site plan, lighting will be intentionally left low.

The subject property is heavily wooded. As noted on the proposed site plan, the Petitioner considers the natural landscape important to their operations.

Stormwater permits will be required as the proposal is implemented and will be reviewed on a project-by-project basis.

The Petitioner proposes to make adjustments to their wells and septic systems. These changes will be evaluated as the proposal is implemented. Electricity is already onsite.

Before issuing a recommendation, Staff would like consultation with ZPAC members, the Fox Township Highway Commissioner, and the Sandwich Fire Protection District regarding any concerns to the public health and safety they may possess.

Mr. Rybski asked if more employees will be added onsite. Mr. Caldwell stated the number of people onsite will not change from what was proposed in 2014. The projected increase in people onsite is forty percent (40%).

Mr. Caldwell stated that they (Dickson Valley Ministries) wanted to show everything on the site plan. The mission of the organization has not changed.

Mr. Klaas asked if any complaints had been filed regarding this property with Building and Zoning. Mr. Holdiman responded not to his knowledge.

Discussion occurred regarding a right-of-way dedication for Finnie Road. Mr. Caldwell requested clarification on how a dedication occurred. Mr. Klaas explained the process. Mr. Caldwell will take the request to his board at the end of April to discuss the dedication. The suggestion was made to have right-of-way dedication within ten (10) years. The sign would encroach into the setback if a dedication occurred.

If the plan was developed fully, the investment would be Four Point Five Million Dollars (\$4.5 Million).

Mr. Guritz discussed the EcoCat Report. Mr. Caldwell stated that the development will not occur near the protected areas.

Mr. Klaas made a motion, seconded by Mr. Rybski, to forward the major amendment to the Kendall County Regional Planning Commission with the following conditions:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.
2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the proposed Site Plan. The site shall be developed substantially in conformance with the attached Site Plan.
3. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.
4. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.
5. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.
6. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

Ayes (9): Andrews, Asselmeier, Briganti, Guritz, Hattan, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Present (0): None
Absent (1): Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on April 24, 2019.

Petition 19-12 Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis – Special Use Permit for a Banquet Center at 10978 Crimmin Road in Fox Township

Mr. Asselmeier summarized the request.

JoAnn Bright-Theis would like to establish the BrighterDaze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.

No variances were requested and the Petitioner will operate the banquet center in compliance with the regulations currently stated in the Zoning Ordinance.

The business plan for the proposed operations, building elevations, landscaping plan, parking illumination plan, and interior plan were provided.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately eight thousand (8,000) square foot barn for weddings and similar events. The maximum capacity will be approximately two hundred eighty (280) people, with one (1) additional employee. While banquets will occur inside the existing barn, prospective clients could use the exterior grounds for pictures and outdoor ceremonies. The interior of the barn is converted arena with a concrete floor. The barn is approximately twenty-six feet (26') tall at its peak and ten feet (10') tall at the ends.

An existing pond is located east of the horse barn.

The hours of operation will be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st.

The proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

The proposed business would use luxury trailer bathrooms for events with the intention to have permanent restroom facilities by 2021. Restroom facilities will be located north of the barn by the parking area.

The dumpster shall be located next to the parking lot by the barn.

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

Ancillary items, such as Brighter Daze shirts and glasses, may be sold on the premises.

The subject property is approximately thirty-eight acres (38) acres in size.

Crimmin Road is a major collector and scenic route. No trails are planned along the road.

A riverine wetland is located along the southwest edge of the subject property.

The adjacent land uses are agricultural related, farmsteads, religious, or forest preserve. The adjacent zonings are A-1. Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Millington Fen INAI Site, Fox River INAI Site, Millington Railroad Fen Natural Landmark, Tucker-Millington Fen Natural Preserve, and River Redhorse (*Moxostoma carinatum*). Negative impacts to the above are considered unlikely and consultation was terminated.

The NRI application was submitted on March 14, 2019.

Fox Township was emailed information on March 27, 2019.

Newark Fire Protection District was emailed information on March 27, 2019.

The Village of Newark was emailed information on March 27, 2019.

An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.

Portable bathrooms will be used for events.

The property fronts Crimmin Road.

According to the site plan, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces will be located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights are proposed for site. According to the parking illumination plan, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign will be installed on the property. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown the on proposed site plan, the site contains approximately one hundred sixty-six trees of varying heights encircling the venue.

All music and noise shall originate inside the venue except for processions and recessions at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face east and the barn doors will remain closed after 7:00 p.m.

With the combination of distance and plantings, the Petitioners believe noise will not be an issue.

Before issuing a recommendation, Staff would like the following issues addressed/clarified:

1. Input from the Kendall County Sheriff's Department and the Newark Fire Protection District regarding any concerns regarding having a facility at this location.
2. Input from the Kendall County Health Department regarding the septic and well facilities.
3. Input from WBK regarding the need for a stormwater management permit.
4. Acknowledgement from the Petitioners that they are aware and will follow Kendall County's Right to Farm Clause.
5. Acknowledgement from the Petitioners that they agree to follow all applicable Federal, State, and Local laws governing this type business and the implications for not following such laws.

Mr. Rybski asked about food preparation. All events will be catered.

Mr. Rybski asked about the number of events. Mr. Theis responded that they anticipate ten-twenty (10-20) events with fifty percent (50%) growth after that time. Mr. Rybski explained the well testing requirements. A site survey will be completed to define the location of the existing septic system.

Deputy Commander Hattan asked about traffic control. Mr. Theis explained the internal traffic control system. The Petitioner will contract with a company to direct traffic on and off Finnie Road.

No new structures will be constructed onsite. New lighting will be installed onsite as shown on the site plan.

Mr. Guritz will forward the Forest Preserve regulations related to equestrian use to the Petitioner. Horses will not be involved with proposed business. The equestrian business will continue at the property as a separate business.

Outside company will supply alcohol; no alcohol will be sold onsite.

Ms. Andrews requested clarification on the acreage of the property. Mr. Theis will provide clarification on the size of the property.

Noise will be controlled by existing landscaping and trees; music will initiate indoors and face east inside the venue. Business will close at 10:00 p.m.

Mr. Klaas discussed the planned the realignment of Crimmin Road.

Mr. Klaas made a motion, seconded by Mr. Holdiman, to forward the special use permit request to the Kendall County Regional Planning Commission with the following conditions proposed by Staff.

Ayes (8): Andrews, Asselmeier, Briganti, Hattan, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Present (1): Guritz
Absent (1): Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on April 24, 2019.

Petition 19-13 Kendall County Planning, Building and Zoning Committee – Text Amendment to Sections 4.06 and 4.07 of the Kendall County Zoning Ordinance by Allowing Research and Development Related Home Occupations to be Conducted Outside of a Dwelling or Permitted Accessory Structure and Adding the Phrase “Unless Otherwise Permitted by Law” to the End of Section 4.06.f and Section 4.07.g

Mr. Asselmeier summarized the request.

At their meeting February 27, 2019, the Comprehensive Land Plan and Ordinance Committee requested that Staff prepare a proposed text amendment to the Kendall County Zoning Ordinance allowing research and development related home occupations to be conducted outside the dwelling or accessory structure and to address noise, dust, fumes, and odor issues.

For reference, “Home Occupation” related terms are defined as follows:

HOME OCCUPATION Any occupation or profession engaged in by an occupant of a dwelling unit as a use which is clearly incidental and secondary to the use of the dwelling as a residence.

HOME OCCUPATION - AGRICULTURAL. A home occupation in an agricultural zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be "home occupation". *(Amended 04/18/2000)*

HOME OCCUPATION- RESIDENTIAL A home occupation in a residential zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be a "home occupation".

Home Occupations are permitted uses in the A-1 District and all Residential Districts. Home Occupations are special uses in the RPD Districts.

At their meeting on March 27, 2019, the Kendall County Regional Planning Commission voted to initiate the text amendment.

Mr. Rybski asked about home occupations that could be impacted by this proposal. Mr. Asselmeier suggested that individuals wanted to construct firearms and test those firearms outdoors would be impacted. Mr. Asselmeier also suggested a business creating telescopes could be impacted.

Mr. Asselmeier read the definition of research and development from the Zoning Ordinance.

County regulations cannot supersede federal or state regulations.

Mr. Rybski made a motion, seconded by Ms. Andrews, to forward the text amendment to the Kendall County Regional Planning Commission.

Ayes (9): Andrews, Asselmeier, Briganti, Guritz, Hattan, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Present (0): None
Absent (1): Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on April 24, 2019.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OLD BUSINESS/NEW BUSINESS

None

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Hattan made a motion, seconded by Mr. Rybski to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:47 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

**KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
APRIL 2, 2019**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Mark Caldwell		
Edna B. Jones		
CLIFF FOX	110 E LANS NEWARK IL 60541	ADMIN@NEWARK.IL.US

Matt Asselmeier

From: Fox Township <foxtownshipsupervisor@gmail.com>
Sent: Tuesday, April 16, 2019 3:59 PM
To: Matt Asselmeier
Subject: [External]Re: Kendall County Petition 19-11 (Dickson Valley Ministries)

Matt,

Please accept this email as comment on Petition 19-11. Fox Township Board of Trustees, acting as the Planning Commission for Fox Township, discussed this petition at our April Board meeting on April 8th, 2019. Here is a summary of our position:

- 1) Conceptually, the Board approves of the major amendment to the Special Use Permit at this location with the following stipulations.
 - a. The current property set back line is 126', which is already less than the mandated set back of 150'. Therefore, Fox Township Board **does not grant** relief from the current set back. Relief **may** be granted if the petitioner applies for variance through the standard variance process, including noticing adjoining property owners of any variance request prior to construction involving said variance.
 - b. Currently, the amendment states that storm water management "permits may be required as the proposal is implemented". It is the position of the Fox Township Board that any permits required for storm water management must be **procured prior** to the issuance of any building permit, ensuring proper storm water management is designed into any portion of the amendment developed.
 - c. Lastly, under item 12 on page 4 of the amendment, a possible pedestrian walkway over Finnie Road was proposed. Fox Township Board and Fox Township Highway Department reserve the right to approve or disapprove any design presented for an overhead walkway on Finnie Road.

If you need any other information or have any questions, I am available at any time to assist you in this issue. Thank you for giving us a platform for our input.

Jeff Spang, Supervisor
Fox Township

On Tue, Mar 26, 2019 at 8:31 AM Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

ZPAC Members:

The Kendall County ZPAC will meet on Tuesday, April 2, at 9:00 a.m., at 111 W. Fox Street in Yorkville, to discuss a request by Dickson Valley Ministries to amend their special use permit by repealing and replacing their existing site plan.

Matt Asselmeier

From: Andrews, Megan - NRCS-CD, Yorkville, IL <Megan.Andrews@il.nacdn.net>
Sent: Monday, April 22, 2019 2:37 PM
To: Matt Asselmeier
Subject: [External]Dickson Valley Ministries NRI Report
Attachments: NRI_1401_ExecutiveSummary_Report.pdf

Matt,

After reviewing the Natural Resources Application for the Dickson Valley Ministries Special Use Petition, I wanted to provide a copy of the previously completed NRI Executive Summary Report. A review of the site, site conditions based on office resources along with the soils indicate that the information contained within the report is still accurate and current. The soils information utilized to develop the LESA score remains the same as it was in 2014 as the report was completed after the last update to the Kendall County Soil Survey by USDA. As such, I wanted to provide a copy of the previously completed report as a reference for this petition; the LESA score remains the same to date:

- Land Evaluation: 70
- Site Assessment: 103
- Full LESA Score: 173

If you have any questions or would like more information on any of the report items, please let me know.

Thanks,
Megan

Megan Andrews
Resource Conservationist

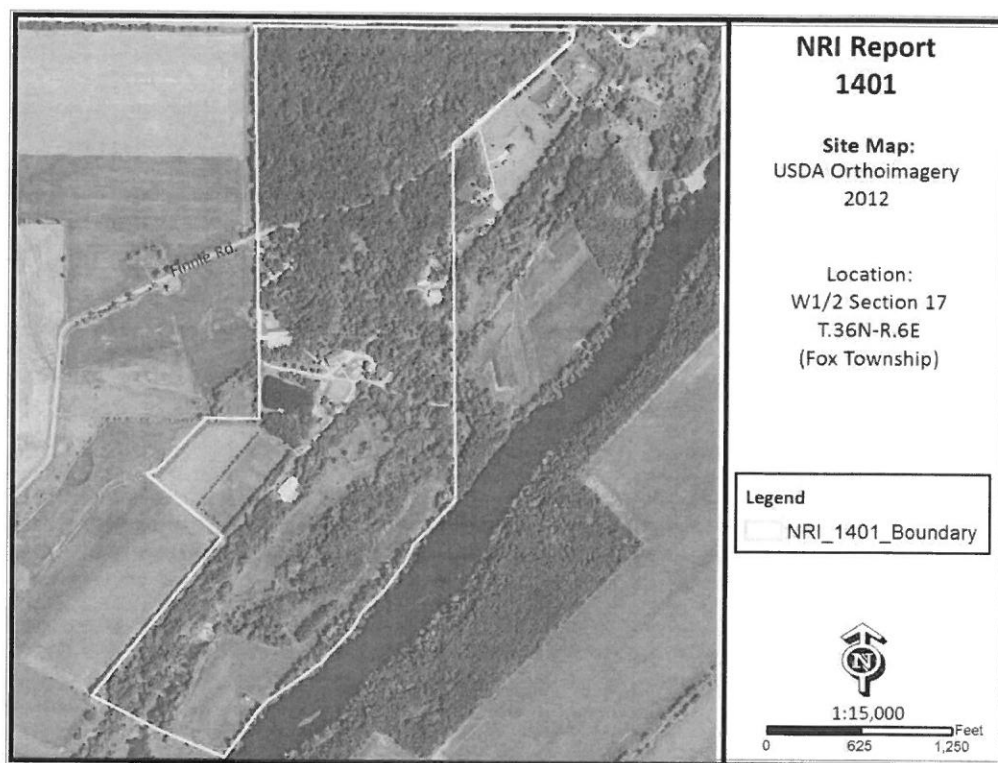


**Kendall County Soil & Water
Conservation District**

7775A Route 47
Yorkville, IL 60560
Office: (630)553-5821 x3
www.kendallswcd.org

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NATURAL RESOURCE INFORMATION (NRI) EXECUTIVE SUMMARY REPORT: 1401



March 2014

Petitioner: Dickson Valley Ministries
Contact: Mark Caldwell

Prepared by:



**Kendall County Soil & Water
Conservation District**

7775A Route 47 • Yorkville, Illinois 60560
Phone: (630)553-5821 x3 • Fax: (630)553-7442
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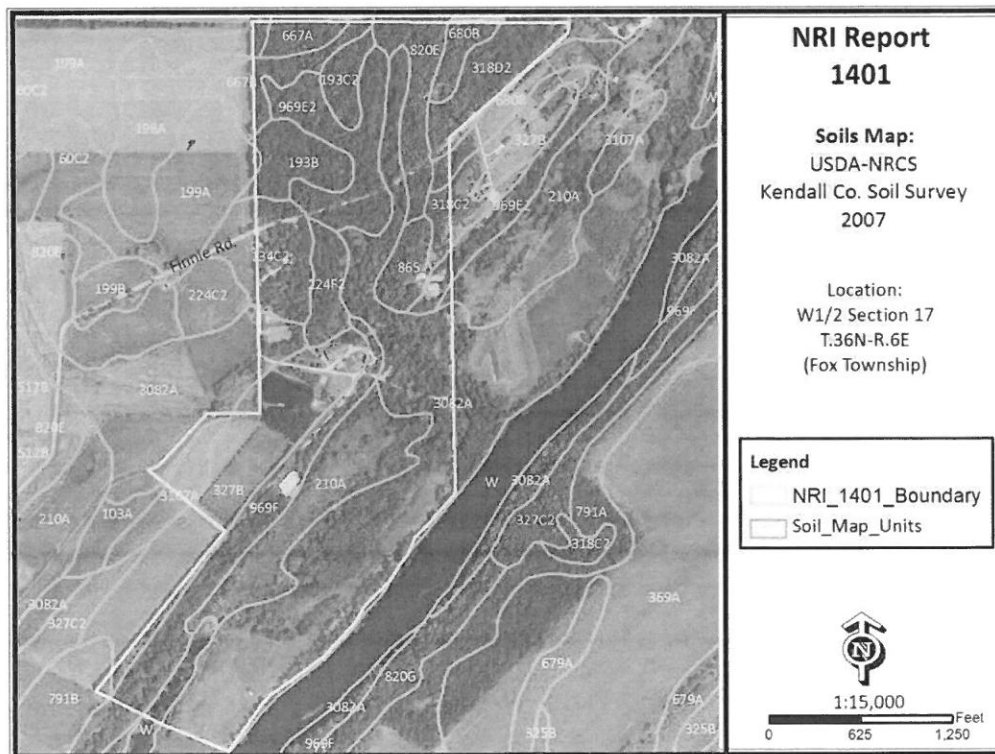
1401

Executive Summary

March 10, 2014

Petitioner: Dickson Valley Ministries DBA Dickson Valley Camp & Retreat Center**Contact Person:** Mark Caldwell**County or Municipality the petition is filled with:** Kendall County**Location of Parcel:** W½ Section 17, T.36N.-R.6E. (Fox Township) of the 3rd Principal Meridian in Kendall County, IL**Project or Subdivision Name:** Dickson Valley Ministries – Site & Development Plan**Existing Zoning & Land Use:** A-1 Special Use, Camp & Retreat Center (Lodges, Dining Hall, Cabins, Activity Fields, Restroom Facilities, Pavilion, Trails, Access Roads), Wooded, Grassed**Proposed Zoning & Land Use:** Update to A-1 Special Use; Expansion of facilities to include: Cabins, Lodges, Lighted sign, additions to existing buildings onsite, Pavilion, Restroom Facilities, New access road, rustic campsite, storage areas, reforestation of floodplain areas.**Proposed Water Source:** Private Well**Proposed Type of Sewage Disposal System:** Private, individual septic**Proposed Type of Storm Water Management:** Natural**Size of Site:** 160.59**Land Evaluation Site Assessment Score:** 173

Natural Resource Concerns

Soil Map:**SOIL INFORMATION:**

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2007 Kendall County Soil Survey, this parcel contains the following soil types:

Table 1:

Map Unit	Soil Name	Hydrologic Group	Hydric Designation	Farmland Designation
134C2	Camden silt loam, 5-10% slopes, eroded	B	Non-hydric	Farmland of Statewide Importance
193B	Mayville silt loam, 2-5% slopes	C	Non-hydric	Prime Farmland
193C2	Mayville silt loam, 5-10% slopes, eroded	C	Non-hydric	Farmland of Statewide Importance
199A	Plano silt loam, 0-2% slopes	B	Non-hydric	Prime Farmland
210A	Lena muck, 0-2% slopes	A/D	Hydric	Farmland of Statewide Importance
224F2	Strawn silt loam, 18-35% slopes, eroded	C	Non-hydric	Not Prime or Important
318C2	Lorenzo silt loam, 4-6% slopes, eroded	B	Non-hydric	Farmland of Statewide Importance
318D2	Lorenzo loam, 6-12% slopes, eroded	B	Non-hydric	Farmland of Statewide Importance
327B	Fox silt loam, 2-4% slopes	B	Non-hydric	Prime Farmland
667A	Kaneville silt loam, 0-2% slopes	B	Non-hydric	Prime Farmland
667B	Kaneville silt loam, 2-5% slopes	B	Non-hydric	Prime Farmland
680B	Campton silt loam, 2-5% slopes	B	Non-hydric	Prime Farmland
791B	Rush silt loam, 2-4% slopes	B	Non-hydric	Prime Farmland
820E	Hennepin-Casco complex, 12-30% slopes	Hennepin: B Casco: B	Non-hydric	Not Prime or Important
865	Pits, gravel	N/A	Non-hydric	Not Prime or Important
969E2	Casco-Rodman complex, 12-20% slopes, eroded	Casco: B Rodman: A	Non-hydric	Not Prime or Important
969F	Casco-Rodman complex, 20-30% slopes	Casco: B Rodman: A	Non-hydric	Not Prime or Important
3082A	Millington silt loam, 0-2% slopes, frequently flooded	B/D	Hydric	Prime Farmland (if drained and either protected from flooding or not frequently flooded during the growing season)
3107A	Sawmill silty clay loam, 0-2% slopes, frequently flooded	B/D	Hydric	Prime Farmland (if drained and either protected from flooding or not frequently flooded during the growing season)

Hydrologic Soil Groups: Soils have been classified into four (A, B, C, D) hydrologic groups based on runoff characteristics due to rainfall. If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D), the first letter is for drained areas and the second letter is for undrained areas.

- ✓ **Hydrologic group A:** Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- ✓ **Hydrologic group B:** Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.
- ✓ **Hydrologic group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- ✓ **Hydrologic group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Hydric Soils: A soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile. Of the soils found onsite, three are classified as a hydric soil.

Prime Farmland: Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Several of the soils found onsite are designated as prime or farmland of statewide importance.

Table 2:

Map Unit	Surface Runoff	Ponding	Flooding
134C2	Medium	None	None
193B	Low	None	None
193C2	Medium	None	None
199A	Low	None	None
210A	Negligible	Brief, Frequent	None
224F2	Very High	None	None
318C2	Medium	None	None
318D2	Medium	None	None
327B	Low	None	None
667A	Low	None	None
667B	Low	None	None
680B	Low	None	None
791B	Low	None	None
820E	Hennepin: Very High Casco: High	None None	None None
865	N/A	None	None
969E2	Casco: Medium Rodman: Low	None None	None None
969F	Casco: High Rodman: Medium	None None	None None
3082A	Negligible	January-May: Brief, Frequent June-December: None	January-December: Brief, Frequent
3107A	Negligible	January-May: Brief, Frequent June-December: None	January-December: Brief, Frequent

Surface Runoff: Refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover. Indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal).

Ponding: Ponding is standing water in a closed depression. Unless a drainage system is installed, the water is removed only by percolation, transpiration or evaporation. Duration is expressed as very brief (less than 2 days), brief (2 to 7 days), long (7 to 30 days), very long (more than 30 days). Frequency is expressed as none (ponding is not probable), rare (unlikely but possible under unusual weather conditions), occasional (occurs, on average, once or less in 2 years) and frequent (occurs, on average, more than once in 2 years).

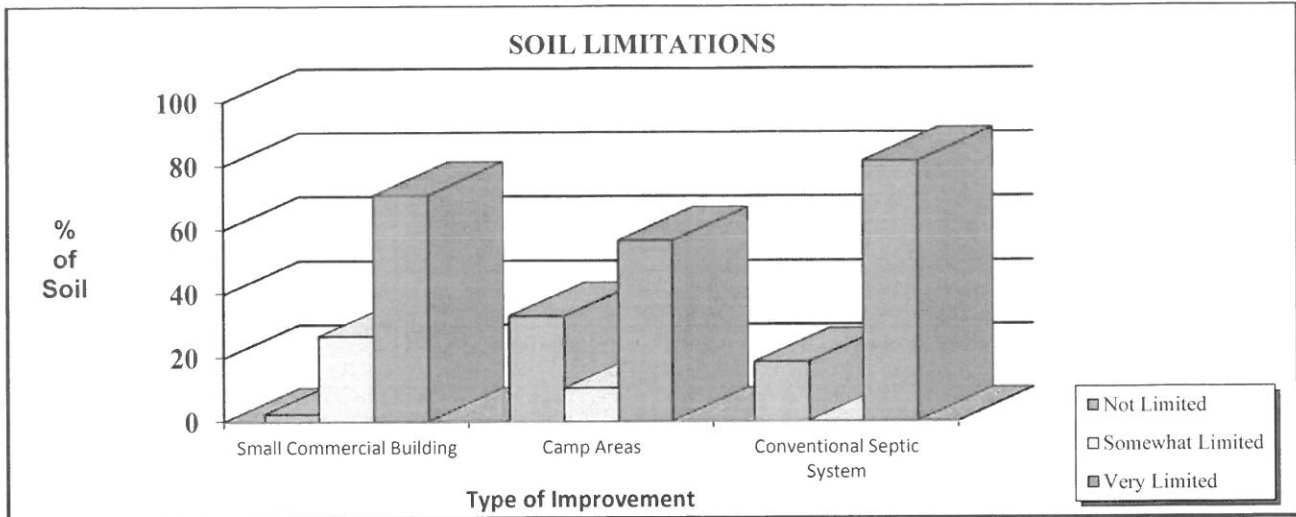
Flooding: Temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding. Duration expressed as brief is 2 to 7 days and a frequent frequency means that it is likely to occur often under normal weather conditions.

SOILS LIMITATIONS: Limitations for camp areas, small commercial building and conventional sewage disposal systems. Please note this information is based on information compiled as part of the USDA-NRCS 2007 Soil Survey of Kendall County, IL and does not replace site specific soil testing.

Table 2a:

Soil Type	Small Commercial Building	Camp Areas	Conventional Sewage Disposal System
134C2	Somewhat Limited: Slope, Shrink-swell	Not Limited	Not Limited
193B	Somewhat Limited: Shrink-swell, Depth to saturated zone	Somewhat Limited: Slow water movement, Depth to saturated zone	Not Limited
193C2	Somewhat Limited: Slope, Shrink-swell	Somewhat Limited: Slow water movement	Not Limited
199A	Somewhat Limited: Shrink-swell	Not Limited	Not Limited
210A	Very Limited: Subsidence, Depth to saturated zone, Organic matter content	Not Rated	Limited Reason: Wet, organic
224F2	Very Limited: Slope, depth to saturated zone	Very Limited: Slope, Slow water movement, Depth to saturated zone	Not Limited
318C2	Somewhat Limited: Slope	Not Limited	Limited Reason: Gravel
318D2	Very Limited: Slope	Somewhat Limited: Slope	Limited Reason: Gravel
327B	Somewhat Limited: Shrink-swell	Not Limited	Limited Reason: Gravel
667A	Somewhat Limited: Shrink-swell	Not Limited	Not Limited
667B	Somewhat Limited: Shrink-swell	Not Limited	Not Limited
680B	Somewhat Limited: Shrink-swell	Not Limited	Not Limited
791B	Somewhat Limited: Shrink-swell	Not Limited	Not Limited
820E	Hennepin - Very Limited: Slope Casco - Very Limited: Slope	Hennepin - Very Limited: Slope, Slow water movement Casco - Very Limited: Slope	Limited Reason: Gravel
865	Not Rated	Not Rated	Limited: Reason: Gravel
969E2	Casco - Very Limited: Slope Rodman - Very Limited: Slope	Casco - Very Limited: Slope Rodman - Very Limited: Slope, Gravel	Limited: Reason: Gravel
969F	Casco - Very Limited: Slope Rodman - Very Limited: Slope	Casco - Very Limited: Slope Rodman - Very Limited: Slope, Gravel	Limited: Reason: Gravel
3082A	Very Limited: Flooding, Depth to saturated zone	Very Limited: Depth to saturated zone, Flooding	Limited: Reason: Frequently flooded
3107A	Very Limited: Flooding, Depth to saturated zone, Shrink-swell	Very Limited: Depth to saturated zone, Flooding	Limited: Reason: Frequently flooded

Septic Systems: The factors considered for determining suitability are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. The major features considered are soil permeability, percolation rate, groundwater level, depth to bedrock, flooding hazards, and slope. Soils are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Installation of an on-site sewage disposal system in soils designated as unsuitable may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact the Kendall County Health Department (811 W. John Street, Yorkville, IL; (630)553-9100 ext. 8026).



