

**KENDALL COUNTY
PLANNING, BUILDING & ZONING COMMITTEE**
*Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois
6:30 p.m.
Meeting Minutes of June 13, 2016*

CALL TO ORDER

The meeting was called to order by Scott Gryder at 6:45 p.m.

ROLL CALL

Committee Members Present: Lynn Cullick (Arrived 6:44pm), Chairman Scott Gryder, Jeff Wehrli, Judy Gilmour, and Bob Davidson

Committee Members Absent: None

Also present: John Sterrett, Senior Planner; Greg Chismark, WBK Engineering; Tom Muth, Fox Metro Water Reclamation District; John Frerich, Walter Deuchler Associates; Jerry Bannister; Joe Gomoll

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Mr. Wehrli made a motion, seconded by Ms. Gilmour, to approve the minutes from May 9, 2016. With a voice vote of all ayes, the motion carried.

EXPENDITURE REPORT

The Committee reviewed the claims listing. Mr. Wehrli made a motion, seconded by Ms. Gilmour, to forward the claims to the Finance Committee in the amount of \$312.95. With a voice vote of all ayes, the motion carried.

PUBLIC COMMENT

Jerry Bannister commented on the Fox Metro Water Reclamation District variance project and that the proposed plan is fine and that he hopes the Committee moves forward with the project.

PETITIONS

16-09 Joe Gomoll

Request: 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 in the A-1 Zoning District

Location: 10151 Lisbon Road in Fox Township

Mr. Sterrett summarized the zoning request, which is a request for an A-1 Special Use to 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 at the property at 10151 Lisbon Road in Fox Township. Retail sales will take place out of an existing 4,800 square foot building occupying 1,000 square feet for retail space.

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. 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. 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.

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. No new lighting is proposed on the property. The petitioner has indicated that signage will limited to a single sign at the store front. Two points of access onto Lisbon Road exist with no additional points of access proposed.

Mr. Sterrett stated that as a future endeavor the petitioner is interested in producing and selling hard cider. The selling of this hard cider at retail would require a Kendall County Liquor License. Fox Township is a dry township and therefore a liquor license cannot be obtained.

Staff recommends 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 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
8. All parking shall be on the property and no parking shall occur within any public road right-of-way

Ms. Gilmour made a motion, seconded by Mr. Wehrli, to forward the petition onto the County Board with a favorable recommendation. Mr. Gryder asked for a roll call vote. Mr. Sterrett called the roll. Gilmour – Aye; Wehrli – Aye; Davidson – Aye; Gryder – Aye. With a vote of 4-0, the motion carried.

NEW BUSINESS

Mr. Gryder congratulated Mr. Sterrett on the birth of his child, Emmett Sterrett.

OLD BUSINESS

Variance Request from Fox Metro Water Reclamation District to Section 403.a – Hydraulically Equivalent Compensatory Storage (above and below 10 year flood elevation) and Section 403.d – Compensatory Storage Adjacent to the Development, of Article IV of the Kendall County Stormwater Management Ordinance.

Mr. Sterrett provided the Committee with an update on the variance request from Fox Metro Water Reclamation District for off-site floodplain compensatory storage as part of their water treatment plant expansion along Route 31. Mr. Sterrett explained that the hearing for the variance will take place Thursday, June 16th at 4:00pm and that notification was sent out to all property owners within 250’ of both the Route 31 site and the site located at Orchard Road. This notification was sent both certified mail and regular first class mail. Tom Muth and John Frerich explained the proposed plans for the compensatory storage at Orchard Road. Greg Chismark, stormwater engineering consultant for the County, stated he has reviewed the materials submitted and is comfortable with the proposed plans. There are three proposed conditions on the variance ordinance including obtaining approval of all other applicable permits, the recording of an easement over the compensatory storage area and submitting a maintenance plan for the Orchard Road site. This matter will be discussed further at the public hearing on June 16th and be placed on the County Board agenda for June 21st.

UPDATE ON HISTORIC PRESERVATION

Mr. Sterrett stated that the Historic Preservation Commission had a photo opportunity in front of the Millbrook Bridge on Saturday, May 14th as part of Preservation Month. The theme for Preservation Month is “This Place Matters” and a resolution to promote the Millbrook Bridge as part of the This Place Matters theme was approved by the County Board in May.

UPDATE ON CMAP LAND USE COMMITTEE MEETING

No update

PROJECT STATUS REPORT - The Committee reviewed the project status report.

PERMIT REPORT-The Committee reviewed the permit report.

VIOLATION REPORT-None

REVENUE REPORT-The committee reviewed the revenue report.

CORRESPONDENCE – None

EXECUTIVE SESSION - None

PUBLIC COMMENT

None

ADJOURNMENT

Ms. Cullick made a motion, seconded by Mr. Wehri, to adjourn the meeting. With a voice vote of all ayes, the motion carried. Chairman Gryder adjourned the meeting at 6:59 p.m.

Respectfully Submitted,
John H. Sterrett
Senior Planner