



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

Wednesday, May 25, 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 April 27, 2016 meeting

PETITIONS

1. **16-09 Joe Gomoll**

Request A-1 Special Use
Location 10151 Lisbon Road, Fox Township
Purpose Special Use for the production and sale of items utilizing crops grown on site and in combination with crops grown off site as well as ancillary items and products related to crops and products produced on site in the A-1 District

2. **16-10 Whitetail Ridge, LLC**

Request A-1 Special Use
Location 9111 Ashley Road, Kendall Township
Purpose Special Use to operate a banquet facility in the A-1 District

3. **16-02 Dumpsters in Residential Zoning Districts**

Request Text Amendment
Location N/A
Purpose Text amendment to add provisions on dumpsters located in residentially zoned properties

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

16-05 – Brad and Treva Mathre – A-1 Special Use – Banquet Facility – 13889 Hughes Road, Fox Township - Approved by County Board on May 17, 2016

CITIZENS TO BE HEARD/PUBLIC COMMENT

NEW BUSINESS

OLD BUSINESS

ADJOURNMENT

Next Regularly Scheduled Meeting – Wednesday, June 22, 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 April 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, Larry Nelson, Tom Casey, Roger Bledsoe, Angela Zubko

Staff present: John Sterrett, Senior Planner

Members Absent: Claire Wilson

In the Audience: Brad Mathre

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Ms. Zubko made a motion, seconded by Mr. Wormley, to approve the January 27, 2016 regular meeting minutes with a minor correction regarding a date and the February 6, 2016 annual meeting minutes. With a voice vote of all ayes, the motion carried.

PETITIONS

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

Request: Special Use to allow a banquet facility in an A-1 Zoning District

Location: 13889 Hughes Road in Fox Township

Mr. Sterrett summarized the zoning request, which is a request for an A-1 Special Use to operate a dog kennel. 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 from the County's Zoning Board of Appeals 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.

Brad Mathre stated that he is working with IDNR on receiving the EcoCAT results. Mr. Sterrett stated that the City of Yorkville will discuss the petition at their May Plan Commission meeting.

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 and amend condition #7 to read as "All regulations of the Kendall County Liquor Control Ordinance shall be complied with" Chairman Ashton asked for a roll call. Ms. Zubko – Aye; Mr. Shaw – Aye; Mr. Ashton – Aye; Mr. Bledsoe – Aye; Mr. Casey – Aye; Mr. Nelson – Aye; Mr. Poppen – Aye; Mr. Wormley – Aye. With a vote of 8-0, the motion carried. Mr. Sterrett stated that the petition will be heard by the Special Use Hearing Officer and the Zoning Board of Appeals on Monday, May 2, 2016 at 7:00pm in the County Board Room.

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

None

NEW BUSINESS

Nomination of Officers

Mr. Nelson made a motion, seconded by Mr. Casey, to nominate Bill Ashton as Chair.

Mr. Ashton made a motion, seconded by Mr. Poppen, to nominate Budd Wormley as Vice Chair

Mr. Wormley made a motion, seconded by Mr. Casey, to nominate Angela Zubko as Secretary

Ms. Zubko made a motion, seconded by Mr. Shaw, to nominate John Sterrett as the Treasurer and Recording Secretary.

Mr. Ashton made a motion, seconded by Mr. Poppen, to close the nominations. With a voice vote of all ayes, the motion carried.

Election of Officers

Mr. Nelson made a motion, seconded by Mr. Shaw, to elect the nominees. With a voice vote of all ayes, the motion carried.

OLD BUSINESS

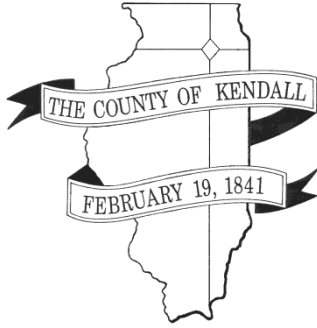
Annual Meeting Recap

Mr. Sterrett recapped the Annual Meeting and stated that the Route 47 corridor will be reviewed for possible amendments to the Land Use Plan. The Commission discussed the new rail bypass and its effect on the Illinois Railway and potential industrial uses along the railway.

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 7:31 pm.

Respectfully 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 16-09

Joe Gomoll

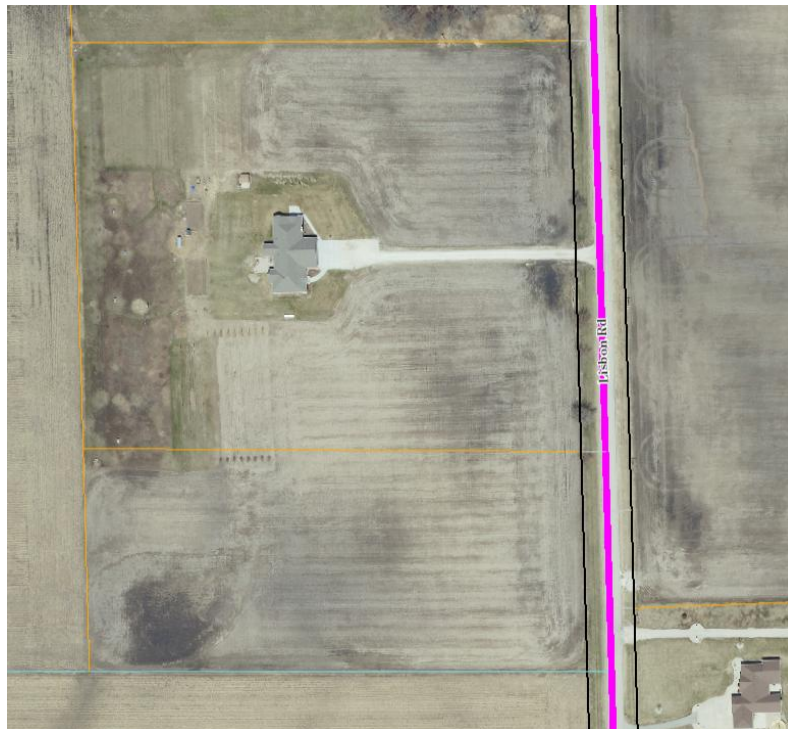
A-1 Special Use – Production and Sale of items utilizing crops grown on site and in combination with crops grown off site as well as ancillary items and products related to crops and products produced on site

SITE INFORMATION

PETITIONER Joe Gomoll

ADDRESS 10151 Lisbon Road

LOCATION West side of Lisbon Rd; 300' south of Walker Road



TOWNSHIP Fox

PARCEL # 04-25-200-008; -009

LOT SIZE 15.22 acres

EXITING LAND USE Agricultural/Single Family Residential

ZONING A-1 Agricultural District

LRMP	Land Use	Agricultural
	Roads	Lisbon Road is a township road classified as a Minor Collector Road
	Trails	None
	Floodplain/ Wetlands	None

REQUESTED ACTION

A-1 Special Use for production and sale of sweet cider, hard cider, wine, jams, wine jams, jellies, pies, pickles, honey, sauces and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises as well as the tasting of and wholesale or retail sale of items produced on site and the sales of ancillary items and products related to crops and products produced on site.