Kendall County Land Evaluation and Site Assessment (LESA):

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **LAND EVALUATION (LE)** – The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
- **SITE ASSESSMENT (SA)** – The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.

Table 4a: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
134C2	5	82	6.7	549.4
193B	4	79	5.9	466.1
193C2	5	82	3.2	262.4
199A	1	100	0.7	70.0
210A	5	82	15.5	1271.0
224F2	7	47	4.3	202.1
318C2	6	69	1.7	117.3
318D2	6	69	7.5	517.5
327B	4	79	15.8	1248.2
667A	3	87	2.4	208.8
667B	3	87	3.3	287.1
680B	4	79	3.2	252.8
791B	4	79	0.2	15.8
820E	7	47	7.0	329.0
865	8	0	3.9	0
969E2	7	47	13.1	615.7
969F	7	47	12.9	606.3
3082A	4	79	51.3	4052.7
3107A	3	87	2.4	208.8
Totals			161.0	11281.0
LE Score		LE= 11281/161		LE=70

The Land Evaluation score for this site is **70**, indicating that this site is **not well suited** for agricultural uses.

Table 4b: Site Assessment Computation

A.	Agricultural Land Uses	Points
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current land use adjacent to site. (30-20-15-10-0)	20
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	0
	4. Size of site. (30-15-10-0)	30
B.	Compatibility / Impact on Uses	
	1. Distance from city or village limits. (20-10-0)	0
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	0
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	0
C.	Existence of Infrastructure	
	1. Availability of public sewage system. (10-8-6-0)	10
	2. Availability of public water system. (10-8-6-0)	10
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	6
	Site Assessment Score:	103

Land Evaluation Value: 70 + Site Assessment Value: 103 = LESA Score: 173

LESA SCORE	LEVEL OF PROTECTION
0-200	Low
201-225	Medium
226-250	High
251-300	Very High

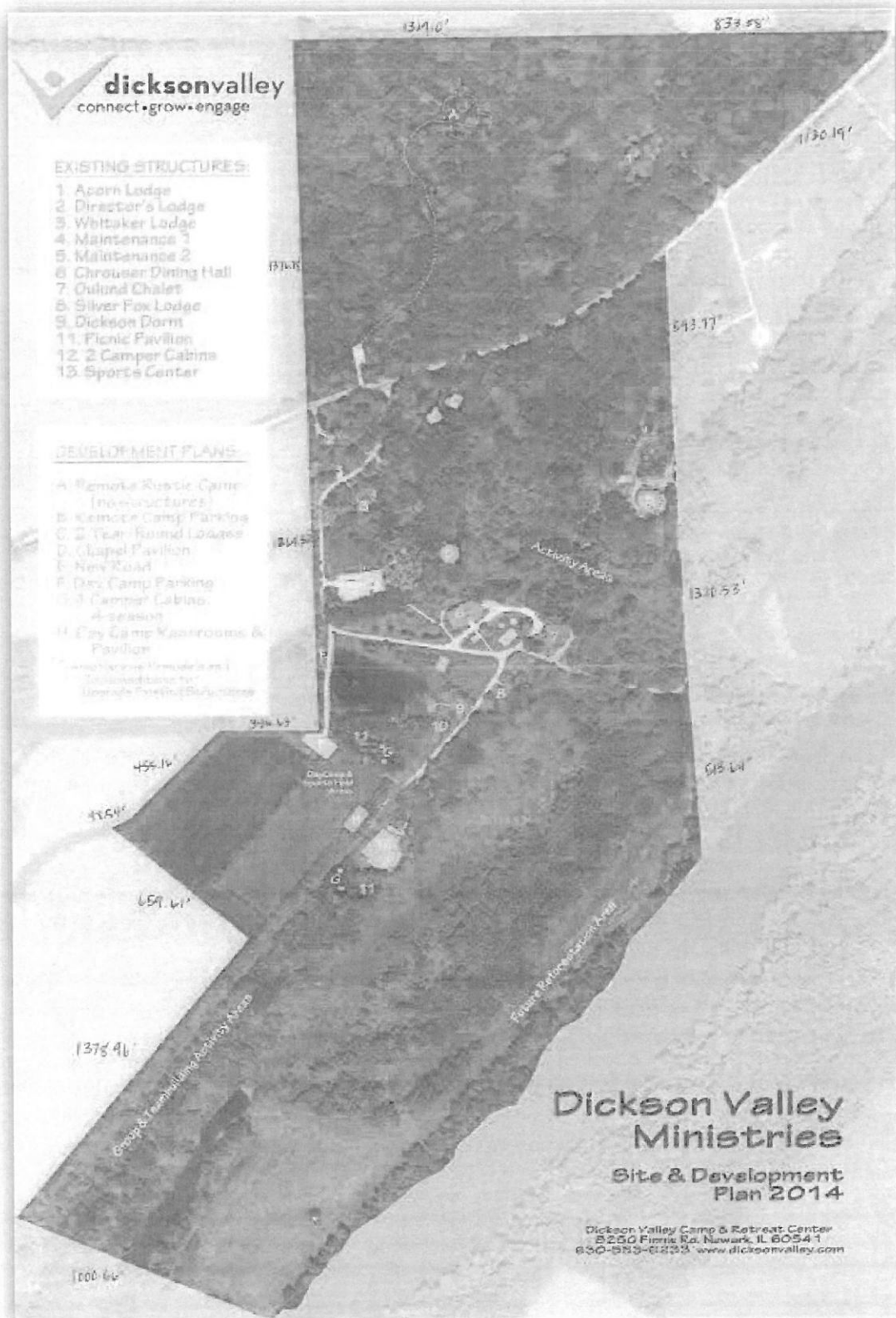
The **LESA Score for this site is 173 which indicates a low level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

Wetlands: The U.S. Fish & Wildlife Service's National Wetland Inventory map **does indicate** the presence of a wetland. If a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

Floodplain: The parcel is located within the floodplain.

Sediment and Erosion Control: Development on this site should include an erosion and sediment control plan in accordance with local, state and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (<http://aiswcd.org/IUM/>) for appropriate best management practices.

Project Site Map: c/o Dickson Valley Ministries



LAND USE OPINION:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Dickson Valley Ministries for the proposed expansion of their Camp & Retreat Center. This parcel is located in the W½ of Section 17 in Fox Township (T.36N.-R.6E. of the 3rd Principal Meridian) in Kendall County. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board has the following opinions and recommendations.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. A land evaluation, which is a part of the Land Evaluation and Site Assessment (LESA) was conducted on this parcel. The soils on this parcel scored a 70 out of a possible 100 points indicating the soils are not well suited for agricultural uses.

In addition, soils can have potential limitations for development. This report indicates that for soils located on the parcel: 81.4% of the soils are limited for conventional sewage disposal systems; 70.8% are very limited for small commercial building and 56.5% are very limited for camp areas. This information is based on the soil in an undisturbed state. Some soil reclamation, special design, or maintenance may be required to obtain suitable soil conditions to support these types of development. Please note that the original soil profile has been altered due to past development and in some areas where previous building/development has occurred. As a result, this site contains disturbed soils and the material found on site may not correspond to the soil type indicated within these areas within the Soil Survey of Kendall County. Additionally, since the scope of the project includes the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Fox River Watershed.

This development should include a soil erosion sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution. Eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense use it is recommended that the drainage tile survey completed on the parcel to locate the subsurface drainage tile be taken into consideration during the land use planning process. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

The information that is included in this Natural Resources Information Report is to assure the Land Developers take into full consideration the limitations of that land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Compiled Statutes, Ch. 70, Par 405/22.02a).


SWCD Chairman


Date

Attachment 21, Page 1
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Unapproved - Meeting Minutes of April 24, 2019 - 7:00 p.m.

Chairman Ashton called the meeting to order at 7:00 p.m.

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Bill Davis, Larry Nelson, Ruben Rodriguez, Benjamin Schroeder, and Claire Wilson

Members Absent: John Shaw

Staff Present: Matthew H. Asselmeier, Senior Planner, and Ruth Ann Sikes, Part Time Office Assistant (Zoning)

In the Audience: Mark Caldwell, Todd Milliron, Ron Mund, and Chris Paluch

APPROVAL OF AGENDA

Member Wilson made a motion, seconded by Member Bledsoe to approve the agenda as amended with Petition 19-12 removed because neighboring property owners were not notified properly. With a voice vote of eight (8) ayes, the motion carried unanimously.

APPROVAL OF MINUTES

Member Nelson made a motion, seconded by Member Casey, to approve the minutes of the March 27, 2019, meeting. With a voice vote of eight (8) ayes, the motion carried unanimously.

PETITIONS

19-11 Mark Caldwell on Behalf of Dickson Valley Ministries

Mark Caldwell, on behalf of Dickson Valley Ministries, is requesting a major amendment to their special use permit to repeal the site plan adopted by Ordinance 2014-05 and replace the site plan with the proposed site plan. The Petitioner desires the amendment in order to have a long-range plan for their facilities.

The subject property is approximately one hundred sixty (160) acres in size and has a special use permit for a youth camp and retreat center. The use at the subject property was originally established in 1971. The subject property was zoned A-1 with a special use permit for a youth camp and retreat center following the 1974 Countywide rezoning.

The future land use map calls for this area to be agricultural, open space, and countryside residential. The adjacent zoning districts are A-1 and R-1. Zoning within one half (1/2) mile are A-1 and R-1.

Finnie Road is considered a scenic route and no trails are planned in the area.

There are floodplains and wetlands on the property. None of the proposed development is occurring in the floodplain or wetlands.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Dixon Valley Sedge Meadow INAI Site, Fox River INAI Site, Dickson Sedge Meadow Natural

Heritage Landmark, and River Redhorse (*Moxostoma carinatum*). Negative impacts to the above are considered unlikely and consultation was terminated.

The Petitioner submitted an application for NRI. The LESA Score was 173 indicating a low level of protection.

Petition information was sent to Fox Township on March 26, 2019. Fox Township submitted comments on April 16, 2019. The Township requested the following:

1. Any encroachment onto the Finnie Road right-of-way close than one hundred and twenty-six feet (126') be required to obtain a traditional variance.
2. Any permits required for storm water management must be procured prior to the issuance of any building permit.
3. Fox Township Board and the Fox Township Highway Department reserve the right to approve or disapprove any overhead walkway on Finnie Road.

The Petitioner agreed with Fox Township's requests. The Petitioner submitted a revised site plan deleting the three (3') foot encroachment in Addition 1.

Petition information was sent to the Village of Millbrook on March 26, 2019. No comments were received.

Petition information was sent to the Sandwich Fire Protection District on March 26, 2019. No comments were received.

ZPAC met on this proposal on April 2, 2019. The Petitioner stated that the project number of people onsite will not change from the 2014 projection which was an increase of forty percent (40%). Discussion occurred regarding a right-of-way dedication for Finnie Road. The suggestion was made to have right-of-way dedication within ten (10) years. The sign would encroach into the setback if a dedication occurred. If the plan was developed fully, the investment would be Four Point Five Million Dollars (\$4.5 Million). Development will not occur onsite near any protected area as identified in the EcoCat Report. ZPAC unanimously recommended approval of the proposal.

The existing zoning regulations on the property were established by Ordinance 2014-05. This ordinance repealed several pre-existing ordinances and combined the conditions and restrictions placed upon Dickson Valley Ministries into one (1) ordinance. The restrictions placed on the special use permit were:

1. The property can be utilized all year long.
2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
3. The number of over-night campers shall be limited to no more than 350 at any one time.
4. No more than 8 hook-ups for RV's.
5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

Ordinance 2014-05 also included a site plan, which the Petitioner wishes to amend.

The Petitioner desires the update to their existing site plan in order to meet their needs. The long-range plan will take no less than ten (10) years and will occur as funding allows.

The proposed changes are as follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) "overnight campers." This number is inclusive of as many as one hundred (100) day-only campers during the summer.
2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).
3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.
4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house with no more than a total of twelve thousand square feet (12,000 sq. ft.) under roof. The capacity for meetings and activities for up to two hundred fifty (250) campers year-round with some sections for open air activities. The plan also calls for various freestanding decks for small groups or activities, two (2) open air camper pavilion areas with maximum capacity of fifty (50) people each at two thousand square feet (2,000 sq. ft.) in size. The area will also host day camp activities, including water activities (i.e. splash pad, or wading fountain). The fifty thousand square feet (50,000 sq. ft.) of combined septic field serving all new restrooms will also be located in this area.
5. Development B, Resident Camp Area, shall consist of four (4) year-round camper cabins of no more than two thousand five hundred square feet (2,500 sq. ft.) each for total housing of twenty (20) persons per cabin. There will be one (1) additional summer staff cabin at two thousand square feet (2,000 sq. ft.).
6. Development C, Activity Area shall consist of an outdoor high ropes course, by sky-tracks or similar, mini golf course, ice rink pavilion, free standing decks for small groups and one (1) summer staff cabin of no more than two thousand square feet (2,000 sq. ft.).
7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods with seating up to three hundred fifty (350), camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area.
8. Development E, Entrance Drive, shall consist of a gatehouse for a controlled entrance and a six (6) bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated.
9. Development F, Maintenance Area, shall consist of a new shop not to exceed eight thousand square feet (8,000 sq. ft.) and removal of the old shop or remodel the old shop into storage.
10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building.
11. Development H, North Activity Area, shall consist of primitive campsites, no permanent structures, a parking area off of Finnie Road, high climbing tower, zip lines, miscellaneous team activities and a pedestrian walkway over/under/across Finnie Road.

12. The Retreat Development Zone shall consist of a water filtration station, including possible new structures or addition to the existing well. A new building for recreation room, snack shop, and host offices are also planned for this zone.
13. Addition 1, Director's Lodge, shall consist of a fourteen foot by eighteen foot (14' x 18') dining room addition. The current structure is one hundred twenty-six feet (126') offset from the road. The site plan shall be amended to delete the additional three foot (3') encroachment.
14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west, which will increase seating from two hundred (200) to two hundred fifty (250). A lower level of addition could include offices or meeting space and the kitchen will be upgraded as needed.
15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces to accommodate eighty to one hundred (80-100) people, an addition of two (2) separate "leaders" rooms with restrooms, and remodel and add-on to program office for camp store.
16. Addition 4, Oulund Chalet, shall consist of remodeling of the upper level to improve housing space and remodeling of restrooms.
17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition for four (4) separate "leaders" rooms with restrooms.
18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar.
19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing and Additions to lodge for possible staff housing and extra space.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

Any new buildings would have to meet applicable building codes.

As noted on the proposed site plan, lighting will be intentionally left low.

The subject property is heavily wooded. As noted on the proposed site plan, the Petitioner considers the natural landscape important to their operations.

Stormwater permits will be required as the proposal is implemented and will be reviewed on a project-by-project basis.

The Petitioner proposes to make adjustments to their wells and septic systems. These changes will be evaluated as the proposal is implemented. Electricity is already onsite.

The proposed Findings of Fact were:

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 existing special use has been in existence since the 1970s with no known complaints to the Planning, Building and Zoning Department. Provided the site is developed as proposed, the proposed use of the site will not be detrimental 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 proposed use has been in existence at the subject property since the 1970s and no known issues exist which might cause injury to neighboring property owners or diminished property values.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Adequate utilities, access roads, points of ingress and egress, drainage, and other necessary facilities either exist on the site or are planned for in the proposed site plan.

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 special use permit amendment conforms to the applicable regulations of the A-1 Agricultural 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. This statement is true.

Staff recommends approval of the proposed major amendment to an existing special use permit subject to the following conditions and restrictions:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.
2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan. In the event that a revised site plan is not submitted, the additional three foot (3') encroachment mentioned in Addition 1 shall be removed from the approved Site Plan. (Added per Fox Township).
3. When requested by either Fox Township or the Kendall County Highway Department, the Petitioner shall dedicate thirty-five feet (35') of right-of-way as measured from the centerline of Finnie Road for Finnie Road right-of-way. The sign shown on the attached Site Plan may remain at its current locations if the right-of-way dedication occurs.
4. Any crossings over, on, or below the Finnie Road right-of-way shall be approved by Fox Township (Added per Fox Township)
5. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use. (Though not mentioned specifically, the Kendall County Stormwater Management Ordinance is one (1) of the local laws that must be followed; this should address Fox Township's concerns about stormwater regulations.)
6. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the

special use permit.

7. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.
8. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

Member Wilson asked about housing for the additional employees and about adding more RV hookups. Mark Caldwell, Executive Director, answered that housing is already onsite and they have no desire to add more hookups.

Member Schroeder asked where is everyone placed at night. Mr. Caldwell answered there are new cabins and additions to the lodges. Member Schroeder asked if the buildings were sprinkled. Mr. Caldwell said no, but they have an alarm system that goes directly to KenCom and it takes the Sandwich Fire Department about ten (10) minutes to get to the site.

Member Rodriguez asked how long the campers stay at the property. Mr. Caldwell answered it was random, with churches from two (2) to six (6) nights. Resident camps are six (6) nights long and then the day camps come at 9:00 a.m. and leave at 4:00 p.m.

Member Wilson questioned the specific changes to the site plan. Mr. Caldwell said they don't want to have to deal with a zoning issue every time they want to add a building, so they want to amend the site plan now with everything that could possibly happen. Discussion occurred about the level of detail of the site plan.

Mr. Caldwell expressed concerns about the right of way dedication. Member Wilson expressed concerns about needing Fox Townships approval to cross the street.

Member Wilson made a motion, seconded by Member Nelson, that, per the Petitioner's request, this proposal be laid over until a revised site plan is submitted.

Ayes (8): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, Schroeder, and Wilson
Nays (0): None
Absent (1): Shaw

The motion carried. This proposal will go to the Kendall County Zoning Board of Appeals on April 29th with a request to continue the hearing. The proposal will return to Kendall County Regional Planning Commission after a revised site plan is submitted.

19-13 Kendall County Regional Planning Commission

Mr. Asselmeier summarized the request.

At their meeting February 27, 2019, the Comprehensive Land Plan and Ordinance Committee requested that Staff prepare a proposed text amendment to the Kendall County Zoning Ordinance allowing research and development related home occupations to be conducted outside the dwelling or accessory structure and to address noise, dust, fumes, and odor issues.

For reference, "Home Occupation" related terms are defined as follows:

HOME OCCUPATION Any occupation or profession engaged in by an occupant of a dwelling unit as a use which is clearly incidental and secondary to the use of the dwelling as a residence.

HOME OCCUPATION - AGRICULTURAL. A home occupation in an agricultural zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be "home occupation".

HOME OCCUPATION- RESIDENTIAL A home occupation in a residential zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be a "home occupation".

Home Occupations are permitted uses in the A-1 District and all Residential Districts. Home Occupations are special uses in the RPD Districts.

At their meeting on March 27, 2019, the Kendall County Regional Planning Commission voted to initiate the text amendment.

According to the Kendall County Zoning Ordinance, research and development is defined as follows:

RESEARCH AND DEVELOPMENT: A building or group of buildings in which are located facilities for scientific research, experimental study, investigation, testing and experimentation, but not primarily facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

At their meeting on April 2, 2019, ZPAC unanimously voted to forward the proposal to the Kendall County Regional Planning Commission.

On April 2, 2019, a copy of this proposal was mailed to each township. On April 11, 2019, Fox Township submitted comments against the proposal. Fox Township felt the wording research and development was vague and open ended. It seemed to allow for many uses. Mr. Asselmeier stated that the definition of research and development was sent to Fox Township after they submitted comments and the Township has not responded.

Discussion occurred regarding the reasons why this proposal was created. Somebody applied for a gun manufacturer license and they wanted to test their gun outside on their property. Under the strict letter of the law, someone cannot do a research and development related business outdoors.

Todd Milliron, Yorkville, was at the Fox Township meeting and there was concern about the proposal being too broad and vague. Fox Township was concerned that research and development was occurring in an area it shouldn't occur.

Member Wilson wanted to know if this wording would allow someone to test other products in their yard for effectiveness. Member Nelson said outdoor testing is illegal currently, but this proposal would allow people to test products outdoors.

Ronald Mund questioned if he could do research and development in his house and go to a neighbor's house for testing. Chairman Ashton said no; someone cannot be outside the building and conduct testing.

Member Nelson made a motion, seconded by Member Davis, to move this proposal on to the Zoning Board of Appeals for a hearing.

Ayes (8): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, Schroeder, and Wilson
Nays (0): None
Absent (1): Shaw

The motion passed. This proposal will go to the Zoning Board of Appeals on April 29th.

OLD BUSINESS

None

CITIZENS TO BE HEARD/ PUBLIC COMMENT

Ronald Munz expressed concerns about Petition 19-11. The first concern was traffic. The other concern was aesthetics.

NEW BUSINESS

Consideration and Action to Amend or Withdraw Petition 19-09 Regarding a Request from Kendall County Regional Planning Commission Pertaining to a Text Amendment Making Sheriff's Office Shooting Ranges a Permitted Use in Oswego township.

Member Nelson made a motion, seconded by Member Casey, to withdraw Petition 19-09.

Member Nelson said that the States Attorney of Kendall County took the matter under advisement and rendered a decision that the site that was subject of initiating the text amendment was exempt from zoning because of federal pre-emptions.

Chris Paluch stated that the site on Route 71 was deemed to be a temporary site when it was opened in 1992. He favored opening the range in Lisbon Township.

Chairman Ashton gave an explanation of the proposal. The current Sheriff is working to get the range in Lisbon Township open in the near future.

Todd Milliron stated that the Route 71 Kendall County Sheriff's Department gun range was not zoned correctly and is not a permitted gun range. He believed the Sheriff's department is no different than anybody else and they needed to go through the normal permitting process. The Kendall County Sheriff's office wants two (2) gun ranges, one on Route 71 and one (1) in Lisbon Township. He would like to see the Kendall County Board make a decision and pass judgment on the Route 71 site. He did not believe the State's Attorney's opinion had been tested. He advocated that the County Board should vote no on this petition.

Ayes (7): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, and Schroeder
Nays (1): Wilson
Absent (1): Shaw

The motion carried. The proposal is withdrawn.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OTHER BUSINESS/ANNOUNCEMENTS

The next meeting will be May 22nd with Petitions 19-11 and 19-12 probably on the agenda.

ADJOURNMENT

Member Wilson made a motion, seconded by Member Davis, to adjourn. With a voice vote of eight (8) ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 8:45 p.m.

Respectfully submitted by,
Ruth Ann Sikes
Part-Time Office Assistant (Zoning)

Enc.

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
APRIL 24, 2019**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE
MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR
ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Mark K Caldwell		
Todd Milliron		
Ron Mund		
Chris Paluch		

Attachment 22, Page 1
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Unapproved - Meeting Minutes of May 22, 2019 - 7:00 p.m.

Chairman Ashton called the meeting to order at 7:00 p.m.

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Bill Davis, Karin McCarthy-Lange, Larry Nelson, and Claire Wilson

Members Absent: Ruben Rodriguez and John Shaw

Staff Present: Matthew H. Asselmeier, Senior Planner, and Ruth Ann Sikes, Part Time Office Assistant (Zoning)

In the Audience: Mark Caldwell, Adam Theis, JoAnn Theis, Steve Graves, Jeff Spang, Kurt Buhle, Jeanette Buhle, and Matthew Prochaska

Chairman Ashton welcomed Karin McCarthy-Lange to the Commission representing Oswego Township.

APPROVAL OF AGENDA

Member Bledsoe made a motion, seconded by Member Nelson to approve the agenda. With a voice vote of seven (7) ayes, the motion carried unanimously.

APPROVAL OF MINUTES

Member Wilson made a motion, seconded by Member Casey, to approve the minutes of the April 24, 2019, meeting. With a voice vote of seven (7) ayes, the motion carried unanimously.

Ruth Ann Sikes, Part Time Office Assistant (Zoning) asked all audience members that were going to speak to please sign in and speak directly into the microphone so that everything could be recorded.

PETITIONS

19-11 Mark Caldwell on Behalf of Dickson Valley Ministries

Mr. Asselmeier provided updated information on Petition 19-11.

At the April 24, 2019, meeting of the Kendall County Regional Planning Commission, the Commission requested less detail on the Petitioner's site plan.

Mr. Asselmeier stated that the Petitioner desires this major amendment in order to have a long-range plan for their facilities and to provide more clarity to the site plan that was submitted in 2014.

The proposed changes are follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) "overnight campers." This number is inclusive of as many as one hundred (100) day-only campers during the summer.
2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).

3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.
4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house, various free standing decks for small group activities, at least two (2) open air camper pavilions, day camp specific activities, water activities (i.e. splash pad, or wading fountain), and combined septic field serving all new restrooms will also be located in this area.
5. Development B, Resident Camp Area, shall consist of five (5) year-round camper cabins; four (4) of which are new.
6. Development C, Activity Area, shall consist of an outdoor high ropes course, mini-golf course, ice rink pavilion, free standing decks for small groups and one (1) year-round camper cabin.
7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods, camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area.
8. Development E, Entrance Drive, shall consist of a new gatehouse for a controlled entrance and a multi-bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated.
9. Development F, Maintenance Area, shall consist of a new shop and removal or remodel of the old shop.
10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building.
11. Development H, North Activity Area, shall consist of primitive non-public campsites, no permanent structures, and a parking area off of Finnie Road. Experiential activities similar to, but not limited to, climbing tower(s), zip line(s), team activities, a high ropes course, and a pedestrian walkway over/under/across Finnie Road are planned for this area.
12. The Retreat Development Zone shall consist of a water filtration building or addition to the existing well and well house. A new building for recreation room, snack shop, and host offices. Within this zone, several buildings will have additions and/or remodels.
13. Addition 1, Director's Lodge, shall consist of an addition to the north end of the building. The current structure is one hundred twenty-six feet (126') offset from the road.
14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west.
15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces, an addition of at least two (2) separate "leaders" rooms with restrooms, and remodel and add-on to program office for camp store.
16. Addition 4, Oulund Chalet, shall consist of remodeling to improve housing space and remodeling of restrooms.
17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition of added housing.

