



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

Wednesday, April 27, 2016 – 7:00 p.m.

CALL TO ORDER

ROLL CALL: Bill Ashton (Chair), Roger Bledsoe, Tom Casey, Larry Nelson, Vern Poppen, John Shaw, Claire Wilson, Budd Wormley, Angela Zubko and one vacancy (Big Grove Township)

APPROVAL OF AGENDA

APPROVAL OF MINUTES Approval of minutes from the January 27, 2016 meeting
 Approval of minutes from the February 6, 2016 annual meeting

PETITIONS

1. **16-05 Brad and Treva Mathre d/b/a Mathre 1916 LLC**
Request A-1 Special Use
Location 13889 Hughes Road, Fox Township
Purpose Special Use to operate a banquet facility in the A-1 District

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

- 15-17 – Kevin Calder – A-1 Special Use – Landscape Operation – 9923 Walker Road, Kendall Township
- Approved by County Board on February 16, 2016
- 16-01 – Peter and Mary Bielby – A-1 Special Use – Kennel Operation – 8573 Fox River Drive, Fox Township - Approved by County Board on February 16, 2016

CITIZENS TO BE HEARD/PUBLIC COMMENT

NEW BUSINESS

1. Nomination of Regional Plan Commission Officers – Chair, Vice-Chair, Secretary, Treasurer & Recording Secretary
2. Election of Regional Plan Commission Officers – Chair, Vice-Chair, Secretary, Treasurer & Recording Secretary

OLD BUSINESS

1. Annual Meeting Recap

ADJOURNMENT

Next Regularly Scheduled Meeting – Wednesday, May 25, 2016 at 7:00pm

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

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

Unofficial Meeting Minutes of January 27, 2016

Chairman Bill Ashton called the meeting to order at 7:00 pm.

ROLL CALL

Members Present: Bill Ashton, John Shaw, Vern Poppen, Claire Wilson, Budd Wormley, Angela Zubko

Staff present: John Sterrett, Senior Planner

Members Absent: Roger Bledsoe, Tom Casey, Larry Nelson, 1 vacancy (Big Grove Township)

In the Audience: Clemente Garcia, Hardscape Group Landscaping; Peter Bielby, Mary's Pooch Pad, of 8573 Fox River Drive; Mary Bielby, Mary's Pooch Pad, of 8573 Fox River Drive; Doug Maple of 8880 Wilcox Court; Jeanette Nicosia of 8700 Wilcox Court; Patti Williams of Wilcox Court; Bob Horne of 8730 Wilcox Court; Sheila Smieszkal of 15892 Stonewall Drive; Mike Nicosia of 8700 Wilcox Court; Loren Williams of 8755 Wilcox Court; Steve Moeller, Village of Millbrook Trustee, of 8249 Whitfield Road; Connie Lamm of Wilcox Court; and Nick Bruscatto, Village of Millbrook Trustee, of 21 Foxhurst Drive

APPROVAL OF AGENDA

Ms. Zubko made a motion, seconded by Mr. Wormley, to discuss Petition 16-01 prior to Petition 15-17. With a voice vote of all ayes, the motion carried.

APPROVAL OF MINUTES

Ms. Wilson made a motion, seconded by Mr. Poppen, to approve the September 23, 201 meeting minutes. With a voice vote of all ayes, the motion carried.

PETITIONS

16-01 Peter and Mary Bielby d/b/a Mary's Pooch Pad

Request: Special Use to allow a landscaping business in an A-1 Zoning District

Location: 8573 Fox River Drive in Fox Township

Mr. Sterrett summarized the zoning request, which is a request for an A-1 Special Use to operate a dog kennel at 8573 Fox River Drive in Fox Township and use an existing 2,900 square foot structure to keep the dogs contained during night time hours and nap time. Mr. Sterrett explained that the Zoning Ordinance permits kennels in the A-1 District as special uses provided that the kennel facility is located at least 250' from all residentially zoned properties and properties identified on the LRMP as residential and at least 150' from all non-residentially zoned properties and properties identified on the LRMP as non-residential. The proposed kennel structure meets those setback requirements with the exception of the property line to the southwest. The kennel structure is only 25' from the property line and therefore the petitioners sought a variance from the Zoning Board of Appeals. The ZBA approved the variance request with the condition that the approval is contingent on the approval of the special use application. The kennel operation will include overnight boarding and dog daycare. The number dogs will be limited to no more than twelve (12) at a time. All dogs will be kept

in the existing 2,900 square foot structure between the hours of 6:00pm and 7:00am. A play area will be provided for the dogs towards the northwestern portion of the property. The petitioner is in the process of obtaining a Kennel Operator's license through the Illinois Department of Agriculture. The petitioner does not have immediate plans for employees other than those currently residing on the property.

Staff is recommending the following conditions be placed on the controlling ordinance if approved:

1. No more than twelve (12) dogs shall be boarded at one time
2. All dog waste shall be kept in a lidded container and shall be removed from the property no less than one (1) time every seven (7) days
3. No exterior lighting associated with the dog kennel operation shall be permitted
4. Employees shall be limited to individuals residing on the property
5. All dogs shall be kept within the kennel between the hours of 6:00pm and 7:00am daily.
6. A reserved parking sign for ADA compliance shall be installed for one parking space on the asphalt parking area.

Mary and Peter Bielby of 8573 Fox River Drive explained their proposed dog kennel operation and their commitment and attention to taking care of the dogs kept on the property. They will be working with a vet for 24 hour emergency purposes. The building will be fully insulated with R-19 insulation in the walls and R-40 insulation in the ceiling with steel construction on the outside. A six foot privacy fence will be located along the front of the building screening the dogs from the roadway.