APPLICABLE REGULATIONS

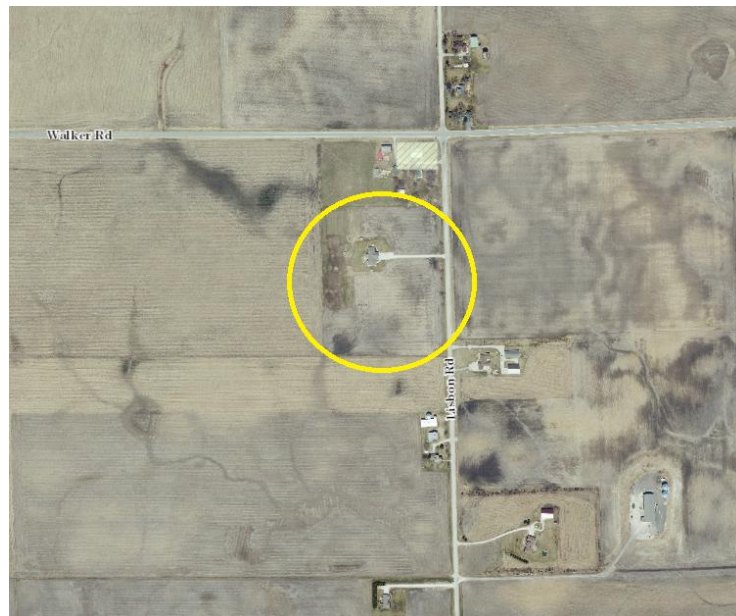
Section 7.01.D.32 (Special Use)

Production and sale of sweet cider, hard cider, wine, jams, wine jams, jellies, pies, pickles, honey, sauces and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises. In addition the tasting of and wholesale or retail sale of items produced on site as well as the sales of ancillary items and products related to crops and products produced on site shall be permitted provided all required licenses and permits have been secured. The total retail sales area on site within any building or combination of buildings shall not exceed one thousand (1,000) square feet. Said sales areas shall be set back at least ninety (90) feet from the center line of all adjacent roads with off-street parking for a minimum of five (5) cars. Seasonal outdoor displays on above listed items are also permitted.

Section 13.08 – Special Use Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within 1/2 Mile
North	Agricultural/Farmstead	A-1	Agricultural	A-1; A-1 SU
South	Agricultural	A-1	Agricultural	A-1
East	Agricultural	A-1	Rural Estate Residential	A-1
West	Agricultural	A-1	Agricultural	A-1



PHYSICAL DATA

ENDANGERED SPECIES REPORT

No record of state-listed threatened or endangered species.

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 reviewed the petition on May 11, 2016 and had no objections. The City Council will review on May 24, 2016.

ZPAC (5.3.16)

The ZPAC had no issues and made a favorable recommendation onto the Plan Commission.

GENERAL

The petitioner Joe Gomoll is requesting an A-1 Special Use to operate a road side stand out of an existing 4,800 square foot building occupying 1,000 square feet for retail space. Items that will be offered for sale include agricultural products produced on site in addition to products grown off-site as well as ancillary products such as bee keeping equipment, soaps, candles, antiques, and home décor.

APPLICABLE REGULATIONS

While roadside stands are considered permitted uses in the A-1 Agricultural District, they are limited to only 600 square feet of gross floor area and only for the retail sale of items produced on site. Per Section 7.01.D32, a special use may be sought for the *production and sale of sweet cider, hard cider, wine, jams, wine jams, jellies, pies, pickles, honey, sauces and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises. The tasting of and wholesale or retail sale of items produced on site as well as the sales of ancillary items and products related to crops and products produced on site.*

Furthermore, the total retail sales area on site within the building shall not exceed 1,000 square feet and the sales area shall be set back at least ninety (90) feet from the center line of all adjacent roads with a minimum parking area for five (5) cars. Seasonal outdoor displays are also permitted.

BUSINESS OPERATION

The petitioners have provided details regarding the operation of the roadside stand. The operation will have no employees and will be open eight (8) hours a day, 1-3 days per week. The petitioner intends for the roadside stand to be open throughout the year for each season. The petitioner has begun working with the Health Department on producing and selling sweet cider and anticipates selling sweet cider in fall 2016. The petitioner has indicated the possibility of producing and selling hard cider as a future endeavor. Fox Township is a dry township and therefore the County cannot issue a liquor license to sell hard cider or any other type of alcohol.

STRUCTURE

A Change of Occupancy permit will be required for the portion of the structure being used for the retail sales area. 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

The petitioner is working closely with the Health Department. The petitioner will operate through a temporary permit in 2016 as they are getting the business off the ground. Health Department staff will be available for consultation and will provide inspection as part of that permit.

PARKING

Section 7.01.D.32 requires that at least five (5) parking stalls be provided for the roadside stand locate at

least ninety (90) from the centerline of all adjacent roadways. The petitioner is proposing four (4) 9'x20' parking stalls and one (1) 16'x20' parking stall reserved for ADA accessibility. These stalls will be located 130' from the centerline of Lisbon Road in compliance with the above referenced section. There is ample space next to the building if additional parking is needed for overflow.

LIGHTING/SIGNAGE

No new lighting is proposed on the property. The petitioner has indicated that signage will be limited to a single sign at the store front.

ACCESS

Two points of access onto Lisbon Road exist with no additional points of access proposed.

CONCLUSION

The proposed use is permitted as special use in the A-1 District with the required conditions outlined above and the proposed use complies with all conditions.

RECOMMENDATION

If approved, staff recommends the following conditions, as well as any recommended conditions from the KCRPC, be placed on the special use:

1. The property shall be developed in substantial compliance with the submitted site plan
2. Parking stalls reserved for ADA access shall be paved with a hard surface and identified as such
3. A change of occupancy permit shall be secured for the portion of the structure that will be used for a retail sales area within sixty (60) days upon approval of the special use
4. All proposed signage shall comply with Section 12 of the Zoning Ordinance
5. No lighting associated with the special use shall be installed
6. No alcohol shall be offered for retail sale on the property until such time that a liquor license is permitted to be issued in Fox Township and until said liquor license has been approved by Kendall County. All regulations of the Kendall County Liquor Control Ordinance shall be followed.
7. A temporary permit from the Health Department shall be secured prior to the sale of sweet cider

ATTACHMENTS

1. Findings of Fact
2. ZPAC Minutes 5.3.16
3. Business Plan - prepared by the petitioners
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 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 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 allowing a temporary permit for the sale of sweet cider. The portion of the structure that is proposed to be used for retail sales area 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 petitioner has provided a site plan that complies with the requirements for the proposed use.**

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 and the property will remain as an agricultural operation and residence.**

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
May 3, 2016 – Meeting Minutes**

Senior Planner John Sterrett called the meeting to order at 9:00 a.m.

