

# KENDALL COUNTY REGIONAL PLANNING COMMISSION

111 West Fox Street • Rooms 209 and 210 • Yorkville, IL • 60560

#### **AGENDA**

Wednesday, September 28, 2016 – 7:00 p.m.

#### **CALL TO ORDER**

<u>ROLL CALL:</u> 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 August 24, 2016

#### **PETITIONS**

1. 16-25 The Bluffs, Inc. d/b/a Cider Creek

Request Special Use

Location 15888 Frazier Road, Little Rock Township

Purpose Request for a special use in the A-1 Agricultural District to allow a banquet hall, a nano-brewery,

a micro-distillery, a year round seasonal festival, and production and sale of sweet cider

#### **OLD BUSINESS**

Petition 16-14 – Robert Delaney – Request for a Special Use in the A-1 Agricultural District to operate an outdoor shooting range – 16502 Church Road, Lisbon Township (Continued from July 27, 2016)

#### **NEW BUSINESS**

Conceptual discussion regarding proposed athletic fields by Parkview Christian Academy along the west side of Route 47 north of Ament Road.

#### REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

16-18 LRMP Amendment – changing from Suburban Residential to Commercial at the northwest corner of Light Road and Route 31 – Approved by the County Board 9.20.16

16-20 Stor-Mor, Inc. – Approving zoning change to B-2 and Special Use for Indoor and Outdoor Storage – Approved by the County Board 9.20.16

16-21 High Grove Subdivision – Rezoning from RPD-2 to R-2 and preliminary and final plat – continued at PBZ due to information not included on Plat and lack of NRI, EcoCat reports. Received legal objection on rezoning, requiring 3/4 vote at County Board.

#### CITIZENS TO BE HEARD/PUBLIC COMMENT

ADJOURNMENT Next regularly scheduled meeting on Wednesday, October 26, 2016

# KENDALL COUNTY REGIONAL PLANNING COMMISSION

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

#### **Unofficial Meeting Minutes of August 24, 2016**

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

#### **ROLL CALL**

Members Present: Bill Ashton, Claire Wilson (arrived at 7:02pm), Tom Casey, Budd Wormley, Larry Nelson,

Roger Bledsoe, and Angela Zubko

<u>Staff present</u>: John Sterrett, Senior Planner <u>Members Absent</u>: John Shaw and Vern Poppen

In the Audience: Robert Schneider; Attorney Dan Kramer; Suzanne Casey

#### **APPROVAL OF AGENDA**

Ms. Zubko made a motion, seconded by Mr. Nelson, to approve the agenda with continuing petition 16-14 Robert Delaney to the September Plan Commission meeting at the request of the petitioner. With a voice vote of all ayes, the motion carried.

#### APPROVAL OF MINUTES

Ms. Zubko made a motion, seconded by Ms. Wilson, to approve the July 27, 2016 with amending the time of adjournment to 9:59pm. With a voice vote of all ayes, the motion carried.

#### **PETITIONS**

#### 16-18 LRMP Amendment

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.

Staff is of the opinion that given the existing zoning classifications and existing commercial uses in this area that the County's Land Use plan be amended to reflect commercial development for consistency with existing zoning and uses.

Mr. Nelson made a motion, seconded by Ms. Zubko, to open the public hearing.

No Comments from the public.

M. Nelson made a motion, seconded by Ms. Zubko, to close the public hearing.

Mr. Nelson made a motion, seconded by Ms. Wilson, to approve the LRMP Amendment. With a voice vote of all ayes, the motion carried.

#### 16-20 – Stor-Mor, Inc. – Zoning Map Amendment – B-1 to B-2

Mr. Sterrett outlined the request for a zoning map amendment for the property at 1317 Route 31 in Oswego Townshp. Stor Mor Inc is requesting a zoning map amendment to rezone the 3.2 acre property from B-1 to B-2 to allow for an expansion of the enclosed self service storage facility and to allow outdoor storage. The county's Land Use Plan identifies this area as Suburban Residential. A rezoning of this property will require an amendment to the County's Land Use Plan to allow for commercial development. The County's Regional Plan Commission discussed this potential change at their June and July meetings and will hold a public hearing on the amendment in August. The existing zoning classifications and land uses in the area are consistent with a commercial category and would benefit from a change in the land use plan to accommodate any future commercial redevelopment at the intersection.

Mr. Nelson made a motion, seconded by Ms. Zubko, to recommend approval of the zoning map amendment. Mr. Sterrett called the roll. With all present members voting aye, the motion carried.

#### 16-20 - Stor-Mor, Inc. - B-2 Special Use - Outdoor Storage and Enclosed Self-Service Storage

Mr. Sterrett outlined the request for a special use for an outdoor storage as well as enclosed self-service storage for the property at 1317 Route 31 in Oswego Township. Stor Mor Inc intends to construct a 8,400sf enclosed self-storage facility just south of the three existing buildings. In addition to this enclosed structure, twenty-nine (29) angled parking stalls are proposed for RV storage outdoors. Staff notes that the drive aisle leading to twelve (12) of these parking stalls is a dead end and the angled parking stalls will require any vehicle stored to be backed out completely down the access aisle. Prior to construction, approval from the Oswego Fire Protection District should be received that this dead end access drive will not require a turnaround for emergency vehicles.

To address the screening of the outdoor storage area from adjacent properties, the petitioner is proposing to install emerald green arborvitae along the south and west property line. Evergreen trees along a portion of the east property line will be installed to screen from State Route 31. The storage area will be completely fenced in. The petitioner has indicated that no vehicle will be accepted to store on site that is not in working condition. The hours of operation would remain the same as they are currently for the existing self-service storage facility which has office hours of 8:00am to 5:00pm and gate hours of 7:00am to 7:00pm.

If the Land Use plan is amended to commercial for the subject parcel and immediately surrounding properties and approval is granted for the zoning map amendment request from B-1 to B-2, staff recommends the following conditions be placed on the controlling ordinance for the especial use:

The property will be developed in accordance with the site plan A building permit shall be secured prior to construction of the proposed storage building A stormwater management permit shall be secured prior to the development of the property The outdoor storage and expansion of the enclosed self-service storage facility shall be effectively screened from adjacent properties.

Office hours of operation shall be limited to 8:00am to 5:00pm and gate hours of operation shall be limited to 7:00am to 7:00pm

No more than twenty-nine (29) vehicles may be stored on site at a time

All vehicles stored on site shall be located within a designated stall

All lighting shall comply with Section 11 of the Kendall County Zoning Ordinance

Ms. Zubko made a motion, seconded by Mr. Bledsoe, to recommend approval of the special use request with staff's recommendations subject to submittal of a revised landscape plan. Mr. Sterrett called the roll. With all present members voting aye, the motion carried.

