

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois
6:30 p.m.
Meeting Minutes of November 13, 2018

CALL TO ORDER

The meeting was called to order by Chairman Davidson at 6:33 p.m.

ROLL CALL

Committee Members Present: Lynn Cullick, Bob Davidson (Chairman), Judy Gilmour, Scott Gryder (arrived at 7:20 p.m.), and Matt Kellogg (Vice Chairman)

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Don Draper, Mark Perle, Chris Paluch, Linda Wilkinson, Randy Donka, Danny Schlapp, Bob Alice, June Alice, Karen Melendez, Joe Clark, Zach Barnwell, Greg Stromberg, David Lombardo, Todd Milliron, Priscilla Gruber, Kelly Helland, Roger Smith, and Ron Dietrich

APPROVAL OF AGENDA

Motion by Member Kellogg, seconded by Member Gilmour to amend the agenda by moving the correspondence regarding 45 Cheyenne Court to after the petition and to delete the item regarding a horse related business at 3428 Roth Road. With a voice vote of four (4) ayes, the motion carried unanimously.

APPROVAL OF MINUTES

Motion by Member Kellogg, seconded by Member Gilmour, to approve the minutes of the October 9, 2018, meeting. With a voice vote of four (4) ayes, the motion carried unanimously.

EXPENDITURE REPORT

Motion by Member Gilmour, seconded by Member Cullick, to forward the claims to the Finance Committee. With a voice vote of four (4) ayes, the motion carried unanimously.

PUBLIC COMMENT

Don Draper, Oswego, requested clarification regarding the gun range proposal impacting existing gun clubs and gun ranges. Mr. Asselmeier read from the proposal saying that existing gun clubs and gun ranges were grandfathered.

Todd Milliron, Yorkville, requested that County use the GIS system to identify the locations of existing and new gun ranges. He also suggested changing the insurance requirement to include A rated insurance companies. He requested that the alternative proposal created by the residents be taken into consideration. He reminded the Committee that the Planning Commission and Zoning Board of Appeals had concerns regarding this proposal.

David Lombardo, Shorewood, opposed using Department of Energy standards because of the lack of availability of expert ranges. He was unaware of the Department of Energy's rules prior to reviewing this proposal. He thanked Chairman Davidson for his work with the County.

Zach Barnwell, Plano, recommended against using the County's GIS system regarding the location of gun ranges because the label singles out gun ranges instead of other businesses.

Mark Perle, Plainfield, favored the Department of Energy's design standards. As a businessman, he wanted to see the regulations to be uniform and predictable for adopting a special use permit for gun ranges. He does not want the County to cede authority to a private organization like the National Rifle Association. He favors the residents' proposal. He also thanked Chairman Davidson for his work with the County.

Linda Wilkinson, Plainfield, would like to see gun ranges restricted to M-3 zoning districts as a special use. She would like to see operations restricted to daylight hours only. She also expressed concerns regarding noise. She noted that real estate disclosure documents in Arizona require stating the existence of gun ranges near property.

Priscilla Gruber, Plainfield, stated that the Planning Commission and Zoning Board of Appeals recommended denial of the gun range proposal. She stated that the Kendall County Sherriff's Department found the Department of Energy's standards. She explained the definition of gun range in the residents' proposal to include commercial property and property used for retail purposes. She stated that the minimum property size for gun ranges should be twenty (20) acres in order to be the same as paintball ranges. She requested that the buffer zone be increased to three thousand feet (3,000') to match the Illinois Premises Liability Act. She would like to see the proposal increase safety for residents.

Chris Paluch, Yorkville, did not favor the exemption of the existing gun clubs from the proposed regulations. He favored the Department of Energy's design regulations. He also favored using the GIS system to show the location of gun clubs.

Karen Melendez, Plainfield, discussed the distance a bullet can travel and the safety concerns of neighbors.

Randy Donka, Montgomery, has worked in fire protection for thirty (30) years. He discussed the decibel level of firearms with buffering. He discussed the buffer zone behind targets.

PETITIONS

Amended Petition 17-28-Request from the Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request and the twelve (12) concerns offered several residents and he noted that Na-Au-Say Township filed a formal objection of the proposal.