The Commission the existing farm use on the Forest Preserve District property to the southwest of the subject property and what effect the farming activity may have on the dogs at the kennel. Ms. Bielby explained the process for obtaining a state license for a kennel from the Illinois Department of Agriculture and that there are annual inspections with the state. Ms. Bielby stated that the dogs will never be outside unattended and that there will be a play area inside for the dogs to use when weather does not permit outside activities.

The Commission discussed the county's existing noise ordinance and how that can be used to enforce noise concerns on the property. The County's noise ordinance restricts noise exceeding 60 dBA on a residential property between 7:00am and 10:00pm and 55 dBA between 10:00pm and 7:00am.

Doug Maple of 8880 Wilcox Court spoke in support of the proposed use. Mr. Maple stated that the railroad behind the subject property creates more noise than the proposed dog kennel will. Mr. Maple also stated that coyotes in the area make noise as well. Jeanette Nicosia of 8700 Wilcox Court submitted twenty-nine signatures of residents in the Estate of Millbrook that are not in favor of the proposed dog kennel use. Patti Williams of Wilcox Court (no street number given) raised concerns regarding noise from the kennel and disturbing the quiet setting of the neighborhood. Bob Horne of 8730 Wilcox Court raised concern from barking dogs and the noise generated in the area from it.

After clarification from the petitioner, the Commission felt that a condition should be modified to allow a maximum of twelve (12) dogs be allowed on the property at any one time. Sheila Smieszkal of 15892 Stonewall Drive raise the issue of noise as well as property values being affected by the dog kennel use. Ms. Williams echoed the concern of property values being affected. Ms. Williams asked how dogs can be controlled from barking when outside. Mr. Bielby stated that smaller dogs on the property will not have a great affect on noise and that property values should not be affected because the property will still retain its residential character. Mike Nicosia of 8700 Wilcox Court had a concern with not disclosing to a potential buyer of a property

regarding a dog kennel across the street from the subdivision. Loren Williams of 8755 Wilcox Court raised concerns over walking a property during a potential sale and hearing the dogs from the proposed kennel use. Mr. Ashton explained that a special use can be reviewed at any time if it is not in compliance with the approved ordinance or if several complaints are received. Mr. Sterrett explained that special uses run with the land and in order for them to otherwise run with the property owner, it must be specified in the controlling special use ordinance. Steve Moeller, Village of Millbrook Trustee, of 8249 Whitfield Road stated that the Village of Millbrook had no comments on the matter. The Commission was not comfortable with the special use running with the land and was in favor of the special use running with the property owner. Connie Lamm of Wilcox Court (no street number given) questioned why only three residents in the Estates of Millbrook received notification. Mr. Sterrett explained that the County's Zoning Ordinance and State statutes require the petitioner to notify all property owners that are within 500' from the subject property, excluding the distance of the road right-of-way. Mr. Sterrett also explained that there is a public hearing sign that was placed on the property fifteen (15) days prior to the meeting and that notification was in the newspaper fifteen (15) days prior to the meeting. Nick Bruscatto, Village of Millbrook Trustee, of 21 Foxhurst Drive agreed that the special use should run with the property owner because of the petitioner's commitment to the operation.

Ms. Wilson made a motion, seconded by Ms. Zubko, to forward the petition onto the Special Use Hearing Officer with a favorable recommendation and incorporate staff's recommended conditions, including modifying condition #1 to state that no more than twelve (12) dogs associated with the kennel operation shall be kept on the property at a time as well with an additional condition that no signage occur on the property and recommended that the special use run with the property owners and not the property. Chairman Ashton asked for a roll call. Ms. Wilson – Aye; Ms. Zubko – Aye; Mr. Ashton – Aye; Mr. Poppen – Aye; Mr. Shaw – Aye; Mr. Wormley – Aye. With a vote of 6-0, the motion carried. Mr. Sterrett stated that the petition will be heard by the Special Use Hearing Officer on Monday, February 1, 2016 at 7:00pm in the County Board Room.

15-17 Kevin Calder

Request: Special Use to allow a landscaping business in an A-1 Zoning District

Location: 9923 Walker Road in Kendall Township

Mr. Sterrett summarized the zoning request, which is a request for a special use to operate a landscaping business on a 5 acre agriculturally zoned property at 9923 Walker Road in Kendall Township. The business, Hardscape Group Landscaping, Inc., will have six employees with one of the employees living in the house on site. The property has access to a county highway as identified on the County's LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280lbs. The applicant has indicated that most of the trucks and equipment associated with the landscape operation will be kept outdoors. There is, however, some existing landscaping along the perimeter of the property that provides some screening from the roadway and adjacent properties. Clemente Garcia, owner of Hardscape Group Landscaping, Inc., has indicated that they are going to be adding additional evergreen species to the front of the property to provide further screening. The petitioner has submitted a waste disposal plan to address landscape waste. The waste will be delivered directly to Fox Stone Company.