Present:

Scott Gryder – PBZ Committee Chair
Fran Klaas – Highway Department
David Guritz- Forest Preserve
Commander Mike Peters – Sheriff's Office
Aaron Rybski – Health Department
Megan Andrews – Soil & Water Conservation District
John Sterrett – PBZ Department

Absent:

Greg Chismark – WBK Engineering, LLC
Brian Holdiman- PBZ Department

Audience: Joe Gomoll; Attorney Dan Kramer; Ron Walker

AGENDA

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

MINUTES

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

PETITIONS

#16-09 – Joe Gomoll

Mr. Sterrett summarized the zoning request, which is a request for an A-1 Special Use for the production and sale of sweet cider, hard cider, wine, jams, wine jams, jellies, pies, pickles, honey, sauces and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises and as well as the sales of ancillary items and products related to crops and products produced on site. The property is located at 10151 Lisbon Road in Fox Township. The petitioner will be operating the use out of an existing 4,800 square foot structure and utilizing 1,000 square feet of retail space. Five (5) parking stalls are proposed to meet the requirements of the zoning ordinance for this type of use. 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
2. Parking stalls reserved for ADA access shall be paved with a hard surface and identified as such
3. A change of occupancy permit shall be secured within sixty (60) days upon approval of the special use
4. All proposed signage shall comply with Section 12 of the Zoning Ordinance
5. No lighting associated with the use shall be installed
6. No alcohol shall be offered for retail sale on the property until such time that a liquor license is permitted to be issued in Fox Township and until said liquor license has been approved by Kendall County. All regulations of the Kendall County Liquor Control Ordinance shall be followed.
7. A temporary permit from the Health Department shall be secured prior to the sale of sweet cider

Mr. Rybski reiterated the provision for a temporary permit from the Health Department and that as the business grows the Health Department will provide information on any additional requirements. Mr. Klaas stated that if there any future additional ROW required along Lisbon Road that parking and building are setback far enough.

Mr. Gryder made a motion, seconded by Mr. Rybski, to forward the petition onto the May 25th Regional Plan Commission. With a voice vote of all ayes, the motion carried.

Business Plan for Gomoll Farm Storefront Operation

Summary of Business:

To assist in the marketing and sale of all agricultural products grown on the property, it has been determined that a Farm Stand is required. Historically, the agricultural products have been taken off the premise and marketed and sold at open / farmer’s markets in the surrounding area. However, it would be much more cost effective, and productive to have a point of sale on the premise. Current agricultural products available for sale include apples, vegetables, stone fruit, eggs, and honey.

Pending approval from the Kendall County Health department, sweet cider will be available as early as Fall 2016. Hard cider production and sales would be a future endeavor driven by market demand.

Christmas trees are planned for 2020 and beyond.

A portion (1000 sqft) of pole building is to be allocated to the retail space needed to display, market, and complete the sale. The remainder of the building will continue to be used for equipment storage and farm operations.

In addition to the current agricultural products produced on-site, it is the intention to augment sales with ancillary products, such as bee keeping equipment, soaps, candles, home décor, and possibly other local growers’ produce.

Although initially a two season storefront, the intention will be to eventually provide something for each season of the year.

Spring	Garden Plants, Fruit Trees, Honey, Eggs
Summer	Garden Produce, Fruit, Honey, Eggs
Fall	Apples, Cider, Honey, Eggs
Winter	Christmas Trees, Cider, Honey, Eggs

Employees:

None, this is a family run operation, with zero employees.

Hours of Operation:

1-3 days per week during peak seasons. To include at least one day over the weekend. It is expected hours would be limited to a maximum 8 hours on any given day. (I.e. 8-5).

Signage:

Signage would be limited to a single sign at the store front in compliance with the local sign ordinances.

Access:

Access will be gained from Lisbon Rd via a dedicated u-shaped drive that will provide both an entrance and exit from the building.

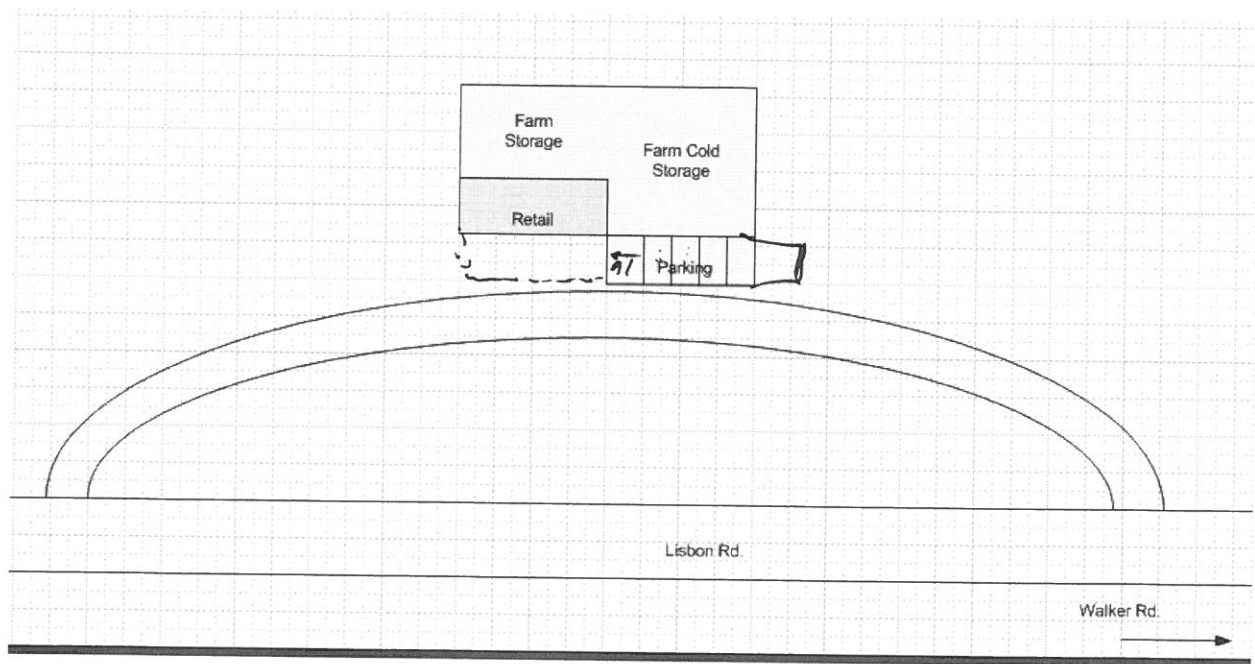
Parking:

Parking will be available in front of the building. There is ample space to expand parking if needed, however it is not expected any more than 5 slips would be required.

Conditional Use until Approved.

Kendall county ordinance allows the sale of agricultural products grown on premise without a special use permit. However, in anticipation of growing the operation to include the other products mentioned above (e.g. bee keeping equipment, soaps, candles, home décor, antiques, etc.) a special use permit is being applied for.

Storefront Configuration:

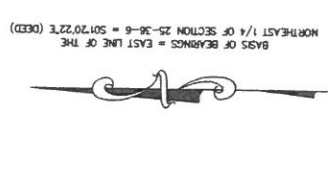
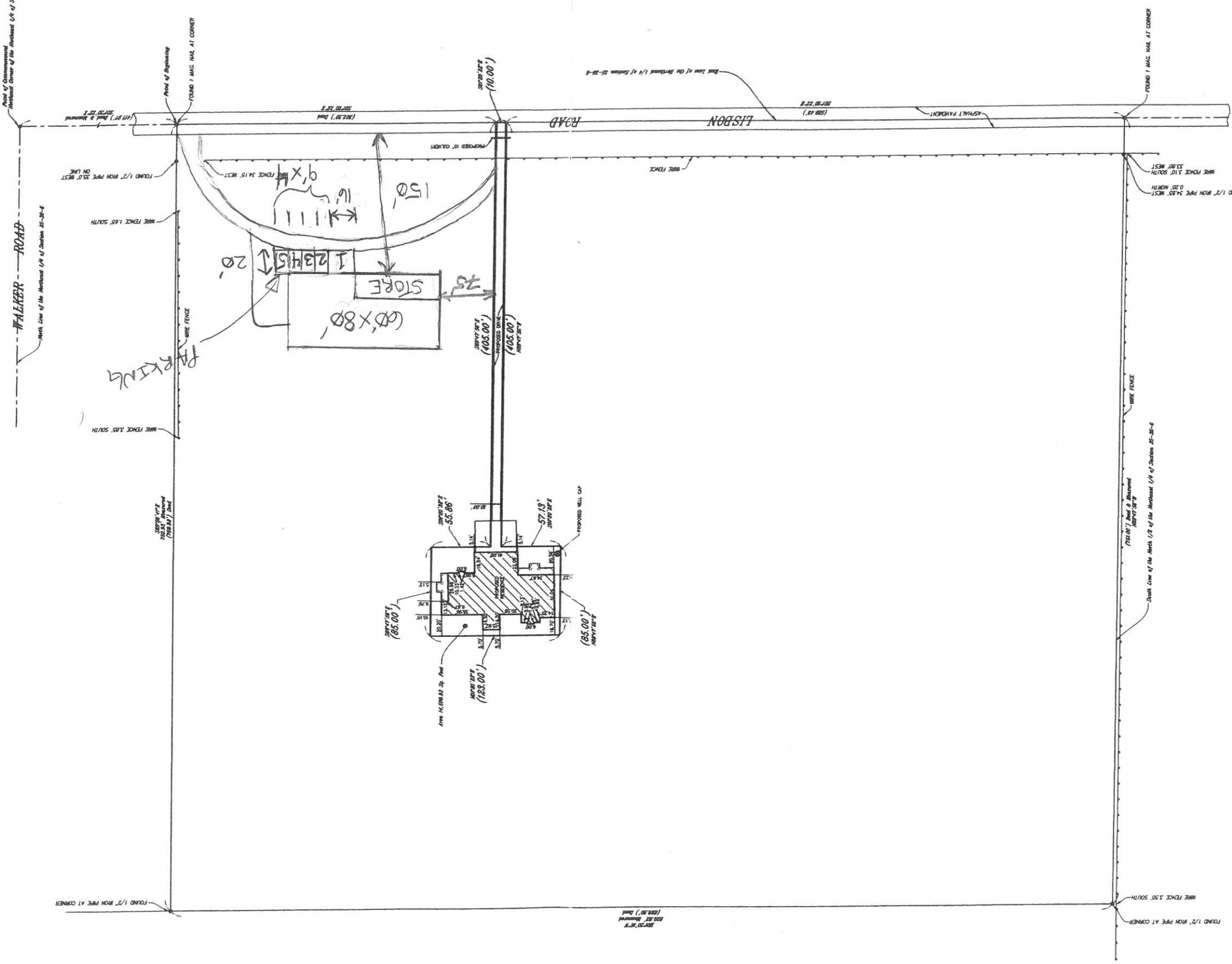


- LEGEND**
- o SURVEY POINT
 - BOUNDARY LINE
 - EASEMENT
 - FENCE
 - FENCE UTILITY EASEMENT
 - DRAINAGE EASEMENT
 - RIGHT OF WAY
 - CONCRETE PAVEMENT
 - CONCRETE PAVEMENT

NELSON SURVEYORS, LLC.

