

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

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

Unofficial Meeting Minutes of June 22, 2016

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

ROLL CALL

Members Present: Bill Ashton, Vern Poppen, Budd Wormley, Larry Nelson, Roger Bledsoe, Angela Zubko

Staff present: John Sterrett, Senior Planner

Members Absent: John Shaw, Tom Casey, Claire Wilson

In the Audience: Attorney Dan Kramer; Ron Walker; Dave Walker; Attorney Gregg Ingemunson; Tom Schnabel, Jr.; Vicky Schnabel; Susan Munson

APPROVAL OF AGENDA

Mr. Wormley 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

Mr. Wormley made a motion, seconded by Mr. Poppen, to approve the May 22, 2016 regular meeting minutes with a correction regarding a typo in the petition section. With a voice vote of all ayes, the motion carried.

PETITIONS

16-10 Whitetail Ridge, LLC

Request: Special Use to allow a banquet facility

Location: 9111 Ashley Road in Fox Township

Mr. Sterrett stated that this petition was continued from last month's Plan Commission meeting pending a review and recommendation from the Kendall Township Board. The petition is a request for a special use in the A-1 Agricultural to operate a banquet facility at 9111 Ashley Road in Fox Township. The Township Board had their meeting on June 21, 2016 and voted 3-2 to recommend approval of the petition with the following recommendations:

1. Install evergreen trees north of the building to screen the property from the property across the street and to reduce noise from leaving the property
2. Construct a berm along Ashley Road to provide additional screening and noise reduction
3. Adequate lighting be installed
4. Strict enforcement of hours of operation

Staff has recommended 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.

Attorney Dan Kramer representing the petitioner, Whitetail Ridge Golf Club LLC, reviewed the proposed banquet facility and explained the operation and proposed site plan. The existing buildings will be utilized for the operation with no new buildings proposed. Mr. Kramer commented on the recommendations from the Township and that they are fine with those recommendations. Mr. Kramer discussed previous banquet facilities that have been approved with similar surrounding settings. The Right-to-Farm clause has been requested to be included in the approving ordinance by one of the nearby property owners. Liquor would not be sold at the subject property. Gregg Ingemunson, attorney for Tom and Vicky Schnabel who live directly across the street, spoke about how the proposed use is a commercial operation that conflicts with the surrounding agricultural properties and spoke of potential negative impacts. Tom Schnabel lives directly across the street and stated that the noise will travel easily from the subject property to his. Mr. Schnabel also raised a concern over multiple events each day. Vicky Schnabel also raised concerns over multiple events taking place in one day on the subject property and the negative impacts. Susan Munson lives around the corner from the subject property on Walker Road stated that she does not believe this type of commercial use is a good fit within the agricultural area. Mr. Kramer addressed the comments from the nearby property owners and spoke of the petitioner's experience operating a banquet facility. The Commission discussed the proposed use and if it fits with the surrounding agriculture area. Claire Wilson of the Plan Commission could not attend but submitted written comments that were read aloud voicing her concerns regarding the proposed use including the noise.

Mr. Bledsoe made a motion, seconded by Ms. Zubko, to recommend approval of the petition with the conditions recommend by staff as well as the recommended conditions from the Township, that the right-to-farm clause be included in the controlling special use ordinance, and that no music shall occur outside, with the exception of processional music for wedding ceremonies.

Mr. Sterrett called the roll: Mr. Bledsoe-No; Ms. Zubko-No; Mr. Nelson-No; Mr. Ashton-No; Mr. Wormley-No; Mr. Poppen-No. The motion failed 0-6.

Mr. Sterrett stated that this petition will move onto the Special Use Hearing Officer on Thursday, July 7th at 7:00pm.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

16-09 – Joe Gomoll – A-1 Special Use – Production and sale of items produced both on site and off site as well as ancillary items – 10151 Lisbon Road, Fox Township – County Board Agenda 6.21.16

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

Review and Discussion of LRMP – NW corner of Light Road and Route 31

The Kendall County Planning, Building, and Zoning Department was approached by a property owner located at the northwest corner of State Route 31 and Light Road regarding a proposed expansion of an existing indoor self-service storage facility. The expansion would consist of the construction of a 8,400sf self-service storage building as well as a proposed outdoor storage area. The existing facility is zoned as B-2 (General Business) with a special use to operate the indoor self-service storage facility. The special use was granted for the indoor self-service storage facility in 1976. The parcel immediately to the south of the existing facility, where the expansion is proposed, is zoned as B-1 (Local Shopping). The B-1 district does not permit indoor self-service storage facilities nor does it allow outdoor storage either by right or by special use. The B-2 district allows for an indoor self-service storage facility as a conditional use and allows for outdoor storage as a special use. The property owner therefore will need to seek a rezoning of the current B-1 zoned property to B-2 for this expansion.

When reviewing proposed zoning map amendments, the County's Land Use Plan is taken into consideration to determine the proper zoning and uses for a specific area. The County's Land Use Plan currently identifies the subject area at the northwest corner of State Route 31 and Light Road as suburban residential (max density 1.00 du/acre). The existing zoning in the subject area consists of a mix of commercial zoning: B-1 (Local Shopping), B-2 (General Business), B-3 (Highway Commercial) with the existing uses of a gas station, a commercial strip mall, the self-service storage facility, a decommissioned water treatment facility, and stormwater detention facilities to serve these commercial uses. The area totals 10.5 acres.

The Plan Commission stated that this area should be changed to commercial to reflect the existing zoning and land uses at the area. Staff will prepare a draft amendment to the Land Use Plan for this area and bring it back to the Plan Commission for review. A public hearing will then need to be scheduled following that review.

OLD BUSINESS

Dumpsters in Residential Zoning Districts – continued.

ADJOURNMENT

Ms. Zubko made a motion, seconded by Mr. Poppen, to adjourn. With a voice vote of all ayes, the motion carried. The Regional Plan Commission meeting adjourned at 8:04 pm.

Respectfully submitted by,
John H. Sterrett, Senior Planner