Member Kellogg recommended that the proposal be forwarded to the County Board for discussion. The proposal is on the November 15th Committee of the Whole agenda.

Member Cullick had no opinion regarding changing the insurance requirement.

Member Gilmour discussed the State law regarding allowing counties to regulate the discharge of firearms in certain cases as a law enforcement matter and not a zoning matter.

Member Kellogg expressed concerns regarding set hours of operation as daylight hours.

Member Gryder arrived at this time (7:20 p.m.).

The Committee made no changes to the proposal.

The proposal will go to the Committee of the Whole on November 15, 2018.

CORRESPONDENCE

October 26, 2018 Email from Ed Westerdahl Regarding 45 Cheyenne Court

Mr. Asselmeier read the correspondence. Greg Stromberg presented updated pictures of the property. The Committee will be updated at the April 2019 meeting.

NEW BUSINESS

Recommendation on 2018 Noxious Weed Annual Report

Mr. Asselmeier summarized the request. One (1) noxious weed case was reported in Little Rock Township; the township was handling the matter.

Motion by Member Cullick, seconded by Member Kellogg, to recommend approval of the report.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried. This matter will go to the County Board on November 20, 2018.

Request for Guidance Regarding a Special Use Permit for a Mobile Home at 1072 Tyler Road (Ordinance 2009-24); Committee Could Refer the Matter to the State's Attorney's Office

Mr. Asselmeier summarized the situation. Roger Smith requested clarification of the special use permit. Mr. Smith will provide the required.

Request for Guidance Regarding a Special Use Permit for a Billboard at Route 34 and Hafenrichter (Ordinance 2004-43)

Mr. Asselmeier summarized the situation. Chairman Davidson stated that the owner wanted to keep the special use permit.

Motion by Member Cullick, seconded by Member Gryder, to leave the special use permit as is. With a voice vote of five (5) ayes, the motion carried unanimously.

Request for Guidance Regarding a Special Use Permit for a Truck Driving School at 14525 Route 71 (Ordinance 1999-35 and 1996-15)

Mr. Asselmeier summarized the situation.

Motion by Member Kellogg, seconded by Member Cullick, to have the special use permit removed. With a voice vote of five (5) ayes, the motion carried unanimously.

Request for Guidance Regarding a Special Use Permit for a Dog Kennel at 14005 Joliet Road (Ordinance 1988-01)

Mr. Asselmeier summarized the situation.

Motion by Member Kellogg, seconded by Member Cullick, to have the special use permit removed. With a voice vote of five (5) ayes, the motion carried unanimously.

Request for Guidance Regarding a Special Use Permit for an Implement Repair and Service Business at 10017 Lisbon Road (Ordinance 1977-05)

Mr. Asselmeier summarized the situation. Ron Dietrich, property owner, said he would like to keep the special use permit.

The consensus of the Committee was to leave the special use permit as is.

Request for Guidance Regarding a Special Use Permit for a Day Nursery School at 43 West Street, Bristol (Ordinance 1972-15)

Mr. Asselmeier summarized the situation.

Motion by Member Cullick, seconded by Member Kellogg, to have the special use permit removed. With a voice vote of five (5) ayes, the motion carried unanimously.

OLD BUSINESS

None

REVIEW VIOLATION REPORT

The Committee reviewed the violation report.

Update on Violation of Zoning Ordinance at 790 Eldamain Road

Mr. Asselmeier provided a correspondence and pictures regarding this issue. Kelly Helland, attorney for the property owners, summarized the work of the property owners. The consensus of the Committee was to have an update at the January 2019 meeting.

Approval to Forward Violation of Section 11.05.A.1.b.ii of the Kendall County Zoning Ordinance (Trailer Parked in the Front Yard) at 18 Ridgefield Road to the State's Attorney's Office

Mr. Asselmeier summarized the violation.

Motion by Member Kellogg, seconded by Member Gryder, to forward the matter to the State's Attorney's Office.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. This matter will be forwarded to the State's Attorney's Office.

Approval to Forward Violation of Section 11.05.A.1.b.ii of the Kendall County Zoning Ordinance (Trailer Parked in the Front Yard) at 1 Knollwood Drive to the State's Attorney's Office

Mr. Asselmeier summarized the violation.