#### 16-21 - High Grove Subdivision - Zoning Map Amendment - RPD-2 to R-2

Mr. Casey informed Chairman Ashton that he will recuse himself from discussion on this petition. Mr. Sterrett outlined the request for a zoning map amendment for the property on the west side of Grove Road, approximately 1 mile north of Route 52 in Seward Township. The petitioners, Tom and Suzanne Casey, are requesting a zoning map amendment to rezone the 9.9 acres from RPD-2 to R-2. The County Land Use Plan identifies this area as Rural Residential with a maximum density of 0.65 dwelling units per acre. With a proposed four (4) lot subdivision, the property will have a density of 0.40 dwelling units per acre. This is less than the proposed density of the original 48 lot development on the 109 acre tract of land. The Village of Plattville's Comprehensive Plan identifies this area as low density residential with a maximum density equivalent to the County of 0.65 dwelling units per acre. The City of Joliet identifies this area as residential with a maximum density of 2.5 dwelling units per acre. The property was originally approved in 2006 as a 48 lot single family home subdivision with lots of open space on an overall 109 acre tract of land. The final plat of subdivision was not recorded thus voiding the approval. Since that time the Joliet Park District has acquired 97 of the 109 acres from the petitioners. Of the remaining 12 acres from the original development, the petitioner is requesting to rezone 9.9 acres to R-2 Single-family Residential.

Mr. Nelson made a motion, seconded by Ms. Zubko, to recommend approval of the zoning map amendment. Mr. Sterrett called the roll. With all present members voting aye, the motion carried.

#### 16-21 – High Grove Subdivision – Preliminary and Final Plat of Subdivision

Mr. Casey informed Chairman Ashton that he will recuse himself from discussion on this petition. Mr. Sterrett explained that the petitioner's have contemporaneously submitted a Preliminary and Final Plat for a four (4) lot subdivision. Each of the four lots has a lot size of 94,207 square feet. These lot sizes meet the minimum lot size requirement of 90,000 square feet of the R-2 district. Grove Road currently has a seventy (70) foot right-of-way. As a major collector roadway, 120' of right-of-way is required. An additional fifteen (15) feet of ROW will be dedicated on the west side of Grove Road for future widening as well as a no access strip easement along lots 1 and 2 and the 2.1 acres north of the proposed development.

The four (4) lots are proposed to be served by a private road within proposed lot 5 having a width of 40'. It is staff's understanding that the private road has an easement for ingress and egress granted to the Joliet Park District for access to a future park site. Attorney Dan Kramer, representing the petitioner's stated that the Joliet Park District will construct and maintain the drive.

The Preliminary and Final Plat include the location and orientation of septic system envelopes on each individual residential lot as well as the location of well envelopes on each individual residential lot. Soil classifications are currently being reviewed by the Health Department.

Ms. Zubko made a motion, seconded by Ms. Wilson, to recommend approval of the preliminary and final plat of subdivision. With a voice vote of all ayes, the motion carried.

#### **OLD BUSINESS**

#### 16-14 Robert Delaney – Outdoor Gun Range

No discussion. Continued to September.

#### **NEW BUSINESS**

None

#### REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

16-16 – Jensen- Request for a special use to operate a landscaping business in the A-1 district was approved by the County Board on August 16, 2016.

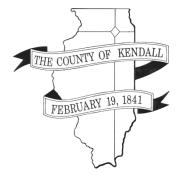
#### CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

#### **ADJOURNMENT**

Mr. Nelson made a motion, seconded by Ms. Zubko, to adjourn. With a voice vote of all ayes, the motion carried. The Regional Plan Commission meeting adjourned at 7:45 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

Fax (630) 553-4179

# Petition 16-25 The Bluffs, Inc. d/b/a Cider Creek A-1 Special Use – Banquet Hall, Seasonal Festival

#### **SITE INFORMATION**

PETITIONER L and P Nelson Trust 103

ADDRESS 15888 Frazier Road, Plano

LOCATION South side of Frazier Road, west of Creek Road



TOWNSHIP Little Rock

PARCEL # 01-20-400-005 and -006 (the proposed 45.85-acre special use covers only a

portion of these PIN's - the submitted Alta Survey shows a total ownership of

165.25 acres)

LOT SIZE 45.85 acres

**EXITING LAND** Agricultural

USE

**ZONING** A-1 Agricultural District

**LRMP** 

Land Use	Commercial and Countryside Residential		
Roads	Both Creek Road and Frazier Roads are under Little Rock		
	Township Jurisdiction		
Trails	A trail is proposed along Frazier Road		

Wetlands	Most of the site is just outside of the Little Rock Creek Floodplain. However, the far eastern portion of the property is within the 100- year floodplain. A Freshwater Forested Shrub Wetland also exists just south (but outside) of the
	subject property.

# REQUESTED ACTION

A-1 Special Use to allow a banquet hall, a nano-brewery, a micro-distillery, a year-round seasonal festival with petting zoo, and production and sale of sweet cider

# APPLICABLE REGULATIONS

Section 7.01 D.10 (Banquet Halls), D.29 (Micro-distillery), D.30 (Nanobrewery) D-42 (Production and sale of sweet cider) – A-1 Special Uses – and Section 7.01E – 1.j.xv (seasonal festivals – requested to treat as special use to allow year around activity – A-1 Conditional Use.

Section 11.02.F.7 – No parking is allowed in required front yard setback (100' in A-1 District)

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	Agricultural (and Rural Estate east of Creek Rd.)	A-1
South	Agricultural	A-1	Suburban Residential	A-1
East	Agricultural	A-1	Commercial and Urbanized (in Plano)	A-1 (residential in Plano)
West	Agricultural/Radio Station	A-1	Countryside Residential	A-1 (A-1 SU for radio station)

#### PHYSICAL DATA

The property generally drains north to south towards Little Rock Creek. The land is fairly gently sloping near Frazier Road, and a significant drop in topography occurs along the heavily wooded creek bluff near the limits of the subject site. A double row of evergreen trees has recently been planted along both Creek Road and Frasier Road which will provide a significant buffer once the trees mature.



#### **ENDANGERED SPECIES REPORT**

No Endangered or Threatened Species have been identified in the vicinity of the project area. (EcoCat report attached)

#### NATURAL RESOURCES INVENTORY

None received.

#### **ACTION SUMMARY**

#### LITTLE ROCK TOWNSHIP

Little Rock Township reviewed the proposal at both the Zoning Board and Township Board levels, and both voted unanimously to support the petition. The Township Road Commissioner, Richard Wade Jr., was present at both meetings, and was also in favor of the request and was comfortable with the proposed access points and circulation.

