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**KENDALL COUNTY**  
**ZONING AND PLATTING ADVISORY COMMITTEE**  
111 West Fox Street • Rooms 209 and 210 • Yorkville, IL • 60560  
(630) 553-4141 Fax (630) 553-4179

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**AGENDA**

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September 6, 2016 - 9:00 a.m.

CALL TO ORDER

**ROLL CALL: County Board:** Scott Gryder, PBZ Committee Chair; **County Highway Department:** Fran Klaas, County Engineer; **Wills Burke Kelsey:** Greg Chismark, Stormwater Consultant; **County Health Department:** Aaron Rybski, Director Environmental Health; **Forest Preserve District:** David Guritz, Director; **SWCD:** Megan Andrews, Resource Conservationist; **Sheriff's Office:** Commander Mike Peters; **PBZ:** Brian Holdiman, Code Official

APPROVAL OF AGENDA

APPROVAL OF MINUTES: Approval of the August 2, 2016 ZPAC meeting minutes.

PETITIONS:

1. **16-17 Scott Lasky**  
Request Plat of Vacation  
Location Lots 3 and 4 of the Brighton Oaks Subdivision, Kendall Township  
Purpose Request for a plat of vacation to vacate a ten (10) foot public utility and drainage easement between two lots
  
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

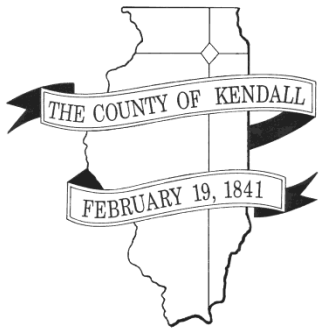
REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

16-16 Chris and Megan Jensen – A-1 Special Use to operate a landscape business – Approved by County Board 8.16.16

OLD BUSINESS/ NEW BUSINESS

PUBLIC COMMENT

ADJOURNMENT- Next meeting on October 4, 2016



## DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

### MEMORANDUM

To: Zoning and Platting Advisory Committee

Date: September 6, 2016

Re: Plat of Vacation to vacate the drainage and utility easement (Petition 16-17)

The petitioner, Scott Lasky, is interested in consolidating lots 3 and 4 of the Brighton Oaks Subdivision. A plat of vacation has been prepared to vacate the east public utility and drainage easement on lot 4 and vacate the west public utility and drainage easement on lot 3. The 10' public utility and drainage easement on the east side of lot 3 will remain as will the 5' public utility and drainage easement on the north side of lots 3 and 4. After the granting of the plat of vacation the ultimate goal is to combine the two lots to make one large lot and build a house in the middle of the lots.

The Plat of Vacation must be reviewed and approved by the County Board prior to the vacating of these two easements. A topographic survey and proposed grading plan have been submitted to indicate the vacation will not have an impact on drainage.



#### Attachments:

1. Plat of Vacation
2. Topographic Survey
3. Grading Plan

**PLAT OF VACATION OF EASEMENT  
PART OF LOTS 3 AND 4 BRIGHTON OAKS ESTATES  
KENDALL TOWNSHIP KENDALL COUNTY ILLINOIS**



**SCALE  
1"=40'**

- Indicates Iron Stake Found
- Indicates Iron Stake Set
- Indicates Line of Fence

**LEGAL DESCRIPTION OF EASEMENT TO BE VACATED:**

The Westerly 5.0 feet of Lot 3 (except the Northerly 5.0 feet thereof) and the Easterly 5.0 feet of Lot 4 (except the Northerly 5.0 feet thereof) all in Brighton Oaks Estates, according to the Plat thereof recorded October 2, 2003 as Document 200300035615.