Motion by Member Kellogg, seconded by Member Gryder, to forward the matter to the State's Attorney's Office.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. This matter will be forwarded to the State's Attorney's Office.

Discussion occurred regarding updating Section 11.05 of the Zoning Ordinance to prevent people from moving trailers temporarily and bringing the trailers back, thus starting the inspection process anew.

REVIEW NON-VIOLATION REPORT

The Committee reviewed the non-violation report. Member Gryder requested information regarding 101 Harbor Drive. Mr. Asselmeier will ask Mr. Holdiman to provide Member Gryder information.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

The Historic Preservation Commission is planning a meeting with other historic preservation groups for February 13, 2019, at La Salle Manor. The Commission is also working on criteria and categories for historic preservation awards.

REVIEW PERMIT REPORT

The Committee reviewed the permit report. Information from the municipalities will be included in a year-end report.

REVIEW REVENUE REPORT

The Committee reviewed the revenue report.

CORRESPONDENCE

Request for Qualifications for a Comprehensive Plan for the City of Joliet

Mr. Asselmeier read the correspondence. The Committee requested updates from the City of Joliet as the project progresses.

Request for Proposal for a Unified Development Ordinance for the United City of Yorkville

Mr. Asselmeier read the correspondence.

PUBLIC COMMENT

Mr. Asselmeier reported that Mr. Holdiman inspected Mark Antos' bridge and the Department is ready to close out the project, if no objections existed. No Committee members expressed objections to closing out the project.

Chairman Davidson stated his enjoyment with working with everyone.

Member Cullick stated that she enjoyed working with everyone as well.

Member Gryder thanked Chairman Davidson for his leadership of the Committee.

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

None

ADJOURNMENT

Motion by Member Cullick, seconded by Member Gryder, to adjourn. With a voice vote of five (5) ayes the motion passed unanimously. Chairman Davidson adjourned the meeting at 7:59 p.m.

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

Encs.

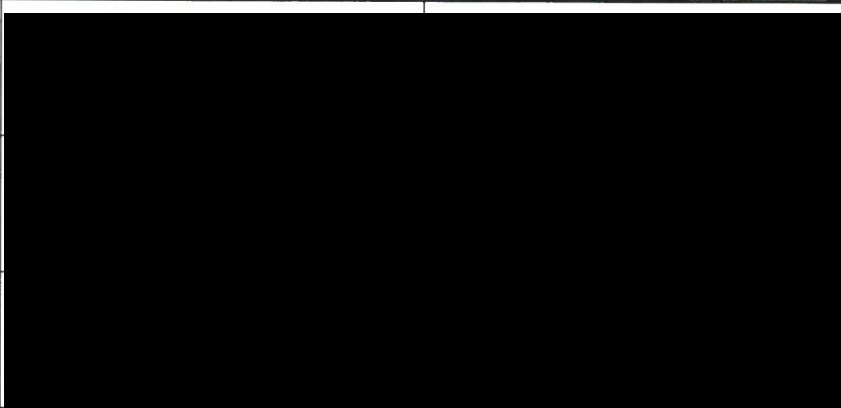
**KENDALL COUNTY
PLANNING, BUILDING, & ZONING COMMITTEE
NOVEMBER 13, 2018**

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)
DON DRAPER		
Mark Perle		
Linda Wilkinson		
Randy Donka		
Dannig Silberg		
Bob & June ALICE		
Karen Mendez		
Joe Clark		

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NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
ZACH BARNWELL		
Greg Stromberg		
Rozan Smith		

Summary of Proposed Changes to Kendall County Gun Range Ordinance

1. Include special use for commercial ranges in M-3 zoning only.
2. Redefine ranges covered by special use requirements to include retail commercial use property and property allowing specified number of simultaneous shooters.
3. Incorporate range design requirements from U.S. Government Range Design Criteria rather than from the National Rifle Association .
4. Minimum parcel size of 20 acres.
5. Insurance requirements.
6. Daylight hours only.
7. Locked and gated entrance.
8. Law enforcement, fire and emergency personnel security access.
9. Buffer of 3000 feet from dwellings, schools, churches, airstrips.
10. No alcohol or drug use allowed.
11. Kendall County residential noise regulations apply.
12. Existing permitted ranges continue as they are.