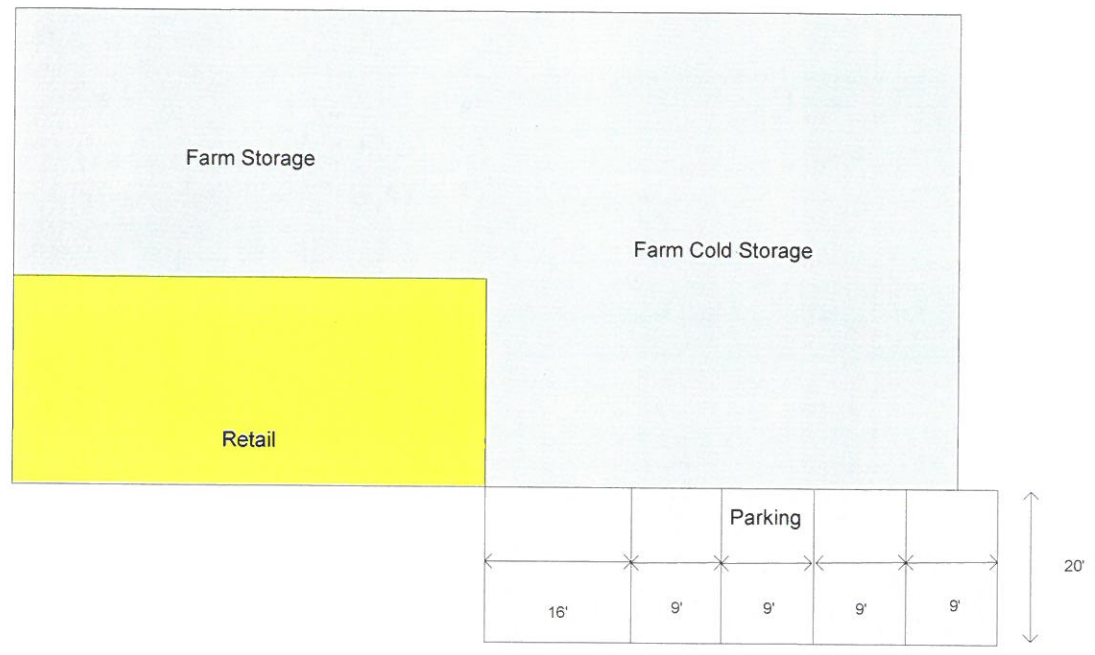
PLAT OF SURVEY

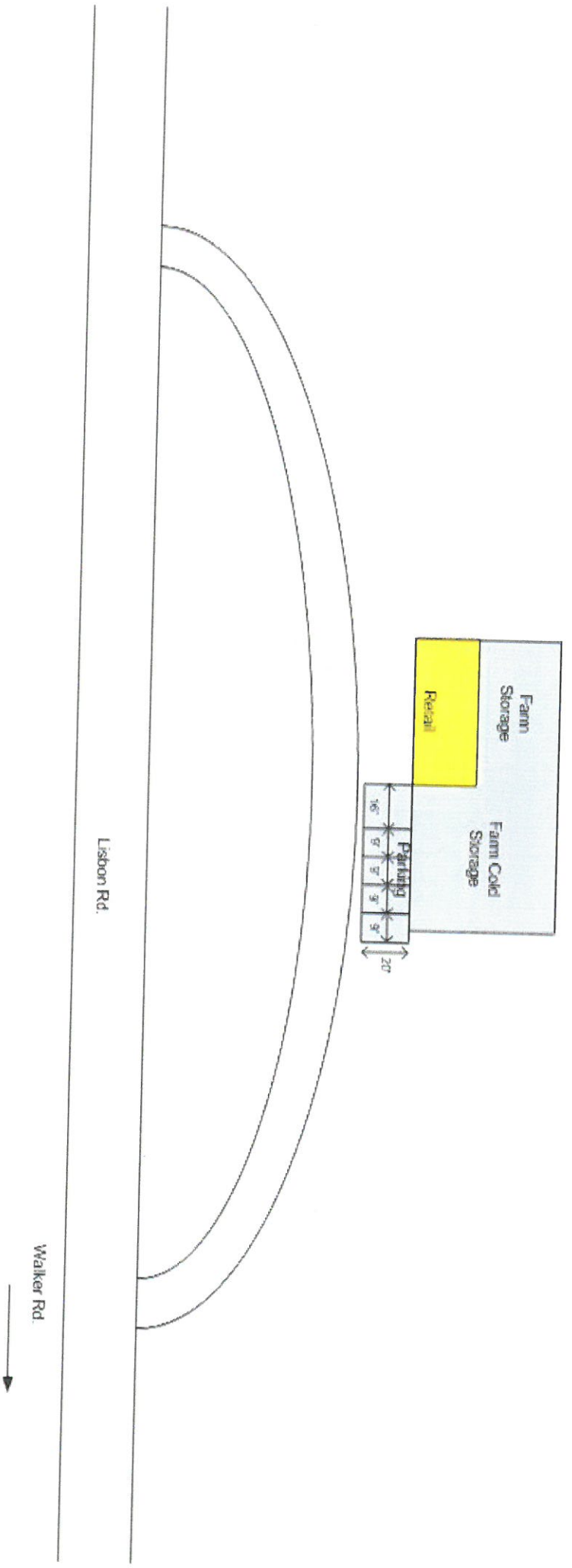
THAT PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 25; THENCE SOUTH 01 DEGREES 20 MINUTES 22 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION 25, FOR A DISTANCE 478.97 FEET; THENCE CONTINUING SOUTH 01 DEGREES 20 MINUTES 22 SECONDS EAST ALONG SAID EAST LINE OF THE NORTHEAST QUARTER OF SECTION 25, FOR A DISTANCE 348.30 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01 DEGREES 20 MINUTES 22 SECONDS EAST ALONG SAID EAST LINE OF THE NORTHEAST QUARTER OF SECTION 25, FOR A DISTANCE 600 FEET; THENCE NORTH 89 DEGREES 47 MINUTES 58 SECONDS WEST ALONG A LINE BEING PARALLEL TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 25, FOR A DISTANCE OF 465 FEET; THENCE SOUTH 01 DEGREES 20 MINUTES 22 SECONDS EAST ALONG A LINE BEING PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 25, FOR A DISTANCE OF 465 FEET; THENCE SOUTH 89 DEGREES 47 MINUTES 58 SECONDS WEST ALONG A LINE BEING PARALLEL TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 25, FOR A DISTANCE OF 600 FEET; THENCE SOUTH 01 DEGREES 20 MINUTES 22 SECONDS EAST ALONG A LINE BEING PARALLEL TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 25, FOR A DISTANCE 465 FEET TO THE POINT OF BEGINNING. ALL IN THE TOWNSHIP OF FOX, ADAMS COUNTY, ILLINOIS.

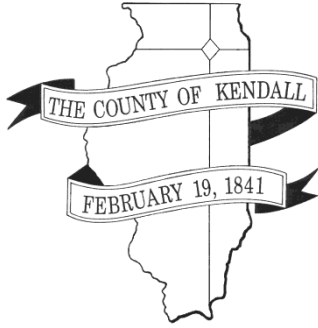


STATE OF ILLINOIS
COUNTY OF ADAMS
BY LICENSE EXPIRES NOVEMBER 3
2011

NOTES:
THIS COPY AND THESE INSTRUMENTS SHALL BE KEPT IN THE OFFICE OF THE SURVEYOR. ALL DISTANCES ARE IN FEET AND DECIMAL PARTS THEREOF. THE SURVEYOR'S NAME AND LICENSE NUMBER SHALL BE KEPT IN THE OFFICE OF THE SURVEYOR.







DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

**Petition 16-10
Whitetail Ridge Golf Club, LLC
A-1 Special Use – Banquet Facility**

SITE INFORMATION

PETITIONER Whitetail Ridge Golf Club LLC

ADDRESS 9111 Ashley Road

LOCATION West side of Ashley Rd; 1.75 mi south of Route 126



TOWNSHIP Kendall

PARCEL # 05-22-200-002

LOT SIZE 17 acres

EXITING LAND USE Agricultural/Single Family Residential

ZONING A-1 Agricultural District

LRMP	Land Use	Rural Residential
	Roads	Ashley Road is a township road classified as a Major Collector Road
	Trails	None
	Floodplain/ Wetlands	None

REQUESTED ACTION A-1 Special Use to operate a banquet facility.

APPLICABLE REGULATIONS Section 7.01 D.10 – A-1 Special Uses – Permits Banquet Facilities to be located in the A-1 District with approval of a Special Use provided that the banquet facility meets certain conditions.

Section 13.08 – Special Use Procedures

SURROUNDING LAND USE

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



PHYSICAL DATA

ENDANGERED SPECIES REPORT

No record of State-listed threatened or endangered species. Consultation is terminated.

NATURAL RESOURCES INVENTORY

An Executive Summary will be issued by the Kendall County Soil & Water Conservation District

ACTION SUMMARY

KENDALL TOWNSHIP

The Township was discussing the matter at their May 17th Board meeting.

UNITED CITY OF YORKVILLE

The City's Plan Commission reviewed the petition at their May 11th meeting and had no objections. The City Council will discuss the application at their May 24th meeting.

ZPAC (5.3.16)

Aaron Rybski of the Health Department discussed the requirements for the non-community well program and septic system requirements. Fran Klaas of the Highway Department brought up the posting of Ashley Road and how that might impact catering trucks. ZPAC forwarded the petition onto the Plan Commission with a favorable recommendation.

GENERAL

Whitetail Ridge Golf Club LLC is requesting an A-1 Special Use to operate a banquet facility at the subject property and has indicated that all existing structures on the property will be used. 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 indicated that the property will be used primarily for weddings but that other events may take place including bridal and baby showers. It is anticipated that 40-50 weddings will occur from Mid-April to Mid November on Fridays, Saturdays, and some Sundays from 3:00pm to 12:00am. Food and beverage will

KCRPC Memo – Prepared by John Sterrett – May 25, 2016

be catered by Whitetail Ridge. No alcohol sales will take place on the property and no liquor license will be sought.

The large rounded roof barn will be used for dining service and dancing with an outside ceremony area located in the northwest corner of the property. The smaller wood framed barn will be an alternate site for ceremonies. Rest rooms and food prep will take place in the steel barn to the south. The current owners of the property will reside in the two-story framed house until a new residence can be found. A portion of the downstairs of the house will be used as a bridal room and an office to meet with clients.

BUILDING CODES

The petitioner has been working with the County's Code Official on building requirements. A change of occupancy permit will be required for each existing structure or portion of each existing structure that will be used in conjunction with the proposed banquet facility. The purpose of this permit is to evaluate the structures for proper ingress/egress, occupant load, life safety and health. Compliance with 2012 IBC existing structure provisions must be met and adopted life safety code. There are 2 frame barns, two story frame house, 2 steel buildings and a frame building currently on property which will each need to be evaluated by a licensed professional if they are to be used in any capacity for the proposed banquet facility. The number of required bathrooms and parking are dependent upon these evaluations and proposed uses of each building. Bristol Kendall Fire Protection District adopted ordinances and codes should be considered as well. BKFPD has been consulted and is working with the applicant.