18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar.
19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

Also at the April meeting, the Commission was concerned about Fox Township's requests of the Petitioner. Fox Township clarified that they do not want a right-of-way dedication at this time, but they would like to be informed if a structure is constructed above or below Finnie Road.

The proposed conditions on the special use permit are as follows:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.
2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan.
3. Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road.
4. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.
5. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.
6. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

Member Nelson asked Mr. Caldwell if the new version was better. Mr. Caldwell replied they were comfortable with the changes and they would deal with any permitting issues when the new additions were constructed.

Member Nelson made a motion, seconded by Member Wilson, to recommend approval of the amended petition with the condition proposed by Staff.

Ayes (7): Ashton, Bledsoe, Casey, Davis, McCarthy-Lange Nelson, and Wilson
Nays (0): None
Absent (2): Rodriguez and Shaw

The motion passed. This proposal will go to the Zoning Board of Appeals on July 1st.

19-12 Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis

Mr. Asselmeier summarized the request.

JoAnn Bright-Theis would like to establish the Brighter Daze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.

The subject property is approximately thirty-eight acres (38) acres in size.

Crimmin Road is a major collector and scenic route. No trails are planned along the road.

A riverine wetland is located along the southwest edge of the subject property.

The adjacent land uses are agricultural related, farmsteads, religious, or forest preserve. The adjacent zonings are A-1. Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Millington Fen INAI Site, Fox River INAI Site, Millington Railroad Fen Natural Landmark, Tucker-Millington Fen Natural Preserve, and River Redhorse (*Moxostoma carinatum*). Negative impacts to the above are considered unlikely and consultation was terminated.

The NRI application was submitted on March 14, 2019. The LESA Score was 181 indicating a low level of protection.

Fox Township was emailed information on March 27, 2019. Fox Township submitted comments on April 16, 2019. In particular, Fox Township reiterated that the Township was a dry township; the Township disagreed with the functional classification of Crimmin Road contained in the Land Resource Management Plan; the Township requested a traffic study regarding the impact of the proposed venue on Crimmin Road, including the possibility of improvements to Crimmin Road necessitated by the proposed special use permit. On May 9, 2019, the Petitioner, Fox Township, and the Kendall County Planning, Building and Zoning Department held a conference call on the proposal. The Petitioner agreed to the dry regulations of the Township. The Township stated that they would not fight the functional classification of Crimmin Road in the Land Resource Management Plan. The Township stated that they (Fox Township) would request a traffic study from the Kendall County Highway Department. This study could result in a change of the speed limit on Crimmin Road to a speed less than the current fifty-five miles per hour (55 MPH), a requirement the Petitioners post additional one-way directional signage within their property, and the possibility that Fox Township adopt an ordinance forbidding parking along Crimmin Road. "Venue Ahead" signage along Crimmin Road was discussed. Also, the possible dedication of right-of-way was discussed.

Newark Fire Protection District was emailed information on March 27, 2019.

The Village of Newark was emailed information on March 27, 2019.

ZPAC reviewed this proposal at their meeting on April 2, 2019. The Health Department provided information about well monitoring. A site survey will be completed defining the location of the existing septic system. The equestrian business will continue at the property as a separate business. Discussion occurred regarding the planned the realignment of Crimmin Road. ZPAC recommended approval with all but (1) member voting yes. One (1) member voted present.

No variances were requested and the Petitioner will operate the banquet center in compliance with the regulations currently stated in the Zoning Ordinance.

The business plan for the proposed operations, building elevations, landscaping plan, parking illumination plan, and interior plan were provided.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately eight thousand (8,000) square foot barn for weddings and similar events. The maximum capacity will be approximately two hundred eighty (280) people, with one (1) additional employee. While banquets will occur inside the existing barn, prospective clients could use the exterior grounds for pictures and outdoor ceremonies. The interior of the barn is converted arena with a concrete floor. The barn is approximately twenty-six feet (26') tall at its peak and ten feet (10') tall at the ends.

An existing pond is located east of the horse barn.

The hours of operation will be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st.

The proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

The proposed business would use luxury trailer bathrooms for events with the intention to have permanent restroom facilities by 2021. Restroom facilities will be located north of the barn by the parking area.

The dumpster shall be located next to the parking lot by the barn.

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

Ancillary items, such as Brighter Daze shirts and glasses, may be sold on the premises.

An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.

Portable bathrooms will be used for events.

The property fronts Crimmin Road. According to the site plan, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces will be located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights are proposed for site. According to the parking illumination plan, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign will be installed on the property. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown the on proposed site plan, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue.

All music and noise shall originate inside the venue except for processional and recessional at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face east and the barn doors will remain closed after 7:00 p.m.

With the combination of distance and plantings, the Petitioners believe noise will not be an issue.

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

1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and parking illumination plan.
2. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.
3. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
4. The subject parcel must maintain a minimum of five (5) acres.
5. 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)
6. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
7. 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. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property. (Last sentence added after discussion with Fox Township).
8. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
9. 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.

10. 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. Barn doors shall close by 7:00 p.m.
11. The hours of operation shall be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st.
12. A new certificate of occupancy must be issued for the barn.
13. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way. (Added per Fox Township).
14. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
15. 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.
16. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
17. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Member Wilson asked where the closest houses are located in relation to the property. Mr. Asselmeier said there is one (1) directly across from the property and six (6) within a half (1/2) mile of the property. The operators of the facility live on site.

Member McCarthy-Lange asked if the neighbors had been notified. Mr. Asselmeier replied yes per State law.

Member Wilson asked where the lights would be located. Adam Theis replied they would be along the existing curb line just west of the parking lot. Mr. Theis said they have thirty-four (34) parking spots on site and seventy-five (75) additional spots on a remote lot and the parking plan meets the requirements of the Zoning Ordinance.

When asked about septic system for permanent toilets, Mr. Theis replied they would be doing a study within the next six (6) months to determine the actual design and location recommendations.

Mr. Theis said they do plan on having events on Sunday with the hours being the same as Saturday hours, with thirty (30) events a year. After discussion on the subject, the Petitioners agreed to have Sunday hours the same as Monday through Thursday hours, closing the facility at 10:00 p.m.

Jeff Spang, speaking as a resident of Fox Township, had the following questions, where do staff and vendors park and how would the Petitioners handle events with no air conditioning in the months of June, July and August. Mr. Spang stated that events are currently held on the property and these events are not private, but public events. Mr. Theis responded that vendors and staff park on the remote lot. There is no air conditioning,

but they will have fans and the temperature is cooler inside the building. They have had no public events and would like to know the dates that Mr. Spang was referencing.

Steven Graves and Kurt Buhle both voiced concerns about the added traffic getting to and from the venue because it is very dangerous stretch of road.

Jeff Spang, speaking as Fox Township Supervisor, reported that Fox Township has an investigation in process and would like for the Commission to lay this proposal over so they can complete their investigation. Member Nelson asked if the continuation of this would impact votes on the issue. Mr. Spang said the investigation could impact votes.

Member Wilson asked if Crimmin Road was a major collector road and Mr. Asselmeier replied yes according to the Land Resource Management Plan. Discussion occurred regarding how Crimmin Road was classified as a major collector road.

Jeanette Buhle expressed concerns about directional signage outside of venue especially at night.

The consensus of the Commission and without any objections from Commissioners, the Petitioner or anyone else in attendance, this proposal was laid over until the June meeting of the Kendall County Regional Planning Commission.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

None

OLD BUSINESS

Petition 18-04 Request from the Kendall County Regional Planning Commission

Matthew Prochaska, Planning, Building, and Zoning Committee Chairman, said that the Committee has refused to forward the proposal to the County Board. He is exploring a discharge petition.

Member Nelson made a motion, seconded by Member Davis, to lay this issue over for one (1) month.

Ayes (7): Ashton, Bledsoe, Casey, Davis, McCarthy-Lange, Nelson, and Wilson
Nays (0): None
Absent (2): Rodriguez and Shaw

This proposal will be laid over until the June meeting of the Kendall County Regional Planning Commission.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petition 17-28 pertaining to Kendall County gun range zoning regulations was approved by the County Board. A summary of the ordinance was provided to Commissioners.

Mr. Asselmeier reported that Petition 19-07 pertaining to parking and storage of RV's, trailers, and mobile homes was withdrawn by the Kendall County Planning, Building and Zoning Committee.

Mr. Asselmeier reported that Petition 19-08 did not go to the County Board. The prospective buyer and sellers are still negotiating the terms of the contract.

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier announced that Ben Schroeder's resignation was accepted by the County Board Chairman.

Mr. Asselmeier said he spoke to Mike Hoffman today and Mr. Hoffman plans to have the text amendment changes done by the end of the week or Tuesday, May 28th, at the latest. The contract with the County expires June 29th for this project.

Mr. Prochaska said the County Board does have some candidates from Big Grove Township under consideration and hopes to fill the seat within the next couple months.

ADJOURNMENT

Member Wilson made a motion, seconded by Member Davis, to adjourn. With a voice vote of seven (7) ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 8:15 p.m.

Respectfully submitted by,
Ruth Ann Sikes
Part-Time Office Assistant (Zoning)

Enc.

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
MAY 22, 2019**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Mark Caldwell		
John B. Jones		
John This		
Steve Graves		
Jeff Spring	millbrook	
Kurt Buhle		
Jeannette Buhle		

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, Room 209 and 210
YORKVILLE, IL 60560
April 29, 2019 – 7:00 p.m.

CALL TO ORDER

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:00 p.m.

ROLL CALL:

Members Present: Randy Mohr (Chair), Karen Clementi, Cliff Fox, Tom LeCuyer, and Dick Thompson

Members Absent: Scott Cherry and Dick Whitfield

Staff Present: Matthew Asselmeier, AICP, Senior Planner, Ruth Ann Sikes, Part Time Office Assistant, (Zoning), and Mark Caldwell

PETITIONS

The Zoning Board of Appeals started their review of Petition 19-11 at 7:05 p.m.

Petition 19-11 – Mark Caldwell on Behalf of Dickson Valley Ministries

Request: Major Amendment to a Special Use Permit Granted by Ordinance 2014-05
Permitting a Youth Camp and Retreat Center at Subject Property by
Amending the Approved Site Plan

PINs: 04-17-100-002, 04-17-300-002, and 04-17-300-007

Location: 8250 Finnie Road, Fox Township

Purpose: Petitioner Desire to Amend the Approved Site Plan; Property is Zoned A-1

Mr. Asselmeier stated the following:

On the April 29, 2019, Kendall County Zoning Board of Appeals agenda, there is a petition requesting a major amendment to a special use permit for Dickson Valley Ministries at 8250 Finnie Road.

At their meeting on April 24, 2019, several members of the Kendall County Regional Planning Commission expressed concerns that the proposed site plan was too specific and the Petitioner might be locking themselves into a site plan that could require amendments in the future because of specificity. Commissioners also expressed concerns about a possible right-of-way dedication for Finnie Road. The Petitioner requested that the proposal be laid over until a revised site plan is prepared.

Because the Petitioner properly notified neighbors and correctly published notice in the newspaper, the Petitioner is requested that the hearing be started and then continued until a revised site plan is submitted. If the hearing is continued, the Petitioner would not need to republish notice or resend notice to neighbors.

Chairman Mohr opened the public hearing at 7:06 p.m.

Member Clementi made a motion, second by Member LeCuyer, to continue the public hearing until a revised site plan is submitted.

The votes were as follows:

Ayes (5): Mohr, Clementi, Fox, LeCuyer, and Thompson
Nays (0): None
Absent (2): Cherry and Whitfield

The motion passed.

The hearing will be continued until a revised site plan is submitted.

The Zoning Board of Appeals completed their review of Petition 19-11 at 7:07 p.m.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

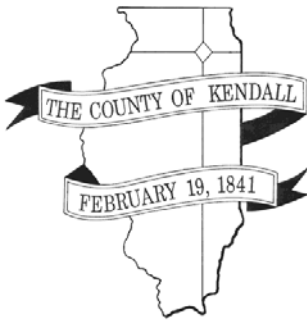
Member Fox made a motion, seconded by Member Thompson, to adjourn. With a voice vote of all ayes, the motion passed unanimously. The Zoning Board of Appeals meeting adjourned at 7:30 p.m.

The next meeting will be on May 28, 2019.

Respectfully submitted by,
Ruth Ann Sikes
Part-Time Office Assistant (Zoning)

Exhibits

1. Certificate of Publication and Mailings for Petition 19-11 (Not Included with Report but on file in Planning, Building and Zoning Office).



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 19-12

Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis A-1 Special Use – Banquet Facility

INTRODUCTION

JoAnn Bright-Theis would like to establish the BrighterDaze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.

SITE INFORMATION

PETITIONER Robert Bright on Behalf of the Madison Trust and Castle Bank NA and JoAnn Bright Theis

ADDRESS 10978 Crimmin Road, Newark

LOCATION Approximately 0.54 Miles South of the Intersection of Fox River Drive and Crimmin Road on the East Side of Crimmin Road



TOWNSHIP Fox

PARCEL #s 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-32-100-006, and 04-32-100-008

LOT SIZE 38.34 +/- Acres

EXISTING LAND USE Agricultural/Farmstead

ZONING A-1 Agricultural District

LRMP	Future Land Use	Agricultural
	Roads	Crimmin Road is a Major Collector Road and is also classified as a Scenic Route.
	Trails	None
	Floodplain/ Wetlands	A riverine wetland is located along the southwest edge of the subject property.

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

APPLICABLE REGULATIONS §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

§ 13.08 – Special Use Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural/Wooded/ Millington Forest Preserve	A-1	Rural Residential (Max 0.60 DU/Acre) and Forest Preserve	A-1
South	Agricultural/Religious	A-1	Agricultural	A-1
East	Millington Forest Preserve	A-1	Forest Preserve	A-1
West	Agricultural/Farmstead	A-1	Rural Residential (Max 0.60 DU/Acre)	A-1, A-1 SU, R-2, and R-3

The special use permit is for the operation of a fur-bearing animal farm.

Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

An aerial of the property is included as Attachment 7.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

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

Millington Fen INAI Site
Fox River INAI Site
Millington Railroad Fen Natural Landmark
Tucker-Millington Fen Natural Preserve
River Redhorse (*Moxostoma carinatum*)

Negative impacts to the above are considered unlikely and consultation was terminated. EcoCat

related materials are included as Attachment 1, Pages 26-29.

NATURAL RESOURCES INVENTORY

NRI application submitted on March 14, 2019 (see Attachment 1, Page 25). The LESA Score was 181 indicating a low level of protection. The NRI report is included as Attachment 17.

ACTION SUMMARY

FOX TOWNSHIP

Fox Township was emailed information on March 27, 2019. Fox Township submitted comments on April 16, 2019. The comments are included as Attachment 18. In particular, Fox Township reiterated that the Township was a dry township; the Township disagreed with the functional classification of Crimmin Road contained in the Land Resource Management Plan; the Township requested a traffic study regarding the impact of the proposed venue on Crimmin Road, including the possibility of improvements to Crimmin Road necessitated by the proposed special use permit. On May 9, 2019, the Petitioner, Fox Township, and the Kendall County Planning, Building and Zoning Department held a conference call on the proposal. The Petitioner agreed to the dry regulations of the Township. The Township stated that they would not fight the functional classification of Crimmin Road in the Land Resource Management Plan. The Township stated that they (Fox Township) would request a traffic study from the Kendall County Highway Department. This study could result in a change of the speed limit on Crimmin Road to a speed less than the current fifty-five miles per hour (55 MPH), a requirement the Petitioners post additional one-way directional signage within their property, and the possibility that Fox Township adopt an ordinance forbidding parking along Crimmin Road. "Venue Ahead" signage along Crimmin Road was discussed. Also, the possible dedication of right-of-way was discussed.

On June 14, 2019, Fox Township submitted updated comments which are included as Attachment 20. In particular, Fox Township requested:

1. No parking on Crimmin Road.
2. A right-of-way dedication of forty-five feet (45') as measured from the centerline of Crimmin Road for the entire length of the subject property.
3. No sound greater than sixty-five (65) dBA as measured from the property line of the complaint.
4. The special use permit should be contingent on a completed traffic study with the Petitioner paying for any necessary construction caused by increased traffic on Crimmin Road.
5. A maximum of thirty (30) events per year with an operating season between April 1st and November 1st.
6. Saturday only events with a conclusion of no later than 10:00 p.m.
7. The Township believes inadequate parking is planned for the proposal.
8. No selling or serving of alcohol per Fox Township's dry regulations.

The Township also requested that the advisory bodies consider public safety when making their recommendations.

NEWARK FIRE PROTECTION DISTRICT

Newark Fire Protection District was emailed information on March 27, 2019.

VILLAGE OF NEWARK

The Village of Newark was emailed information on March 27, 2019.

ZPAC

ZPAC reviewed this proposal at their meeting on April 2, 2019. The Health Department provided information about well monitoring. A site survey will be completed defining the location of the existing

septic system. The equestrian business will continue at the property as a separate business. Discussion occurred regarding the planned the realignment of Crimmin Road. ZPAC recommended approval with all but (1) member voting yes. One (1) member voted present. The minutes of the meeting are included as Attachment 16.

KCRPC

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on May 22, 2019. At this meeting, the Petitioners agreed to layover until the June meeting to allow Fox Township to complete their research on this request. The minutes of this meeting are included as Attachment 19. The Kendall County Regional Planning Commission reviewed the concerns expressed by Fox Township at their meeting on June 26, 2019. Commissioners felt that having the special use permit contingent on a traffic study and requiring the Petitioners to pay for improvements to Crimmin Road was unnecessary. Commissioners also agreed to allow events to be held on weekends instead of limiting events to Saturdays only. Discussion occurred regarding Fox Township's dry regulations and the consensus of the Commission was that Fox Township's dry regulations were not a zoning matter. Commissioners recommended approval of the special use permit with the removal of the requirement of the contingency of the traffic study and allowing events to occur on other days of the weekend including Saturdays, but only one (1) event could occur each weekend. The vote was five (5) in favor and four (4) absent. The minutes of this meeting are included as Attachment 21.

GENERAL

The Petitioners intend to establish the BrighterDaze Farm and Events banquet facility run by JoAnn Bright-Theis at the subject property. A special use permit is required to operate a banquet facility at the subject property. Pictures of the property are included as Attachments 8-15.

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

- a. The facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan.
- b. The subject parcel must be a minimum of 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.

The subject property and proposed business meets the above requirements.

BUSINESS OPERATION

The business plan for the proposed operations is included as Attachment 1, Pages 2-4. The site plan is included as Attachment 2. The building elevations are included as Attachment 3. The landscaping plan is included as Attachment 4. The parking illumination plan is included as Attachment 5. The interior plan is included as Attachment 6.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately eight thousand (8,000) square foot barn for weddings and similar events. The maximum capacity will be approximately two hundred eighty (280) people, with one (1) additional employee. While banquets will occur inside the existing barn, prospective clients could use the exterior grounds for pictures and outdoor ceremonies. The interior of the barn is a converted arena with a concrete floor. The barn is approximately twenty-six feet (26') tall at its peak and ten feet (10') tall at the ends.

An existing pond is located east of the horse barn.

The hours of operation will be Sunday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st.

The proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

The proposed business would use luxury trailer bathrooms for events with the intention to have permanent restroom facilities by 2021. Restroom facilities will be located north of the barn by the parking area.

The dumpster shall be located next to the parking lot by the barn.

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

Ancillary items, such as Brighter Daze shirts and glasses, may be sold on the premises.

BUILDING CODES

An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.

ENVIRONMENTAL HEALTH

Portable bathrooms will be used for events. The Petitioners will be conducting a soil study to determine the appropriate location for a septic field.

ROAD ACCESS

The property fronts Crimmin Road. Fox Township expressed concerns regarding Crimmin Road which could be addressed through appropriate restrictions.

PARKING AND INTERNAL TRAFFIC CIRCULATION

According to the site plan, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces will be located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

LIGHTING

Two (2) new lights are proposed for site. According to the parking illumination plan, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

SIGNAGE

One entrance and one exit sign will be installed on the property. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

LANDSCAPING

As shown on the proposed site plan, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue.

NOISE CONTROL

All music and noise shall originate inside the venue except for processions and recessions at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face east and the barn doors will remain closed after 7:00 p.m.

With the combination of distance and plantings, the Petitioners believe noise will not be an issue.

PREVIOUS EVENTS

According to information provided to the County, the Petitioners did not charge for events held previously on the property prior to June 1, 2019. On June 3, 2019, the Petitioners contacted the County and stated that they had an event on June 1, 2019, and charged a rental fee for this event. The Petitioners believed that the special use permit would be approved prior to the June 1st date and did not want to cancel the event.

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. **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 Kendall County Sheriff's Department has not submitted comments expressing concerns for public health and safety, based on the information provided by the Petitioners.***

*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, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by restrictions related to hours and days of operation, 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's site plan addresses 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. **The site conforms to the regulations of the A-1 Agricultural 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. 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."

RECOMMENDATION

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

1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and parking illumination plan.
2. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.
3. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
4. The subject parcel must maintain a minimum of five (5) acres.
5. 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)
6. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
7. 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. Any signage provided will not be illuminated. **The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property. (Last sentence added after discussion with Fox Township).**
8. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
9. 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.

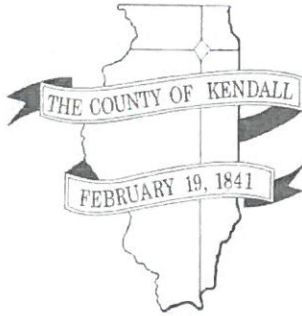
EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00)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

10. 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. Barn doors shall close by 7:00 p.m.
11. **Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday.** Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. **The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30). (Changed per Fox Township and KCRPC Meeting).**

12. A new certificate of occupancy must be issued for the barn.
13. **Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way. (Added per Fox Township).**
14. **No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road (Added per Fox Township).**
15. **A traffic study shall be conducted by the Kendall County Highway Department. (Amended at KCRPC Meeting).**
16. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
17. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
18. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
19. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

ATTACHMENTS

1. Application Materials (Including Business Plan)
2. Site Plan
3. Building Elevation
4. Landscaping Plan
5. Parking Illumination Plan
6. Interior Plan
7. Aerial
8. Entrance Looking South
9. Entrance Looking East
10. Entrance Looking North
11. Entrance Looking West
12. Exit Looking South
13. Exit Looking East
14. Exit Looking North
15. Exit Looking West
16. April 2, 2019 ZPAC Minutes
17. NRI Report
18. April 16, 2019 Fox Township Comments
19. May 22, 2019 KCRPC Minutes
20. June 14, Fox Township Comments
21. June 26, 2019 KCRPC Minutes

**DEPARTMENT OF PLANNING, BUILDING & ZONING**

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

APPLICATION**PROJECT NAME** BrighterDaze Farm & Events**FILE #:** 19-12

NAME OF APPLICANT JoAnn Bright-Theis		
CURRENT LANDOWNER/NAME(s) Robert Bright		
SITE INFORMATION	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
ACRES .18	10978 Crimmin Rd., Newark IL 60541	04-31-200-13
EXISTING LAND USE AGR	CURRENT ZONING AGR	LAND CLASSIFICATION ON LRMP A1
REQUESTED ACTION (Check All That Apply): <input checked="" type="checkbox"/> SPECIAL USE <input type="checkbox"/> MAP AMENDMENT (Rezone to ____) <input type="checkbox"/> ADMINISTRATIVE VARIANCE <input type="checkbox"/> A-1 CONDITIONAL USE for: _____ <input type="checkbox"/> TEXT AMENDMENT <input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final) <input type="checkbox"/> PRELIMINARY PLAT <input type="checkbox"/> FINAL PLAT <input type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor) <input type="checkbox"/> VARIANCE <input type="checkbox"/> SITE PLAN REVIEW <input type="checkbox"/> ADMINISTRATIVE APPEAL <input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)		
1^{PR}IMARY CONTACT Adam R Theis	PRIMARY CONTACT MAILING ADDRESS 10978 Crimmin Rd., Newark IL 60541	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE # [REDACTED]	PRIMARY CONTACT FAX # [REDACTED]	PRIMARY CONTACT OTHER # (Cell, etc.) [REDACTED]
2^{ENGINEER} CONTACT Ray Toth	ENGINEER MAILING ADDRESS 196 E South St, Elmhurst, IL 60126	ENGINEER EMAIL sparks9@sbcglobal.net
ENGINEER PHONE # 630-530-3700	ENGINEER FAX # [REDACTED]	ENGINEER OTHER # (Cell, etc.) 630-530-3700
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

FEE PAID: \$ 1155.00
CHECK #: 681632

¹Primary Contact will receive all correspondence from County

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

RECEIVED**MAR 26 2019****KENDALL COUNTY
DEPARTMENT OF PLANNING, BUILDING & ZONING**



Mission Statement

BrighterDaze Farm is committed to offering an exclusive and memorable experience for our customer's event. BrighterDaze is the ideal setting for anyone looking for a beautiful, private and spacious venue. We provide an 8,000 square foot barn that can accommodate intimate weddings of 40 people or grand guest lists of up to 280 people. We understand that everyone has a different idea of perfect; that's why we allow our customers the opportunity to customize the finest details of their event.

Business Plan

Hours of Operation:

Monday – Thursday: 9:00 AM – 10:00 PM

Friday – Saturday: 9:00 AM – 12:00 PM

Holiday Schedule: Open on the Eve and Day of all Federal Holidays

Closed for the Winter: Reopen April 1st

Wedding/Event Tours scheduled by appointment by appointment only outside hours of operation

Event Setup begins at 9:00 AM CST the day of event

Customers are to "vacate" the property 1 hour after conclusion of event

of Employees: 1

Event Setup & Cleanup Plans: BDF to utilize local sub-contracting services for all applicable trades to include but not limited to: Table(s), chair(s), linens, decorations (flowers, center-pieces, etc), food, beverage(s), bathrooms and cleanup services.

NO CASH BARS allowed

Bathrooms: Luxury Trailer Bathrooms will be utilized for events and is included in pricing.

BrighterDaze Farm to provide permanent facilities by 2021

Max Occupancy: 280 people

Venue Information: 60' x 120' (7,200 sq ft) Converted Arena w/ Concrete Flooring

Noise Control: All music/noise to originate from within venue at all times with the exception of processional(s)/recessional(s).

Sound not to exceed 65 dB (7:00 AM – 10:00 PM)

Sound not to exceed 55 dB (10:00 PM – 7:00 AM)

Music will “face” East (away) from Crimmin Rd with all doors remaining “closed” after 7pm.

BrighterDaze Farm has mature trees located on the property to facilitate dampening the sound.