Staff is recommending the following conditions be placed on the controlling ordinance if approved:

1. No landscape waste generated off site may be burned at the subject property
2. No retail sales shall be permitted on the property
3. A Change in Occupancy Permit must be secured prior to the conversion of the dwelling unit from a

residence to an office structure

4. No more than six (6) employees shall be permitted
5. Additional landscape screening shall be installed along the front of the property.
6. Existing accessory structures on the property shall be used for storage only

Clemente Garcia stated that he has begun working with a contractor for a septic and soil analysis to verify that the septic system is appropriately sized for six (6) employees to use. This analysis is being conducted at the request of the Health Department. Mr. Garcia confirmed that the employees will arrive to the subject property, load up trucks with equipment and materials, go to a job site, and return at the end of the business day to drop off the trucks and equipment, and leave the subject property. Most of the landscape materials are kept at Ground Effects in effort to not keep too much material at the subject property. Mr. Clemente intends to have one (1) illuminated sign on the property and will submit plans that will conform to the sign regulations of the A-1 district prior to installation of the sign. Mr. Clemente will also be submitting a landscape plan indicating the location and species type of the landscaping to be installed along the front of the property.

Ms. Zubko made a motion, seconded by Mr. Shaw, to forward the petition onto the Special Use Hearing Officer with a favorable recommendation and incorporate staff's recommended conditions with an additional condition that a waste management plan be incorporated into the special use ordinance and that signage be permitted subject to the sign regulations of the A-1 Agricultural District. There was discussion regarding the servicing of vehicles on the property. Mr. Clemente stated that vehicles are serviced off-site. Chairman Ashton asked for a roll call. Ms. Zubko – Aye; Mr. Shaw – Aye; Mr. Ashton – Aye; Mr. Poppen – Aye; Ms. Wilson – Aye; Mr. Wormley – Aye. With a vote of 6-0, the motion carried. Mr. Sterrett stated that the petition will be heard by the Special Use Hearing Officer on Monday, February 1, 2016 at 7:00pm in the County Board Room.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

15-05 LRMP Amendment Public Hearing – approved by the County Board on October 20, 2015

CITIZENS TO BE HEARD/ PUBLIC COMMENT

Mr. Ashton stated that he would like to see written comments from municipalities and townships rather than no comments given. The Commission briefly discussed fences in road right-of-ways.

NEW BUSINESS/ OLD BUSINESS

Election of Officers

This item will be tabled until next meeting pending further review of the by-laws regarding election of officers.

Annual Meeting

Mr. Sterrett reminded everyone that the annual meeting will take place on Saturday, February 6th at 9:00am. Mr. Sterrett also passed out the 2016 meeting schedule for the Plan Commission.

ADJOURNMENT

Ms. Zubko made the motion, seconded by Mr. Shaw, to adjourn. With a voice vote of all ayes, the motion carried. The Regional Plan Commission meeting adjourned at 8:36 pm.

Respectfully submitted by,
John H. Sterrett, Senior Planner

KENDALL COUNTY REGIONAL PLANNING COMMISSION

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

Meeting Minutes of February 6, 2016- Annual Meeting

Call to Order: Chairman Bill Ashton called the meeting to order at 9:03 am.

KCRPC Roll Call

Members Present: Chairman Bill Ashton, Tom Casey, Larry Nelson, John Shaw, Angela Zubko, Claire Wilson, Budd Wormley (Vice-Chair) and one vacancy

Members Absent: Roger Bledsoe and Vern Poppen

Others present: John Sterrett, Senior Planner

Members in the Audience: Craig Johnson, Jim Friedrich, Matt Prochaska, Elizabeth Flowers, Jeff Wehrli, Scott Gryder, Ali Mehanti, Jeff Wilkins, Rod Zenner, Grant Castleton, Krysti Noble, Mike Barr, Dick Whitfield, Andrez Beltran, Mike Hoffman, Jackie Forbes, Jim Friedrich, Jonathan Proulx, Dick Whitfield, Anthony Barry, Kristine Heiman.

WELCOMING REMARKS

Bill Ashton welcomed everyone for attending the annual meeting.

APPROVAL OF AGENDA

John Shaw made a motion to approve the agenda as written. Claire Wilson seconded the motion. All were in favor and the agenda was approved.

Request for Plan Amendments- *Residents of Kendall County and Staff*

None

2015 PBZ Project Summary & 2016 Future Projects/Goals

Mr. Sterrett provided a written report that included a summary of activities from 2015 within the Planning, Building, and Zoning Department including:

- Departure of senior planner in May 2015 after 7.5 years with Kendall County
- New senior planner started in September 2015
- Historic Landmark designation given to Gaylord House at 1542 Plainfield Road
- Completion of Tanglewood Trails subdivision has begun
- Beekeeping ordinance passed to allow beekeeping in certain residential districts
- Multi-Use Trail Map updated to indicate jurisdiction of regional trails

- First amendment approved to the intergovernmental agreement with United City of Yorkville for reciprocal building inspection services

Mr. Sterrett explained some upcoming goals and objectives for 2016, including:

- Acknowledge and Promote Kendall County's 175th Anniversary
- Completion of Tanglewood Trails subdivision
- Renew Intergovernmental Agreement between the County and the United City of Yorkville for reciprocal building inspection services
- Continue working with the Northwest Water Planning Alliance
- Participate with planning of CMAP's 'Next Plan' for the Chicago Region
- Develop optional pre-application meeting system for improved coordination between County departments and petitioners
- Review Future Land Use Plan for any areas that are best options for economic opportunities
- Continue reviewing and addressing potential changes in the Zoning Ordinance for increased efficiency
- Survey of vacant residential lots in County
- Continue converting paper documents to digital

Mr. Sterrett also provided information on the zoning petitions from 2015 and the construction activity that took place. Mr. Sterrett provided information on potential economic corridors for the land use plan. Ms. Wilson asked about meetings that are required for zoning petitions. The Commission discussed the process for zoning petitions and the meetings required to occur within that process. The zoning petition process was streamlined to shorten the length of time. Ms. Zubko asked the CMAP GoTo 2050 Plan.