ENVIRONMENTAL HEALTH

The petitioner has been in contact with the Health Department and has been advised to consult a sewage system design engineer in order to design a system capable of treating the high volume surge loads created by a facility such as this. The well on the property would qualify for the Non-community Well Program if they serve 25 people or more for more than 60 days out of the year. Per the Health Department, this should not be an issue unless events are occurring every weekend or multiple events a week.

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. The petitioner is proposing seventy (70) parking stalls. This amount of parking is adequate for a maximum capacity of 280. Near the two steel buildings and frame building twenty (20) perpendicular parking stalls are proposed. Fifty (50) angled parking stalls are proposed along an existing gravel drive area towards the south of the property. This proposed parking area totals 11,440 square feet. The surface of the parking area will be improved with gravel. The proposed stalls meet all required dimensions.

One (1) ADA reserved stall is required for every twenty-five (25) stalls. With seventy (70) parking stalls proposed, a minimum of three (3) ADA reserved stalls are required. Four (4) ADA reserved stalls are proposed meeting the requirement. Parking stalls reserved for ADA compliance shall be constructed with a hard surface.

LIGHTING

The petitioner has indicated that Edison style lighting will be provided for the patio and parking area on the property for events. Security lighting will be added to the structures.

SIGNAGE

The petitioner is proposing one (1) directional sign for each of the two (2) access points. These signs are exempt from requirements of Section 12 of the Zoning Ordinance except for the maximum square footage of six (6) feet and maximum height of two and one-half (2.5) feet. The petitioner has indicated that an existing silo may be used for signage along Ashley Road. This would be considered a wall sign and may not exceed thirty-two (32) square feet in size. A proposed free-standing sign is identified on the site plan. If the petitioner chooses to install a free-standing sign rather than a wall sign, the maximum size may not exceed (32) square feet and may not exceed eight (8) feet in height from surrounding grade to the tallest point of the sign. Only one sign, however, is permitted on the property, excluding directional signage.

LANDSCAPING

No residential zoning districts are adjacent to this property and therefore landscaping is not required for the parking areas. The existing hayfield on the southern portion of the property will provide screening in the summer months to the angled parking area on the south side.

CONCLUSION

The proposed banquet facility use is permitted as special use in the A-1 District with the required conditions outlined above.

RECOMMENDATION

Staff recommends approval of the special use for a banquet facility and would recommend the following conditions be placed on the special use ordinance:

1. The property shall be developed in substantial compliance with the submitted site
2. A change of occupancy permit shall be secured for all buildings associated with the banquet facility use prior to events occurring on site
3. The maximum number of patrons for events shall be limited to 280, including any vendors working on the property for an event
4. No alcohol shall be sold at retail on the property and all regulations of the Kendall County Liquor Control Ordinance shall be followed
5. Food shall be provided only by licensed caterers
6. A maximum of eight (8) employees
7. All events shall end no later than 12:00am
8. Lighting shall comply with Section 11 02.F.12 of the Zoning Ordinance
9. Parking reserved for ADA accessibility shall be marked and constructed with a hard surface
10. The banquet facility shall conform to the regulations of the Kendall County Health Department
11. Retail sales are permitted provided that the retail sales will be ancillary to the main operation and such sales occur only during an event
12. One (1) sign, either a wall sign or a free-standing sign, shall be permitted on the property and shall comply with the sign requirements of Section 12 of the Kendall County Zoning Ordinance.
13. 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.

ATTACHMENTS

1. Findings of Fact
2. Description of proposed use - prepared by the petitioners
3. ZPAC Minutes 5.3.16
4. Zoning Plat

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 will not have a negative impact on public health, safety, morals, comfort, or general welfare. No liquor license will be sought for this banquet facility and no alcohol sales will occur on the property.***

*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 portion of the property to be used for banquets is a sufficient distance from nearby residences and any residential zoning districts thereby reducing the amount of adverse impacts from the use. The only lighting being added to the property is security lighting on the structures and string lights added to the patio areas and parking areas. This lighting should comply with the provisions of Section 11.02.F.12 of the Zoning Ordinance to ensure adjacent properties are not impacted by any glare.***

*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 access roads or points of ingress and egress are proposed. The petitioner has begun to work with the Health Department to ensure well and septic requirements are met. All food will be catered eliminating the need for a commercial kitchen on the property. The additional gravel for parking does not require additional drainage or stormwater infrastructure. The structures that are proposed to be used as part of the banquet use 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 have provided a site plan that complies with the requirements for the proposed use including parking.***

*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 and the agricultural character of the property will remain.***

OPERATIONAL BUSINESS PLAN FOR ASHLEY FARM PROJECT

Whitetail Ridge Golf Club, LLC

May 2, 2016

Whitetail Ridge Golf Club, LLC plans on hiring six to eight part time staff to assist in the operation of Ashley Farm. We currently host approximately 60 wedding receptions at WTR on Friday, Saturday and occasional Sundays. At the Farm we anticipate hosting 40-50 weddings from Mid-April to Mid-November on Friday, Saturday and some Sundays from 3pm to 12 am. We also anticipate hosting bridal and baby showers earlier during that same period.

The food and beverage will be catered by WTR utilizing their staff. Alcohol service is included in our wedding packages. No alcohol sale will take place on premises so it is not anticipated that a liquor license will be required in that our alcohol usage will be included with the catering package, with no cash bar at location.

At this time the large rounded roof barn will be used for the dining service and dancing with an outside ceremony area located in the northwest corner of the property. The smaller wood framed barn will be an alternate site for ceremonies, as well. The restrooms and food prep areas will be located in the steel barn to the south. The current owners of the property will reside in the 2 story framed house until they locate a new residence. Our intentions are to use a portion of the downstairs as a bridal room and an office to meet with clients.

As to existing and/or proposed lighting, we intend to use Edison style string lights in the patio areas and some parking areas. We will also be adding outdoor area lights on several barns. The barn interiors will be illuminated with chandeliers and wall sconces. At this time the only signage we are proposing are entrance and exit signs on the drives, and painting the name on the large silo.

PARKING: Normal parking will consist of diagonal parking on the gravel driveway that will be extended in its current location. Overflow parking will be accommodated in the hayfield adjacent to the gravel parking area.

Handicap parking will be striped and located on the blacktop drive area near the buildings in accordance with the number of spaces required by Kendall County Ordinance.

SITE IMPROVEMENTS: The only actual site modifications will be to expand the gravel area to accommodate parking and the directional and facility signs as indicated above.

#16-10 – Whitetail Ridge

Mr. Sterrett summarized the zoning request, which is a request for an A-1 Special Use to operate a banquet facility on a 17 acre property located at 9111 Ashley Road in Kendall Township. Mr. Sterrett noted that any building being used for the operation will be required to obtain change of occupancy permits for basic life safety standards. The petitioner is proposing 72 parking stalls for the use. This would accommodate 288 patrons on the property, per the parking requirements of the zoning ordinance. Mr. Sterrett stated that additional information has been required with respect to the operation. A revised site plan must be submitted with correct dimensions for the proposed parking stalls and number of ADA accessible stalls. Attorney Kramer stated that no liquor license will be sought for the property and no alcohol will be sold. Mr. Rybski stated that parking over the septic area must be avoided. Mr. Rybski stated that the requirement for a non-community well program is close based on the frequency of events. Ron Walker stated that other events may occur on the property but the primary use will be for weddings. Ms. Andrews stated that an executive NRI summary will be prepared. Attorney Kramer stated that the petition will be reviewed by Kendall Township on April 17th.