#### CITY OF PLANO

Petition information was sent to the City of Plano 8.24.16, and the City responded that they saw no problem with the proposed development.

#### LITTLE ROCK/FOX FIRE PROTECTION DISTRICT

LRFFPD has no objections as long as the roadways are 'commercial' in nature and maintain turning radiuses suitable for standard straight trucks.

#### **ZPAC**

The project was reviewed at the September 6<sup>th</sup>. The project was recommended to move forward, with a request for submission of a concept plan (which was done and is included in this packet). The Health Department suggested the applicant should work closely with them to address septic system requirements early on to avoid potential problems. The need for a variance from the parking setback requirements was identified, and the application was amended to include that request.



Oblique View Looking North

#### **GENERAL**

The L&P Nelson Trust #103 is requesting an A-1 Special Use to operate a U-Pick Orchard offering commodities grown on and off the site, food produced from the commodities along with other food and refreshments, entertainment and activities will also be provided. Specific uses will include a banquet hall, a micro distillery, a nano-brewery, production and sale of sweet cider, and a year-round seasonal festival. As these special uses are addressed under different sections of the code, each is listed separately below, along with their conditions.

The Land Resource Management Plan was amended in 2015 to show commercial use along the south side of Creek Road between Little Rock Road and Frazier Road. While the proposed uses

clearly have an agricultural theme, they also are clearly commercial in nature and will attract commercial traffic – particularly during seasonal events or for functions at the proposed banquet As illustrated on the right, traffic is relatively light on surrounding roads today, with an Average Daily Traffic (ADT) of 1,550 on Creek Road and 1,300 ADT on Frazier Road. There is clearly capacity on the local roads accommodate additional traffic. To-date, several barn-like structures have been (re) constructed on the property, as well as an improved access drive from Creek Road. Five-hundred apple trees have been planted to-date, with another 4,500 trees planned to be added in Spring, 2017.

At our request, the applicant has provided a conceptual plan to show the general layout of proposed activities. The circulation plan is for cars to enter from Creek Road and exit onto Frazier Road. This approach has been reviewed and approved by the Little Rock Township Road



2016 Traffic Counts per IDOT

commissioner, who has jurisdiction over these roadways. The applicant noted in their ZPAC presentation that what they are planning is similar to the Kuiper's Family Farm near Maple Park http://www.kuipersfamilyfarm.com/. Activities planned for Cider Creek include apple picking, a pumpkin patch, a store and bakery, kids activities such as a petting zoo and train, and a cider mill with a nano-brewery and micro-distillery. A banquet facility is also planned in the future. Build-out is anticipated to take several years, with the orchard and cider mill coming first (Spring, 2017), followed by the store latter in 2017 and the banquet facility in 2018.

The zoning code has a number of conditions outlined for each of the requested special uses, and these are summarized on the following pages.

#### **Banquet Hall**

Banquet Halls are permitted subject to the following conditions:

#### Condition Comments The facility shall have direct access to a road Neither Creek or Frazier Roads are designated as an arterial roadway or major collector arterial or collector roadways - and a road as identified in the Land Resource Management variance is requested from this requirement. Both roads are in good Plan. condition, are used by semi's coming from the nearby Hinsdale Nursery, and the Township Road Commissioner has no objections.

Condition		Comments
	ct parcel must be a minimum of 5 acres.	The almost 46-acre site far exceeds the minimum parcel area.
all applica conform to Health Dep	this property shall be in compliance with ble ordinances. The banquet facility shall to the regulations of the Kendall County partment and the Kendall County Liquor dinance. (Ord. 99-34)	This should be listed as a condition of approval. No details have been provided. The banquet facility is planned for a latter phase.
provided i 11 of the z	parking, lighting and landscaping shall be n accordance with the provisions of Sectio oning ordinance.	site plan is submitted for the banquet hall. A significant landscape buffer is already in place around the periphery of the property.
	e shall comply with the provisions of of the Kendall County Zoning Ordinance.	This should be listed as a condition of approval. No details have been provided.
	s are permitted as long as the retail sales illary to the main operation.	Retail sales are planned (bakery, apples, cider, seasonal gifts, etc.)
g. The noise Day Hou emission 10:00 P.I residentia measure land, pro shall be o  Night Ho emission 7:00 A.M residentia measure land prov be on the EXEMPT equipme garden to equipme	regulations are as follows: rs: No person shall cause or allow the of sound during daytime hours (7:00 A.M. to M.) from any noise source to any receiving al land which exceeds sixty-five (65) dBA when d at any point within such receiving residential wided; however, that point of measurement on the property line of the complainant.  Purs: No person shall cause or allow the of sound during nighttime hours (10:00 P.M. t.) from any noise source to any receiving al land which exceeds fifty-five (55) dBA when d at any point within such receiving residential rided; however, that point of measurement shall property line of the complainant.  PION: Powered Equipment: Powered the such as lawn mowers, small lawn and tools, riding tractors, and snow removal the which is necessary for the maintenance of its exempted from the noise regulations	This should be listed as a condition of approval. The applicant has stated they will comply with whatever regulations are in place.



#### Micro-Distillery

A micro-distillery is permitted subject to the following conditions:

Condition	Comments	
<ul> <li>a. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.</li> </ul>	Neither Creek or Frazier Roads are major collector roads (see notes under Banquet Hall)	
b. Locally grown inputs shall be used to the greatest extent possible.	The petitioner will have approximately 5000 trees, and intends to use crops grown on-site. However, some apples will likely be brought in to extend the season and provide variety.	
c. The number of hours permitted to operate shall be on the approving ordinance.	The petitioner should identify proposed hours, and if acceptable, should be written into the ordinance.	
d. Parking shall be in accordance with Section 11 of the Zoning Ordinance including lighting.	Parking and lighting shall be addressed at the time a site plan is provided.	
e. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.	This should be a required condition.	
f. Shall contact & meet all requirements of the Kendall County Health Department.	This should be a required condition.	
g. A waste management plan should be submitted to the Kendall County Health Department	This should be a required condition.	

#### Nano-Brewery

Nano Breweries are permitted subject to the following conditions:

Condition	Comments
a. The facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.	Neither Creek or Frazier Roads are major collector roads. (see notes under Banquet Hall)
<ul> <li>All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.</li> </ul>	This should be a required condition.
<ul> <li>Locally grown inputs shall be used to the greatest extent possible, with production utilizing crops grown on the same property or in combination with crops grown off-site.</li> </ul>	The applicant should detail their plans for acquiring brewing crops.
<ul> <li>d. Any tasting or sale of beer shall be subject to the Kendall County Liquor Control regulations.</li> </ul>	This should be a required condition.