Ali Mehanti, Assistant Superintendent of Finance and Operations for District 308, went through projects of District 308 including restructuring the district's bonds in an effort to lower the tax burden on property owners in district 308. The district is also looking at expanding the early childhood programs. Funding formulas have also been discussed. Mr. Wormley asked Mr. Mehanti about a senior housing development in the Plainfield area that is proposed to be converted into single-family and the impacts it may have on the school district. Mr. Mehanti stated that the issue has been discussed and boundary changes may be made as a result.

Krysti Noble, Community Development Director for the United City of Yorkville, discussed the update on the City's Comprehensive Plan. The B.U.I.L.D program with the City will be extended to incentivize new home construction. Ms. Noble commented on a senior housing project proposed in the City.

Rod Zenner, Community Development Director for the Village of Oswego, stated the Village had updated its Comprehensive Plan. The Village has begun the process for exploring a TIF for the downtown part of Oswego. The fee structure is being revisited as it is outdated. The Village

recently closed on 15 acres near the BNSF rail line off of Orchard Road.

Jeff Wehrli, President of the Kendall County Forest Preserve District, discussed a new proposal from the Forest Preserve known as wetland mitigation, which is regulated by the U.S. Army Corps.

Scott Gryder, Chairman of the PBZ Committee, thanked the Plan Commission for their hard work and commended the job of the PBZ Department during the absence of the senior planner.

Jonathan Proulx, Planning Department of the Village of Plainfield, discussed about the recent activities in the Village including the conversion of a senior housing complex to single-family and a special use request for a therapeutic day school for children with special needs. There is an apartment project that is part of the Grand Park development that was approved.

Mr. Nelson commented on a proposed Fox Valley YMCA program facility near the Town of Bristol.

Jeff Wilkins, Kendall County Administrator, proposed the Plan Commission begin to review the south leg of Route 47 as an economic corridor for uses that may be on well and septic. Mr. Wilkins also provided an update on the local technical assistance from CMAP on the County's Industrial Market study. The results from the study have been delayed because of issues with the State budget.

Old Business

Mr. Sterrett stated that a request from the 2015 Annual Meeting to amend the LRMP in Little Rock Township was approved in October 2015.

New Business

None

Other Business

There was no other business

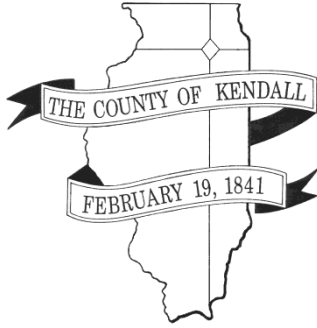
Public Comment

There was no public comment

Adjournment

Ms. Wilson made a motion, seconded by Ms. Zubko, to adjourn the meeting. With a voice call vote of all ayes, the motion carried. At 9:57am the Regional Plan Commission adjourned.

Submitted by,
John H. Sterrett
Senior Planner



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

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Petition 16-05

**Treva and Brad Mathre d/b/a Mathre 1916 LLC
A-1 Special Use – Banquet Facility**

SITE INFORMATION

PETITIONER Treva and Brad Mathre d/b/a Mathre 1916 LLC

ADDRESS 13889 Hughes Road

LOCATION North side of Hughes Rd; ½ mi east of Hollenback Rd; 1 mi west of Helmar Rd



TOWNSHIP Fox

PARCEL # Pt. 04-35-100-002

LOT SIZE 5.0 acres; Overall property is 80 acres

EXITING LAND USE Agricultural/Single Family Residential

ZONING A-1 Agricultural District

LRMP	Land Use	Agricultural
	Roads	Hughes Road is a township road classified as a non-Collector Road
	Trails	None
	Floodplain/ Wetlands	None

REQUESTED ACTION

A-1 Special Use to operate a banquet facility. Variance to operate a banquet facility without direct access to a major collector roadway or an arterial roadway

APPLICABLE REGULATIONS

Section 7.01 D.10 – A-1 Special Uses – Permits Banquet Facilities to be located in the A-1 District with approval of a Special Use provided that the banquet meets certain conditions including direct access to a road designated either as an arterial roadway or major collector road as identified in the Land Resource Management Plan.

Section 13.08 – Special Use Procedures

Section 13.04 – Variations

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural	A-1	Agricultural	A-1
South	Agricultural	A-1	Agricultural	A-1
East	Agricultural	A-1	Agricultural	A-1
West	Agricultural/Farmstead	A-1	Agricultural	A-1



PHYSICAL DATA

ENDANGERED SPECIES REPORT

None received. If the Plan Commission forwards the petition onto the Hearing Officer, staff recommends a condition be placed requiring the EcoCAT be completed prior to action by the County Board.

NATURAL RESOURCES INVENTORY

No NRI report needed.

ACTION SUMMARY

FOX TOWNSHIP

No comments have been received from Fox Township.

UNITED CITY OF YORKVILLE

The City's Plan Commission will review the petition at their May meeting.

ZPAC (4.5.16)

Brian Holdiman stated a change of occupancy permit to ensure basic life safety requirements for the barn structure is required. Per written comments from the Health Department, portable toilets are acceptable. Commander Peters stated that the condition regarding noise cannot be enforced by the Sheriff's Office since the property is zoned as Agricultural and therefore not subject to the County's Noise Ordinance. The Sheriff's Office can assist with the investigation of any noise complaint. This is, however, a zoning issue. Fran Klaas stated that there is little traffic on Hughes Road and that the proposed use will not have an impact on the roadway. The Committee recommended that employees outside of those living on the property should be permitted. The Committee voted unanimously to forward the petition onto the Plan Commission with a favorable recommendation.