Ms. Andrews made a motion, seconded by Mr. Gryder, to forward the petition onto the May 25th Regional Plan Commission. With a voice vote of all ayes, the motion carried.

#16-03 – Dumpsters in Residential Zoning Districts

Mr. Sterrett stated that this is a zoning text amendment that PBZ staff has been working with the PBZ Committee on to regulate dumpsters in residential zoning districts to prevent dumpsters from being permanently located in a residential zoning district. This topic was brought forward to the Committee after receiving complaints from residents about a dumpster on a property in an R-2 zoned subdivision. After discussion on the matter, the Committee felt that only dumpsters that are of a temporary nature for a specific timeframe and only for personal uses should be permitted to be located on residentially zoned properties. The Committee directed staff to draft provisions that deal with reasons and timeframes for what can be considered a temporary dumpster and for scenarios of when a property owner may have a dumpster on his or her property. The Committee believe that two scenarios exist when a dumpster may be permitted in all residentially zoned properties on a temporary basis - It is associated with an approved building permit for construction or remodeling of either a principal or accessory structure on a property. This does not include waste generated off-site, and when it is for temporary use by property owners not including waste generated off-site. Temporary Dumpsters shall not be kept on any residential property for more than 30 days within a 90 day period and no more than 60 days within a 12 month period unless the dumpster is associated with a building permit for construction or remodeling of either a principal or accessory structure on a property. In cases when a Temporary Dumpster is associated with an open and approved building permit, the Temporary Dumpster shall be permitted to be located on the property for the duration of the building permit provided that it is removed from the property once the permit has received a final inspection approval, or the building permit has expired, whichever occurs first.

The ZPAC recommended that the setback be changed from ten feet to five feet.

Mr. Rybski made a motion, seconded by Mr. Gryder, to forward the petition onto the May 25th Regional Plan Commission. With a voice vote of all ayes, the motion carried.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

16-05 – Treva and Brad Mathre – A-1 Special Use – Banquet Facility – 13889 Hughes Road. This petition received a favorable recommendation from the Plan Commission and the ZBA/Hearing Officer.

OLD BUSINESS

None

NEW BUSINESS

None

ADJOURNMENT

Mr. Klaas made a motion, seconded by Ms. Andrews, to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:41am, adjourned.

**ZONING PLAT OF
PART OF THE NORTHEAST QUARTER OF SECTION 22, T36N-R7E, 3rd PM
KENDALL TOWNSHIP KENDALL COUNTY ILLINOIS**

PIN 05-14-300-002
George E. Black
Harris Bank Trust Real Estate
Zoning: A1

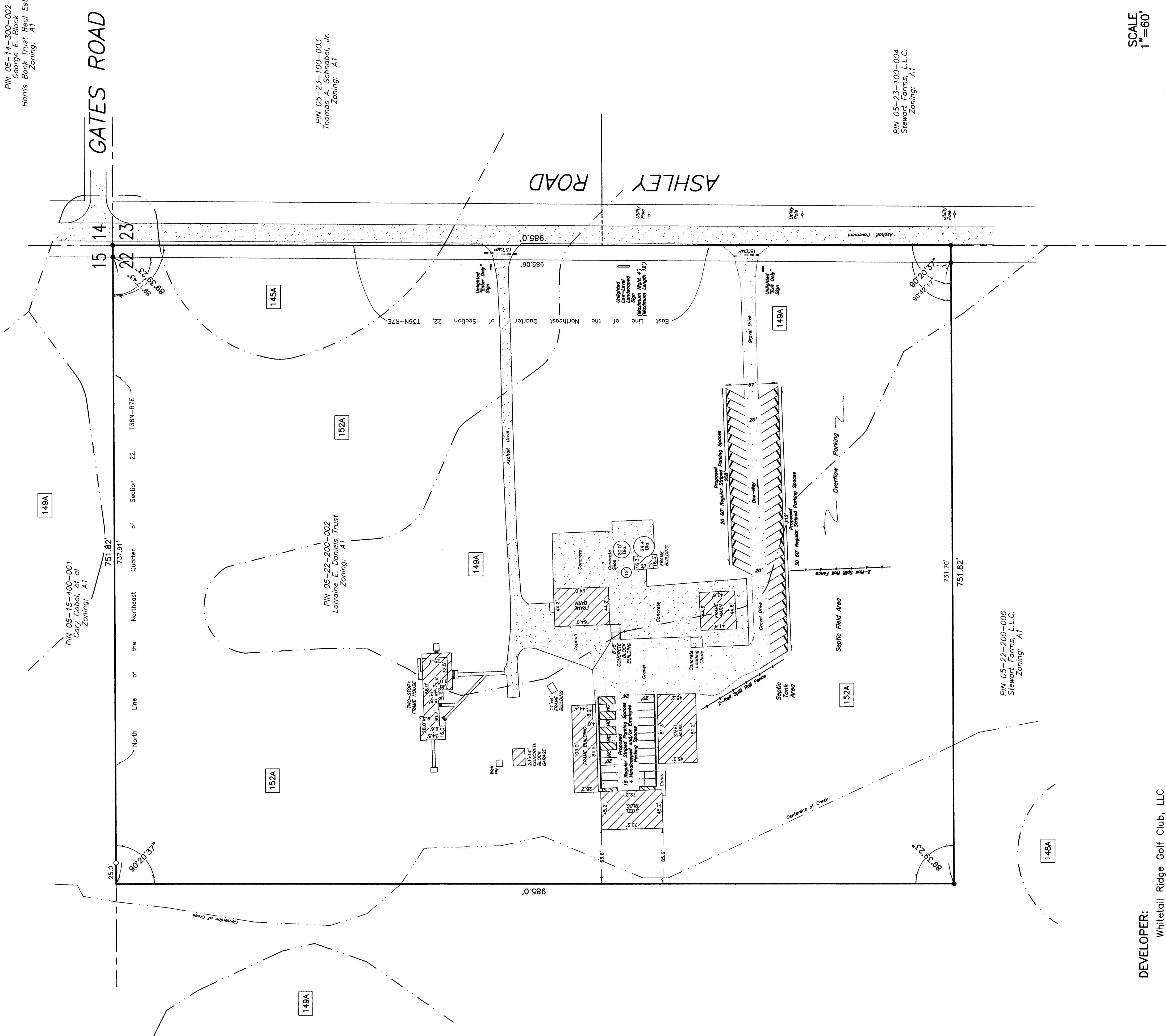
PIN 05-15-400-001
Gary Gabel, et al
Zoning: A1

PIN 05-22-200-002
Lorraine E. Daniels Trust
Zoning: A1

PIN 05-23-100-003
Thomas A. Schinabel, Jr.
Zoning: A1

PIN 05-23-100-004
Stewart Farms, L.L.C.
Zoning: A1

PIN 05-22-200-006
Stewart Farms, L.L.C.
Zoning: A1



DEVELOPER:
Whitetail Ridge Golf Club, LLC
7671 Clubhouse Drive
Yorkville, Illinois 60560

PROPERTY LOCATION:
PIN: 05-22-200-002
9111 Ashley Road
Yorkville, Illinois 60560

AREA TO BE REZONED:
17,000.2 Acres
(16,615.4 Acres Excluding Road)

PRESENT ZONING:
A-1

PROPOSED ZONING:
A-1, SU

LEGAL DESCRIPTION OF TRACT TO BE REZONED:

The North 985.0 feet of the East 751.82 feet of the North Half of the Northeast Quarter of Section 22, Township 36 North, Range 7 East of the Third Principal Meridian in Kendall Township, Kendall County, Illinois.