#### Production and Sale of Sweet Cider

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 is permitted as a special use subject to the following conditions:

Condition	Comments
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.	A condition should require appropriate licenses and permits.
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.	The applicant has requested the ability to have a larger retail sales area, although a specific size has not yet been provided. The proposed location for the retail sales building far exceeds the setback requirement.

#### Year Around Seasonal Festival

Seasonal festivals are generally handled as a conditional use. However, as this facility is proposed to operate year-round, it is required to seek a special use. The following table details the conditions required for seasonal festivals.

Condi	ition	Comment
i.	Adequate parking on site shall be provided in such a way that no on-street parking is necessary	Exact parking requirements will be evaluated as specific site plans are submitted. However, the concept plan provided appears to show adequate areas for on-site parking.
ii.	Event areas, stands, booths, parking and other uses and facilities appurtenant to the site shall not be located within 150 feet of a residential district, or residential structure located off the subject zoning lot unless written consent from the effected residents is provided to the Planning, Building and Zoning Office	No homes are within 150' of the subject property. In fact, no existing homes are within ½ mile of the proposed operations.
iii.	The operator shall have adequate waste receptacles and toilet facilities on site as determined in writing from the Department of Health and Human Services	Specific requirements are unknown at this time, but the applicant has stated they will comply with code requirements.
iv.	No alcohol shall be sold on the premises	They do plan to sell alcohol on-site.
V.	Petting Zoos shall provide adequate hand sanitation devices as determined by the Department of Health and Human Services	This should be a condition of approval.
vi.	All food prepared or sold on site shall comply with the Department of Health and Human Services requirements.	This should be a condition of approval.
vii.	Noise levels generated from non-agricultural sources shall not exceed 60 dBA as measured at the nearest occupied residential structure on an adjoining property	This should be a condition of approval.
viii.	The operator shall provide adequate crowd control and parking direction as reasonably determined by the Kendall County Sheriff's Office.	This should be a condition of approval.
ix.	No event activity shall start earlier than 9:00 A.M. any day of the week, and shall end no later than 10:00pm, Monday thru Wednesday and no later than 11:30pm Thursday thru Sunday	This should be a condition of approval.

Cond	ition	Comment
X.	Events shall be permitted once a year unless otherwise approved by the PBZ Committee	Applicant has requested ability to operate events all year.
xi.	Seasonal Festivals shall be permitted up to, but not exceed, ninety (90) consecutive days in length in one calendar year	Applicant has requested ability to operate events all year.
xii.	Accessory uses including but not limited to temporary vendors engaged in the sale of ancillary items not produced on site but which are related to products produced on site or associated with the season shall be permitted during the duration of the Seasonal Festival subject to the review and approval of the Zoning Administrator.	This should be discussed with applicant since activities are planned year-round.
xiii.	All signage shall comply with Section 12.00 of the Zoning Ordinance	This should be a condition of approval.
xiv.	All proposed lighting shall be non-obtrusive onto adjoining properties and should not exceed 0.2 foot-candles at any property line	This should be a condition of approval.

#### **HEALTH CODES**

The petitioner has not provided details for any of the proposed uses. These items must be evaluated and permitted through the Kendall County Health Department prior to construction.

#### **BUILDING CODES**

Any future buildings will need to be evaluated by the Building Department for determination of any required building permits.

#### **ACCESS**

The property is at the corner of Creek Road and Frazier Road. A concept plan has been submitted showing an entrance from Creek Road and an exit onto Frazier Road. The existing access location has been approved by the Township Road Commissioner, and appears well located given topography and sight lines.

#### **PARKING**

As the plans are conceptual at this point, specific parking requirements are difficult to calculate. However, the concept plan shows three sizable areas for parking. The smaller area by the cider mill could potentially accommodate in the range of 50 cars, and the main and overflow lots could – based on their area, accommodate well over 1,000 cars.

#### **LIGHTING**

No information has been provided regarding proposed lighting.

#### **SIGNAGE**

No information has been provided regarding proposed signage.

#### **PUBLIC COMMENTS**

Mr. and Mrs. Scott Francis Cosentino of 2490 Creek Road have submitted a letter in opposition to the project. One other resident came into the office to review the application, and stated they may attend the meetings and hearings, but provided no formal comment.

#### RECOMMENDATION

The proposed uses are consistent with the LRMP, will help to celebrate the agricultural heritage of Kendall County, and is a clear positive from an economic development perspective drawing visitors and tourists from throughout the region. At this time, the nearest neighbors are over a ½ mile away,

and the site has a significant landscape buffer planted to provide screening should additional development occur in the area. Given these factors, we recommend approval subject to the following conditions:

- 1. The property shall be developed in substantial compliance with the submitted concept plan
- 2. The maximum number of patrons for events shall be limited to 225, including any vendors working on the property for an event.
- 3. All events shall end no later than 12:00am
- 4. Lighting shall comply with Section 11 02.F.12 of the Zoning Ordinance
- Parking reserved for ADA accessibility shall be marked and constructed with a hard surface adjacent to the proposed retail store/bakery
- 6. Any food prepared or sold on site, shall conform to the regulations of the Kendall County Health
- 7. Retail sales are permitted provided that the retail sales will be ancillary to the main operation. Such sales may occur year around.
- 8. Noise generated on-site shall comply with the following:
  - a. <u>Day Hours:</u> 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.
  - b. 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.
  - c. 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
- 9. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.
- 10. A waste management plan should be submitted to and approved by the Kendall County Health Department prior to operation of the micro-distillery