GENERAL

The petitioners, Brad and Treva Mathre, d/b/a Mathre 1916, LLC, are requesting an A-1 Special Use to operate a banquet facility at the subject property and use an existing 3,728 square foot barn structure. 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.

BUSINESS OPERATION

The petitioners have provided details regarding the operation of the banquet facility. The facility will primarily be used for weddings beginning in May and ending in early November each year. There will be no employees other than the petitioners. The petitioners live on the property and the principal use of the property will remain as a residence. The hours of operation for the day before an event will be from 12:00pm to 11:30pm and from 8:00am to 11:30pm the day of the event. A list of recommended food vendors will be provided to clients. Alcohol will not be served or encouraged. Small amounts of wine or champagne for toasts will be permitted. No cash bar or kegs will be permitted. No alcohol shall be brought on the premises by guests. No sale of any alcohol will occur. Two part time employees may be used in the future.

BARN STRUCTURE

The petitioner will utilize an existing 3,728 square foot barn structure for the banquet events. A Change of Occupancy permit will be required for the structure. The purpose of this permit is to evaluate the structure for proper ingress/egress, occupant load, life safety and health. Compliance with 2012 IBC existing structure provisions must be met.



ENVIRONMENTAL HEALTH

With the current business proposal, portable toilets will be permitted for sewage. If the business expands and intensifies, the petitioner will need to put together a plan for a more permanent solution that will lead to a large scale septic system to comply with Health Department requirements. The Health Department encourages the petitioners to work with them early in this process. With respect to water, the well does not qualify as a non-community water source and therefore does not need to be brought into this program. It is strongly recommended by the Health Department that the supply is sampled for nitrates and coliform bacteria. There are no major concerns regarding food since the petitioner will be use outside caterers.



PARKING

The proposed use is considered a place of assembly and is required to provide parking stalls in an amount at least 25% of the maximum capacity of the banquet facility structure. Per the building code, the maximum capacity of the structure is 120 persons and will therefore require thirty (30) parking stalls, two (2) of which must be reserved for ADA access.

The petitioner has indicated on their site plan that thirteen (13) 9'x20' parking stalls will be placed on the east side of the building on an existing concrete surface, two (2) of which will be 16'x20' parking stalls reserved for ADA access. A reserved parking sign for ADA compliance must be present for the stalls reserved for ADA access. Fourteen (14) 9'x20' parking stalls will be placed further west of the building over existing gravel. Additional gravel will be added to this parking area. Four (4) additional stalls will be added in front of the barn with gravel. The petitioner has indicated that the large field to the west of the parking area can be used for overflow parking if needed.

LIGHTING/SIGNAGE

The petitioner has indicated that no new signage associated with the business operation will be installed on the property. Staff recommends that a condition be placed on the controlling special use ordinance reflecting this. No new lighting is proposed on the property. Exterior lighting on the barn structure and the rear of the house currently exists to illuminate the parking areas.

ACCESS

Section 7.01.D.10.a states that a banquet facility shall direct access onto either an arterial road or a major collector road. A variance to this requirement will be required from the County’s Zoning Board of Appeals since the property does not have direct access onto either an arterial road or a major collector road. Hughes Road is classified as a local township road. Hughes Road has direct access to State Route 71, which is an arterial roadway. The property is two (2) miles from State Route 71. The property is located 1.5 miles from Walker Road, a major collector road. Hughes Road is accessible from Walker Road through Helmar Road. During the ZPAC meeting, Fran Klaas, the County Highway Engineer, stated that he does not have concerns regarding the amount of traffic that will be generated from the proposed use.



CONCLUSION

The proposed banquet facility use is permitted as special use in the A-1 District with the required conditions outlined above. The proposed use complies with all conditions with the exception of the access onto either an arterial road or a major collector road. The petitioners will be seeking a variance from the County’s Zoning Board of Appeals to the condition requiring direct access onto either an arterial roadway or a major collector roadway.

RECOMMENDATION

Staff recommends that the EcoCAT be completed prior to action by the County Board. If the special use is approved, staff recommends the following conditions, as well as any recommended conditions from the Plan Commission, be placed on the special use:

1. The property shall be developed in substantial compliance with the submitted site plan prior to any event occurring
2. A change of occupancy permit shall be secured prior to any event occurring
3. Events shall occur from May thru the second full week of November
4. The maximum number of patrons for each event shall be limited to 120, including any vendors working on the property for an event
5. No new signage associated with the banquet facility shall be permitted
6. No alcohol sales and no cash bar shall be permitted and all regulations of the Kendall County Liquor Control Ordinance shall be followed
7. Food shall be provided only by licensed caterers
8. A maximum of two part time employees, not including employees residing on the property
9. Hours of operation for an event shall be between 8:00am and 11:30pm

10. A reserved parking sign for ADA compliance shall be installed for each of the two (2) parking stalls reserved for ADA access.
11. The banquet facility shall conform to the regulations of the Kendall County Health Department
12. Retail sales are permitted provided that the retail sales will be ancillary to the main operation and such sales occur only during an event
13. No additional lighting shall be added unless a photometric and lighting plan has been approved by the PBZ Department
14. 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.

This petition is scheduled for the May 2nd Special Use Hearing Officer/Zoning Board of Appeals.