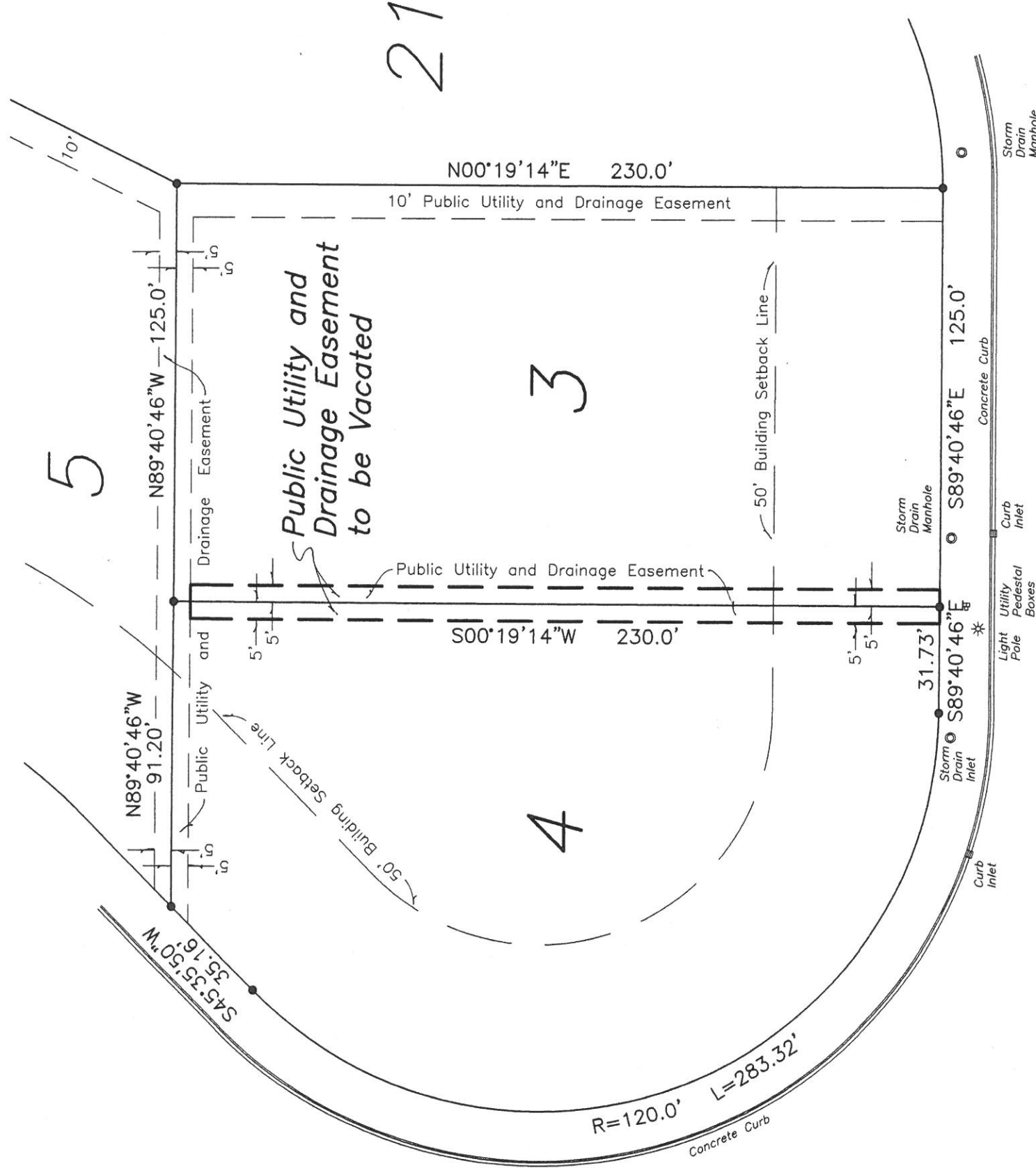
State of Illinois )  
County of Kendall ) SS

I, Phillip D. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., state that I have surveyed and located the visible improvements on the above described tract as shown by the plat hereon drawn which is a representation of said survey. Field work was completed November 24, 2014. This professional service conforms to the current Illinois minimum standard for a boundary survey.