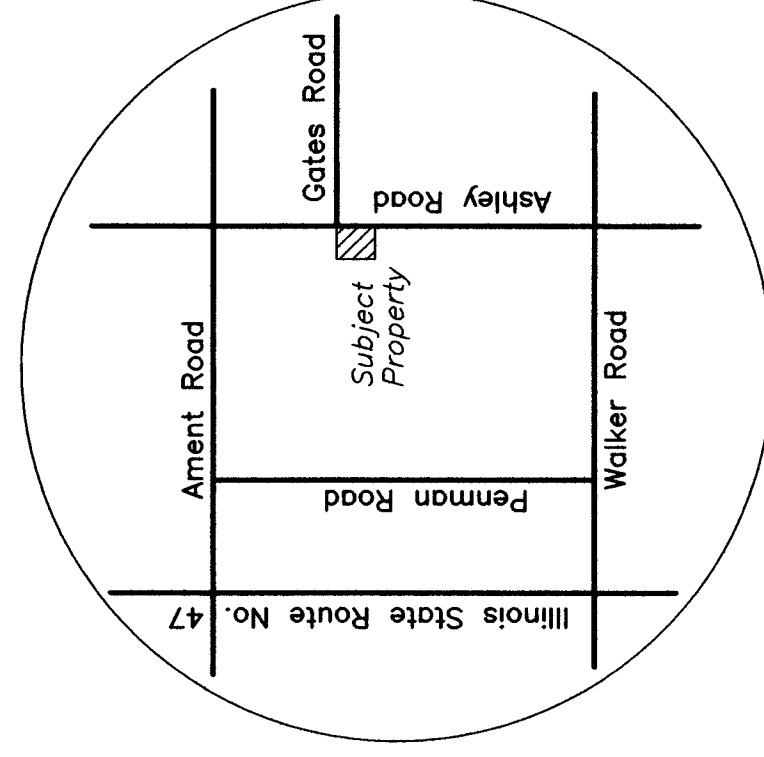
SCALE:
1"=60'

- Indicates Iron Stake Found
- Indicates Iron Stake Set
- - - Indicates Soils Boundary

SOILS (From Web Soil Survey)

145A	Soybrook Silt Loam, 0%-2% slopes
148A	Proctor Silt Loam, 0%-2% slopes
149A	Brenton Silt Loam, 0%-2% slopes
152A	Drummer Silty Clay Loam, 0%-2% slopes

NOTE: The Subject property is located in Zone X (areas determined to be outside the 0.22% annual flood elevation as a result of FEMA Flood Insurance Rate Map No. 17093C0125G with an effective date of February 4, 2009).



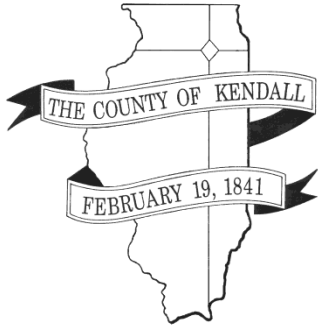
Location Map
(Not to Scale)

JOB NO.	16071
JOB NAME	WALKER
DWG FILE	16071
REVISION DATE	05/13/16

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

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

May 13, 2016



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Regional Plan Commission
From: John H. Sterrett
Date: May 25, 2016
Re: Proposed Dumpster Regulations

The Planning, Building, and Zoning Committee recently discussed potential requirements and restrictions regarding dumpsters in residential zoning districts to prevent the permanent placement of unscreened dumpsters on residential zoned properties. This topic was brought forward to the Committee after receiving complaints from residents about a dumpster on a property in an R-2 zoned subdivision. After discussion on the matter, the Committee felt that only dumpsters that are of a temporary nature for a specific timeframe and only for personal uses should be permitted to be located on residentially zoned properties. The Committee directed staff to draft provisions that deal with reasons and timeframes for what can be considered a temporary dumpster and for scenarios of when a property owner may have a dumpster on his or her property. The following are these scenarios as well as proposed provisions to be included in a potential text amendment to the Zoning Ordinance addressing dumpsters.

SCENARIOS

Two scenarios exist when a dumpster may be permitted in all residentially zoned properties on a temporary basis:

- 1) It is associated with an approved building permit for construction or remodeling of either a principal or accessory structure on a property. This does not include waste generated off-site.
- 2) It is for temporary use by property owners. Such uses are those that will generate waste on the property requiring a dumpster. This does not include waste generated off-site.

Section 3 of the Zoning Ordinance should be amended to include the following definitions:

Temporary Dumpster – Any refuse container 2 cubic yards or larger that is associated with an approved building permit for construction or remodeling of either a principal or accessory structure on a property. Temporary Dumpsters shall also include refuse containers 2 cubic yards or larger that are not associated with an approved building permit but are used by the property owners when it is located on a property not more than 30 days in a 90 day period and not more than 60 days within a 12 month period. Temporary Dumpsters shall not be used for waste generated off-site. This definition shall only apply to residentially zoned properties.

Permanent Dumpster – Any refuse container 2 cubic yards or larger that is not associated with an approved building permit or is located on a property for more than 30 days in a 90 day period or more than 60 days within a 12 month period. Permanent Dumpsters shall be prohibited in all residential districts. Permanent Dumpsters kept within an enclosed building are permitted in any zoning district.

DRAFT PROVISIONS

Section 4.19 (Temporary Uses Permitted) should be amended to outline the provisions below for Temporary Dumpsters in residential districts and specifically prohibit the use of permanent dumpsters.

Screening

Temporary Dumpsters are not required to be screened.

Setbacks

Temporary Dumpsters may encroach into a required yard setback and placed no closer than ten (10) feet from a property line. Temporary Dumpsters shall not encroach onto adjacent properties nor shall they encroach into a public right-of-way.

Pad Surface

Temporary Dumpsters shall be located in areas designed to allow adequate accessibility to service vehicles.

Duration

Temporary Dumpsters shall not be kept on any residential property for more than 30 days within a 90 day period and no more than 60 days within a 12 month period unless the dumpster is associated with a building permit for construction or remodeling of either a principal or accessory structure on a property. In cases when a Temporary Dumpster is associated with an open and approved building permit, the Temporary Dumpster shall be permitted to be located on the property for the duration of the building permit provided that it is removed from the property once the permit has received a final inspection approval, or the building permit has expired, whichever occurs first.

Penalties

Any residentially zoned property found to be in violation of these provisions shall be subject to violation proceedings of the Planning, Building, and Zoning Department. This shall include written notification to the property from the PBZ Department providing 14 days to correct the violation. If the violation persists after 14 days of the notice, the PBZ Department shall issue a second notice providing 10 days to correct the violation. If the violation persists after 10 days of the second notice, the matter shall be forwarded to the Office of the Kendall County State's Attorney to initiate legal proceedings.

The Zoning and Platting Advisory Committee recommended that the setback of ten (10) feet from a property line should be revised to five (5) feet. Please review these points for discussion at the Regional Plan Commission meeting on May 25th.

JHS