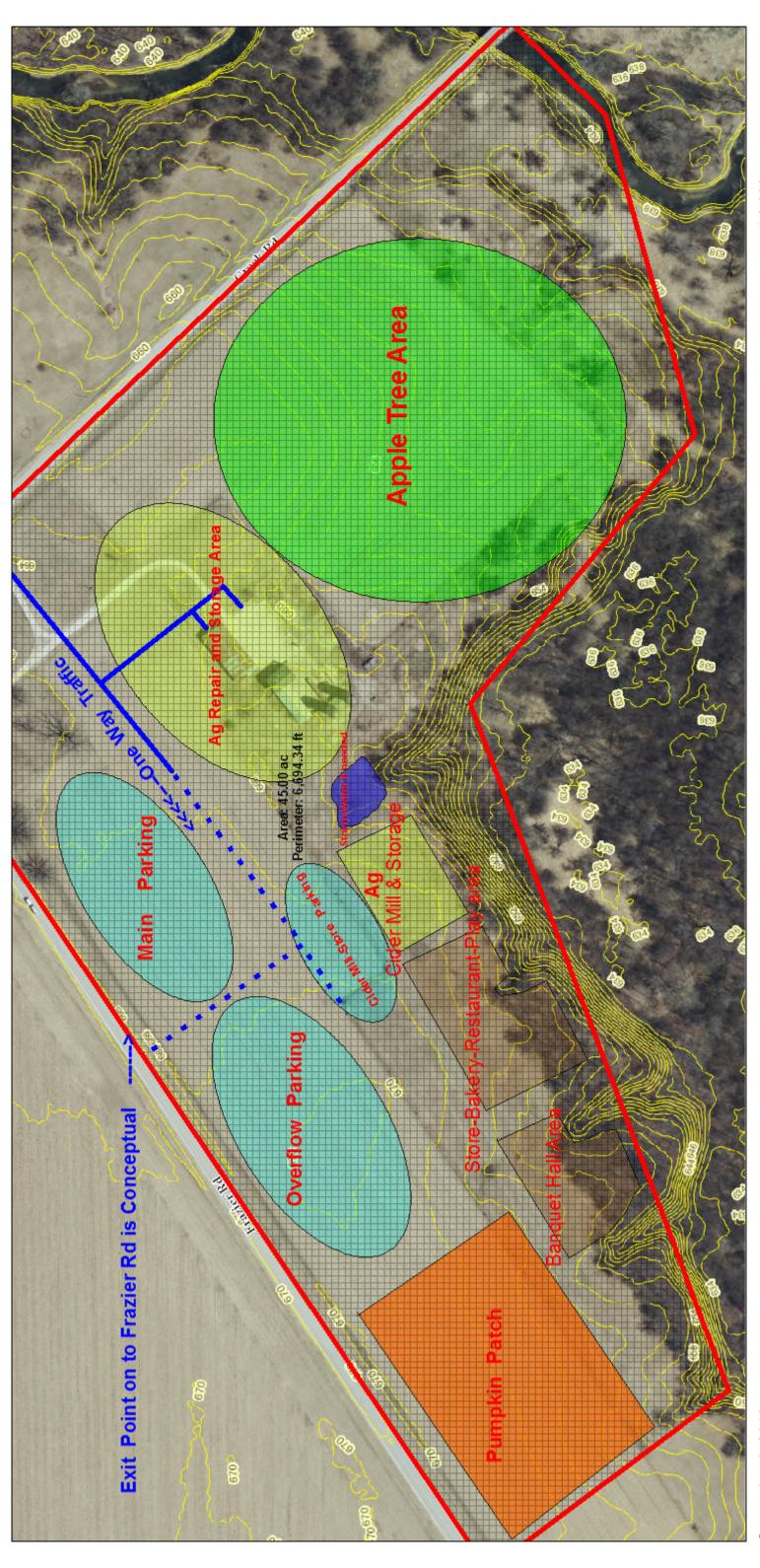
# Variances Requested for this Special Use

- Facility is located on
   Township Roads which
   are note designated as a
   collector or arterial
   roadway.
- The retail store may be larger than 1,000 sq. feet ( current limitation for a facility producing and selling sweat cider) .
- 3. Alcohol will be sold on the site of a seasonal festival.
- 4. Parking will be located within the 100' agricultural setback (existing evergreen buffer of at least 30' already in place)
- Events may occur yeararound, and are not limited to a 90-day window ( seasonal events) .

- 11. The petting zoo shall provide adequate hand sanitation devices as determined by the Department of Health and Human Services.
- 12. The operator shall provide adequate crowd control and parking direction as reasonably determined by the Kendall County Sheriff's Office.

#### **ATTACHMENTS**

- 1. Description of proposed use prepared by the petitioners
- 2. EcoCat Report
- 3. Concept Plan



September 6, 2016 Road Names

Kendall County Illinois GIS





1702024

08/24/2016

IDNR Project Number:

Date:

Applicant:

Larry Nelson

Contact:

Same

Address:

16524 Frazier rd

Plano, IL 60545

Project:

cider

Address:

15888 Frazier rd, Plano IL

Description: A to A-su

#### **Natural Resource Review Results**

This project was submitted for information only. It is not a consultation under Part 1075.

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

#### Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Kendall

Township, Range, Section: 37N, 6E, 20

37N, 6E, 21

## IL Department of Natural Resources Contact

Impact Assessment Section 217-785-5500 Division of Ecosystems & Environment



#### **Disclaimer**

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.



#### **DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Yorkville, IL • 60560 (630) 553-4141 Fax (630) 553-4179

**APPLICATION** PROJECT NAME Cider Creek

NAME OF APPLICANT	1 —		
LL+PNe	150n IVU:	st 103	
CURRENT LANDOWNER/NAME(s)			
SITE INFORMATION ACRES SIT	E ADDRESS OR LOCATION	ASSESSOR'S II	D NUMBER (PIN)
	888 Frazier	D 1 D	and the same and t
EXISTING LAND USE CU	RRENT ZONING	LAND CLASSIF	) 01-20 -400 - 006 + 00
A	A	1 0	ommercial
REQUESTED ACTION (Check All That	Apply):		
X SPECIAL USE	X MAP AMENDMENT (Rezor	ne ta <u>A-</u> SU	Xvariance
ADMINISTRATIVE VARIANCE	A-1 CONDITIONAL USE for	;	SITE PLAN REVIEW
TEXT AMENDMENT	RPD (Concept; Pre	eliminary; Final) _	ADMINISTRATIVE APPEAL
PRELIMINARY PLAT	FINAL PLAT		OTHER PLAT (Vacation, Dedication, etc.)
AMENDMENT TO A SPECIAL USE			
PRIMARY CONTACT	PRIMARY CONTACT MAIL	NG ADDRESS	PRIMARY CONTACT EMAIL
Larry Nelson	16524 Frazier	Ra Plano	Larry, Nelson, WSPY
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX:	60545	PRIMARY CONTACT OTHER #(Cell, etc.)
<sup>2</sup> ENGINEER CONTACT	ENCINEED MAILING ADD	2500	
ENGINEER CONTACT	ENGINEER MAILING ADDR	(ESS	ENGINEER EMAIL
5gme			630-247-4301
ENGINEËR PHONE #	ENGINEER FAX #		ENGINEER OTHER # (Cell, etc.)
I UNDERSTAND THAT BY SIG	NING THIS FORM, THAT	THE PROPERTY	IN QUESTION MAY BE VISITED BY
COUNTY STAFF & BOARD/ CO	OMMISSION MEMBERS 7	HROUGHOUT TH	E PETITION PROCESS AND THAT
COUNTY,	I ED ABOVE WILL BE SUI	BJECT TO ALL CO	PRRESPONDANCE ISSUED BY THE
I CERTIFY THAT THE INFORM	MATION AND EXHIBITS S	UBMITTED ARE T	RUE AND CORRECT TO THE
BEST OF MY KNOWLEDGE A	ND THAT I AM TO FILE T	HIS APPLICATION	AND ACT ON BEHALF OF THE
ABOVE SIGNATURES.	11		
SIGNATURE OF APPLICANT	Dony /W		_ DATE 8/23/16
			-125/10
			604

