

**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 October 11, 2016**

**CALL TO ORDER**

The meeting was called to order by Chairman Gryder at 6:30 p.m.

**ROLL CALL**

Committee Members Present: Chairman Scott Gryder, Jeff Wehrli, Judy Gilmour, Lynn Cullick

Committee Members Absent: Bob Davidson

Also Present: Jeff Wilkins, County Administrator; Mike Hoffman, Teska Associates, Inc.; Attorney Dan Kramer, Kelly Helland; Tom and Suzanne Casey; Larry Burich, Attorney Mike Mattingley, Larry Nelson, Doug Nelson, Jen and Zak Beckman, Jason Engberg (Yorkville), Kelly Schomer and Sarah Kimes (Oswego), Dan Friaut (Minooka), Scott Mulliner (Plano)

**APPROVAL OF AGENDA**

Ms. Cullick 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**

Ms. Gilmour made a motion, seconded by Ms. Cullick, to approve the minutes from September 19, 2016. With a voice vote of all ayes, the motion carried.

**EXPENDITURE REPORT**

The Expenditure Report was inadvertently left out of the packet. Mr. Wilkins suggested he would follow-up.

**PUBLIC COMMENT**

None

**PETITIONS**

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**16-21 High Grove Subdivision**

**Request:** Zoning Map Amendment

**Location:** West side of Grove Road, 1 mile north of U.S. Route 52, Seward Township

Motion for approval of the zoning map amendment was made by Ms. Cullick, seconded by Mr. Wehrli.

Mr. Hoffman summarized the request, which includes rezoning 9.9 acres from RPD-2 (Residential Planned Development – Two) to R-2 (Single-Family Residential). In 2006, the land was rezoned from A-1 to RPD-2 for the proposed High Grove Subdivision that included 48 single-family homes clustered around pockets of open space. The plan was approved, but the final plat was never recorded, thus voiding the approval. He noted that a legal objection had

been filled by the adjacent property owner, and that a super-majority vote (8 votes) would be required to approve the rezoning by the County Board.

Since, Joliet Park District has acquired 97 of the 109 acres of the RPD-2 zoned area. Regarding the zoning map amendment, all procedures required by the County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and a recommendation for approval by the ZBA on August 29, 2016.

The petitioners attorney, Dan Kramer, provided a recap of the case, including the proposed density of .4 units per acre, that the proposed private road and right-of-way exceeds County private road standards, and that they could place a sign on Grove Road that said the park would close at dusk. He noted that the agreement contained in the packet between the Joliet Park District and the property owner would be officially recorded.

Mike Mattingly, Attorney for the adjacent property owner the Feece's, noted concerns regarding the private, yet public road and the fact that the existing access easement is not shown on the plat. Their specific concerns regarding the zoning include the fact that they felt prior PBZ staff had suggested that if the RPD subdivision was not built it would revert back to agricultural zoning, and only two homes could be built. He also noted that the original PUD had open space adjacent to the Feece's home, while the new plat would have a home backing up to theirs. In addition, they are concerned that now two homes would back to their property, while all other homes in the area front on Grove Road. Finally, he stated that the current park plan was nice, but they had concerns regarding what could be developed on the park property in the future and referred to a park in a rural area like this as an "attractive nuisance".

Attorney Dan Kramer addressed the proposed road and the agreement between the property owner and the Joliet Park District. Larry Burich, Director of Planning and Parks for the Joliet Park District summarized the Districts Plan for the park. He noted the plan was for a passive, nature focused park, although he mentioned that future Park Boards could change those plans. They hope to begin construction on the road this fall. They are committed to being a good neighbor to surrounding properties, they will have a gate on the park property, and the park will be open from dawn to dusk daily. They will plow the roadway as needed.

By a roll call vote, the motion was approved 4-0.

### **16-21 High Grove Subdivision**

**Request:** Preliminary and Final Plat of Subdivision

**Location:** West side of Grove Road, 1 mile north of U.S. Route 52, Seward Township  
Chairman Gryder requested a motion to approve a preliminary and final plat subject to WBK Engineering approval for a four lot residential subdivision. The motion was made by Ms. Gilmour and seconded by Ms. Cullick.