Dated June 16, 2016 at Yorkville, Illinois

*Phillip D. Young*

Phillip D. Young  
Illinois Professional Land Surveyor No. 2678  
(Expires 11/30/16)



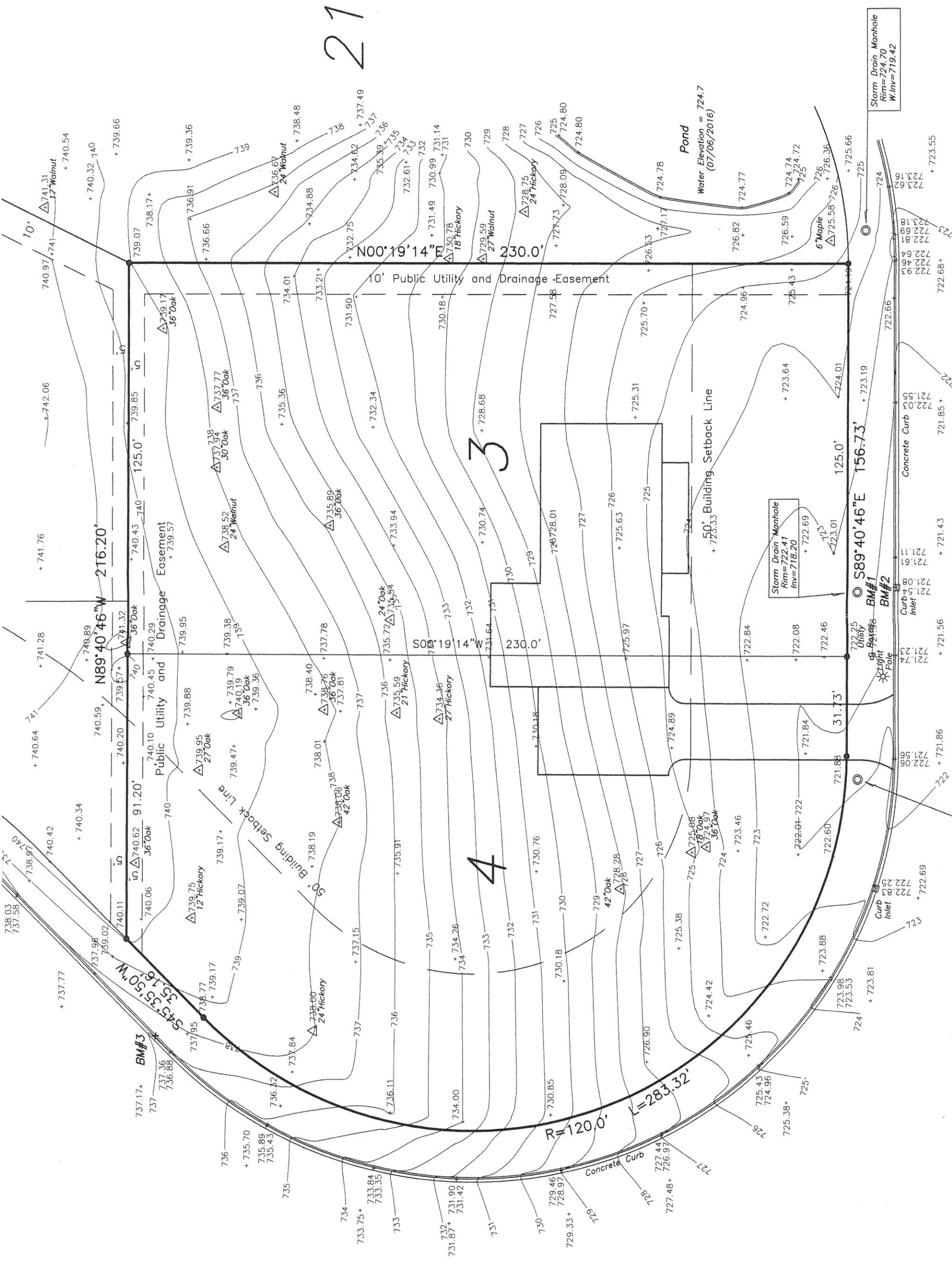
**Brighton Oaks Drive**

21

3

4

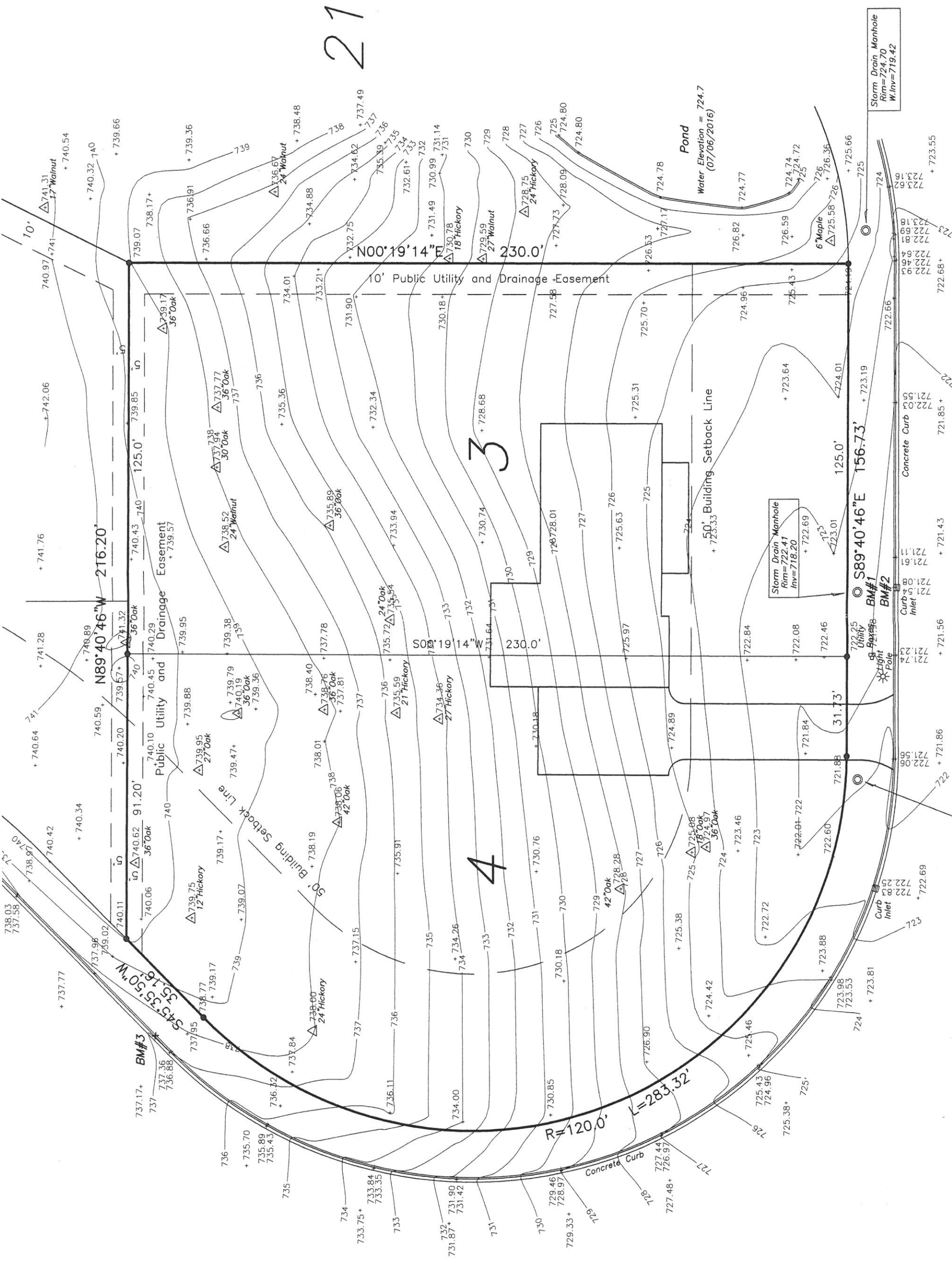
# Brighton Oaks Drive



Storm Drain Manhole  
Rim=724.70  
W.Inv=719.42

Storm Drain Manhole  
Rim=722.41  
Inv=718.20

Storm Drain Inlet  
Rim=721.90  
Inv=717.68



Storm Drain Manhole  
Rim=724.70  
W.Inv=719.42

Storm Drain Manhole  
Rim=722.41  
Inv=718.20

Storm Drain Inlet  
Rim=721.90  
Inv=717.68

PIN 05-18-250-016



Phillip D. Young  
 Illinois Professional Land Surveyor No. 2678  
 (Expires 11/30/16)