FEE PAID:\$ 175500 CHECK #:

<sup>1</sup>Primary Contact will receive all correspondence from County

<sup>2</sup>Engineering Contact will receive all correspondence from the County's Engineering Consultants 23

Last Revised: 9.18.12 Map Amendment



Please fill out the following findings of fact to the best of your capabilities. § 13.07.F of the Zoning Ordinance lists the Finding of Fact criteria the Zoning Board of Appeals must answer in order to make a recommendation to the County Board on any map amendment request. They are as follows:

Existing uses of property within the general area of the property in question.

Ag - Ag wholesale sales, transportation, commercial, school

The Zoning classification of property within the general area of the property in question.

Ag, commercial, residential

The suitability of the property in question for the uses permitted under the existing zoning classification.

The reguested A-SU is within the existing zoning classification A-1

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification.

The trend of development has been for A to Business and Residential including the Plano high school campus and a Business node just South adjoining the property.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.

The LRMP of Kendall County shows much of the 45 acres as Commercial/Business.

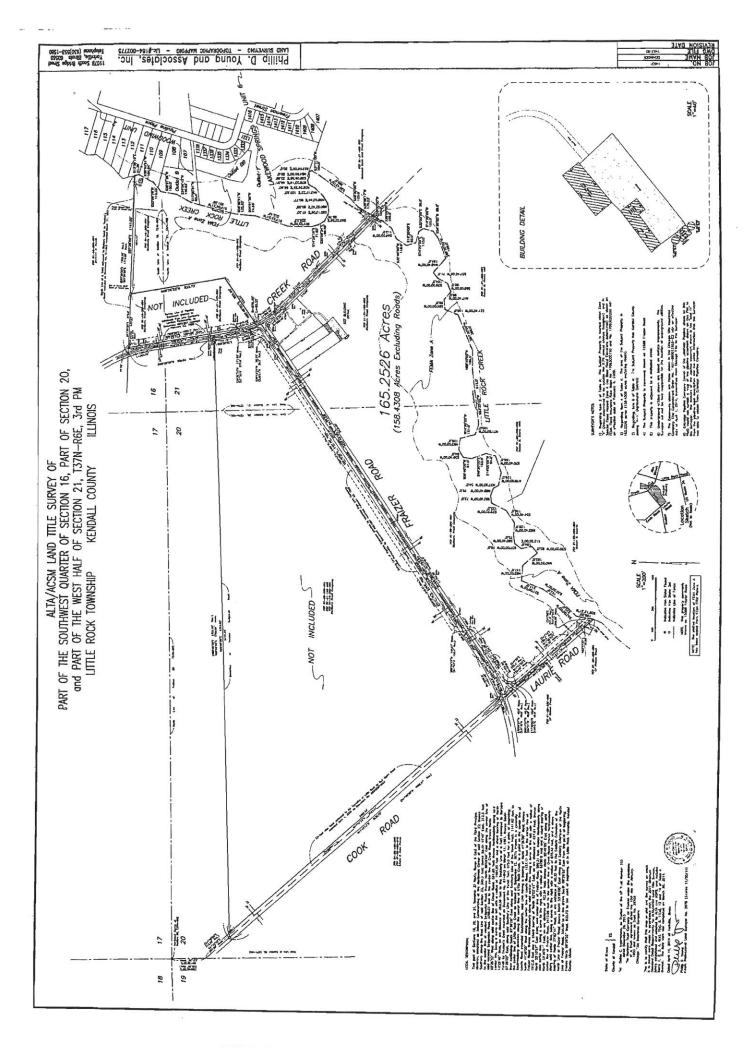
#### Cider Creek

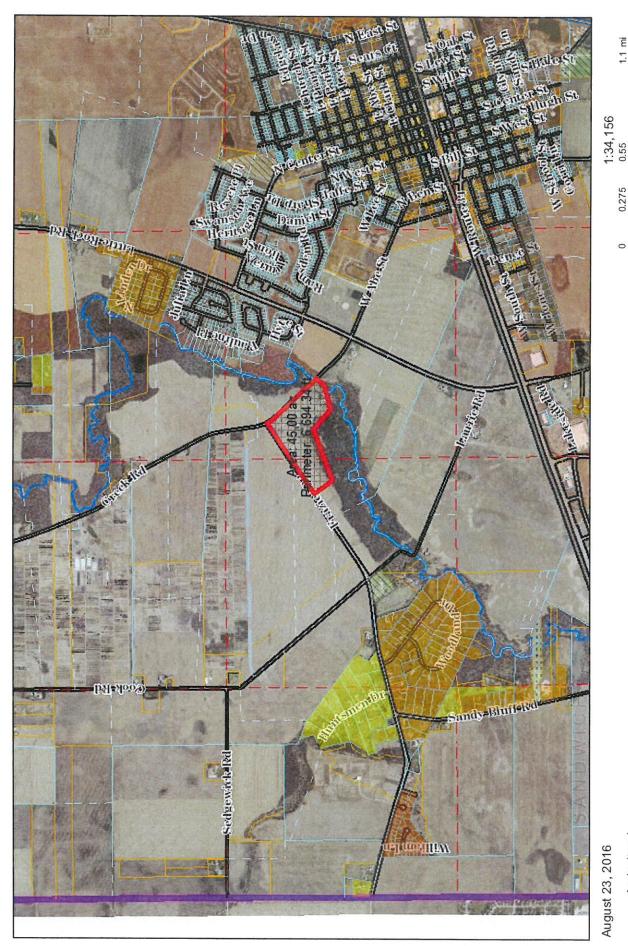
Cider Creek will be developed over a number of years as a hybrid use of agriculture, entertainment, food and family fun. Typically known as a U Pick Orchard, offering commodities grown on and off the site, food produced from the commodities along with other food and refreshments, entertainment and activities will also be provided.

We are requesting A-1 SU of the 45 acre parcel in the application to Permit Section 7.01 D – Ag Special Uses Permitted; D-10 Banquet Halls, D-29 Micro Distillery; D-30 Nano Breweries; and D-42 (which is labeled as 32 (duplicated)) Production and sale of sweet cider (with the restriction of "Total retail area not to exceed 1,000 square feet" removed) and "E Conditional Use" as provided in JXV – to be a year round usage and removing restrictions IV, IX, X, XI.