Distance from Venue to Crimmin Rd = 700'

Setback from Crimmin Rd to neighbors residence = 200'

Parking Plan: One-Way Traffic Pattern to be utilized during business hours

34 Regular Parking Spaces + 4 Handicapped Spaces (Venue)

75 Regular Parking Spaces (Remote Parking)

Lighting to be “off” 1 hour after conclusion of event

Sale of Ancillary Items

BDF reserves the right to sell ancillary items such as sweaters, shirts, cups/glasses, etc.

Main Entrance/Exit Sign(s) Specifications (Locations as shown on Traffic Plan)



Header	Notice Sign
Legend	Notice: Main Entrance
Part#	S-8380
SPN#	8GWC
Colors	Blue and Black
Shape	Horizontal
Contents	1 Safety Sign



MODEL NO.	SIZE W x H	DESCRIPTION	THICKNESS
H-5755	36 x 12"	Exit w/Right Arrow	1/12"

CHICAGO TITLE INSURANCE COMPANY**COMMITMENT NO. 1**

ORIGINATING OFFICE:	FOR SETTLEMENT INQUIRIES, CONTACT:
Chicago Title Company, LLC 2000 West Galena, Suite 105 Aurora, IL 60506 Main Phone: (630)892-3775 Email: auroraescrow@ctt.com	Chicago Title and Trust Company 2000 West Galena, Suite 105 Aurora, IL 60506 Main Phone: (630)892-3775 Main Fax: (630)892-9241

Issued By: Daniel J. Kramer
1107A S. Bridge St.
Yorkville, IL 60560

SCHEDULE A**ORDER NO. 1**

Property Ref.: Vacant land, Newark, IL 60541

1. Effective Date: September 20, 2017
2. Policy or Policies to be issued:
 - a. ALTA Owner's Policy 2006
Proposed Insured: Madison Trust Company, Custodian FBO Robert A. Bright M1507085
Policy Amount: \$250,000.00
 - b. ALTA Loan Policy 2006
Proposed Insured: First National Bank, its successors and/or assigns as their respective interests may appear
Policy Amount: \$390,000.00
3. The estate or interest in the land described or referred to in this Commitment is:
Fee Simple
4. Title to the estate or interest in the land is at the Effective Date vested in:
First National Bank of Omaha, DeKalb Illinois, (formerly known as Castle Bank, a division of First National Bank of Omaha) as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Nuber 2526, as to parcels 1 and 2
Madison Trust Company, Custodian FBO Robert A. Bright M1507085 as to parcel 3

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SCHEDULE A
(continued)

5. The land referred to in this Commitment is described as follows:

PARCEL 1:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 29, THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30, THAT PART OF THE NORTHEAST QUARTER OF SECTION 31 AND THAT PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET FOR A POINT OF BEGINNING; THENCE WEST, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 1058.74 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH IS TANGENT TO THE LAST DESCRIBED CURVE AT THE LAST DESCRIBED POINT, 299.42 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A CURVE TO THE LEFT WITH A RADIUS OF 730.0 FEET, AN ARC DISTANCE OF 8.76 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 29; THENCE SOUTHERLY, ALONG SAID WEST LINE, 22.82 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 53 MINUTES 45 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 1066.40 FEET; THENCE SOUTH SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 16 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 889.54 FEET TO A POINT ON A SOUTHERLY LINE OF A TRACT CONVEYED TO ROBERT A BRIGHT, AS TRUSTEE OF THE ROBERT A BRIGHT DECLARATION OF TRUST BY TRUSTEE'S DEED RECORDED AS DOCUMENT 9801248 ON FEBRUARY 4, 1998; THENCE SOUTHWESTERLY ALONG SAID SOUTHERLY LINE WHICH FORMS AN ANGLE OF 89 DEGREES 59 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 197.0 FEET TO A SOUTHERLY CORNER OF SAID BRIGHT TRACT; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 95 DEGREES 37 MINUTES 45 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 359.61 FEET TO A POINT ON A LINE DRAWN EASTERLY, PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 32, FROM THE POINT OF BEGINNING AND WHICH IS 607.20 FEET FROM THE POINT OF BEGINNING; THENCE WESTERLY, ALONG SAID PARALLEL LINE WHICH FORMS AN ANGLE OF 107 DEGREES 48 MINUTES 12 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 607.20 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PART DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 233.54 FEET

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ALTA Commitment (06/17/2006)



SCHEDULE A
(continued)

FOR A POINT OF BEGINNING; THENCE CONTINUING SOUTHERLY, ALONG SAID EAST LINE, 178.96 FEET; THENCE WESTERLY, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 500.21 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 230.0 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 105.22 FEET TO THE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET; THENCE WESTERLY, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 500.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 230.0 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 105.22 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 31, WHICH IS 233.54 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHERLY, ALONG SAID EAST LINE, 233.54 FEET TO SAID NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 112 DEGREES 15 MINUTES 30 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 341.46 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 160 DEGREES 32 MINUTES 46 SECONDS WITH THE LAST

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SCHEDULE A
(continued)

DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 451.82 FEET TO SAID CENTERLINE OF CRIMMINS ROAD; THENCE SOUTHWESTERLY, ALONG SAID CENTERLINE, BEING A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 33.0 FEET TO THE POINT OF BEGINNING; ALL IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET; THENCE WEST, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 500.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 230.0 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 105.22 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 31 WHICH IS 233.54 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHERLY, ALONG SAID EAST LINE, 233.54 FEET TO SAID NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 112 DEGREES 15 MINUTES 30 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 341.46 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 160 DEGREES 32 MINUTES 46 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 451.82 FEET TO SAID CENTERLINE OF CRIMMINS ROAD; THENCE SOUTHWESTERLY, ALONG SAID CENTERLINE, BEING A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF

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SCHEDULE A
(continued)

33.0 FEET TO THE POINT OF BEGINNING IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET; THENCE WEST, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 96.90 FEET; THENCE CONTINUING ALONG SAID CENTERLINE AND THE LAST DESCRIBED COURSE BEING A CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 279.87 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 85 DEGREES 16 MINUTES 45 SECONDS WITH THE CHORD OF THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 336.0 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 99 DEGREES 38 MINUTES 52 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 64.05 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 92 DEGREES 26 MINUTES 37 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 273.94 FEET; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 79 DEGREES 20 MINUTES 56 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 33.58 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 79 DEGREES 20 MINUTES 56 SECONDS WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 239.11 FEET; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 92 DEGREES 26 MINUTES 37 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 57.63 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 99 DEGREES 38 MINUTES 52 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 361.78 FEET TO SAID CENTERLINE OF CRIMMINS ROAD; THENCE SOUTHEASTERLY, ALONG SAID CENTERLINE, BEING A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 30.0 FEET TO THE POINT OF BEGINNING

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ALTA Commitment (06/17/2006)



SCHEDULE A
(continued)

IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

END OF SCHEDULE A

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ALTA Commitment (06/17/2006)



SCHEDULE B

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

General Exceptions

1. **Rights or claims of parties in possession not shown by Public Records.**
2. **Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.**
3. **Easements, or claims of easements, not shown by the Public Records.**
4. **Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.**
5. **Taxes or special assessments which are not shown as existing liens by the Public Records.**
6. **We should be furnished a properly executed ALTA statement and, unless the land insured is a condominium unit, a survey if available. Matters disclosed by the above documentation will be shown specifically.**
7. **Note for Information: The coverage afforded by this commitment and any policy issued pursuant hereto shall not commence prior to the date on which all charges properly billed by the company have been fully paid.**

A Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.

B 8. Taxes for the years 2017.

Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: [04-29-300-007-0000](https://www.irs.gov/individuals/gettaxinfo) (1 of 12)

Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.

(affects part of parcel 1)

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ALTA Commitment (06/17/2006)

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SCHEDULE B
(continued)

- C 9. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-29-300-010-0000](#) (2 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 1)
- D 10. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-29-300-012-0000](#) (3 of 12)
Note: Taxes for the year 2016 amounting to \$2,033.16 are paid of record.
(affects part of parcel 1)
- E 11. Taxes for the years 100.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-30-400-007-0000](#) (4 of 12)
Note: Taxes for the year 2016 amounting to \$89.30 are paid of record.
(affects part of parcel 1)
- F 12. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-30-400-011-0000](#) (5 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 1)

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SCHEDULE B
(continued)

- G 13. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-32-100-006-0000](#) (6 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 1)
- H 14. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-32-100-008-0000](#) (7 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 1)
- I 15. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-30-400-012-0000](#) (8 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects parts of parcels 2 and 3)
- J 16. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-30-400-013-0000](#) (9 of 12)
Note: Taxes for the year 2016 amounting to \$5952.78 are paid of record.
(affects parts of parcels 2 and part of parcel 3)

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ALTA Commitment (06/17/2006)

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SCHEDULE B
(continued)

- K 17. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-30-400-014-0000](#) (10 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 2)
- L 18. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-31-200-013-0000](#) (11 of 12)
Note: Taxes for the year 2016 amounting to \$18.20 are paid of record.
(affects part of parcel 3)
- M 19. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-31-200-014-0000](#) (12 of 12)
Note: Taxes for the year 2016 amounting to \$6,973.78 are paid of record.
(affects part of parcel 2)
- N 20. Mortgage dated December 20, 2011 and recorded January 12, 2012 as Document No. [201200000710](#) made by Castle Bank, a Division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha to secure an indebtedness in the amount of \$900,000.00.
Modification of Mortgage recorded April 25, 2013 as Document No. 201300008721.
(affects parcels 1 and 2)
- O 21. Assignment of Rents recorded January 12, 2012 as Document No. 201200000711 made by Castle Bank, a Division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha.
(affects parcels 1 and 2)

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ALTA Commitment (06/17/2006)



SCHEDULE B
(continued)

- P 22. Mortgage dated December 20, 2011 and recorded January 12, 2012 as Document No. [201200000712](#) made by Castle Bank, a division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha to secure an indebtedness in the amount of \$500,000.00.
- (affects parcel 2)
- Q 23. Assignment of Rents recorded January 12, 2012 as Document No. 201200000713 made by Castle Bank, a division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha.
- (affects parcel 2)
- AE 24. If work has been performed on the Land within the last six months which may subject the Land to liens under the mechanics lien laws, the Company should be furnished satisfactory evidence that those who have performed such work have been fully paid and have waived their rights to a lien. If evidence is not provided or is unsatisfactory, this commitment/policy will be subject to the following exception:
- Any lien, or right to a lien, for services, labor or material, heretofore or hereafter furnished, imposed by law, and not shown by the Public Records.
- The Company reserves the right to add additional items or make further requirements after review of the requested documentation.
- AB 25. Information should be furnished establishing whether any written agreement has been entered into by and between any party and a broker for the purposes of buying, selling, leasing or otherwise conveying any interest in the Land described herein. If such an agreement has been entered into, satisfactory evidence should be furnished establishing that the compensation agreed upon in such agreement has been paid and the broker's lien, or right to a lien, for such amount has been extinguished. In the event said evidence is not furnished, our policy(ies), when issued, will be subject to the following exception:
- Any lien, or right to a lien, imposed by law under the provisions of the Commercial Real Estate Broker Lien Act for compensation agreed upon by a broker and the broker's client or customer under the terms of a written agreement entered into for the purposes of buying, selling, leasing, or otherwise conveying any interest in the Land described in Schedule A.
- AC 26. The Company should be furnished a statement that there is no property manager employed to manage the Land, or, in the alternative, a final lien waiver from any such property manager.



SCHEDULE B
(continued)

- AF 27. The Company should be furnished the following:
- a) A Certification of Trust executed by the trustee in accordance with 760 ILCS 5/8.5, together with excerpts of the trust agreement and amendments thereto relating to the designation of trustees and the power of the trustee to act in the current transaction, or
 - b) In the alternative, the trustee, in his or her sole discretion, may deliver to the Company a full copy of the trust agreement together with all amendments thereto.
- The Company reserves the right to add additional items or make further requirements after review of the requested documentation.
- S 28. Terms, powers, provisions, and limitations of the Trust under which title to the Land is held.
- T 29. The Land described in Schedule A either is unsubdivided property or constitutes part of a subdivided lot. As a result, a Plat Act Affidavit should accompany any conveyance to be recorded. In the alternative, compliance should be had with the provisions of the Plat Act (765 ILCS 205/1 et seq.)
- AD 30. Existing unrecorded leases and all rights thereunder of the lessees and of any person or party claiming by, through or under the lessees.
- U 31. Rights of the public, the state of Illinois and the municipality in and to that part of the land, if any, taken or used for road purposes. Affects part of the land lying in Crimmin Road in survey dated Jan 5, 1998 by James M. Olson, surveyor no. 2253.
- V 32. Rights of way for drainage tiles, ditches, feeders, laterals and underground pipes, if any.
- W 33. Rights of owners of land bordering on the streams in respect to the water and use of the surface of said body of water.
- X 34. Easement granted June 9, 1964 and recorded July 21, 1964 as document 145640 by Crimmins, et al to Illinois Power Company, its successors and assigns, the right and easement for public utilities purposes as described therein, together with the right of ingress and egress thereto for said purposes. Said easement was assigned to Northern Illinois Gas Company, its successors and assigns, by instrument recorded March 3, 1966 as document 151253.
- Y 35. Encroachment of the fence located mainly on the land onto the property North and adjoining by approximately 3.2 feet and along the West line measuring 255.45 feet by approximately 1.3 feet in section 30, land onto the property Southwesterly and adjoining by approximately 16.4 feet and the property Southerly and adjoining by Approximately 19.4 feet in section 31 and onto the property South and adjoining by approximate 8.5 feet and onto the property East and adjoining by approximate 7.5 feet in section 28; onto property North and adjoining by approximate 20.5 feet in section 29; as shown on plat of survey number 2253 prepared by Illinois Professional Land Surveyor dated January 5, 1998.

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SCHEDULE B
(continued)

- Z 36. Easement in favor of Nicor Gas, and its/their respective successors and assigns, to install, operate and maintain all equipment necessary for the purpose of serving the land and other property, together with the right of access to said equipment, and the provisions relating thereto contained in the grant recorded/filed as document no. 2000004172.
(see instrument for affects)
- AA 37. Terms and provisions of a Kendall County Health Department Well Variance recorded October 19, 2004 as Document No. 200400029156.

(For further particulars, see record.)
- AG 38. All endorsement requests should be made prior to closing to allow ample time for the company to examine required documentation.
(This note will be waived for policy).
- AH 39. Note for additional information: the "**Kendall**" county recorder requires that any documents presented for recording contain the following information:
- A. The name and address of the party who prepared the document;
 - B. The name and address of the party to whom the document should be mailed after recording;
 - C. All permanent real estate tax index numbers of any property legally described in the document;
 - D. The address of any property legally described in the document;
 - E. All deeds should contain the address of the grantee and should also note the name and address of the party to whom the tax bills should be sent.
 - F. Any deeds conveying unsubdivided land, or, portions of subdivided land, may need to be accompanied by a properly executed "plat act affidavit."
- AI 40. For residential property only:

A provision for inflation coverage will be added to the owner's policy. This enhancement can automatically increase the amount of the owner's policy. For additional information, please contact your local underwriter.

END OF SCHEDULE B

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SCHEDULE B
(continued)

Title Insurance Agent:

Daniel J. Kramer
1107A S. Bridge St.
Yorkville, IL 60560
Phone: (630)553-9500
Fax: (630)553-5764

Authorized Signatory

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ALTA Commitment (06/17/2006)



CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. *The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at <http://www.alta.org>.*

END OF CONDITIONS

1031 EXCHANGE SERVICES

If your transaction involves a tax deferred exchange, we offer this service through our 1031 division, IPX1031. As the nation's largest 1031 company, IPX1031 offers guidance and expertise. Security for Exchange funds includes segregated bank accounts and a 100 million dollar Fidelity Bond. Fidelity National Title Group also provides a 50 million dollar Performance Guaranty for each Exchange. For additional information, or to set-up an Exchange, please call Scott Nathanson at (312)223-2178 or Anna Barsky at (312)223-2169.

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KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Madison Trust Company FBO Robert Bright M1507085.
Address 401 East 8th Street Suite 200P
City Sioux Falls State SD Zip 57103
2. Nature of Benefit Sought Special Use Permit
3. Nature of Applicant: (Please check one)
☐ Natural Person (a)
☐ Corporation (b)
☐ Land Trust/Trustee (c)
☐ Trust/Trustee (d)
☐ Partnership (e)
☐ Joint Venture (f)
4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:
Self-Directed IRA
5. If your answer to Section 3 you have checked letter b, c, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:
- | NAME | ADDRESS | INTEREST |
|---------------|----------------------------------|----------|
| Robert Bright | 10978 Crimmin Rd Newark IL 60541 | 100% |
| | | |
| | | |
| | | |
| | | |
6. Name, address, and capacity of person making this disclosure on behalf of the applicant:
Shaine Timmins, 401 East 8th Street, Suite 200P, Sioux Falls, SD 57103, Authorized Signer for Madison Trust Company

VERIFICATION

I, Shaine Timmins, being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Subscribed and sworn to before me this 19th day of March, A.D. 2019

(seal)

Notary Public

CHAYA TOVA SLATER
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SL6348808
Qualified In Rockland County
My Commission Expires 10-03-2020



CORPORATE RESOLUTION

This resolution remains in effect until you receive notice that it has been revoked or receive a new form.

I. Organization Information

- a. Name of Organization: Madison Trust Company, Inc.
- b. Organization Type: Trust Company serving as IRA Custodian
- c. Corporate Headquarters: 401 E. 8th Street, Suite 200P, Sioux Falls, SD 57103
- d. Telephone Number: 800-721-4900

II. This resolution is an authorization to act on behalf of Madison Trust Company's accounts.

III. Authorized Signatories:

The Individuals who sign below are authorized to:

- a. Sign any documents related to assets held by Madison Trust Company's accounts.
- b. Invest and redeem the assets held by Madison Trust Company's accounts.
- c. Obtain account information and give instructions for the purchase, sale, exchange, transfer or assets or securities held by Madison Trust Company's accounts.
- d. Establish access to Madison Trust Company's accounts online or through any other electronic or telephonic system.
- e. Engage in any other action regarding the assets held by Madison Trust Company's accounts.

The number of signatures required on a document is one (1).

Name of authorized signatories:

E. Brian Finkelstein, Chairman

Mervyn Klein, CEO

Daniel Gleich, President

Dated: 02/20/2018

Dated: 02/20/2018

Dated: 02/20/2018



Additional Persons who can conduct transactions:

The individuals listed below are authorized to sign Transfer Authorizations, Re-registration Confirmations, Assignment of Notes, and any documents related to assets on behalf of Madison Trust Company's accounts.

Charles Knopf

Alexa Holzberg

Aidy Markowitz

Tova Slater

Maggie Borchardt

Amanda Pillitteri

Anne McBride

Brittany Bordeau

Elizabeth Frasciello

Jim Riswold

Nick Talarico

Xiomara Rodriguez

Seth Bergida

Shaine Timmins

Liam Stewart

Ian Robertson

Zachary Croan

The individuals listed below are authorized to sign IRA LLC Operating Agreements on behalf of Madison Trust Company's accounts.

Charles Knopf

Alexa Holzberg

Aidy Markowitz

Tova Slater

Maggie Borchardt

Amanda Pillitteri

Shaine Timmins

Ian Robertson

Elizabeth Frasciello

Joel Galkin

Mark Weissman

Kathleen Christman

Laurah Boswell

Anne McBride

Liam Stewart

Brittany Bordeau

Zachary Croan



Certification and Indemnification:

The undersigned signatories of Madison Trust Company hereby certify that:

- Each of the authorized signatories listed below is authorized by resolution of the board of directors to act on behalf of the organization in connection with any of the Madison Trust Company accounts.
- Madison Trust Company agrees to indemnify and hold harmless any investment company, its officers, employees and agents from and against all losses, claims and expenses (including attorney's fees) incurred by the investment company for relying in good faith upon the information provided in this resolution and for action on instructions believed by the investment company to have originated from any authorized signatory or additional authorized person listed above.
- This resolution remains in full force and effect until revoked by an authorized signatory of Madison Trust Company. Any revocation will not affect any liability resulting from transactions initiated before the investment company has had a reasonable amount of time to act upon the revocation.

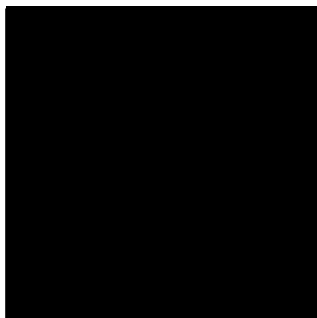
The undersigned are authorized to certify this information on behalf of Madison Trust Company and confirm that these provisions conform to the charter or other organizing document of Madison Trust Company.

Authorized Signatories:

E. Brian Finkelstein, Chairman

Mervyn Klein, CEO

Daniel Gleich, President



_____ Dated: 02/20/2018

_____ Dated: 02/20/2018

_____ Dated: 02/20/2018

KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Bright & Entheising Events
Address 10978 Crimmin Rd
City Newark, IL 60541 State IL Zip 60541

2. Nature of Benefit Sought Special Use Permit

3. Nature of Applicant: (Please check one)

- ☐ Natural Person (a)
☒ Corporation (b)
☐ Land Trust/Trustee (c)
☐ Trust/Trustee (d)
☐ Partnership (e)
☐ Joint Venture (f)

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:

Event Venue

5. If your answer to Section 3 you have checked letter b, c, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:

NAME	ADDRESS	INTEREST
JoAnn Bright-Theis	10978 Crimmins Rd Newark, IL 60541	25%
Adan Theis	10978 Crimmins Rd Newark, IL 60541	25%
Nicola Bright	10978 Crimmins Rd Newark, IL 60541	25%
Robert Bright	10978 Crimmins Rd Newark, IL 60541	25%

6. Name, address, and capacity of person making this disclosure on behalf of the applicant:

JoAnn Bright-Theis 10978 Crimmins Rd Newark, IL 60541

VERIFICATION

I, _____, being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Subscribed and sworn to before me this _____ day of _____, A.D. _____

(seal)

Notary Public



Kendall County Soil & Water
Conservation District

RECEIVED
MAR 13 2019

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



www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Robert Bright

Address: 10978 Crimmin Rd

City, State, Zip: Newark, IL 60541

Phone Number: ()

Email:

Contact Person: JoAnn Bright-Theis

10978 Crimmin Rd

Newark, IL 60541

()

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

Site Location & Proposed Use

Township Name Fox Township

Township Fox N, Range T36 E, Section(s) R6

Parcel Index Number(s) 04-31-200-013

Project or Subdivision Name N/A

Number of Acres .28

Current Use of Site A1

Proposed Use General Public

Proposed Number of Lots n/a

Proposed Number of Structures n/a

Proposed Water Supply Well (On-Site)

Proposed type of Wastewater Treatment n/a

Proposed type of Storm Water Management n/a

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: Kendall County

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.

Petitioner or Authorized Agent

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# 1907 Date initially rec'd 3/14/19 Date all rec'd Board Meeting April 2019

Fee Due \$ Fee Paid \$ Check # Over/Under Payment Refund Due

Applicant: Robert Bright
Contact: JoAnn Bright-Theis
Address: 10978 Crimmin Rd
Newark, IL 60541

Project: BrighterDaze Farm & Events
Address: 10978 Crimmins Rd, Newark

IDNR Project Number: 1908293
Date: 03/01/2019

Description: Repurpose existing 120' x 62' arena for weddings and events

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
Millington Fen INAI Site
Millington Railroad Fen Natural Heritage Landmark
Tucker-Millington Fen Nature Preserve
River Redhorse (*Moxostoma carinatum*)

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:

36N, 6E, 29
36N, 6E, 30
36N, 6E, 31
36N, 6E, 32



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

Government Jurisdiction
Kendall County Zoning Commission
Matt Asselmeier
111 W Fox St
Yorkville, Illinois 60560 -1498

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.

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.



EcoCAT Receipt

Project Code 1908293

APPLICANT

DATE

Robert Bright
Adam theis
10978 Crimmin Rd
Newark, IL 60541

3/1/2019

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



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

JB Pritzker, Governor

Colleen Callahan, Director

March 04, 2019

JoAnn Bright-Theis
Robert Bright
10978 Crimmin Rd
Newark, IL 60541

RE: BrighterDaze Farm & Events
Project Number(s): 1908293
County: Kendall

Dear Applicant:

This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 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.

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
Division of Ecosystems and Environment
217-785-5500

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.

BrighterDaze Farm & Events have hosted a cursory review with the Code Official for Kendall County Planning, Building & Zoning (Brian Holdiman), an architect (Sparks Architects) and structural engineer (Hinsdale Engineering) whom have raised no issues with public endangerment.

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.

BrighterDaze Farm & Events will abide by the results of the Special Use Permit effort. We feel strongly the venue will not impair property values due to the natural "buffers" afforded to the farm (mature trees, berms and spacious property). Customers will frequent local businesses such as hotels, restaurants, etc resulting in a stronger local economy.

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

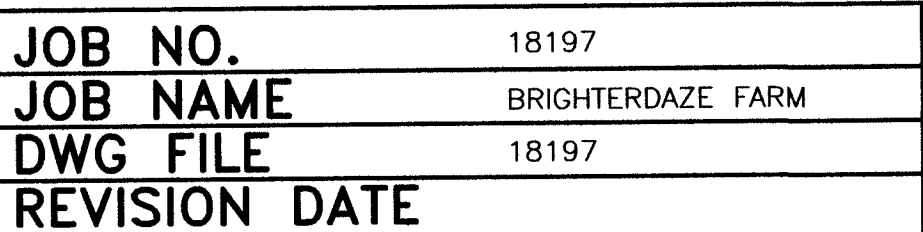
BrighterDaze Farm & Events utilizes a "one way" traffic pattern to quickly and safely flow patrons in and out of the property with minimum impact to local traffic. All facilities have been permitted and/or inspected by Kendall County within the past 15 years.

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

BrighterDaze Farm & Events will abide by the results of the Special Use Permit effort.



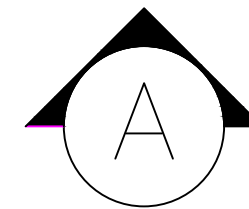
That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.

BrighterDaze Farm & Events abides by all codes/regulations of the Land Resource Management Plan and other adopted County, Municipal plans and policies.