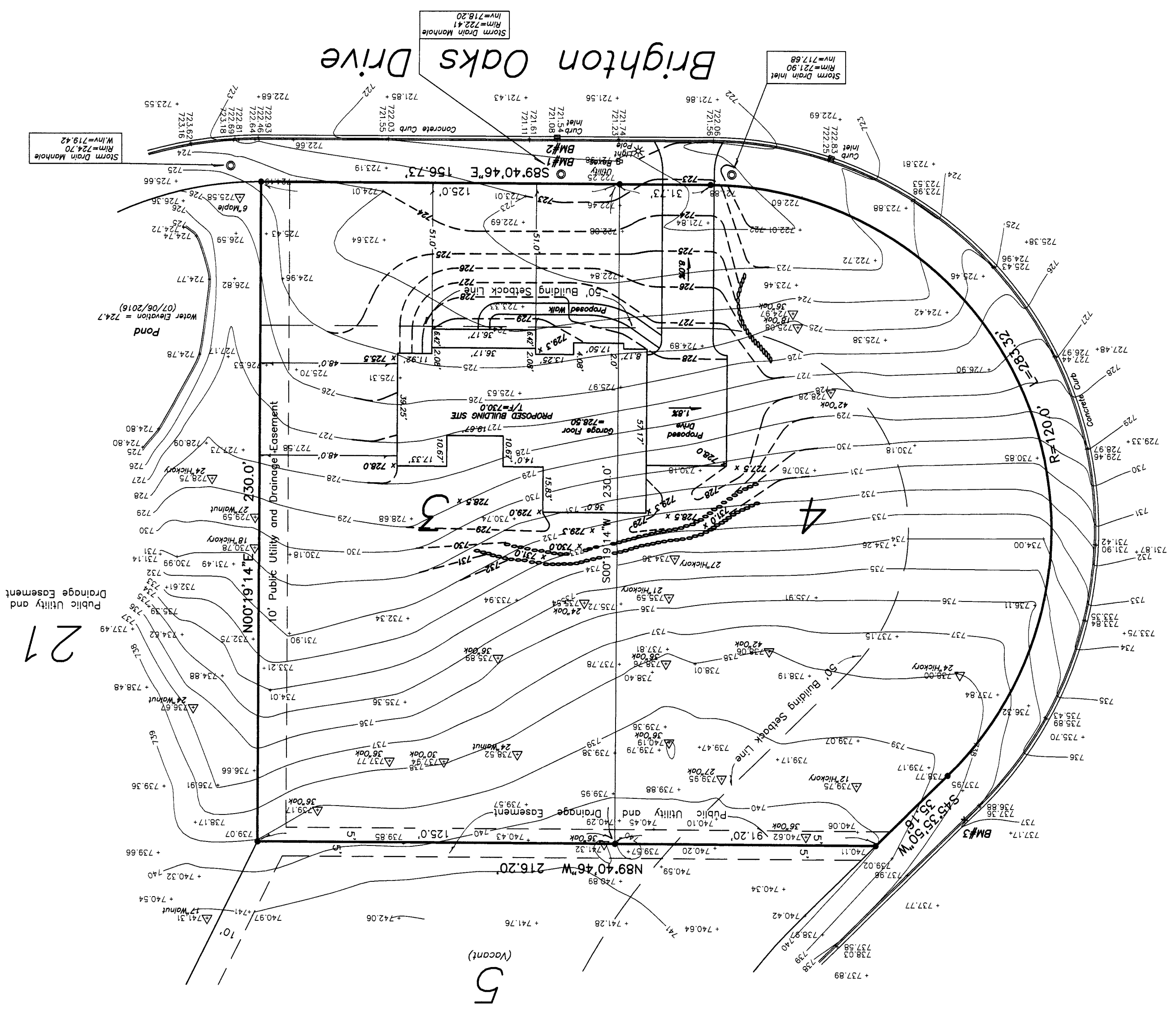
Dated July 29, 2016 at Yorkville, Illinois  
 Illinois minimum standard for a boundary survey.  
 completed July 6, 2016. This professional service conforms to the current  
 hereon drawn which is a representation of said survey. Field work was  
 the visible improvements on the above described tract as shown by the plat  
 Phillip D. Young and Associates, Inc., state that I have surveyed and located  
 I, Phillip D. Young, an Illinois Professional Land Surveyor and an officer of