Additionally, we are requesting a variance from the requirement the facility be located on a major collector or arterial roadway and if needed a variance removing restrictions on D-42 "retail area not to exceed 1,000 sq feet", and the restriction on "E Conditional Use" J to be year round usage and removing restrictions IV, IX, X, XI.

Note: Cider Creek is a dba of The Bluffs, Inc., an Illinois corporation owned by the Nelson family.





August 23, 2016

Agricultural

Agricultural-Building Permit

1.8 km 1.1 mi

0.275

Kendal County Illinois GIS

Agricultural-Special Use



# Cider Creek To Be ReZoned A-SU



August 23, 2016

0.14 mi

0.035

0.2 km

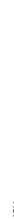
Kendal County Illinois GIS, FEMA Kendal County Illinois GIS

Wetlands

1% Annual Chance Flood Hazard

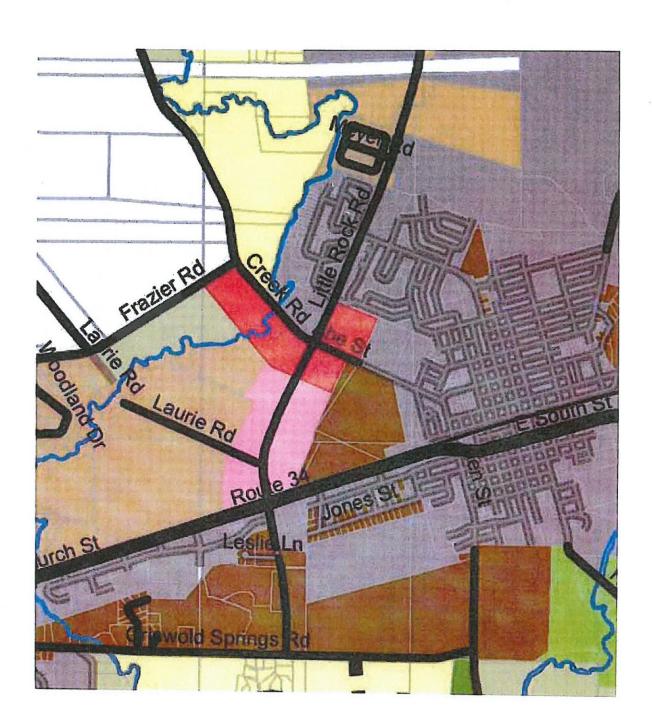
1% Annual Chance Flood Hazard

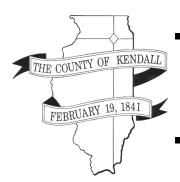
Regulatory Floodway



#### LEGAL DESCRIPTION OF 45.8486-ACRE TRACT TO BE REZONED:

That Part of the East Half of Section 20 and that Part of the West Half of Section 21, Township 37 North, Range 6 East of the Third Principal Meridian described as follows: Beginning at the intersection of the centerlines of Frazier Road and Creek Road; thence South 55°49'05" West, along said centerline of Frazier Road, 1980.0 feet; thence South 37°40'55" East, 537.0 feet; thence North 68°19'05" East, 1250.0 feet; thence South 51°40'55" East, 616.0 feet; thence Norh 72°41'29" East, 607.87 feet to the centerline of Little Rock Creek; thence North 38°00'00" East, along said centerline, 106.0 feet; thence North 29°00'00" East, along said centerline, 104.0 feet to said centerline of Creek Road; thence North 44°01'24" West, along said centerline, 745.32 feet; thence North 44°54'15" West, along said centerline, 514.15 feet; thence Northwesterly, along said centerline being a tangential curve to the right with a radius of 875.40 feet, an arc distance of 252.71 feet to the point of beginning in Little Rock Township, Kendall County, Illinois.





#### **DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 203 Yorkville, IL • 60560 (630) 553-4141 Fax (630) 553-4179

**MEMORANDUM** 

To: Kendall County Regional Planning Commission

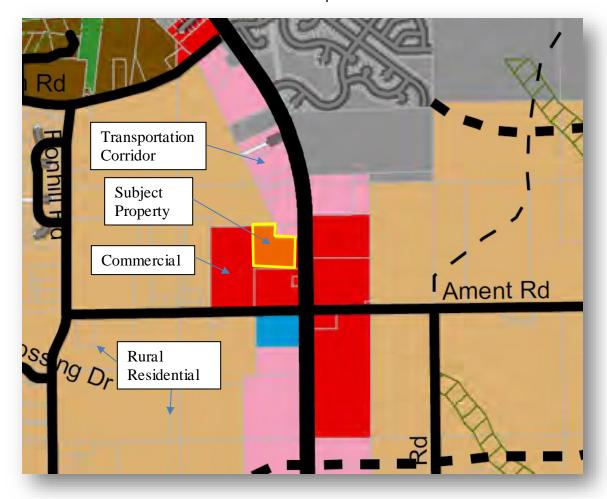
Date: September 23, 2016

Re: Proposed Athletic Fields by Parkview Christian Academy

Parkview Christian Academy has inquired about the potential to seek an A-1 Special Use for Athletic Fields on a property on the west side of Route 47, north of Ament Road (see location map below). The property is just south of the IDOT facility, and contains 18.2 acres. It is currently part of a larger parcel owned by the Hiller Family Limited Partnership and totaling 98.6 acres (PIN #05-16-100-014). It is current zoned A-1.



The Land Resource Management Plan shows the property as commercial. I belief the intent of the plan was to see some commercial development along Route 47, likely uses similar to what currently exists to the north (Grainco FS, or office uses like the Kendall County Ag Extension office), or potentially more retail uses – particularly near the Ament/Route 47 intersection. However, the County does have a Commercial Recreation Zoning District (B-4) which lists Non-Profit recreational facilities and related uses as a permitted use.



Kendall County LRMP Future Land Use Plan

Prior to proceeding with a formal application, I suggested the applicant might want to seek an informal review of the proposal by the KCRPC to get initial feedback on their proposal. Specific questions would be:

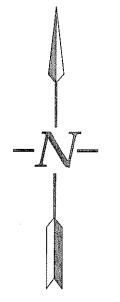
- 1. Is this use consistent with your overall vision for the area?
- 2. If yes, what would be the preferred zoning approach?
  - a. Rezone to B-4 Commercial Recreation
  - b. Seek a Special Use within the existing A-1 District for Athletic Fields

A representative from Parkview Christian Academy will be at the meeting to provide a brief presentation and answer any questions.