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

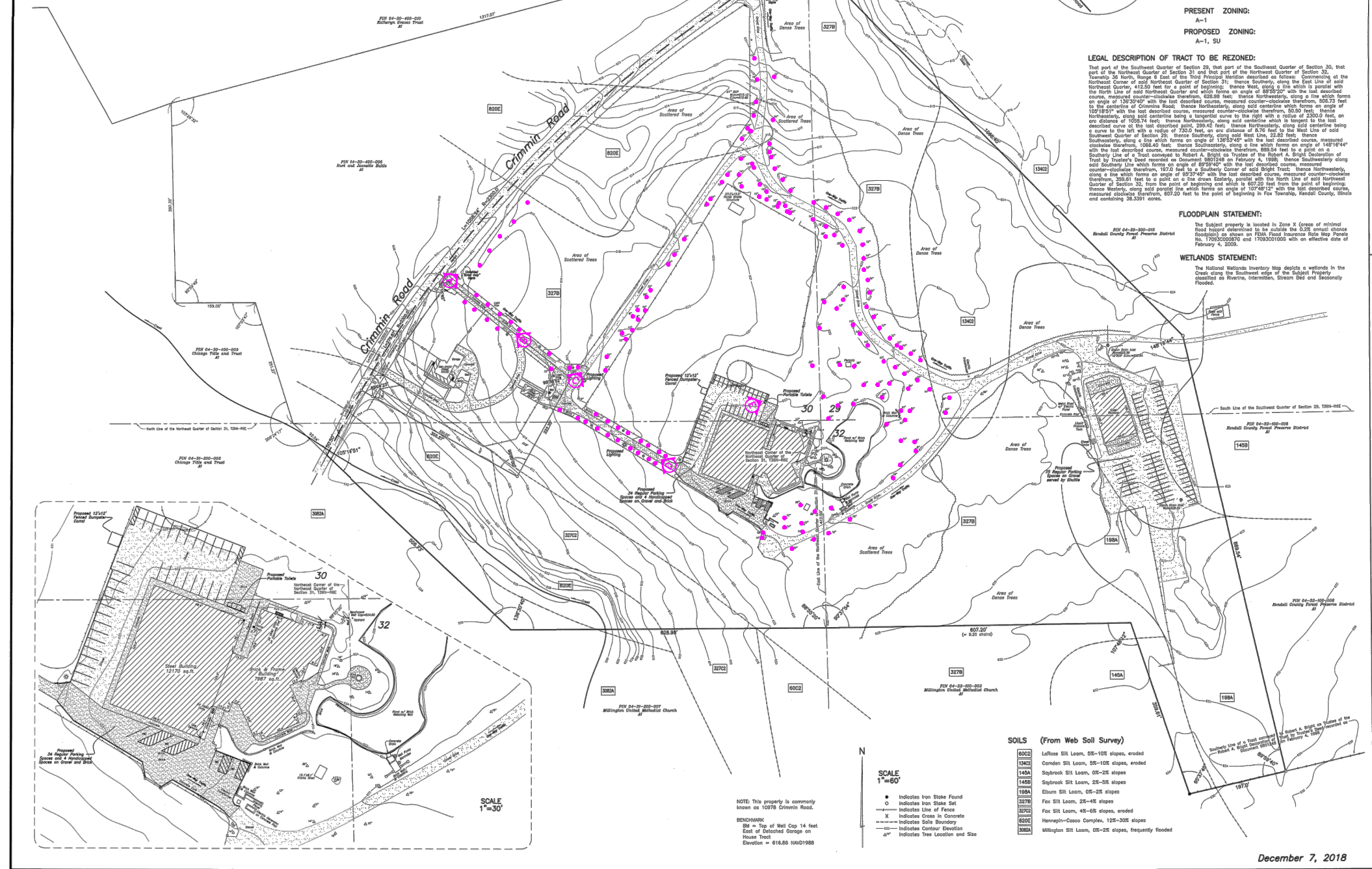
**1107B South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553-1580**

[illegible]BrighterDaze Farm
Building Elevations Plan

10978 Crimmins Rd • Newark, IL 60541

DRAWN BY ART		CHECKED BY	
PROJECT NUMBER			
DATE ISSUED 03/19/19		SCALE N/A	
SHEET NUMBER 1.0			

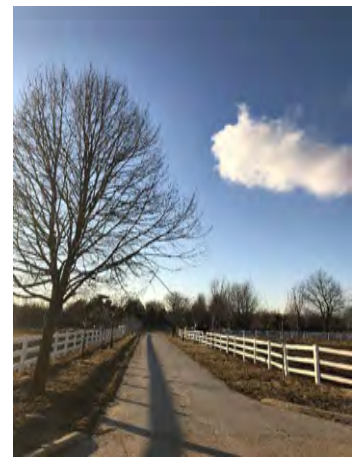
ZONING PLAT OF
PART OF THE SOUTHWEST QUARTER OF SECTION 29,
PART OF THE SOUTHEAST QUARTER OF SECTION 30,
PART OF THE NORTHEAST QUARTER OF SECTION 31, and
PART OF THE NORTHEAST QUARTER OF SECTION 31, T36N-R6E, 3rd PM
FOX TOWNSHIP KENDALL COUNTY ILLINOIS



B Main Entrance Drive



C Middle Drive



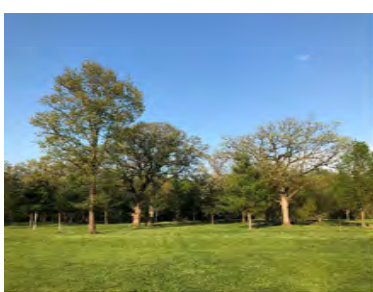
D Main Drive



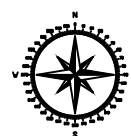
A Main Entrance

Notes:
1) (166)Trees Ranging from 3" – 36"

Brighter Daze Farm Landscaping Plan
SCALE: Not to Scale



E NE View

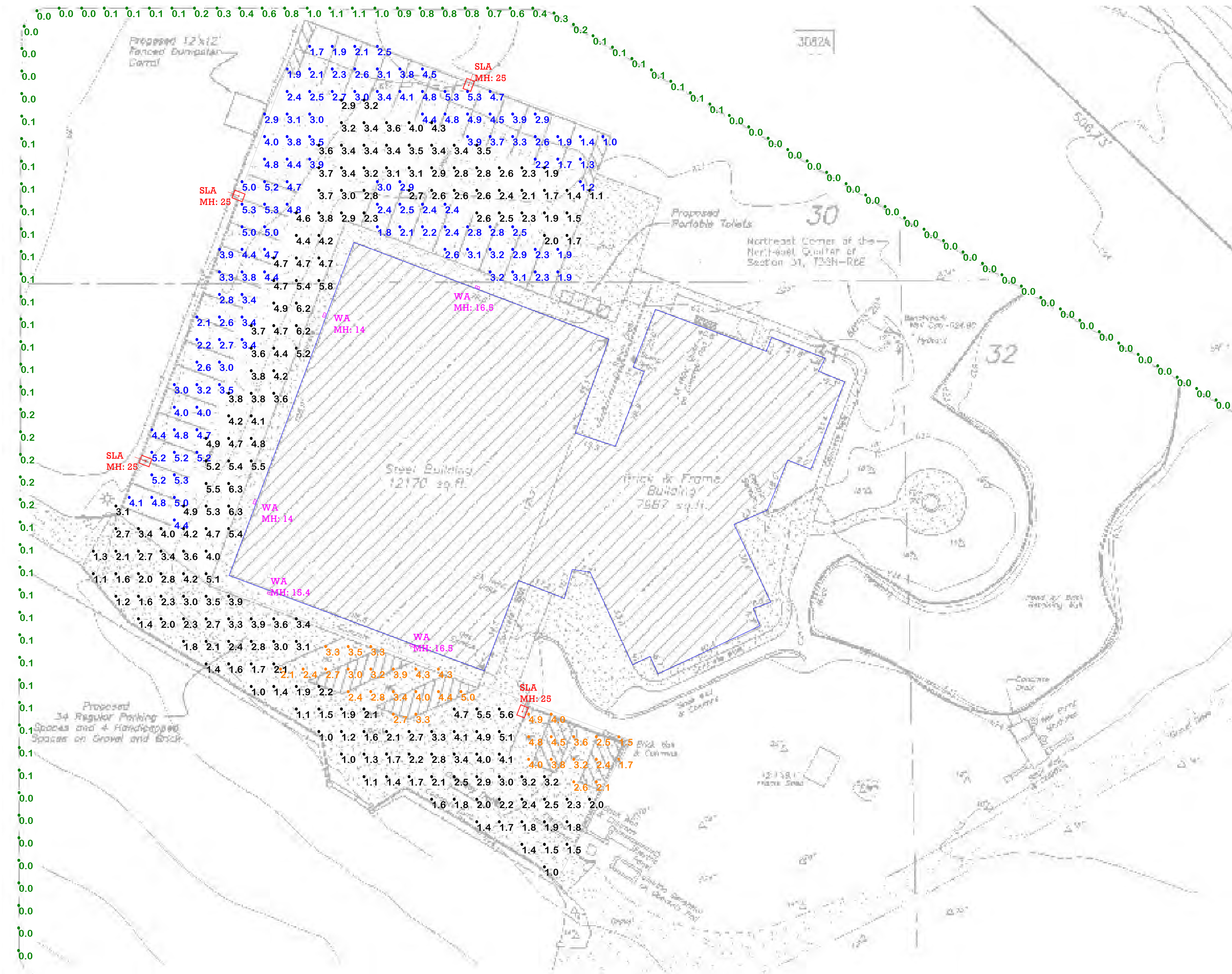


Philip D. Young and Associates, Inc.
LAND SURVEYING — TOPOGRAPHIC MAPPING — LIAISON — 10978 Crimmins Rd • Newark, IL 62051
Tel: 618-333-1100 Fax: 618-333-1101 Email: info@pdyoung.com Website: www.pdyoung.com

REVISIONS:

NO.	DATE	REVISION
1	11/17	11/17
2	11/17	11/17
3	11/17	11/17
4	11/17	11/17
5	11/17	11/17
6	11/17	11/17
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96	11/17	11/17
97	11/17	11/17
98	11/17	11/17
99	11/17	11/17
100	11/17	11/17

DATE ISSUED: 03/19/19
SCALE: N/A
SHEET NUMBER: 1.0



Luminaire Data						
Label	Qty	Symbol	Manufacture	Description	Lum. Lumens	Lum. Watts
SLA	4		PHILIPS GARDCO	ECF-S-64L-1A-NW-G2-3	23936	0.850 205.9
WA	5		PHILIPS STONCO	LPW32-7	6910	0.850 70.5

- NOTES:
1. The calculated results of this lighting simulation represent a prediction of system performance and are not guaranteed.
 2. Actual measured results may vary from the anticipated performance and are subject to means and conditions which are beyond the control of DBL Lighting Consultation.
 3. Illumination values shown (in foot-candles) are horizontal at grade level based on Mounting Height marked MH=??
 4. Calculation points are on an 8' x 8' spacing

Calculation Values							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Handicap Spaces (Orange)	Illuminance	Fc	3.32	5.0	1.5	2.21	3.33
Parking Spaces (Blue)	Illuminance	Fc	3.40	5.3	1.0	3.40	5.30
Property Line (Green)	Illuminance	Fc	0.17	1.1	0.0	N.A.	N.A.
Traffic Lanes (Black)	Illuminance	Fc	3.07	6.3	1.0	3.07	6.30
All Hardscape	Illuminance	Fc	3.24	6	1	3.24	6.00

Scale: 1 inch= 20 Ft.

DB Lighting Consultation (DBLC) assumes no responsibility for any errors in the IES files, background images, or other information provided to DBLC to be used in these calculations. Actual or measured results may vary due to manufacturer tolerances, component malfunctions, obstructions, varying surface reflectance's and other field conditions. The owner assumes all responsibility for compliance with federal, state and/or local codes and regulations.

Prepared For:
Brittany Willer

Prepared by:
DB Lighting Consultation
407-924-4113

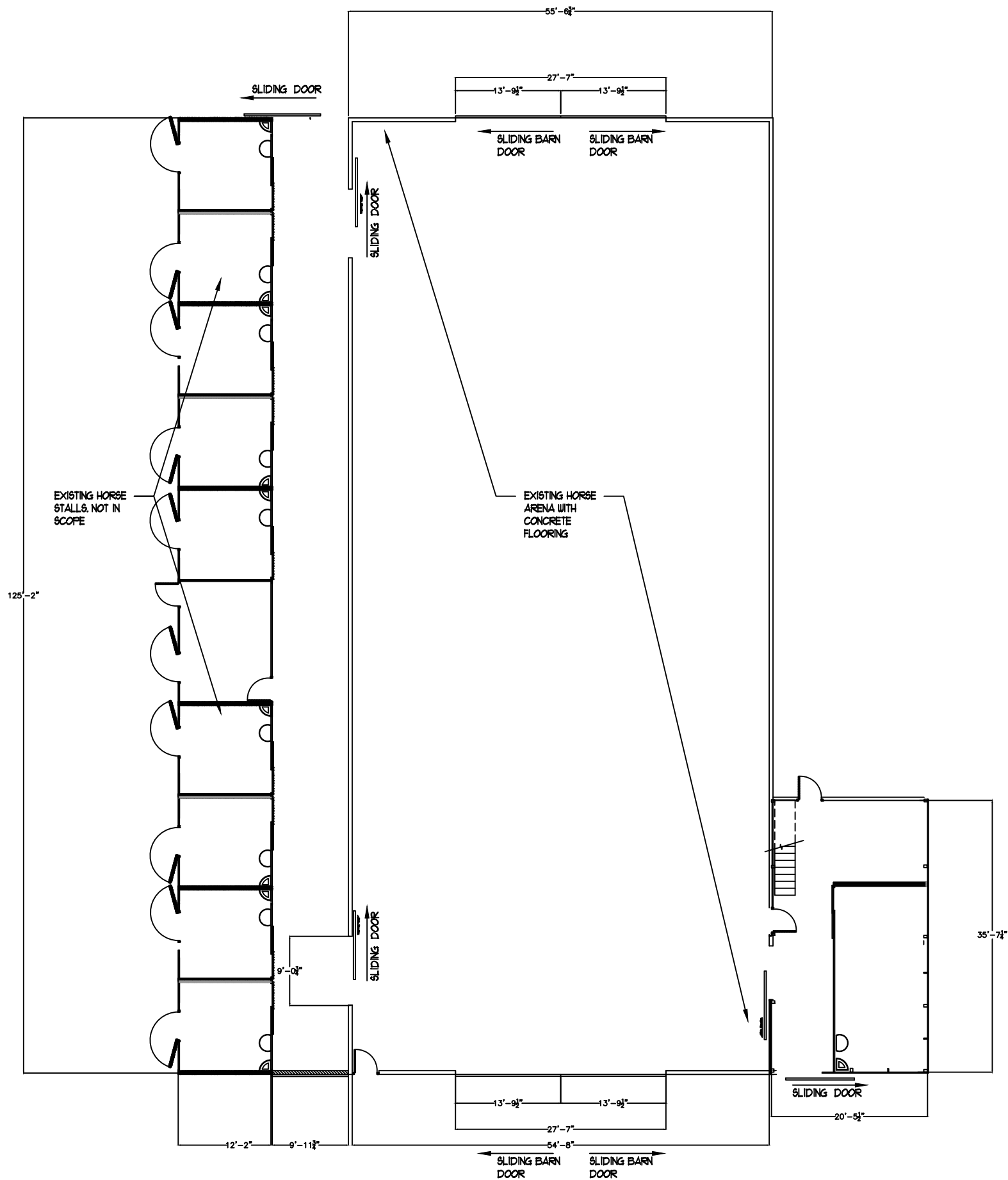


Chicago Lightworks

505 Warrenville Rd.
Suite 101
Lisle, IL 60532

Rev	Date	Comments
..
..
..
..
..
Revisions		

Project Name: BrighterDaze Farms Parking	Project ID Number: 2019-151	Date: 03/14/2019
--	--------------------------------	---------------------

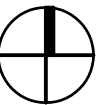


1
A1

EXISTING CONDITIONS

1/16" = 1'-0" 6,976 SF

NORTH



FOR REVIEW
03-15-19

FOR REVIEW
03-15-19

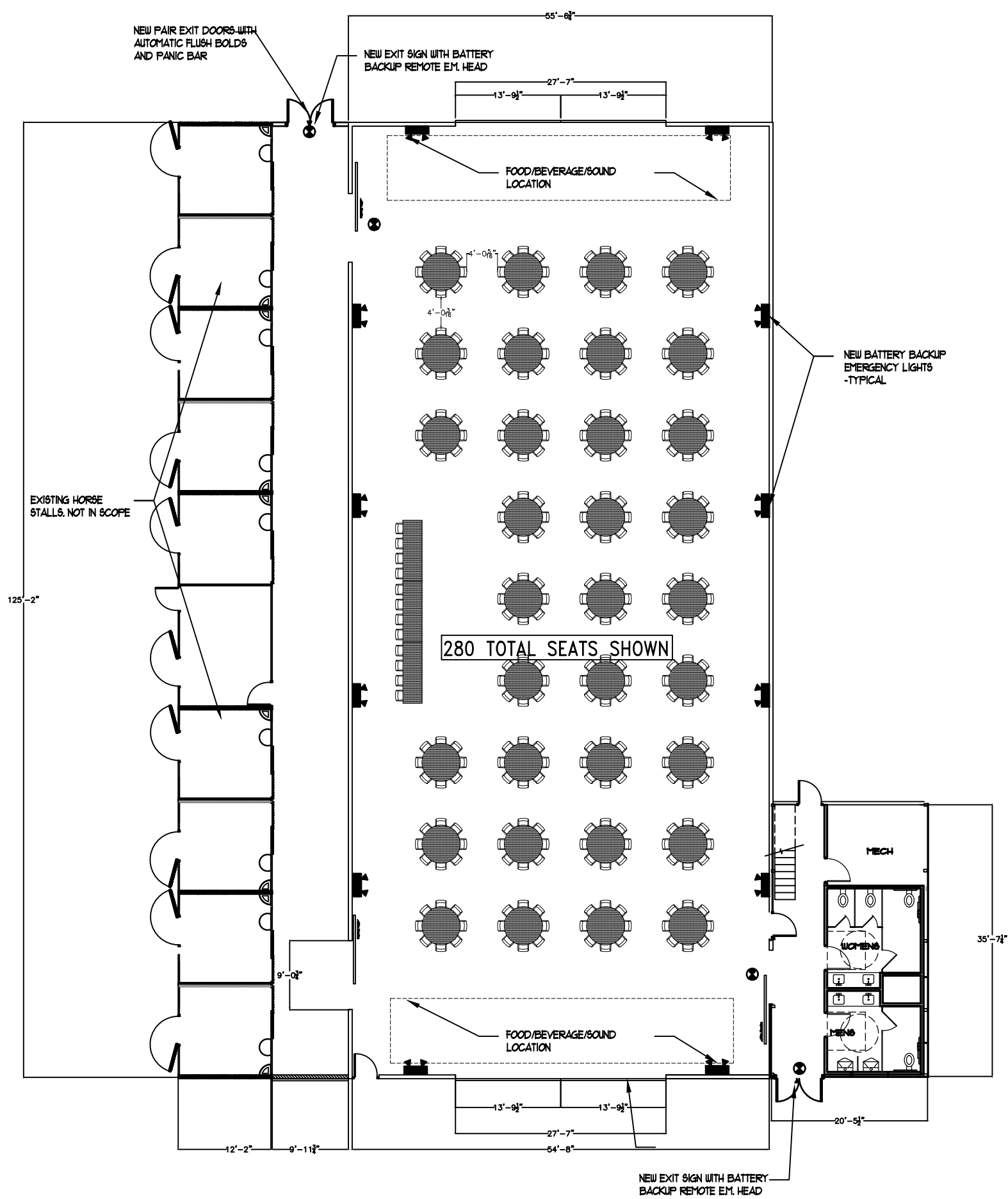
196 SOUTH STREET
ELMHURST, IL 60126
PHONE: 1.630.530.3700
SPARKSARCH1.COM

BRIGHTER DAZE FARM
OVERALL PLAN
10978 Crimmin Road
Newark, IL 60541

Project
Number:

A2

03-15-19



CALCULATION FOR REQUIRED EGRESS WIDTH
6,976 SF / 15 SF per OCC (TABLES & CHAIRS) = 465 OCCUPANTS
465 x .15 = 70" EGRESS WIDTH REQUIRED
140" WIDTH PROVIDED



1
A1

EXIT / EM PLAN
1/16" = 1'-0" 6,976 SF

NORTH

FOR REVIEW
03-15-19

Calculation Summary											
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Description	PtSpcLr	PtSpcTb	Meter Type
Brighter Daze_Workpl	Illuminance	Fc	43.00	122.1	1.9	22.63	64.26	Readings at 3 FT AFF	4	4	Normal
Corridor_Floor	Illuminance	Fc	7.72	13.1	2.1	3.68	6.24	Readings at 0 FT AFF	4	4	Normal
Exterior Perimeter	Illuminance	Fc	3.81	26.0	0.0	N.A.	N.A.	Readings at 0 FT AFG	5	5	Horizontal
Stall_Floor	Illuminance	Fc	28.14	35.0	23.2	1.21	1.51	Readings at 0 FT AFF	4	4	Normal

Luminaire Schedule											
Symbol	Qty	Tag	Label	Lum. Lumens	LLF	Description	Lum. Watts	Total Watts	Filename	BUG Rating	
	14	A-Alt	BHH400P22PS	34833	0.720	400W BHH Highbay	450	6300	BHH400P22PS - Middle - LSI21681.	B5-U5-G4	
	5	B	WPLEDFC104N	13118	1.000	WPLEDFC104N	105.3	526.5	WPLEDFC104N - Neutral - RAB01941	B2-U0-G2	
	6	C	BRISK8N	970	1.000	BRISK8N	8.87	53.22	BRISK8N - Neutral - RAB02226MOD4	B0-U3-G1	
	20	D	RDLED6R26D-80N-W-W2477		1.000	RDLED6R26D-80N-W-W	29.289	585.78	RDLED6R26-80N-W-W - Neutral - RA	B2-U1-G1	

Expanded Luminaire Location Summary						
LumNo	Tag	X	Y	MTG HT	Orient	Tilt
1	B	129.5	152.7	16.55	90	0
2	D	87.4	147.9	9.9	0	0
3	D	87.4	143.3	9.9	0	0
4	A-Alt	120.3	141.1	14	0	0
5	A-Alt	137.8	141.1	14	0	0
6	D	87.6	136.1	9.9	0	0
7	C	101.95	134.5	7.25	180	0
8	D	87.6	131.5	9.9	0	0
9	B	82.3	127.1	14	180	0
10	A-Alt	120.3	124.9	14	0	0
11	A-Alt	137.8	124.9	14	0	0
12	D	87.6	123.9	9.9	0	0
13	D	87.6	119.3	9.9	0	0
14	C	101.95	117.7	7.25	180	0
15	D	87.8	112.1	9.9	0	0
16	A-Alt	120.3	108.7	14	0	0
17	A-Alt	137.8	108.7	14	0	0
18	D	87.8	107.5	9.9	0	0
19	C	101.95	100.7	7.25	180	0
20	D	87.8	99.4	9.9	0	0
21	D	87.8	94.8	9.9	0	0
22	A-Alt	120.3	92.5	14	0	0
23	A-Alt	137.8	92.5	14	0	0
24	D	87.4	86	9.9	0	0
25	C	101.95	83.7	7.25	180	0
26	D	87.4	81.4	9.9	0	0
27	A-Alt	120.3	76.3	14	0	0
28	A-Alt	137.8	76.3	14	0	0
29	D	87.8	72.6	9.9	0	0
30	D	87.8	68	9.9	0	0
31	C	101.95	66.7	7.25	180	0
32	D	87.8	60.4	9.9	0	0
33	A-Alt	120.3	60.1	14	0	0
34	A-Alt	137.8	60.1	14	0	0
35	D	87.8	55.8	9.9	0	0
36	B	82.3	51.5	14	180	0
37	D	87.8	48.4	9.9	0	0
38	C	101.95	45.7	7.25	180	0
39	D	87.8	43.8	9.9	0	0
40	A-Alt	120.3	43.9	14	0	0
41	A-Alt	137.8	43.9	14	0	0
42	D	87.8	35.4	9.9	0	0
43	D	87.8	30.8	9.9	0	0
44	B	97.3	26.2	15.4	270	0
45	B	129.7	26.3	16.55	270	0
Total Quantity: 45						

NOTES:

Scale: as noted	PROJECT #103124	
	Date:10/1/2018	CASE #204297
	Filename: BrighterDaze Farm 204297B.AGI	
Job Name: BrighterDaze Farm Newark, IL Lighting Layout Version B	Drawn By:Shaun Fillion, LC	
	Prepared For: BW Design Adam Thies	
	Filename: C:\Users\shaun.fillion\Desktop\BrighterDaze Farm 204297B.AGI	

1



Attachment 8 Entrance Looking South



Attachment 9 Entrance Looking East



Attachment 10 Entrance
Looking North





Attachment 12 Exit Looking South





Attachment 14 Exit Looking North





**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
April 2, 2019 – Unapproved Meeting Minutes**

PBZ Committee Chairman Matthew Prochaska called the meeting to order at 9:00 a.m.

Present:

Megan Andrews – Soil and Water Conservation District (Arrived at 9:03 a.m.)
Matt Asselmeier – PBZ Department
Meagan Briganti – GIS
David Guritz – Forest Preserve (Arrived at 9:05 a.m.)
Deputy Commander Mitchell Hattan – Sheriff's Department
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Aaron Rybski – Health Department
Matthew Prochaska – PBZ Committee Chair

Absent:

Greg Chismark – WBK Engineering, LLC

Audience:

Mark Caldwell, Adam Theis, and JoAnn Bright-Theis

AGENDA

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

MINUTES

Mr. Hattan made a motion, seconded by Mr. Klaas, to approve the March 5, 2019, meeting minutes. With a voice vote of all ayes, the motion carried unanimously.

PETITIONS

Petition 19-11 Mark Caldwell on Behalf of Dickson Valley Ministries – Major Amendment to a Special Use Permit by Repealing and Replacing Their Approved Site Plan at 8250 Finnie Road in Fox Township

Mr. Asselmeier summarized the request.

The subject property is approximately one hundred sixty (160) acres in size and has a special use permit for a youth camp and retreat center. The use at the subject property was originally established in 1971. The subject property was zoned A-1 with a special use permit for a youth camp and retreat center following the 1974 Countywide rezoning.

Ms. Andrews arrived at this time (9:03 a.m.).

The existing zoning regulations on the property were established by Ordinance 2014-05. This ordinance repealed several pre-existing ordinances and combined the conditions and restrictions placed upon Dickson Valley Ministries into one (1) ordinance. The restrictions placed on the special use permit were:

1. The property can be utilized all year long.
2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
3. The number of over-night campers shall be limited to no more than 350 at any one time.
4. No more than 8 hook-ups for RV's.
5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

Ordinance 2014-05 also included a site plan, which the Petitioner wishes to amend.