ATTACHMENTS

1. Findings of Fact
2. Detailed Description of proposed use - prepared by the petitioners
3. ZPAC Meeting Minutes
4. Proposed Site Plan

FINDINGS of FACT

§ 13.08.J of the Zoning Ordinance outlines findings that the Hearing Officer must make in order to grant a **special use**. Staff has answered 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. True. The petitioner has submitted a business narrative indicating that measures will be taken to ensure that the use of the banquet facility will not have a negative impact on 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 property is a sufficient distance from nearby residences thereby reducing the amount of adverse impacts from the use. No lighting additional lighting will be added in an effort to minimize negative impacts in the surrounding area.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. No new points access roads or points of ingress and egress are being provided as they are not necessary for the requested use. The Health Department is comfortable with the use of portable toilets based on the low intensity of the proposed use. The additional gravel for parking does not require additional drainage or stormwater infrastructure. The structure that is proposed to be used for banquets will require a change of occupancy permit for basic life safety requirements. All ADA parking requirements will be provided.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. The petitioners are seeking a variance with respect to the requirement for direct access onto an arterial roadway or a major collector roadway.

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 special use is consistent with the LRMP indicates this property to maintained as agricultural and the primary use of the property will remain as an agricultural operation and residence.

MATHRE1916 weddings/events Venue

Treva Mathre
13889 Hughes Road
Newark, IL 60541
815-600-4469

Detailed description of purposed use:

The business plan for Mathre 1916 is to provide an events/wedding venue to clients looking for a rustic setting. The season of operations will begin in May of each year through early November of each year.

Mathre 1916 will maintain a strict "Family Friendly Facility." This is primarily our home, and we expect persons renting the barn for any occasion to respect the property as such. Our intensions are to have a few events or wedding receptions throughout the open season. Basically, we are providing a barn structure including tables, chairs, and linens. Myself, Treva Mathre will be on site for each event providing "Day Of" floor plans, timelines, and to make sure everything goes as planned by and for the client. There are no other employees. Hours of operation would be the day before the event from 12:00 noon until 11:30 p.m., and on the day of the event 8:00 a.m. until 11:30 p.m. Other than that, a list of recommended vendors will be provided to each client.

Alcohol is not served or encouraged at Mathre 1916. Small amounts of wine or champagne for toasts will be permitted. Beyond these parameters, details must be provided by the client and agreed to by Mathre 1916. No cash bar or kegs will be permitted; no alcohol shall be brought on the premises or consumed except that which has been provided by the event organizer/licensed caterer. No minors may be served alcohol, and no alcohol may be consumed outdoors by any guest in any event at any time.

This year - 2016 is one of trial and error. If the scheduled events/receptions prove to be profitable, manageable, and not an overwhelming endeavor, the future business plan is to grow accordingly while keeping the homestead intact. This is a family farm that has been in our family for over 100 years. We have no intentions of changing that. This business is to supplement our income as farmers.

Mathre 1916 weddings/events Venue
Treva Mathre

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
April 5, 2016 – Meeting Minutes**

Senior Planner John Sterrett called the meeting to order at 9:01 a.m.

Present:

Scott Gryder – PBZ Committee Chair
Fran Klaas – Highway Department
David Guritz- Forest Preserve
Brian Holdiman- PBZ Department
Commander Mike Peters – Sheriff's Office
John Sterrett – PBZ Department

Absent:

Aaron Rybski – Health Department
Megan Andrews – Soil & Water Conservation District
Greg Chismark – WBK Engineering, LLC

Audience: Treva Mathre, Mathre 1916 LLC

AGENDA

Mr. Gryder made a motion, seconded by Mr. Gurtiz, to approve the agenda as written. With a voice vote of all ayes the motion carried.

MINUTES

Mr. Gryder made a motion, seconded by Mr. Klaas, to approve the January 5, 2016 meeting minutes as written. With a voice vote of all ayes the motion carried.

PETITIONS

#16-05 – Brad and Treva Mathre d/b/a Mathre 1916 LLC.

Mr. Sterrett summarized the zoning request, which is a request for an A-1 Special Use to operate a banquet facility on a 5 acre property at 13889 Hughes Road in Fox Township. The petitioners reside on the property. An existing 3,728 square foot barn structure will be used for banquets, primarily wedding receptions. A change of occupancy permit will be required for the barn structure. Thirty parking stalls will be provided to accommodate 25% of the maximum capacity of the structure. Mr. Sterrett explained that a banquet facility is required to have direct access onto an arterial roadway or a major collector roadway. Hughes Road is neither and therefore a variance is required to seek relief from this requirement. Staff is recommending approval of the special use request with the following conditions:

1. The property shall be developed in substantial compliance with the submitted site plan prior to any event occurring
2. Parking stalls reserved for ADA access shall be paved with a hard surface
3. A change of occupancy permit shall be secured prior to any event occurring
4. Events shall occur from May thru the second full week of November
5. The maximum number of patrons for each event shall be limited to 120, including any vendors working on the property for an event
6. No new signage associated with the banquet facility shall be permitted
7. No alcohol sales and no cash bar shall be permitted and all regulations of the Kendall County Liquor Control Ordinance shall be followed
8. Food shall be provided only by licensed caterers
9. Employees shall be limited to individuals residing on the property
10. Hours of operation for an event shall be between 8:00am and 11:30pm
11. A reserved parking sign for ADA compliance shall be installed for each of the two (2) parking stalls reserved for ADA access.
12. The banquet facility shall conform to the regulations of the Kendall County Health Department
13. Retail sales are permitted provided that the retail sales will be ancillary to the main operation and such sales occur only during an event

14. No additional lighting shall be added unless a photometric and lighting plan has been approved by the PBZ Department
15. 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.