#### Attachments:

- 1. Boundary Survey
- 2. Concept Sketch

# **BOUNDARY SURVEY**



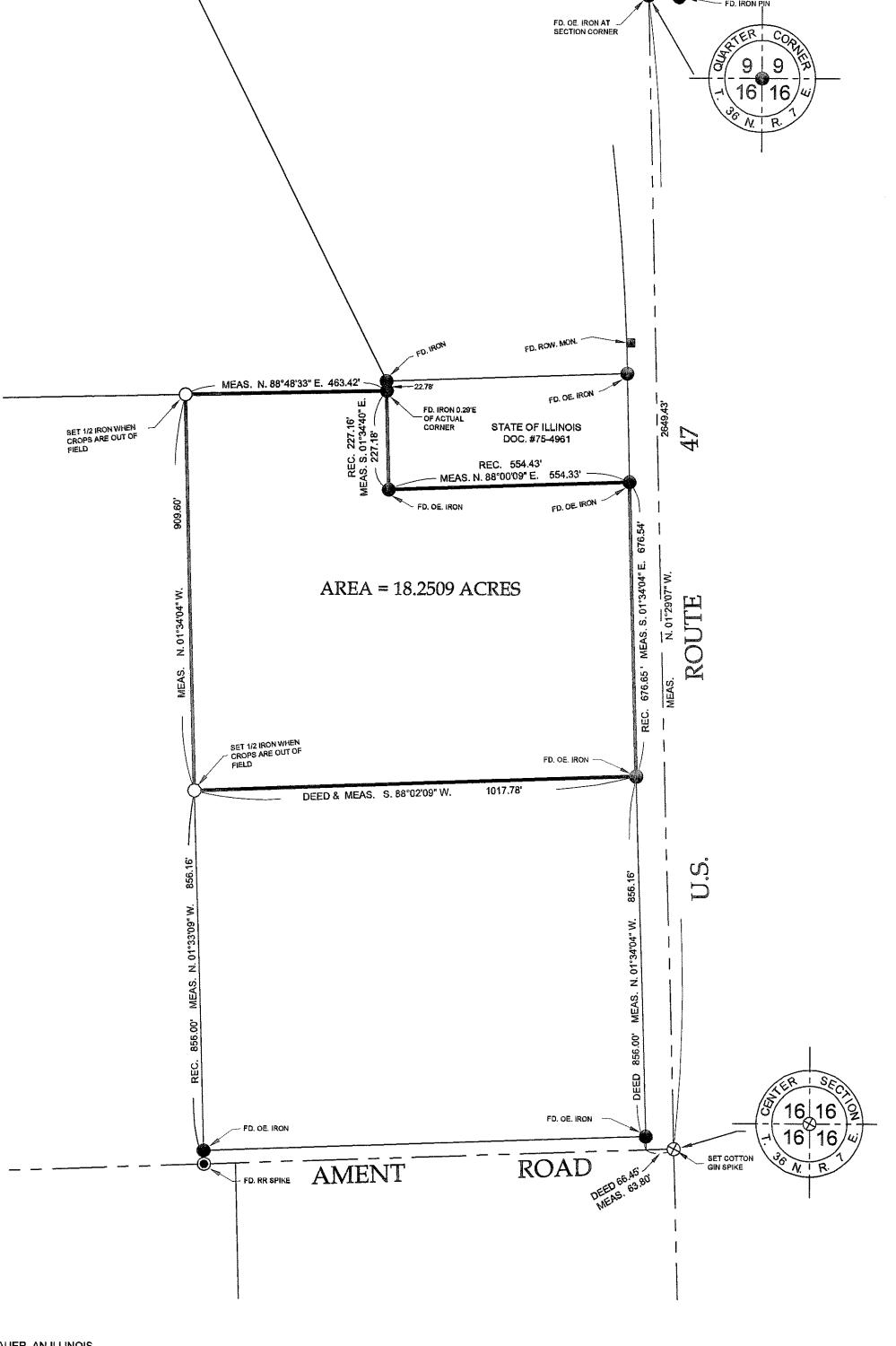
Scale: 1" = 200'

#### **LEGAL DESCRIPTION:**

THAT PART OF THE NORHWEST QUARTER OF SECTION 16. TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF SECTION 16; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 66.45 FEET TO THE WEST RIGHT-OF-WAY LINE OF ILLINOIS STATE ROUTE NO. 47; THENCE NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE, 856.00 FEET FOR THE POINT OF BEGINNING; THENCE WESTERLY PARALLEL WITH SAID SOUTH LINE BEARING SOUTH 88 DEGREES 02 MINUTES 09 SECONDS WEST, 1078.78 FEET; THENCE NORTH 01 DEGREES 34 MINUTES 04 SECONDS WEST PARALLEL WITH SAID WEST RIGHT-OF-WAY LINE, 909.60 FEET TO THE NORTH LINE OF THE SOUTH 26.66 CHAINS OF SAID NORTHWEST QUARTER; THENCE NORTH 88 DEGREES 48 MINUTES 33 SECONDS EAST ALONG SAID NORTH LINE, A DISTANCE OF 463.42 FEET TO THE WEST LINE OF A TRACT OF LAND CONVEYED TO THE STATE OF ILLINOIS BY A QUIT CLAIM DEED RECORDED OCTOBER 2, 1975 AS DOCUMENT 75-4961; THENCE SOUTH 01 DEGREES 34 MINUTES 40 SECONDS EAST ALONG THE WEST LINE OF SAID TRACT, A DISTANCE OF 227.16 FEET TO THE SOUTHWEST CORNER OF SAID TRACT OF LAND; THENCE NORTH 88 DEGREES 00 MINUTES 09 SECONDS EAST ALONG SAID TRACT OF LAND, A DISTANCE OF 554.43 FEET TO SAID WEST RIGHT-OF-WAY LINE; THENCE SOUTH 01 DEGREES 34 MINUTES 04 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 676.54 FEET TO THE POINT OF BEGINNING ALL IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

## **BEARINGS BASIS:**

ALL BEARINGS SHOWN AS MEASURED ARE RELATED TO TRUE NORTH



## SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS )
) SS
COUNTY OF KENDALL )

THIS IS TO CERTIFY TO THE CLIENT, PARKVIEW CHRISTIAN ACADEMY, 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 PLAT HEREON DRAWN REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY. 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 9th DAY OF JULY, 2016.

GIVEN UNDER MY HAND AND SEAL AT PLANO, ILLINOIS THIS 11th DAY OF JULY, 2016 A.D.

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 SETFORTH 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.



RB & ASSOCIATES CONSULTING, INC

4 W MAIN STREET PLANO, IL 60545 (630) 552-7452

DESIGN FIRM # 184-004475 www.rb-associates.net

