

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

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

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

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

ROLL CALL

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

Members Absent: John Shaw

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

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

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

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

PETITIONS

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

Mr. Asselmeier summarized the request.

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

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

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

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

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

EcoCAT Report submitted and consultation was terminated.

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

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

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

The Village of Shorewood expressed no opposition to the proposal

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The motion carried.

Chairman Ashton voted no because of the LESA Score.

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

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

Mr. Asselmeier summarized the request.

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

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

There are no trails planned in the area.

There are no floodplains or wetlands in the area.

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

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

Fox Township was emailed information on July 30, 2018.

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

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

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

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

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

- a. **The facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan. (Variance is required for this requirement.)**
- b. The subject parcel must be a minimum of 5 acres.
- c. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
- d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of

Section 11 of the zoning ordinance.

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

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

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

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

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

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

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

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

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

All events would be catered, both food and drink.

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

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

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

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

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

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

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

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

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

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

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

The ADA parking areas will be hard surfaced.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19. A new certificate of occupancy must be issued for the framed barn.
20. The operator of the banquet facility allowed by this special use permit shall reside at the subject property as their primary place of residence.
21. The operator of the banquet facility and property owner(s) acknowledge and agree to follow Kendall County's Right to Farm Clause.
22. The property owner and operator of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
23. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
24. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The motion carried.

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

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

CITIZENS TO BE HEARD/ PUBLIC COMMENT

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

NEW BUSINESS

None

OLD BUSINESS

None

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

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

OTHER BUSINESS/ANNOUNCEMENTS

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

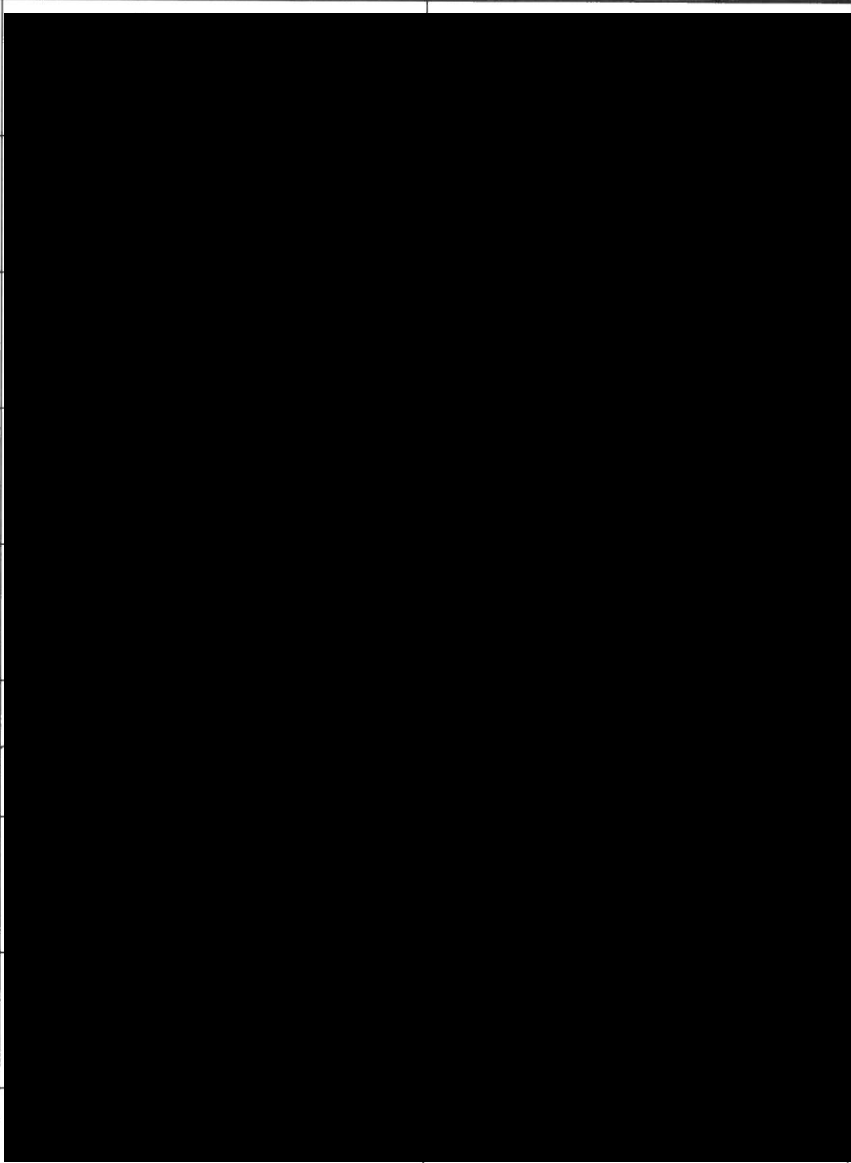
ADJOURNMENT

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

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

Enc.

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

NAME	ADDRESS	EMAIL ADDRESS
Tom Grant		
Tim Jones		
Tim Wallace		
MATT EWERT		
Jim Martin		
JOHN WHITEROUSE		
Gay Hoddy		
Ashley Yantis		

Matt Asselmeier

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

Mr. Asselmeier,

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

Thanks,
Logan Roberts

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

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

Sent from my iPhone

Begin forwarded message:

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

Sent from my iPhone

Begin forwarded message:

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

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

Sincerely Dan Roberts Seward Township trustee
Sent from my iPhone