The Petitioner desires the update to their existing site plan in order to meet their needs. The long-range plan will take no less than ten (10) years and will occur as funding allows.

Mr. Guritz arrived at this time (9:05 a.m.)

The proposed changes are as follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) "overnight campers." This number is inclusive of as many as one hundred (100) day-only campers during the summer.
2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).
3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.
4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house with no more than a total of twelve thousand square feet (12,000 sq. ft.) under roof. The capacity for meetings and activities for up to two hundred fifty (250) campers year-round with some sections for open air activities. The plan also calls for various freestanding decks for small groups or activities, two (2) open air camper pavilion areas with maximum capacity of fifty (50) people each at two thousand square feet (2,000 sq. ft.) in size. The area will also host day camp activities, including water activities (i.e. splash pad, or wading fountain). The fifty thousand square feet (50,000 sq. ft.) of combined septic field serving all new restrooms will also be located in this area. A picture of the Development A is included as Attachment 5.
5. Development B, Resident Camp Area, shall consist of four (4) year-round camper cabins of no more than two thousand five hundred square feet (2,500 sq. ft.) each for total house of twenty (20) persons per cabin. There will be one (1) additional summer staff cabin at two thousand square feet (2,000 sq. ft.). A picture of Development B is included as Attachment 6.
6. Development C, Activity Area shall consist of an outdoor high ropes course, by sky-tracks or similar, mini golf course, ice rink pavilion, free standing decks for small groups and one (1) summer staff cabin of no more than two thousand square feet (2,000 sq. ft.) A picture of Development C is included as Attachment 7.
7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods with seating up to three hundred fifty (350), camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area. A picture of Development D is included as Attachment 8.
8. Development E, Entrance Drive, shall consist of a gatehouse for a controlled entrance and a six (6) bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated. A picture of Development E is included as Attachment 9.
9. Development F, Maintenance Area, shall consist of a new shop not to exceed eight thousand square feet (8,000 sq. ft.) and removal of the old shop or remodel the old shop into storage.
10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building. A picture of Development G is included as Attachment 10.
11. Development H, North Activity Area, shall consist of primitive campsites, no permanent structures, a parking area off of Finnie Road, high climbing tower, zip lines, miscellaneous team activities and a pedestrian walkway over/under/across Finnie Road.
12. The Retreat Development Zone shall consist of a water filtration station, including possible new structures or addition to the existing well. A new building for recreation room, snack shop, and host offices are also planned for this zone.

13. Addition 1, Director's Lodge, shall consist of a fourteen foot by eighteen foot (14' x 18') dining room addition. The current structure is one hundred twenty-six feet (126') offset from the road and the addition may encroach no more than an additional three feet (3'). A picture of Addition 1 is included as Attachment 11.
14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west, which will increase seating from two hundred (200) to two hundred fifty (250). A lower level of addition could include offices or meeting space and the kitchen will be upgraded as needed. A picture of Addition 2 is included as Attachment 12.
15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces to accommodate eighty to one hundred (80-100) people, an addition of two (2) separate "leaders" rooms with restrooms, and remodel and add-on to program office for camp store. A picture of Addition 3 is included as Attachment 13.
16. Addition 4, Oulund Chalet, shall consist of remodeling of the upper level to improve housing space and remodeling of restrooms. A picture of Addition 4 is included as Attachment 14.
17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition for four (4) separate "leaders" rooms with restrooms. A picture of Addition 5 is included as Attachment 15.
18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar. A picture of Addition 6 is included as Attachment 16.
19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing and Additions to lodge for possible staff housing and extra space. A picture of Addition 7 is included as Attachment 17.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

The future land use map calls for this area to be agricultural, open space, and countryside residential. The adjacent zoning districts are A-1 and R-1. Zoning within one half (1/2) mile are A-1 and R-1.

Finnie Road is considered a scenic route and no trails are planned in the area.

There are floodplains and wetlands on the property. None of the proposed development is occurring in the floodplain or wetlands.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Dixon Valley Sedge Meadow INAI Site, Fox River INAI Site, Dickson Sedge Meadow Natural Heritage Landmark, and River Redhorse (*Moxostoma carinatum*). Negative impacts to the above are considered unlikely and consultation was terminated.

The Petitioner submitted an application for NRI.

Petition information was sent to Fox Township on March 26, 2019.

Petition information was sent to the Village of Millbrook on March 26, 2019.

Petition information was sent to the Sandwich Fire Protection District on March 26, 2019.

Any new buildings would have to meet applicable building codes.

As noted on the proposed site plan, lighting will be intentionally left low.

The subject property is heavily wooded. As noted on the proposed site plan, the Petitioner considers the natural landscape important to their operations.

Stormwater permits will be required as the proposal is implemented and will be reviewed on a project-by-project basis.

The Petitioner proposes to make adjustments to their wells and septic systems. These changes will be evaluated as the proposal is implemented. Electricity is already onsite.

Before issuing a recommendation, Staff would like consultation with ZPAC members, the Fox Township Highway Commissioner, and the Sandwich Fire Protection District regarding any concerns to the public health and safety they may possess.

Mr. Rybski asked if more employees will be added onsite. Mr. Caldwell stated the number of people onsite will not change from what was proposed in 2014. The projected increase in people onsite is forty percent (40%).

Mr. Caldwell stated that they (Dickson Valley Ministries) wanted to show everything on the site plan. The mission of the organization has not changed.

Mr. Klaas asked if any complaints had been filed regarding this property with Building and Zoning. Mr. Holdiman responded not to his knowledge.

Discussion occurred regarding a right-of-way dedication for Finnie Road. Mr. Caldwell requested clarification on how a dedication occurred. Mr. Klaas explained the process. Mr. Caldwell will take the request to his board at the end of April to discuss the dedication. The suggestion was made to have right-of-way dedication within ten (10) years. The sign would encroach into the setback if a dedication occurred.

If the plan was developed fully, the investment would be Four Point Five Million Dollars (\$4.5 Million).

Mr. Guritz discussed the EcoCat Report. Mr. Caldwell stated that the development will not occur near the protected areas.

Mr. Klaas made a motion, seconded by Mr. Rybski, to forward the major amendment to the Kendall County Regional Planning Commission with the following conditions:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.
2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the proposed Site Plan. The site shall be developed substantially in conformance with the attached Site Plan.
3. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.
4. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.
5. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.
6. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

Ayes (9): Andrews, Asselmeier, Briganti, Guritz, Hattan, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Present (0): None
Absent (1): Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on April 24, 2019.

Petition 19-12 Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis – Special Use Permit for a Banquet Center at 10978 Crimmin Road in Fox Township

Mr. Asselmeier summarized the request.

JoAnn Bright-Theis would like to establish the BrighterDaze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.

No variances were requested and the Petitioner will operate the banquet center in compliance with the regulations currently stated in the Zoning Ordinance.

The business plan for the proposed operations, building elevations, landscaping plan, parking illumination plan, and interior plan were provided.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately eight thousand (8,000) square foot barn for weddings and similar events. The maximum capacity will be approximately two hundred eighty (280) people, with one (1) additional employee. While banquets will occur inside the existing barn, prospective clients could use the exterior grounds for pictures and outdoor ceremonies. The interior of the barn is converted arena with a concrete floor. The barn is approximately twenty-six feet (26') tall at its peak and ten feet (10') tall at the ends.

An existing pond is located east of the horse barn.

The hours of operation will be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st.

The proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

The proposed business would use luxury trailer bathrooms for events with the intention to have permanent restroom facilities by 2021. Restroom facilities will be located north of the barn by the parking area.

The dumpster shall be located next to the parking lot by the barn.

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

Ancillary items, such as Brighter Daze shirts and glasses, may be sold on the premises.

The subject property is approximately thirty-eight acres (38) acres in size.

Crimmin Road is a major collector and scenic route. No trails are planned along the road.

A riverine wetland is located along the southwest edge of the subject property.

The adjacent land uses are agricultural related, farmsteads, religious, or forest preserve. The adjacent zonings are A-1. Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Millington Fen INAI Site, Fox River INAI Site, Millington Railroad Fen Natural Landmark, Tucker-Millington Fen Natural Preserve, and River Redhorse (*Moxostoma carinatum*). Negative impacts to the above are considered unlikely and consultation was terminated.

The NRI application was submitted on March 14, 2019.

Fox Township was emailed information on March 27, 2019.

Newark Fire Protection District was emailed information on March 27, 2019.

The Village of Newark was emailed information on March 27, 2019.

An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.

Portable bathrooms will be used for events.

The property fronts Crimmin Road.

According to the site plan, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces will be located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights are proposed for site. According to the parking illumination plan, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign will be installed on the property. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown the on proposed site plan, the site contains approximately one hundred sixty-six trees of varying heights encircling the venue.

All music and noise shall originate inside the venue except for processions and recessions at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face east and the barn doors will remain closed after 7:00 p.m.

With the combination of distance and plantings, the Petitioners believe noise will not be an issue.

Before issuing a recommendation, Staff would like the following issues addressed/clarified:

1. Input from the Kendall County Sheriff's Department and the Newark Fire Protection District regarding any concerns regarding having a facility at this location.
2. Input from the Kendall County Health Department regarding the septic and well facilities.
3. Input from WBK regarding the need for a stormwater management permit.
4. Acknowledgement from the Petitioners that they are aware and will follow Kendall County's Right to Farm Clause.
5. Acknowledgement from the Petitioners that they agree to follow all applicable Federal, State, and Local laws governing this type business and the implications for not following such laws.

Mr. Rybski asked about food preparation. All events will be catered.

Mr. Rybski asked about the number of events. Mr. Theis responded that they anticipate ten-twenty (10-20) events with fifty percent (50%) growth after that time. Mr. Rybski explained the well testing requirements. A site survey will be completed to define the location of the existing septic system.

Deputy Commander Hattan asked about traffic control. Mr. Theis explained the internal traffic control system. The Petitioner will contract with a company to direct traffic on and off Finnie Road.

No new structures will be constructed onsite. New lighting will be installed onsite as shown on the site plan.

Mr. Guritz will forward the Forest Preserve regulations related to equestrian use to the Petitioner. Horses will not be involved with proposed business. The equestrian business will continue at the property as a separate business.

Outside company will supply alcohol; no alcohol will be sold onsite.

Ms. Andrews requested clarification on the acreage of the property. Mr. Theis will provide clarification on the size of the property.

Noise will be controlled by existing landscaping and trees; music will initiate indoors and face east inside the venue. Business will close at 10:00 p.m.

Mr. Klaas discussed the planned the realignment of Crimmin Road.

Mr. Klaas made a motion, seconded by Mr. Holdiman, to forward the special use permit request to the Kendall County Regional Planning Commission with the following conditions proposed by Staff.

Ayes (8): Andrews, Asselmeier, Briganti, Hattan, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Present (1): Guritz
Absent (1): Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on April 24, 2019.

Petition 19-13 Kendall County Planning, Building and Zoning Committee – Text Amendment to Sections 4.06 and 4.07 of the Kendall County Zoning Ordinance by Allowing Research and Development Related Home Occupations to be Conducted Outside of a Dwelling or Permitted Accessory Structure and Adding the Phrase “Unless Otherwise Permitted by Law” to the End of Section 4.06.f and Section 4.07.g

Mr. Asselmeier summarized the request.

At their meeting February 27, 2019, the Comprehensive Land Plan and Ordinance Committee requested that Staff prepare a proposed text amendment to the Kendall County Zoning Ordinance allowing research and development related home occupations to be conducted outside the dwelling or accessory structure and to address noise, dust, fumes, and odor issues.

For reference, “Home Occupation” related terms are defined as follows:

HOME OCCUPATION Any occupation or profession engaged in by an occupant of a dwelling unit as a use which is clearly incidental and secondary to the use of the dwelling as a residence.

HOME OCCUPATION - AGRICULTURAL. A home occupation in an agricultural zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be "home occupation". *(Amended 04/18/2000)*

HOME OCCUPATION- RESIDENTIAL A home occupation in a residential zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be a "home occupation".

Home Occupations are permitted uses in the A-1 District and all Residential Districts. Home Occupations are special uses in the RPD Districts.

At their meeting on March 27, 2019, the Kendall County Regional Planning Commission voted to initiate the text amendment.

Mr. Rybski asked about home occupations that could be impacted by this proposal. Mr. Asselmeier suggested that individuals wanted to construct firearms and test those firearms outdoors would be impacted. Mr. Asselmeier also suggested a business creating telescopes could be impacted.

Mr. Asselmeier read the definition of research and development from the Zoning Ordinance.

County regulations cannot supersede federal or state regulations.

Mr. Rybski made a motion, seconded by Ms. Andrews, to forward the text amendment to the Kendall County Regional Planning Commission.

Ayes (9): Andrews, Asselmeier, Briganti, Guritz, Hattan, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Present (0): None
Absent (1): Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on April 24, 2019.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OLD BUSINESS/NEW BUSINESS

None

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Hattan made a motion, seconded by Mr. Rybski to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:47 a.m., adjourned.

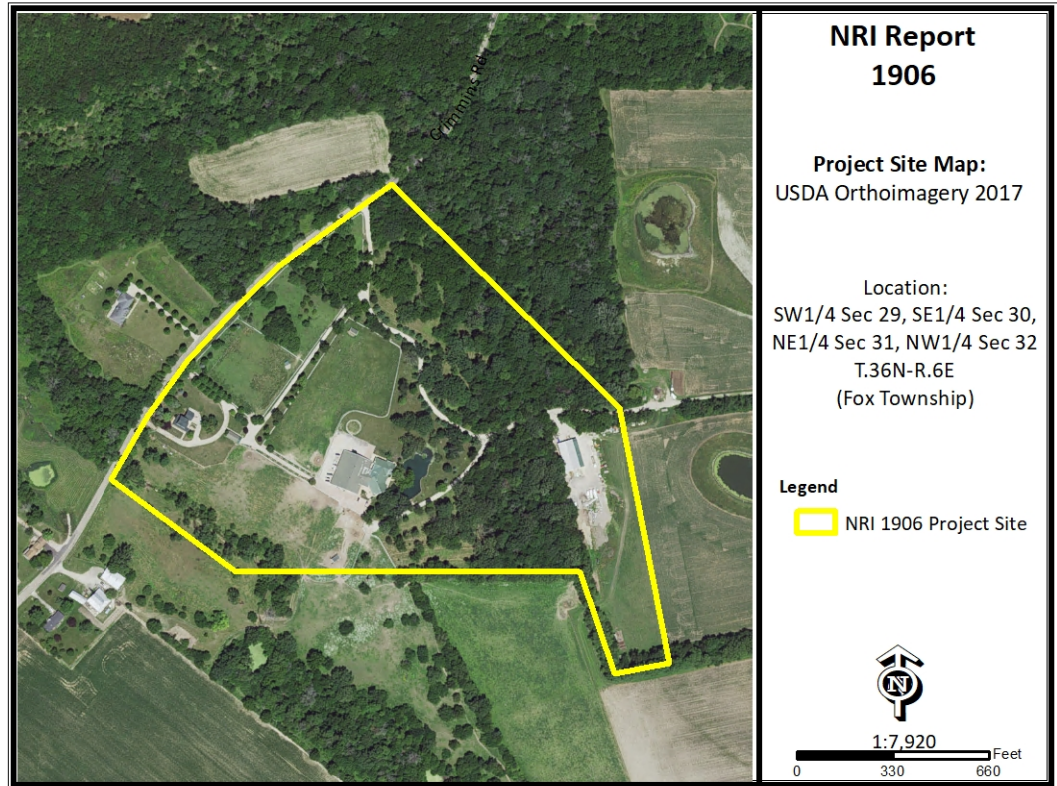
Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

**KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
APRIL 2, 2019**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Mark Caldwell		
Edna B. Jones		
CLIFF FOX	110 FLA8NS NEWARK IL 60541	ADMIN@NEWARK.IL.US

NATURAL RESOURCE INFORMATION (NRI) EXECUTIVE SUMMARY REPORT: 1906



April 2019

Petitioner: Robert Bright
Contact: JoAnn Bright-Theis

Prepared by:



**Kendall County Soil & Water
Conservation District**

7775A Route 47 • Yorkville, Illinois 60560
Phone: (630)553-5821 x3 • Fax: (630)553-7442
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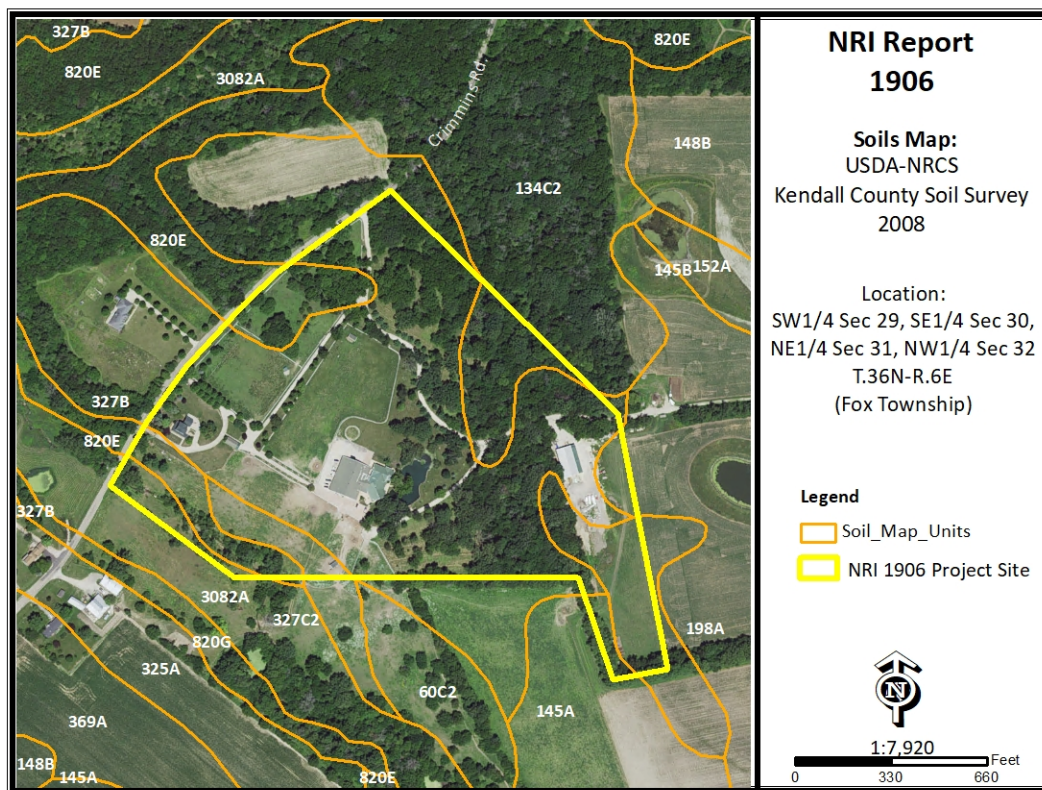
1906

Executive Summary

April 8, 2019

Petitioner: Robert Bright**Contact Person:** JoAnn Bright-Theis**County or Municipality the petition is filled with:** Kendall County**Location of Parcel:** SW¼ Section 29, SE ¼ Section 30, NE ¼ Section 31 & NW ¼ Section 32 T.36N.-R.6E. (Fox Township), 3rd Principal Meridian in Kendall Co., IL**Project or Subdivision Name:** Not Provided**Existing Zoning & Land Use:** A-1; Residential, Barn with Paddock areas, Wooded**Proposed Zoning & Land Use:** A-1 Special Use; Banquet Center**Proposed Water Source:** Well**Proposed Type of Sewage Disposal System:** Septic**Proposed Type of Storm Water Management:** N/A**Size of Site:** 38.3acres**Land Evaluation Site Assessment Score:** 181 (Land Evaluation: 78; Site Assessment: 103)

Natural Resource Considerations

Soil Map:**SOIL INFORMATION:**

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this parcel is shown to contain the following soil types (please note this does not replace the need for or results of onsite soil testing; please refer to onsite soil test results for planning/engineering purposes):

Table 1:

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
134C2	Camden silt loam, 5-10% slopes, eroded	Well drained	B	Non-hydric	Statewide Importance
145A	Saybrook silt loam, 0-2% slopes	Moderately well drained	C	Non-hydric	Prime Farmland
145B	Saybrook silt loam, 2-5% slopes	Moderately well drained	C	Non-hydric	Prime Farmland
198A	Elburn silt loam, 0-2% slopes	Somewhat poorly drained	B/D	Non-hydric Hydric Inclusions likely	Prime Farmland
327B	Fox silt loam, 2-4% slopes	Well drained	B	Non-hydric	Prime Farmland
327C2	Fox silt loam, 4-6% slopes, eroded	Well drained	B	Non-hydric	Prime Farmland
820E	Hennepin-Casco complex, 12-30% slopes	Hennepin: Well drained Casco: Somewhat Excessively drained	Hennepin: C Casco: B	Non-hydric	Non-prime
3082A	Millington silt loam, 0-2% slopes, frequently flooded	Poorly drained	B/D	Hydric	Prime Farmland (if drained and protected from flooding or not frequently flooded during growing season)

Hydrologic Soil Groups: Soils have been classified into four (A, B, C, D) hydrologic groups based on runoff characteristics due to rainfall. If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D), the first letter is for drained areas and the second letter is for undrained areas.

- ✓ **Hydrologic group A:** Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- ✓ **Hydrologic group B:** Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.
- ✓ **Hydrologic group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- ✓ **Hydrologic group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Hydric Soils: A soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile. Of the soils found onsite, 3082A Millington silt loam is identified as a hydric soil and, 198A Elburn silt loam is denoted as having the potential for hydric inclusions.

Prime Farmland: Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, six are designated as prime farmland one is classified as being of statewide importance.

Table 2:

Map Unit	Surface Runoff	Water Table	Ponding	Flooding
134C2	Medium	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
145A	Low	February - April Upper Limit: 2.0'-3.5' Lower Limit: 2.2'-3.8'	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
145B	Low	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
198A	Low	January - May Upper Limit: 1.0'-2.0' Lower Limit: >6.0'	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
327B	Low	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
327C2	Medium	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
820E	Hennepin: Very High Casco: High	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
3082A	Negligible	January - May Upper Limit: 0.0'-1.0' Lower Limit: >6.0' June, Nov, Dec: Upper Limit: -- Lower Limit: --	January - May Surface Water Depth & Duration: 0.0'-0.5'; Brief Frequency: Frequent June, Nov, Dec: Surface Water Depth & Duration: - Frequency: None	January - May Brief, Frequent June, Nov, Dec Brief, Frequent

Surface Runoff: Refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover. Indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal).

Ponding: Ponding is standing water in a closed depression. Unless a drainage system is installed, the water is removed only by percolation, transpiration or evaporation. Duration is expressed as very brief (less than 2 days), brief (2 to 7 days), long (7 to 30 days), very long (more than 30 days). Frequency is expressed as none (ponding is not probable), rare (unlikely but possible under unusual weather conditions), occasional (occurs, on average, once or less in 2 years) and frequent (occurs, on average, more than once in 2 years).

Flooding: Temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding. Duration expressed as brief is 2 to 7 days and a frequent frequency means that it is likely to occur often under normal weather conditions.

SOIL LIMITATIONS:

According to the USDA-NRCS, soil properties influence the development of building sites, including the selection of the site, the design of the structure, construction, performance after construction and maintenance. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features. Ratings are based on the soil in an undisturbed state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance.

- ✓ **Not Limited:** Indicates that the soil has features that are very favorable for the specified use; good performance and low maintenance can be expected.
- ✓ **Somewhat Limited:** Indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design or installation; fair performance and moderate maintenance can be expected.
- ✓ **Very Limited:** Indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures; poor performance and high maintenance can be expected.

Conventional Septic System Rating Criteria:

The factors considered are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. Soils that are deemed unsuitable for installation of an on-site sewage disposal system per the Kendall County Subdivision Control Ordinance may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact: Kendall County Health Department located at 811 W. John Street, Yorkville, IL; (630)553-9100 ext. 8026.

Limitations are listed below for dwellings with basements, dwellings without basements, small commercial building, shallow excavations, lawns/landscaping and onsite conventional sewage disposal systems. Please note this information is based on soils in an undisturbed state as compiled for the USDA-NRCS 2008 Soil Survey of Kendall County, IL and the Kendall County Subdivision Control Ordinance; this does not replace the need for site specific soil testing or results of onsite soil testing.