Mr. Holdiman explained that a change of occupancy permit will be required. Commander Peters stated that the County's Noise Ordinance would not apply to this property because it is zoned A-1. Commander Peters explained that the Sheriff's Office could assist with the investigation into noise violations but enforcement action cannot be taken from the Sheriff's Office. Mr. Guritz pointed out possible noise issues that occur with banquet facilities. The Committee discussed the difference between conditions on a special use regulating noise versus the County's established Noise Ordinance.

Ms. Mathre stated that there will be no retail sale of alcoholic beverages and that wedding parties will be required to obtain a licensed caterer. Ms. Mathre also expressed a desire to have two employees to help with events. Mr. Holdiman shared comments from the Health Department including that portable toilets will be acceptable in the first year of operation based on the low intensity of the proposed use. If the use intensifies then the need for a remodel permit to add bathrooms of the building will need to be reviewed. Mr. Klaas stated that Hughes Road has very little traffic and that the traffic generated from the proposed use will not have an impact on the roadway.

Mr. Klaas made a motion, seconded by Mr. Gurtiz, to forward the petition onto the April 27th Regional Plan Commission. With a voice vote of all ayes, the motion carried.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Sterrett reviewed the petitions that were approved by the County Board including:

- 15-17 – Kevin Calder – A-1 Special Use – Landscape Operation – 9923 Walker Road, Kendall Township
- 16-01 – Peter and Mary Bielby – A-1 Special Use – Kennel Operation – 8573 Fox River Drive, Fox Township
- 16-02 – Fox Metro Water Reclamation District – Stormwater Management Ordinance Variance – Fee-in-Lieu of Stormwater Detention – 682 Route 31, Oswego Township

OLD BUSINESS

None

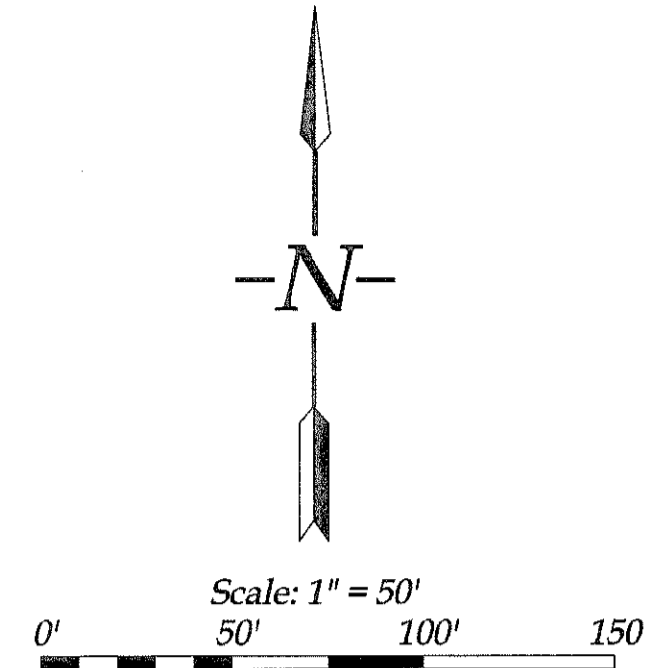
NEW BUSINESS

None

ADJOURNMENT

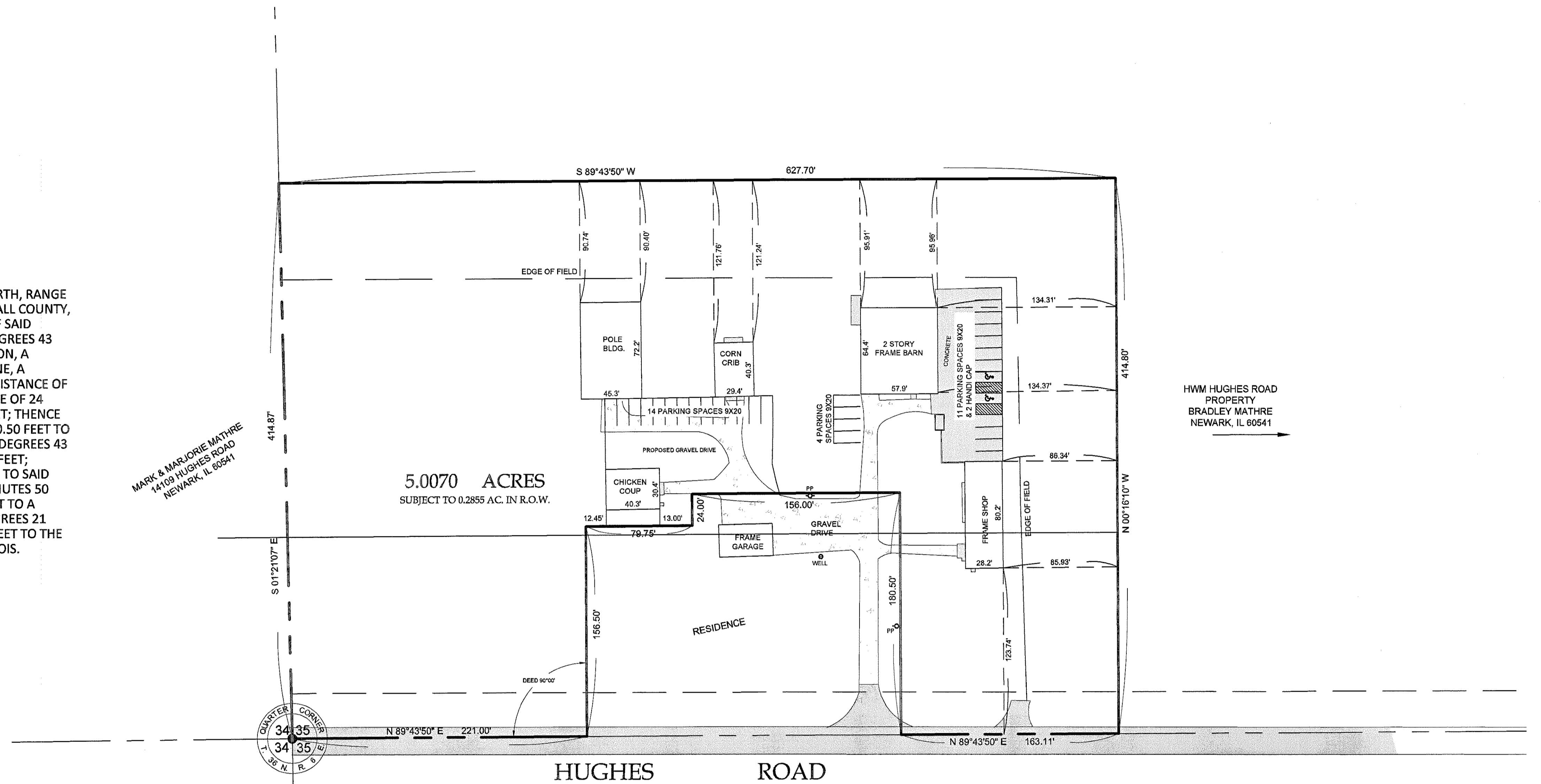
Mr. Gryder made a motion, seconded by Mr. Guritz, to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:22am, adjourned.