**BENCHMARKS (Brighton Oaks Estates Grading Plan Datum)**  
 BM#1 - South Rim of Storm Drain Manhole at Southwest  
 Corner of Lot 3  
 Elevation = 722.41  
 BM#2 - Top of Back of Curb Inlet at Southwest Corner  
 of Lot 3  
 Elevation = 721.54  
 BM#3 - Cross in Top of Curb approximately 14 feet  
 South of North Line of Lot 4  
 Elevation = 737.52

- SCALE 1"=30'**
- Indicates Iron Stake Found
  - Indicates Iron Stake Set
  - Indicates Line of Fence
  - △ Indicates Tree Location/Size/Type
  - +22.72 Indicates Existing Spot Elevation
  - 722.72 Indicates Existing Contour Elevation
  - x 725.5 Indicates Proposed Spot Elevation
  - 726-- Indicates Proposed Contour Elevation
  - ===== Indicates Proposed Landscape Wall  
 (Height not to exceed 2')

**LEGAL DESCRIPTION:**  
 Lots 3 and 4 of Brighton Oaks Estates, in Kendall Township,  
 Kendall County, Illinois, according to the Plat thereof recorded,  
 October 2, 2003 as Document 200300035615.

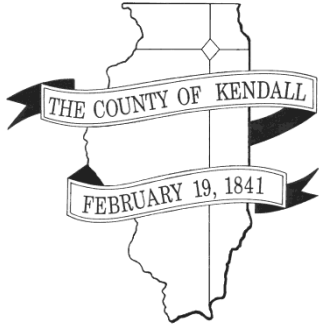
State of Illinois )  
 County of Kendall ) SS



**PLAT OF SURVEY AND GRADING PLAN  
 LOTS 3 AND 4  
 BRIGHTON OAKS ESTATES  
 KENDALL COUNTY  
 ILLINOIS**

21

5



**DEPARTMENT OF PLANNING, BUILDING & ZONING**

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**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 USE Agricultural

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
	Floodplain/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.
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**REQUESTED ACTION** A-1 Special Use to allow a banquet hall, a nano-brewery, a micro-distillery, a year-round seasonal festival, and production and sale of sweet cider

**APPLICABLE REGULATIONS** Section 7.01 D.10 (Banquet Halls), D.29 (Micro-distillery), D.30 (Nano-brewery) 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 Uses.

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. An 11x17 map showing topography and flood plain will be provided at the ZPAC meeting.

**ENDANGERED SPECIES REPORT**

No Endangered or Threatened Species have been identified in the vicinity of the project area.

**NATURAL RESOURCES INVENTORY**

None received. Required prior to RPC.

**ACTION SUMMARY**

**LITTLE ROCK TOWNSHIP**

Petition information was sent to Little Rock Township 8.24.16. No comments have been received from Little Rock Township.

**CITY OF PLANO**

Petition information was sent to the City of Plano 8.24.16. No comments have been received from the City of Plano.