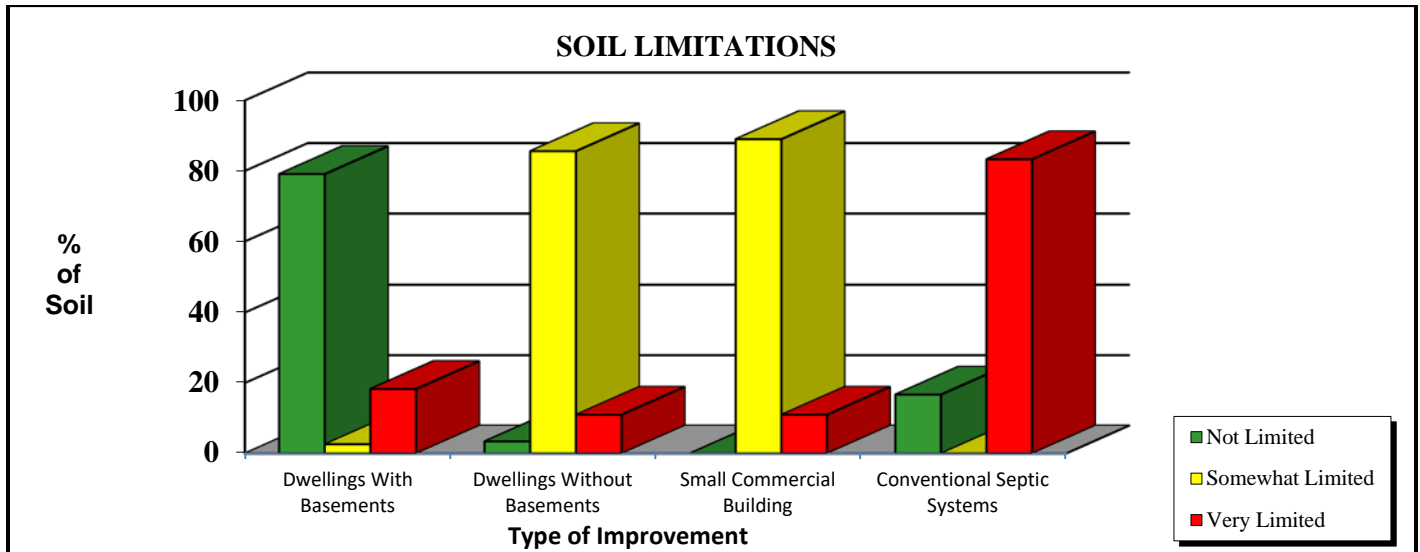
Table 3a: Building Limitations

Soil Type	Dwellings without Basements	Dwellings with Basements	Small Commercial Building	Onsite Conventional Sewage Disposal System
134C2	Somewhat Limited: Shrink-swell	Not Limited	Somewhat Limited: Slope, Shrink-swell	Suitable
145A	Somewhat Limited: Shrink-swell	Somewhat Limited: Depth to saturated zone	Somewhat Limited: Shrink-swell	Suitable
145B	Somewhat Limited: Shrink-swell	Somewhat Limited: Depth to saturated zone	Somewhat Limited: Shrink-swell	Suitable
198A	Somewhat Limited: Depth to saturated zone; Shrink-swell	Very Limited: Depth to saturated zone; Shrink-swell	Somewhat Limited: Depth to saturated zone; Shrink-swell	Suitable
327B	Somewhat Limited: Shrink-swell	Not Limited	Somewhat Limited: Shrink-swell	Unsuitable: Gravel
327C2	Not Limited	Not Limited	Somewhat Limited: Slope	Unsuitable: Gravel
820E	Very Limited: Slope	Very Limited: Slope	Very Limited: Slope	Unsuitable: Gravel
3082A	Very Limited: Ponding; Flooding; Depth to saturated zone	Very Limited: Ponding; Flooding; Depth to saturated zone; Shrink-swell	Very Limited: Ponding; Flooding; Depth to saturated zone	Unsuitable: Frequently Flooded

Table 3b: Building Limitations

Soil Type	Shallow Excavations	Lawns & Landscaping
134C2	Somewhat Limited: Dusty, Unstable excavation walls	Somewhat Limited: Dusty
145A	Somewhat Limited: Depth to saturated zone; Dusty; Unstable excavation walls	Somewhat Limited: Dusty
145B	Somewhat Limited: Depth to saturated zone; Dusty, Unstable excavation walls	Somewhat Limited: Dusty
198A	Somewhat Limited: Depth to saturated zone; Dusty; Unstable excavation walls	Somewhat Limited: Depth to saturated zone; Dusty
327B	Somewhat Limited:	Somewhat Limited:

	Dusty; Unstable excavation walls	Dusty
327C2	Somewhat Limited: Dusty; Unstable excavation walls	Somewhat Limited: Dusty
820E	Hennepin: Very Limited: Slope; Dusty; Unstable excavation walls Casco: Very Limited: Slope; Unstable excavation walls; Dusty	Hennepin: Very Limited: Slope; Low exchange capacity; Dusty Casco: Very Limited: Slope; Dusty; Droughty
3082A	Very Limited: Ponding; Depth to saturated zone; Flooding; Dusty; Unstable excavation walls	Very Limited: Ponding; Flooding; Depth to saturated zone; Dusty



Building Limitations Maps:

Figure 2a: Dwellings With Basements

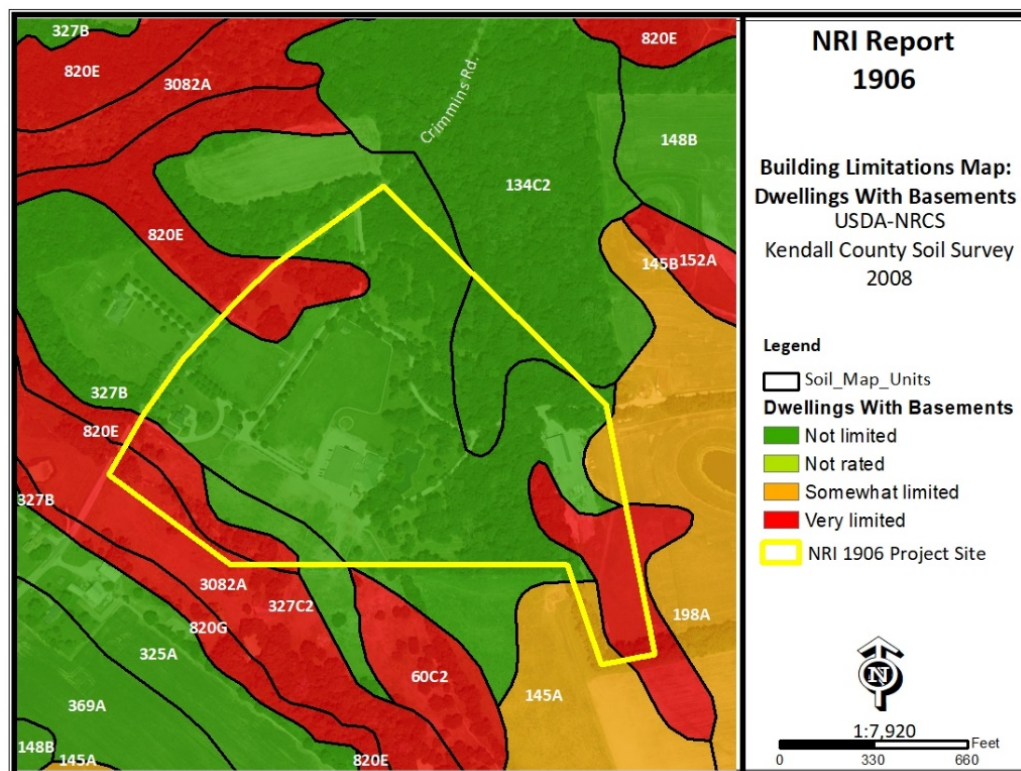


Figure 2b: Dwellings Without Basements

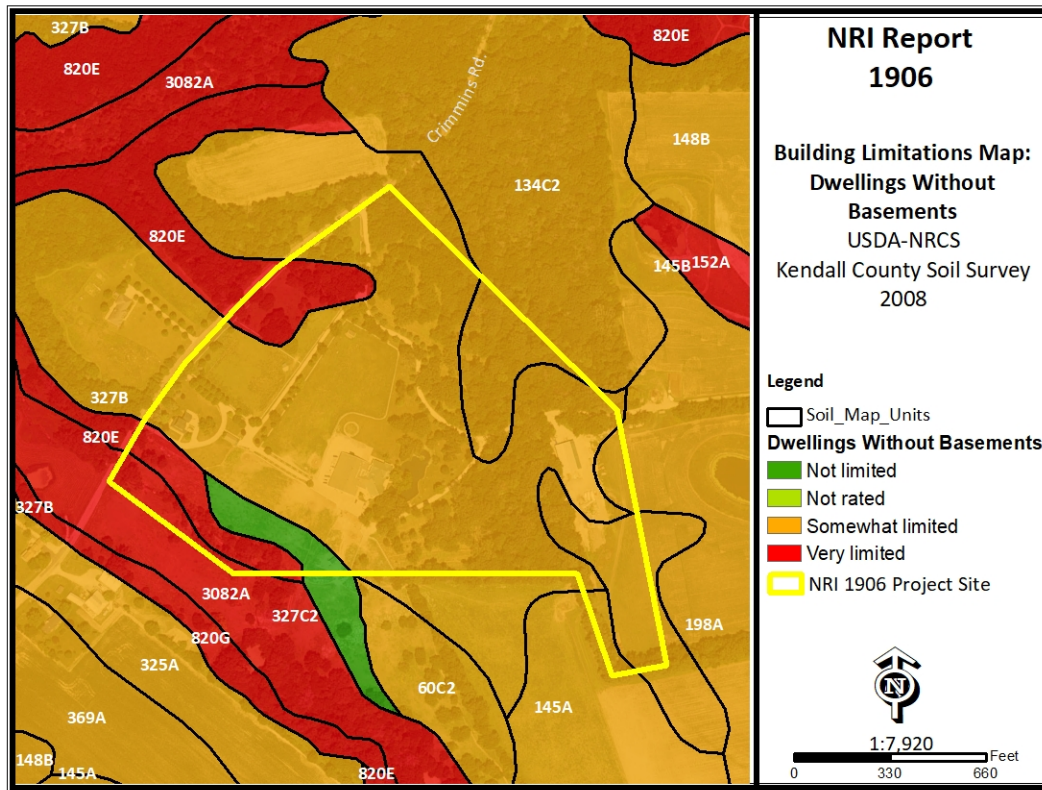


Figure 2c: Small Commercial Building

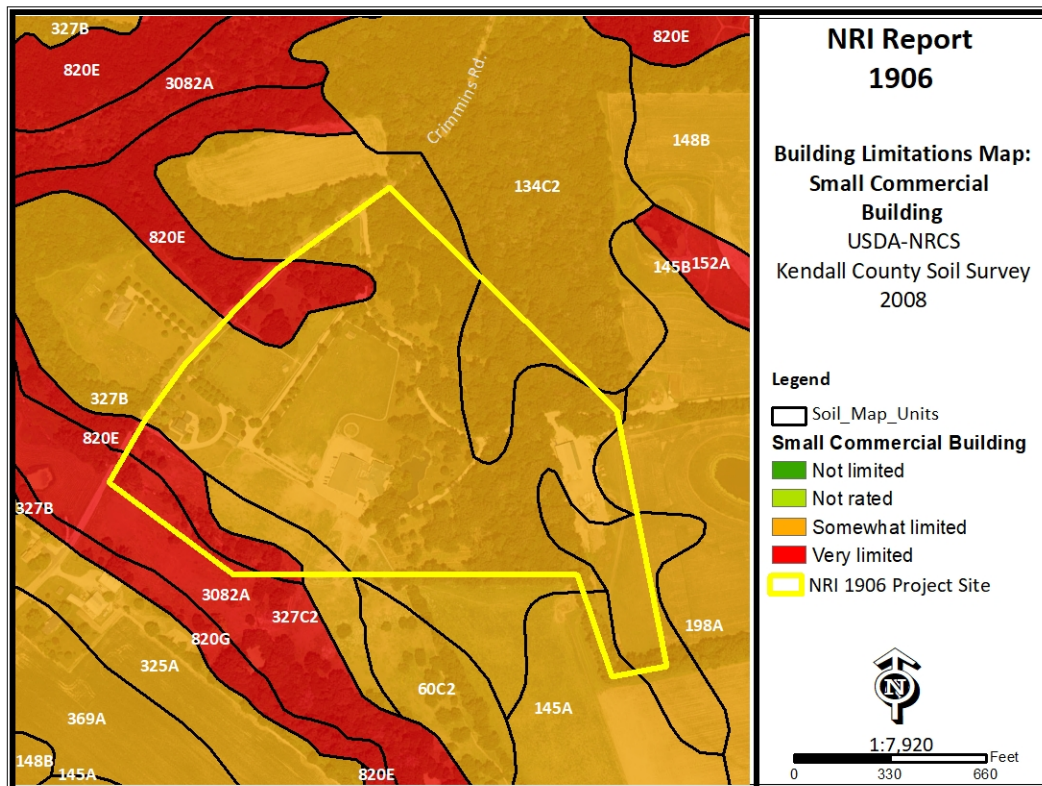


Figure 2d: Shallow Excavations

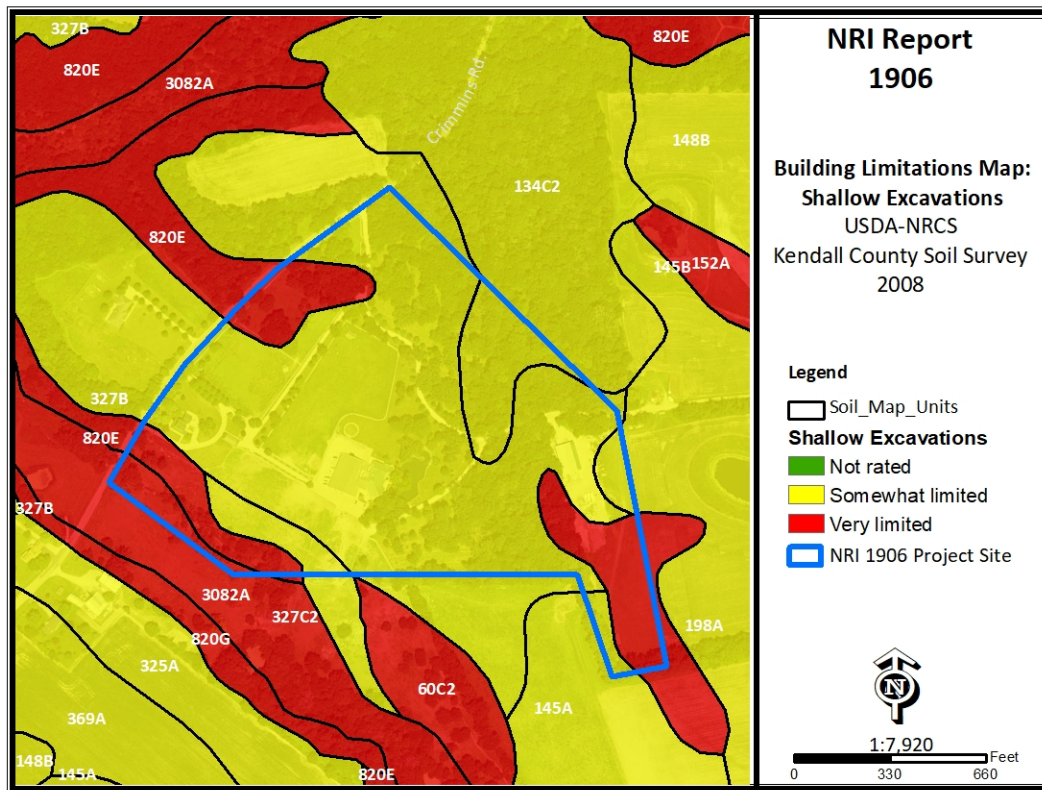
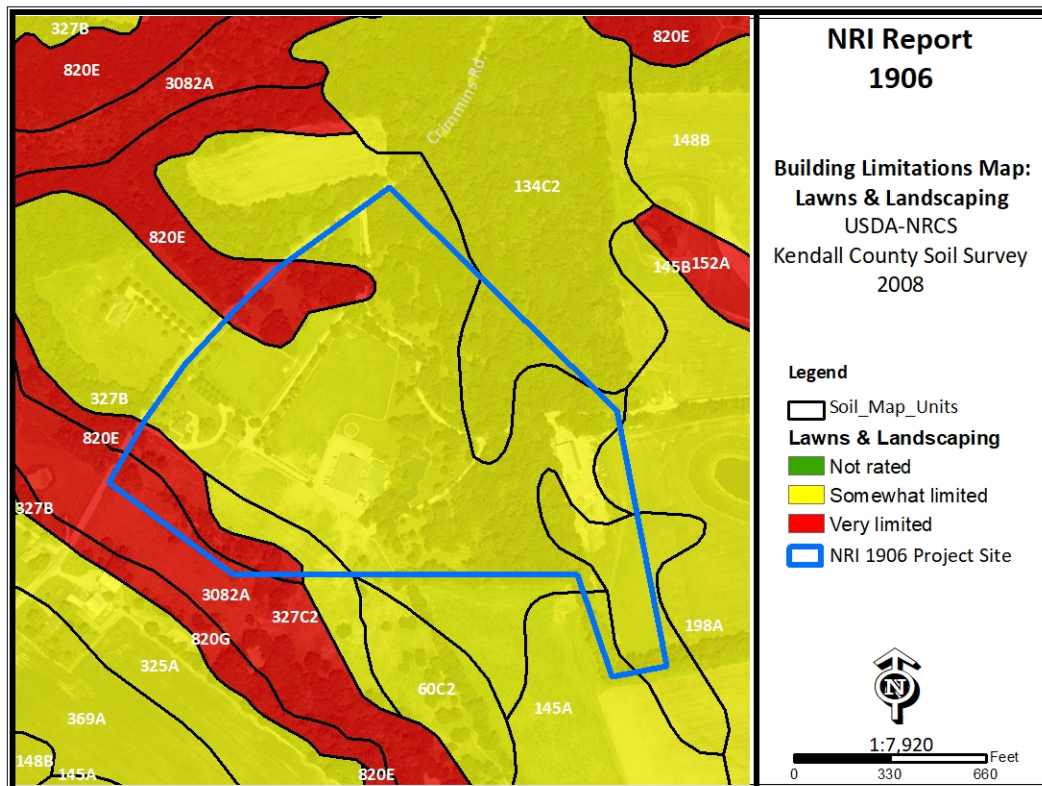


Figure 2e: Lawns & Landscaping



Kendall County Land Evaluation and Site Assessment (LESA):

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **LAND EVALUATION (LE)** – The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
- **SITE ASSESSMENT (SA)** – The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.

Table 4a: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
134C2	5	82	2.6	213.2
145A	2	94	0.4	37.6
145B	2	94	0.6	56.4
198A	1	100	2.8	280.0
327B	4	79	26.4	2085.6
327C2	4	79	1.3	102.7
820E	7	47	3.7	173.9
3082A	4	79	0.5	39.5
Totals			38.3	2988.9
LE Score		LE= 2988.9/38.3		LE = 78

The Land Evaluation score for this site is **78**, indicating that this site is not predominately prime farmland well suited for agricultural production.

Table 4b: Site Assessment Computation

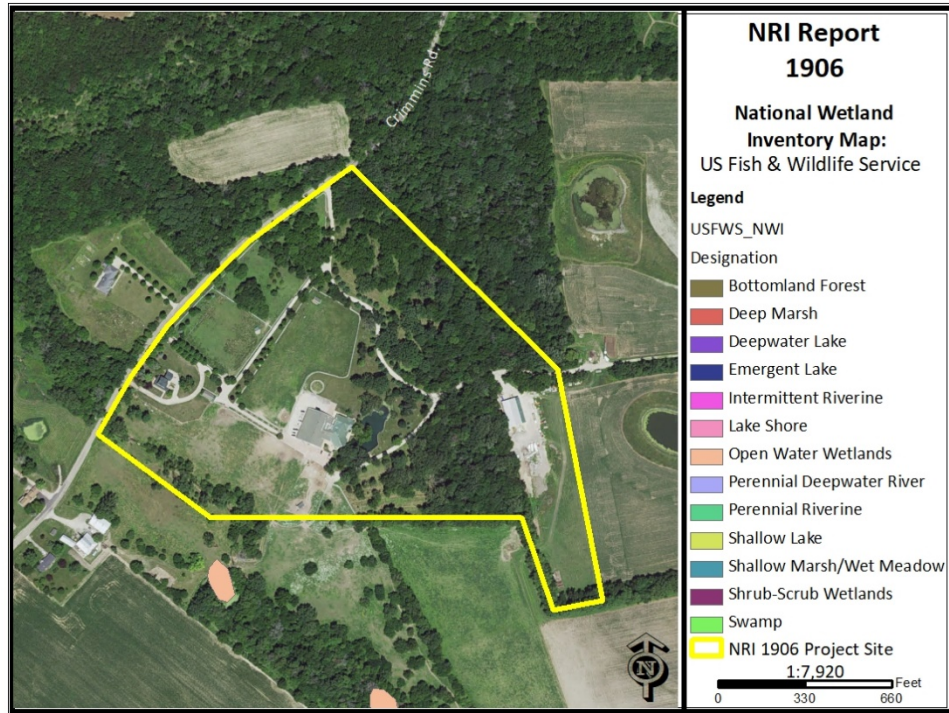
A.	Agricultural Land Uses	Points
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current use adjacent to site. (30-20-15-10-0)	20
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	0
	4. Size of site. (30-15-10-0)	10
B.	Compatibility / Impact on Uses	
	1. Distance from city or village limits. (20-10-0)	10
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	10
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	0
C.	Existence of Infrastructure	
	1. Availability of public sewage system. (10-8-6-0)	10
	2. Availability of public water system. (10-8-6-0)	10
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	6
	Site Assessment Score:	103

Land Evaluation Value: 78 + Site Assessment Value: 103 = LESA Score: 181

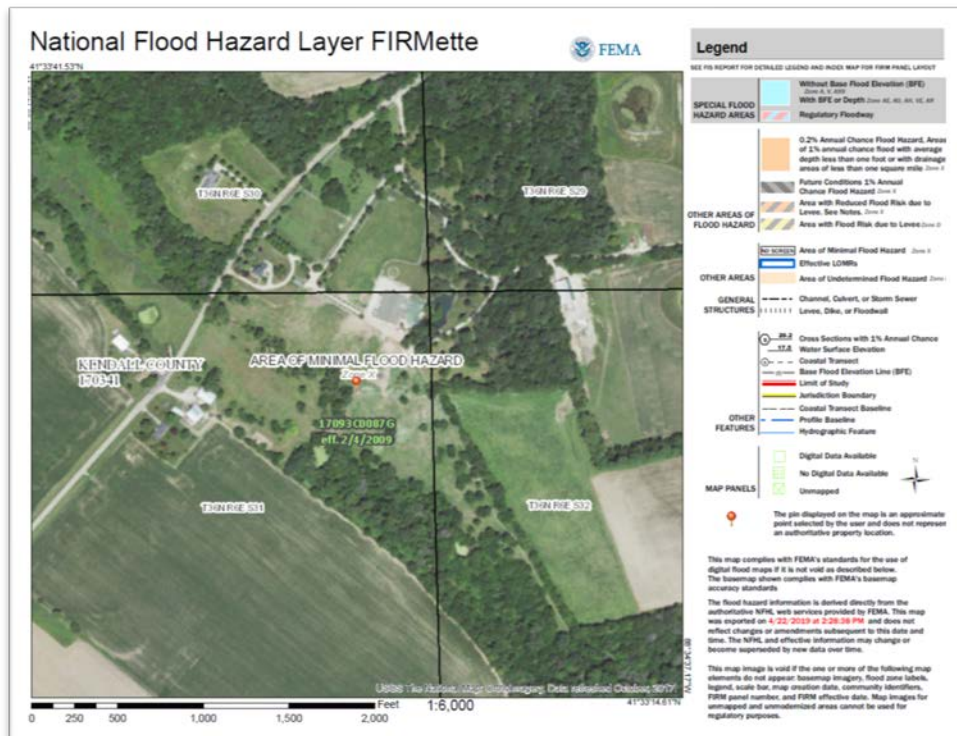
LESA SCORE	LEVEL OF PROTECTION
0-200	Low
201-225	Medium
226-250	High
251-300	Very High

The **LESA Score for this site is 181 which indicates a low level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

Wetlands: The U.S. Fish & Wildlife Service's National Wetland Inventory map **does not indicate** the potential presence of a wetland on the project site. If a wetland is present and will be impacted by the project, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.



Floodplain: The parcel is not located within the floodplain.



Sediment and Erosion Control: Development on this site should include an erosion and sediment control plan in accordance with local, state and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (<http://www.aiswcd.org/illinois-urban-manual/>) for appropriate best management practices.

LAND USE OPINION:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Robert Bright at the request of their contact JoAnn Bright-Theis for the proposed A-1 Special Use petition project. This parcel is located in portions of Sections 29, 30, 31 & 32 in Fox Township (T.36N.-R.6E. of the 3rd Principal Meridian) in Kendall County. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board has the following opinions and recommendations.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. A land evaluation, which is a part of the Land Evaluation and Site Assessment (LESA) was conducted on this parcel. The soils on this parcel scored an 78 out of a possible 100 points indicating the soils found on the project site are not predominately prime farmland well suited for agricultural production. The overall LESA Score for this site is 181 which indicates a low level of protection for the proposed project site. Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production and is an important resource to Kendall County; of the eight soil types identified onsite, six are designated as prime farmland, one is designated as farmland of statewide importance and one is not indicated as either. A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile; one soil type found onsite, 3082A Millington silt loam is designated as a hydric soil and one soil type, 198A Elburn silt loam has the potential to have hydric inclusions.

For proposed land uses, soils can have potential limitations. This report indicates, if the following uses were to be included as part of future site development or expansion, that for soils located on the parcel, 83.3% are unsuitable for onsite conventional septic systems, 80.1% of the soils are very limited for shallow excavations, 78.8% are very limited for onsite conventional septic systems, 18.3% are very limited for dwellings with basements and shallow excavations, and 11% are very limited for dwellings without basements, small commercial building and lawns/landscaping. This information is based on the soil in an undisturbed state and does not replace the need for site specific soil testing. Some soil reclamation, special design, or maintenance may be required to obtain suitable soil conditions to support development with significant limitations. Additionally, since the scope of the project includes the use of onsite septic systems, please consult with the Kendall County Health Department.

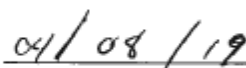
This site is located within the Fox River Watershed and Clear Creek subwatershed.

This development should include a soil erosion sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution. Eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense project uses it may be necessary to have a drainage tile survey completed on the parcel to locate any subsurface drainage tile if suspected onsite. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

The information that is included in this Natural Resources Information Report is to assure the Land Developers take into full consideration the limitations of that land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Compiled Statutes, Ch. 70, Par 405/22.02a).


Chair


Date

From: Fox Township <foxtownshipsupervisor@gmail.com>
Sent: Tuesday, April 16, 2019 12:17 PM
To: Matt Asselmeier
Subject: [External]Re: Kendall County Petition 19-12 (Brighter Daze Farm)

Matt,

Please accept this email as comment on Petition 19-12. Fox Township Board of Trustees, acting as the Planning Commission for Fox Township, discussed this petition at our April Board meeting on April 8th, 2019. Here is a summary of our position:

1) Conceptually, the Board approves of the idea of a Banquet Facility at this location with the following stipulations.

- a. Specifically, NO sales at retail of alcoholic beverages are permitted in Fox Township outside municipal corporate limits. We appreciate that the petitioner acknowledges and so states in the petition on page 4.
- b. Fox Township Board does not agree that Crimmins Road is a Major Collector Road. While it is listed in the LRMP as a Major Collector, its design and use is more accurately in line with a Minor Collector or Local road. It appears that Crimmins Road is misplaced in its category, especially when you compare Crimmins Road to the roads listed in the minor or local category. Additionally, the County Highway engineer, in a conversation with the Fox Township Road Commissioner has agreed with this assessment.
- c. While this issue would appear to be a point of contention for the approval of this petition, Fox Township Board feels that a Traffic Study which includes the addition of the event capacities stated in the petition, and the current design of the roadway could provide recommendations for improvements that would add to the safety of this use. The cost of the Traffic Study should be borne by the petitioner as this new special use is the initiating cause for this study. After the results are in, the cost associated for the necessary improvements can be discussed among the Petitioners, the Township Board, and County representatives.

If you need any other information or have any questions, I am available at any time to assist you in this issue. Thank you for giving us a platform for our input.

Jeff Spang, Supervisor
Fox Township

On Wed, Mar 27, 2019 at 8:38 AM Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

ZPAC Members:

Attachment 19, Page 1
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Unapproved - Meeting Minutes of May 22, 2019 - 7:00 p.m.