ZONING SKETCH



LEGAL DESCRIPTION

THAT PART OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS BEING DESCRIBED BY COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER FOR THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 43 MINUTES 50 SECONDS EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 221.0 FEET; THENCE NORTH PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 156.5 FEET; THENCE EAST PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 79.75 FEET; THENCE NORTH PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 24 FEET; THENCE EAST PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 156 FEET; THENCE SOUTH PERPENDICULAR TO THE LAST DESCRIBED COURSE, A DISTANCE OF 180.50 FEET TO A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTH 89 DEGREES 43 MINUTES 50 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 163.11 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 10 SECONDS WEST PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 414.80 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 50 SECONDS WEST PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 627.70 FEET TO A POINT ON THE WEST LINE OF SAID QUARTER SECTION; THENCE SOUTH 01 DEGREES 21 MINUTES 07 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 414.87 FEET TO THE POINT OF BEGINNING ALL IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.



5.0070 ACRES
SUBJECT TO 0.2855 AC. IN R.O.W.

HWM HUGHES ROAD
PROPERTY
BRADLEY MATHRE
NEWARK, IL 60541

MARK & MARJORIE MATHRE
14109 HUGHES ROAD
NEWARK, IL 60541

HOWARD A. MATHRE TRUST
14396 HUGHES ROAD
NEWARK, IL 60541

CORINNE T. MATHRE TRUST
13642 HUGHES ROAD
NEWARK, IL 60541

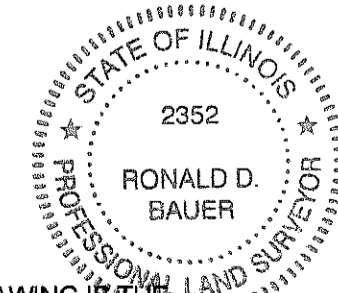
SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

THIS IS TO CERTIFY TO THE CLIENT, HOWARD AND TREVA MATHRE, THAT I, RONALD D. BAUER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR IN AFORESAID COUNTY AND STATE, HAVE COMPLETED A BOUNDARY SURVEY ON THE GROUND OF THE PROPERTY HEREON DESCRIBED. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY AND THAT THE ZONING SKETCH HEREON DRAWN REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY. I ALSO CERTIFY THAT THERE WERE NOT ANY PROPERTY IRONS SET WITH THIS SURVEY DUE TO SAME OWNER OWNER THE PROPERTY ADJOINING SAID PARCEL. THIS SURVEY DOES NOT CONSTITUTE A RECORD TITLE SEARCH AND ALL EASEMENTS AND OR SETBACKS SHOWN ARE EITHER THOSE DESIGNATED ON THE RECORDED SUBDIVISION PLAT OR THOSE PROVIDED TO US BY OTHER DOCUMENTATION. NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE OF PUBLIC UTILITIES OR STORM WATER RUNOFF EITHER ONTO OR OFF FROM THE SITE. THE FINAL FIELD WORK WAS COMPLETED ON THE 14th DAY OF MARCH, 2016.

GIVEN UNDER MY HAND AND SEAL AT PLANO, ILLINOIS THIS 15th DAY OF MARCH, 2016 A.D.

Ronald D. Bauer
ILLINOIS PROFESSIONAL LAND SURVEYOR #2352
REGISTRATION EXPIRES 11-30-2016



REFER TO A CURRENT TITLE INSURANCE POLICY FOR EASEMENTS NOT PROVIDED. THIS DRAWING IS THE PROPERTY OF RB & ASSOCIATES CONSULTING, INC. AND SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN SET FORTH WITHOUT THE WRITTEN CONSENT OF AN AUTHORIZED AGENT OF RB & ASSOCIATES CONSULTING, INC. THIS DRAWING IS NOT CONSIDERED TO BE ORIGINAL UNLESS THE SURVEYOR'S SEAL IS AN IMPRESSED SEAL OR DISPLAYED IN RED INK.

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