Mr. Hoffman summarized the request, noting that this item was continued from last month to address a number of items missing on the preliminary plat, a missing endangered species report, and the need for an approved grading plan prior to final plat approval. He noted that all required items were now shown on the preliminary plat, the EcoCAT report was received and

indicated that no endangered species were found, and a grading plan was submitted. He passed out a letter from WBK engineering which identified a number of concerns with the grading plan for the subdivision – most of which involved better coordination with the separate plans submitted by the Joliet Park District for the private road. Dan Kramer said that these items could be addressed quickly, prior to County Board action on the 18<sup>th</sup>.

Mr. Gryder asked if staff was comfortable with the proposal, and Mr. Hoffman said yes provided the grading issues were resolved prior to final action by the County Board.

With a roll call vote the motion was approved 4-0.

### **16-25 Cider Creek**

**Request:** Special Use for a banquet hall, a nano-brewery, a micro-distillery, a year around seasonal festival, and the sale of sweat cider. Also, to grant variances to allow banquet hall, micro-distillery and nano-brewery to locate on a non-collector or higher roadway, to reduce the parking setback from 100' to 30', and to allow a retail sales area greater than one thousand (1,000) square feet.

Ms. Cullick, seconded by Ms. Gilmour, moved to approve the requested special use with variances.

Mr. Hoffman provided a summary of the project, including the projects location and positive recommendations by Little Rock Township, the City of Plano, the Kendall County Regional Plan Commission, Zoning Board of Appeals, and Special Use Hearing officer. Staff is supportive of the project with the conditions listed in the report.

Mr. Nelson then presented the case, including a summary of the history of their ownership of the property, planting of 80 oak trees and 450 evergreen trees along Creek and Frazier Roads and 500 apple trees, with plans for another 4,500 apple trees to be planted next spring. He summarized the concept plan for the site, and noted that they planned to start with the cider mill, then generally move east to west, with the restaurant/bakery/store in 2017 and the banquet hall in 2018.

Parking was discussed, with a question raised by Mr. Wehrli regarding what, if any, parking would be paved. Mr. Nelson that the main drives would be gravel and designed as a one-way system with entrance from Creek Road and exit to Frazier Road. Handicap spaces would be paved. Mr. Wehrli noted that a building of up to 10,000 square feet in size was pretty large to have mostly grass parking. Mr. Nelson noted that they had visited other similar facilities, and most had a similar arrangement. Mr. Hoffman noted that Rich Harvest Farms had done a nice job with temporary parking, with clear drive isles and grass parking.

By a roll call vote the motion was approved to place this item on the October 18<sup>th</sup> County Board agenda.

### **NEW BUSINESS**

Senior planner search will run through October

## **OLD BUSINESS**

None

## **UPDATE FOR HISTORIC PRESERVATION**

Representatives from Oswego, Yorkville, Plano and Minooka were present and discussed historic preservation activities in their communities and the potential to create a joint group. Oswego does have an active commission, although they are short members as well. Other communities all expressed interest, but did not have a formal historic preservation commission at this time. Some additional research will be done on the potential of combining commissions, and all would try to reconvene at the November 16<sup>th</sup> Oswego Historic Preservation Commission meeting to continue the conversation.

## **REVIEW PERMIT REPORT**

None

## **REVIEW REVENUE REPORT**

Jeff Wilkins summarized the revenue report which showed \$8,846.29 in PBZ revenue in September, for a total of \$104,686.84 for the year.

## **CORRESPONDANCE**

None

## **EXECUTIVE SESSION**

None

## **ADJORNMENT**

Chairman Gryder requested a motion to adjourn. The motion was called by Ms. Gilmour, seconded by Mr. Wehrli. With a voice vote of all ayes, Chairman Gryder adjourned the meeting at 8:18 p.m.

Minutes prepared by Mike Hoffman