Chairman Ashton called the meeting to order at 7:00 p.m.

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Bill Davis, Karin McCarthy-Lange, Larry Nelson, and Claire Wilson

Members Absent: Ruben Rodriguez and John Shaw

Staff Present: Matthew H. Asselmeier, Senior Planner, and Ruth Ann Sikes, Part Time Office Assistant (Zoning)

In the Audience: Mark Caldwell, Adam Theis, JoAnn Theis, Steve Graves, Jeff Spang, Kurt Buhle, Jeanette Buhle, and Matthew Prochaska

Chairman Ashton welcomed Karin McCarthy-Lange to the Commission representing Oswego Township.

APPROVAL OF AGENDA

Member Bledsoe made a motion, seconded by Member Nelson to approve the agenda. With a voice vote of seven (7) ayes, the motion carried unanimously.

APPROVAL OF MINUTES

Member Wilson made a motion, seconded by Member Casey, to approve the minutes of the April 24, 2019, meeting. With a voice vote of seven (7) ayes, the motion carried unanimously.

Ruth Ann Sikes, Part Time Office Assistant (Zoning) asked all audience members that were going to speak to please sign in and speak directly into the microphone so that everything could be recorded.

PETITIONS

19-11 Mark Caldwell on Behalf of Dickson Valley Ministries

Mr. Asselmeier provided updated information on Petition 19-11.

At the April 24, 2019, meeting of the Kendall County Regional Planning Commission, the Commission requested less detail on the Petitioner's site plan.

Mr. Asselmeier stated that the Petitioner desires this major amendment in order to have a long-range plan for their facilities and to provide more clarity to the site plan that was submitted in 2014.

The proposed changes are follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) "overnight campers." This number is inclusive of as many as one hundred (100) day-only campers during the summer.
2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).

3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.
4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house, various free standing decks for small group activities, at least two (2) open air camper pavilions, day camp specific activities, water activities (i.e. splash pad, or wading fountain), and combined septic field serving all new restrooms will also be located in this area.
5. Development B, Resident Camp Area, shall consist of five (5) year-round camper cabins; four (4) of which are new.
6. Development C, Activity Area, shall consist of an outdoor high ropes course, mini-golf course, ice rink pavilion, free standing decks for small groups and one (1) year-round camper cabin.
7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods, camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area.
8. Development E, Entrance Drive, shall consist of a new gatehouse for a controlled entrance and a multi-bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated.
9. Development F, Maintenance Area, shall consist of a new shop and removal or remodel of the old shop.
10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building.
11. Development H, North Activity Area, shall consist of primitive non-public campsites, no permanent structures, and a parking area off of Finnie Road. Experiential activities similar to, but not limited to, climbing tower(s), zip line(s), team activities, a high ropes course, and a pedestrian walkway over/under/across Finnie Road are planned for this area.
12. The Retreat Development Zone shall consist of a water filtration building or addition to the existing well and well house. A new building for recreation room, snack shop, and host offices. Within this zone, several buildings will have additions and/or remodels.
13. Addition 1, Director's Lodge, shall consist of an addition to the north end of the building. The current structure is one hundred twenty-six feet (126') offset from the road.
14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west.
15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces, an addition of at least two (2) separate "leaders" rooms with restrooms, and remodel and add-on to program office for camp store.
16. Addition 4, Oulund Chalet, shall consist of remodeling to improve housing space and remodeling of restrooms.
17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition of added housing.

18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar.
19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

Also at the April meeting, the Commission was concerned about Fox Township's requests of the Petitioner. Fox Township clarified that they do not want a right-of-way dedication at this time, but they would like to be informed if a structure is constructed above or below Finnie Road.

The proposed conditions on the special use permit are as follows:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.
2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan.
3. Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road.
4. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.
5. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.
6. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

Member Nelson asked Mr. Caldwell if the new version was better. Mr. Caldwell replied they were comfortable with the changes and they would deal with any permitting issues when the new additions were constructed.

Member Nelson made a motion, seconded by Member Wilson, to recommend approval of the amended petition with the condition proposed by Staff.

Ayes (7): Ashton, Bledsoe, Casey, Davis, McCarthy-Lange Nelson, and Wilson
Nays (0): None
Absent (2): Rodriguez and Shaw

The motion passed. This proposal will go to the Zoning Board of Appeals on July 1st.

19-12 Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis

Mr. Asselmeier summarized the request.

JoAnn Bright-Theis would like to establish the Brighter Daze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.

The subject property is approximately thirty-eight acres (38) acres in size.

Crimmin Road is a major collector and scenic route. No trails are planned along the road.

A riverine wetland is located along the southwest edge of the subject property.

The adjacent land uses are agricultural related, farmsteads, religious, or forest preserve. The adjacent zonings are A-1. Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Millington Fen INAI Site, Fox River INAI Site, Millington Railroad Fen Natural Landmark, Tucker-Millington Fen Natural Preserve, and River Redhorse (*Moxostoma carinatum*). Negative impacts to the above are considered unlikely and consultation was terminated.

The NRI application was submitted on March 14, 2019. The LESA Score was 181 indicating a low level of protection.

Fox Township was emailed information on March 27, 2019. Fox Township submitted comments on April 16, 2019. In particular, Fox Township reiterated that the Township was a dry township; the Township disagreed with the functional classification of Crimmin Road contained in the Land Resource Management Plan; the Township requested a traffic study regarding the impact of the proposed venue on Crimmin Road, including the possibility of improvements to Crimmin Road necessitated by the proposed special use permit. On May 9, 2019, the Petitioner, Fox Township, and the Kendall County Planning, Building and Zoning Department held a conference call on the proposal. The Petitioner agreed to the dry regulations of the Township. The Township stated that they would not fight the functional classification of Crimmin Road in the Land Resource Management Plan. The Township stated that they (Fox Township) would request a traffic study from the Kendall County Highway Department. This study could result in a change of the speed limit on Crimmin Road to a speed less than the current fifty-five miles per hour (55 MPH), a requirement the Petitioners post additional one-way directional signage within their property, and the possibility that Fox Township adopt an ordinance forbidding parking along Crimmin Road. "Venue Ahead" signage along Crimmin Road was discussed. Also, the possible dedication of right-of-way was discussed.

Newark Fire Protection District was emailed information on March 27, 2019.

The Village of Newark was emailed information on March 27, 2019.

ZPAC reviewed this proposal at their meeting on April 2, 2019. The Health Department provided information about well monitoring. A site survey will be completed defining the location of the existing septic system. The equestrian business will continue at the property as a separate business. Discussion occurred regarding the planned the realignment of Crimmin Road. ZPAC recommended approval with all but (1) member voting yes. One (1) member voted present.

No variances were requested and the Petitioner will operate the banquet center in compliance with the regulations currently stated in the Zoning Ordinance.

The business plan for the proposed operations, building elevations, landscaping plan, parking illumination plan, and interior plan were provided.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately eight thousand (8,000) square foot barn for weddings and similar events. The maximum capacity will be approximately two hundred eighty (280) people, with one (1) additional employee. While banquets will occur inside the existing barn, prospective clients could use the exterior grounds for pictures and outdoor ceremonies. The interior of the barn is converted arena with a concrete floor. The barn is approximately twenty-six feet (26') tall at its peak and ten feet (10') tall at the ends.

An existing pond is located east of the horse barn.

The hours of operation will be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st.

The proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

The proposed business would use luxury trailer bathrooms for events with the intention to have permanent restroom facilities by 2021. Restroom facilities will be located north of the barn by the parking area.

The dumpster shall be located next to the parking lot by the barn.

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

Ancillary items, such as Brighter Daze shirts and glasses, may be sold on the premises.

An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.

Portable bathrooms will be used for events.

The property fronts Crimmin Road. According to the site plan, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces will be located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights are proposed for site. According to the parking illumination plan, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign will be installed on the property. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown the on proposed site plan, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue.

All music and noise shall originate inside the venue except for processional and recessional at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face east and the barn doors will remain closed after 7:00 p.m.

With the combination of distance and plantings, the Petitioners believe noise will not be an issue.

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

1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and parking illumination plan.
2. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.
3. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
4. The subject parcel must maintain a minimum of five (5) acres.
5. 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)
6. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
7. 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. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property. (Last sentence added after discussion with Fox Township).
8. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
9. 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.

10. 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. Barn doors shall close by 7:00 p.m.
11. The hours of operation shall be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st.
12. A new certificate of occupancy must be issued for the barn.
13. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way. (Added per Fox Township).
14. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
15. 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.
16. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
17. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Member Wilson asked where the closest houses are located in relation to the property. Mr. Asselmeier said there is one (1) directly across from the property and six (6) within a half (1/2) mile of the property. The operators of the facility live on site.

Member McCarthy-Lange asked if the neighbors had been notified. Mr. Asselmeier replied yes per State law.

Member Wilson asked where the lights would be located. Adam Theis replied they would be along the existing curb line just west of the parking lot. Mr. Theis said they have thirty-four (34) parking spots on site and seventy-five (75) additional spots on a remote lot and the parking plan meets the requirements of the Zoning Ordinance.

When asked about septic system for permanent toilets, Mr. Theis replied they would be doing a study within the next six (6) months to determine the actual design and location recommendations.

Mr. Theis said they do plan on having events on Sunday with the hours being the same as Saturday hours, with thirty (30) events a year. After discussion on the subject, the Petitioners agreed to have Sunday hours the same as Monday through Thursday hours, closing the facility at 10:00 p.m.

Jeff Spang, speaking as a resident of Fox Township, had the following questions, where do staff and vendors park and how would the Petitioners handle events with no air conditioning in the months of June, July and August. Mr. Spang stated that events are currently held on the property and these events are not private, but public events. Mr. Theis responded that vendors and staff park on the remote lot. There is no air conditioning,

but they will have fans and the temperature is cooler inside the building. They have had no public events and would like to know the dates that Mr. Spang was referencing.

Steven Graves and Kurt Buhle both voiced concerns about the added traffic getting to and from the venue because it is very dangerous stretch of road.

Jeff Spang, speaking as Fox Township Supervisor, reported that Fox Township has an investigation in process and would like for the Commission to lay this proposal over so they can complete their investigation. Member Nelson asked if the continuation of this would impact votes on the issue. Mr. Spang said the investigation could impact votes.

Member Wilson asked if Crimmin Road was a major collector road and Mr. Asselmeier replied yes according to the Land Resource Management Plan. Discussion occurred regarding how Crimmin Road was classified as a major collector road.

Jeanette Buhle expressed concerns about directional signage outside of venue especially at night.

The consensus of the Commission and without any objections from Commissioners, the Petitioner or anyone else in attendance, this proposal was laid over until the June meeting of the Kendall County Regional Planning Commission.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

None

OLD BUSINESS

Petition 18-04 Request from the Kendall County Regional Planning Commission

Matthew Prochaska, Planning, Building, and Zoning Committee Chairman, said that the Committee has refused to forward the proposal to the County Board. He is exploring a discharge petition.

Member Nelson made a motion, seconded by Member Davis, to lay this issue over for one (1) month.

Ayes (7): Ashton, Bledsoe, Casey, Davis, McCarthy-Lange, Nelson, and Wilson
Nays (0): None
Absent (2): Rodriguez and Shaw

This proposal will be laid over until the June meeting of the Kendall County Regional Planning Commission.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petition 17-28 pertaining to Kendall County gun range zoning regulations was approved by the County Board. A summary of the ordinance was provided to Commissioners.

Mr. Asselmeier reported that Petition 19-07 pertaining to parking and storage of RV's, trailers, and mobile homes was withdrawn by the Kendall County Planning, Building and Zoning Committee.

Mr. Asselmeier reported that Petition 19-08 did not go to the County Board. The prospective buyer and sellers are still negotiating the terms of the contract.

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier announced that Ben Schroeder's resignation was accepted by the County Board Chairman.

Mr. Asselmeier said he spoke to Mike Hoffman today and Mr. Hoffman plans to have the text amendment changes done by the end of the week or Tuesday, May 28th, at the latest. The contract with the County expires June 29th for this project.

Mr. Prochaska said the County Board does have some candidates from Big Grove Township under consideration and hopes to fill the seat within the next couple months.

ADJOURNMENT

Member Wilson made a motion, seconded by Member Davis, to adjourn. With a voice vote of seven (7) ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 8:15 p.m.

Respectfully submitted by,
Ruth Ann Sikes
Part-Time Office Assistant (Zoning)

Enc.

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
MAY 22, 2019**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Mark Caldwell		
John B. Jones		
John This		
Steve Graves		
Jeff Spring	millbrook	
Kurt Buhle		
Jeanette Buhle		

Matt Asselmeier

From: Fox Township <foxtownshipsupervisor@gmail.com>
Sent: Friday, June 14, 2019 3:18 PM
To: Matt Asselmeier
Subject: [External]Brighter Daze Special Use

Matt,

Fox Township Board of Trustees met Monday, June 10th, 2019 for our regular monthly meeting. On the agenda was a discussion about the Special Use Zoning request for Brighter Daze Farm. All Trustees of the Board were present as were the board Attorney, Supervisor, and two of the petitioners, Adam and Joanne Theis. The Special Use request was discussed at length and the following items were understood by all parties present. The Fox Township Board of Trustees are requesting the following Items be included in the final version of the Special Use Zoning Change:

- 1) There shall be NO PARKING on Crimmins Road by vehicles attending or serving functions at the Brighter Daze Venue. All vehicles are to be maintained on the venue operator's property.
- 2) Brighter Daze Farm will dedicate to Fox Township 45' of road right of way measured from the center line of Crimmins Road along the entire property adjacent to Crimmins Road.
- 3) Sound emanating from events at Brighter Daze Farm will not exceed 65dcb measured at the complainant's property line, in conjunction with the State of Illinois Nosie Standards.
- 4) This Special Use is contingent upon the Traffic Study to be completed by the Kendall County Highway Department. Fox Township does not warrant any agreement to provide funding for the construction of any changes deemed necessary by the Traffic Study. Any costs required to address impacts to Crimmins Road brought about by the increases in traffic due to the Brighter Daze Events are to be borne by Brighter Daze.
- 5) Brighter Dazes is limited to no more than 30 (Thirty) events per season defined as April 1st to November 1st of each calendar year.
- 6) Events shall be held only on Saturdays and shall be concluded at or before 10:00pm.
- 7) Currently, the petitioners have requested a limit of 280 guests and have provided only 109 parking spaces on-site for these guests. Fox Township considers this ratio to be inadequate as it does not consider support vehicles (band members, caterers, serving staff, kitchen staff, restroom staff, table bus staff, etc.).

8) Fox Township is a "Dry" township and has been since the repeal of Prohibition in 1933. Approval of this application of Special Use in no way permits the sale or serving of alcohol at ANY event held on-Site

These 8 items represent the items discussed.

Fox Township respectfully requests the Kendall County Regional Planning Commission and the Kendall County Zoning Board of Appeals also consider the safety of the public using this facility. While the petitioners have stated that the maximum number of guests per event will be 280, fire codes could permit a much higher number depending on the configuration of tables, chairs, and equipment. Additionally, the limited number of exits could be of concern. In a brief discussion with the county highway engineer, I was told that the traffic study they would be conducting would be primarily concerned with permissible speed limits to be allowed on Crimmins Road. Fox Township is also concerned about traffic loads and intersection visibilities, considering the potential increase in traffic volumes.

Jeff Spang, Fox Township Supervisor

(630) 553-5904 ext 2

foxtownshipsupervisor@gmail.com

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This email was Malware checked by UTM 9. <http://www.sophos.com>

Attachment 21, Page 1
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Unapproved - Meeting Minutes of June 26, 2019 - 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, and Ruben Rodriguez

Members Absent: Bill Davis, Karin McCarthy-Lange, John Shaw, and Claire Wilson

Staff Present: Matthew H. Asselmeier, Senior Planner, Jeff Spang, Adam Theis, and JoAnn Bright-Theis

APPROVAL OF AGENDA

Member Bledsoe made a motion, seconded by Member Nelson, to approve the agenda. With a voice vote of five (5) ayes, the motion carried unanimously.

APPROVAL OF MINUTES

Member Bledsoe made a motion, seconded by Member Casey, to approve the minutes of the May 22, 2019, meeting. With a voice vote of five (5) ayes, the motion carried unanimously.

PETITIONS

19-12 Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis

Mr. Asselmeier summarized the changes since the May meeting.

Fox Township requested the following:

1. No parking on Crimmin Road.
2. A right-of-way dedication of forty-five feet (45') as measured from the centerline of Crimmin Road for the entire length of the subject property.
3. No sound greater than sixty-five (65) dBa as measured from the property line of the complaint.
4. The special use permit should be contingent on a completed traffic study with the Petitioner paying for any necessary construction caused by increased traffic on Crimmin Road.
5. A maximum of thirty (30) events per year with an operating season between April 1st and November 1st.
6. Saturday only events with a conclusion of no later than 10:00 p.m.
7. The Township believes inadequate parking is planned for the proposal.
8. No selling or serving of alcohol per Fox Township's dry regulations.

The Township also requested that the advisory bodies consider public safety when making their recommendations.

Mr. Asselmeier also reported that the Petitioner had a paid event on their property on June 3rd. The Petitioners thought that the special use permit would be in place prior to the event and did not want to cancel or reschedule the event.

The recommendations were amended to reflect most of Fox Township's concerns:

1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and parking illumination plan.
2. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.
3. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
4. The subject parcel must maintain a minimum of five (5) acres.
5. 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)
6. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
7. 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. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property. (Last sentence added after discussion with Fox Township).
8. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
9. 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.

10. 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. Barn doors shall close by 7:00 p.m.
11. Events shall be held on Saturdays only and shall conclude by 10:00 p.m. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation.

Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30). (Changed per Fox Township)

12. A new certificate of occupancy must be issued for the barn.
13. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way. (Added per Fox Township).
14. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road (Added per Fox Township).
15. The special use permit shall be contingent upon the completion of a traffic study by the Kendall County Highway Department. The operator(s) of the banquet facility allowed by this special use permit shall pay for any improvements to Crimmin Road identified in the traffic study caused by the business allowed by this special use permit. (Added per Fox Township).
16. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
17. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
18. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
19. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Chairman Ashton asked about the timeframe for the traffic study. No timeframe was provided. Jeff Spang, Fox Township Supervisor, outlined the nature of the traffic study. The traffic study would examine whether the subject property is a good location for the proposed use based on traffic and the road condition.

Member Nelson asked how the results of the traffic study would impact the proposed special use permit. Supervisor Spang responded the impacts would not be determined until the traffic study was completed.

Discussion occurred regarding the impact of the bridge closure on Crimmin Road.

Several members of the Commission expressed opposition to the traffic study holding up the opening of the business proposed by the special use permit and the requirement that the Petitioners pay for improvements to Crimmin Road because any traffic created by the proposed use would have minimal impact on the safety of Crimmin Road.

Chairman Ashton noted that traffic near the banquet facility on Johnson Road increased more than anticipated. However, the banquet facility on Johnson Road has more events each weekend.

Discussion occurred regarding days of operation. JoAnn Bright-Theis clarified that they (the Petitioners) would be agreeable to limited events to one (1) per weekend and most of these events would occur on Saturdays. Ms. Bright-Theis was agreeable to setting a maximum number of events at thirty (30) per year. Adam Theis stated

that events could also occur on Federal holidays. Supervisor Spang expressed no opposition to capping the number of events at thirty (30) per year and the Fox Township Board favored Saturdays. Several members of the Commission expressed opposition to limiting events to Saturdays only.

Discussion occurred regarding Fox Township's dry regulations. The Petitioners want the ability to serve alcohol at events; the Petitioners would not sell alcohol. Mr. Asselmeier reported that there were seven (7) approved banquet facilities with five (5) of these facilities located in dry townships. Two (2) of these facilities were located in Fox Township. Supervisor Spang explained Fox Township's dry regulations and their plans to enforce Fox Township's dry regulations.

Supervisor Spang asked the Petitioners if the Harvester Vendor Fair was a public event. Mr. Theis responded that the vendors' fee was donated. The property owner was responsible for known uses on their property. The event scheduled for August 24, 2019, will not be a charitable event; the Petitioners hope to have their special use permit in place by that point in time.

Member Nelson made a motion, seconded by Member Casey, to recommend approval of the amended petition with the following changes:

1. Condition 11 be amended that events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).
2. Condition 15 be amended to say that a traffic study shall be conducted by the Kendall County Highway Department.

Ayes (5): Ashton, Bledsoe, Casey, Nelson, and Rodriguez

Nays (0): None

Absent (4): Davis, McCarthy-Lange, Shaw, and Wilson

The motion passed. This proposal will go to the Zoning Board of Appeals on July 1st.

Supervisor Spang thanked the Commission for giving Fox Township one (1) month to research information on this proposal.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

None

OLD BUSINESS

Update on Petition 18-04 Request from the Kendall County Regional Planning Commission for Amendments to the Land Resource Management Plan for Properties Located Near Route 47 in Lisbon Township-Commission Could Withdraw the Petition, Amend the Petition, or Request that the County Board Chairman Place the Petition on a Future County Board Meeting Agenda

Chairman Ashton reported that the Petition has been discharged from the Planning, Building and Zoning Committee with a neutral recommendation. The proposal probably will go to the Committee of the Whole in July or August; Mr. Nelson will contact County Board Chairman Gryder and request that the proposal go to the Committee of the Whole in August because Planning, Building and Zoning Chairman Prochaska will not be at the July Committee of the Whole meeting.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petition 19-08, a map amendment rezoning property east of 8225 Galena Road was approved by the County Board.

Mr. Asselmeier reported that Petition 19-13 pertaining to research and development home occupations was defeated at the County Board, but might be reconsidered.

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier reported that two (2) petitions will be on the July agenda, a request to renew a special use permit for a billboard at the corner of Route 34 and Hafenrichter in Oswego Township and a request for special use permit for a landscaping business with a sign variance at 276 Route 52 in Seward Township.

Mr. Asselmeier reported that the Comprehensive Land Plan and Ordinance Committee will start researching zoning regulations pertaining to recreational marijuana.

Mr. Asselmeier reported that the Teska Associates delivered the Zoning Ordinance with changes. However, the Comprehensive Land Plan and Ordinance Committee requested a redlined version of the proposal.

Member Casey asked if Mr. Asselmeier had any update regarding a request for an investigation of a drainage issue at Highgrove Subdivision. Mr. Asselmeier responded that the request has been sent to Fran Klaas, but no update existed.

Member Casey recommended that the Commission recognize Member Rodriguez for the news article about saving a person's life. The Commission recognized Member Rodriguez for his efforts. Member Rodriguez thanked the Commission for the recognition.

ADJOURNMENT


Member Bledsoe made a motion, seconded by Member Casey, to adjourn. With a voice vote of five (5) ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 7:50 p.m.

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

Enc.

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
JUNE 26, 2019**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Ed B. Guis		
John B. Guis		
Jeff Spang	Millbrook	

Petition 19-12, A-1 Special Use – Banquet Facility

My 5 Major Concerns:

1. **Security** – When having events and large crowds, you do not know all of the attendees and you never know what type of people the event will draw. I don't want to worry about the safety of my family, my daughter, or my property. When there is alcohol involved, the concern is even greater.
2. **Compliance/enforcement** – There are a number of rules laid out in the permit proposal. How is compliance to those rules enforced? Do the current zoning regulations allow for events such as weddings to be held? If not, those current regulations are not being adhered to now. Why is there reason to believe that future regulations would be adhered to? What are the repercussions of not adhering to the regulations of the permit? How many violations before action is taken? Can a permit be revoked? Can a permit be denied renewal? My family's lifestyle will be directly, negatively impacted by every single event that is held.
3. **Negative impact to my land value** – This is one of our largest investments. We've invested a lot in a beautiful, peaceful country way of life. This is why we moved to an AG zoned area. I do not want my investment negatively impacted due to noise every weekend, security concerns and increased traffic on a dangerous road.

4. **Noise** - I want my daughter to have the opportunity to experience, appreciate and respect the country way of life, as I did when I was growing up. We moved here to enjoy the peace & quiet. If there are 30 events estimated, those are condensed into 7 working months of the year, which is more than 4 events/month. That is an event at least every weekend which would be a major disturbance to the peace & quiet. With commuting to work every day during the week, our only downtime for decompression is on the weekends. I do not want to hear an event every weekend. We have observed an event (I assume a wedding) on Saturday, June 8. Standing in front of my garage I could hear every word of every song. The DJ speaking was even louder than the music. The barn doors were open. When we turned off the TV to go to bed at 10:30pm, we could hear the music inside our house. **To have to deal with that every week in an AG zoned area is ridiculous.** I want to sit by my campfire with my family, listening to the crickets, coyotes and owls.
5. **Traffic** – I have major concern regarding the increase in traffic. Crimmin is a dangerous road for people who know it, let alone folks unfamiliar. It's already clear from the previous events, that the attendees and vendors are not familiar with this road. Night time is very risky with deer and bad visibility. We already have issues with people blowing by the stopped school bus with the existing amount of traffic. **In less than 5 years my daughter will be a new driver on the road and I don't want her to have to deal with this traffic on our road...it's zoned AG!** During the event that took place on June 8, I witnessed a new black Dodge Challenger pass the driveway and back up in the middle of the road when approaching from the South. I also witnessed a silver F150 do the same when approaching from the North. I also witnessed a Famous Daves catering truck back out of the driveway onto the road because someone else was coming out of the driveway. My wife saw the shuttle bus pull out across both lanes because it was too large to stay in it's lane. All of this in just one single event! A

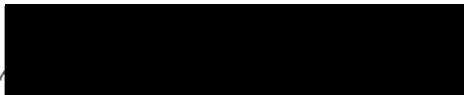
previous event had a stretch Hummer limo close the road for a good 10 minutes trying to pull in, before moving on to the North entrance. **I don't want provisions to make the increased traffic safer, I want to prevent the increased traffic this is zoned AG!**

6. ***What next/the unknown*** – It has been my experience that messing with the zoning is always the first domino to fall. What comes next road changes due to increased traffic? Liquor license and intoxicated drivers? Zoning changes from AG? We moved out here for peaceful country living and I don't want to see it changed. It should remain that way.

I grew up on a small farm in a very rural area in southern Kendall County. Looking for an AG zoned property, we moved to our current home so I could provide my family with the peaceful country living that I was able to experience, appreciate and respect. We've invested a lot to be here and our Return On Investment (ROI) is our peace and quiet we get to come home to every day. I do not want my investment and return negatively impacted when the existing AG zoning ensures it should not be. It is for these stated reasons that I must STRONGLY oppose this petition for a special use permit.

Thank you for your time and consideration.

Sincerely,

A black rectangular box redacting the signature of Kurt Buhle.

Kurt Buhle