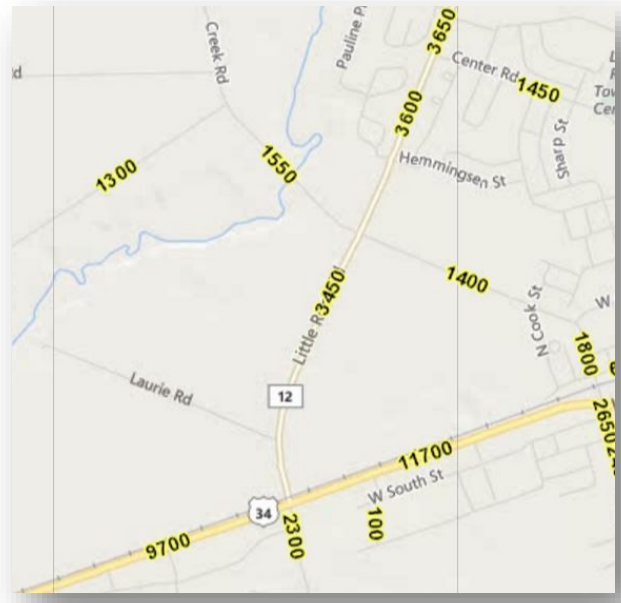
**GENERAL**

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 call under different sections of the code, each is addressed separately below. This type of use is permitted as a special use on an A-1 property with certain 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 facility. 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 to accommodate some level of additional traffic. However, without a site plan, or information on the size of buildings, or estimate of attendance at future events, it is difficult to tell if any improvements to local roads will be required.

To-date, several barn-like structures have been constructed on the property, as well as an access drive from Creek Road.

No site plan has been submitted with the petition, so evaluation of compliance with code requirements is difficult at this time. However, the zoning code has a number of conditions outlined for each of the requested special uses, and these are summarized on the following pages.



2016 Traffic Counts per IDOT



Oblique Air Photo Looking North



Banquet Hall

Banquet Halls are permitted subject to the following conditions:

Condition	Comments
<p><b>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></p>	<p>Neither Creek or Frazier Roads are arterial or collector roadways.</p>
<p><b>b. The subject parcel must be a minimum of 5 acres.</b></p>	<p>The almost 46-acre site far exceeds the minimum parcel area.</p>
<p><b>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)</b></p>	<p>This should be listed as a condition of approval. No details have been provided.</p>
<p><b>d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance.</b></p>	<p>This should be listed as a condition of approval. No details have been provided.</p>
<p><b>e. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.</b></p>	<p>This should be listed as a condition of approval. No details have been provided.</p>
<p><b>f. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.</b></p>	<p>This should be listed as a condition of approval. No details have been provided.</p>
<p><b>g. The noise regulations are as follows:</b></p> <p><b>Day Hours:</b> 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.</p> <p><b>Night Hours:</b> 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.</p> <p><b>EXEMPTION:</b> 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</p>	<p>This should be listed as a condition of approval. No details have been provided.</p>

Micro-Distillery

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

Condition	Comments
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.	Neither Creek or Frazier Roads are major collector roads.
b. Locally grown inputs shall be used to the greatest extent possible.	The petitioner should address.
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.
b. 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.
c. 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.	The applicant should detail their plans for acquiring brewing crops.
d. Any tasting or sale of beer shall be subject to the Kendall County Liquor Control regulations.	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.

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.

Condition	Comment
i. Adequate parking on site shall be provided in such a way that no on-street parking is necessary	Unknown
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.
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	Unknown.
iv. No alcohol shall be sold on the premises	Need to clarify intent
v. Petting Zoos shall provide adequate hand sanitation devices as determined by the Department of Health and Human Services	To our knowledge, no petting zoo is planned.
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.
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.

**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. No site plan has been submitted to evaluate specific site ingress and egress. However, the existing access drive onto Creek Road would appear to be a reasonable location for site access if that is the proposal.

**PARKING**

No site plan has been provided, or building size information, to evaluate parking requirements.

**LIGHTING**

No information has been provided regarding proposed lighting.

**SIGNAGE**

No information has been provided regarding proposed signage.

**RECOMMENDATION**

As we have just recently received the application and have numerous questions, we have not yet formed a recommendation. In general, we are supportive of the concept, but will need to craft a specific list of conditions and need to learn more about the proposed operation before creating that list. We have a site inspection planned for September 2<sup>nd</sup>.

**ATTACHMENTS**

1. Description of proposed use - prepared by the petitioners

## Cider Creek

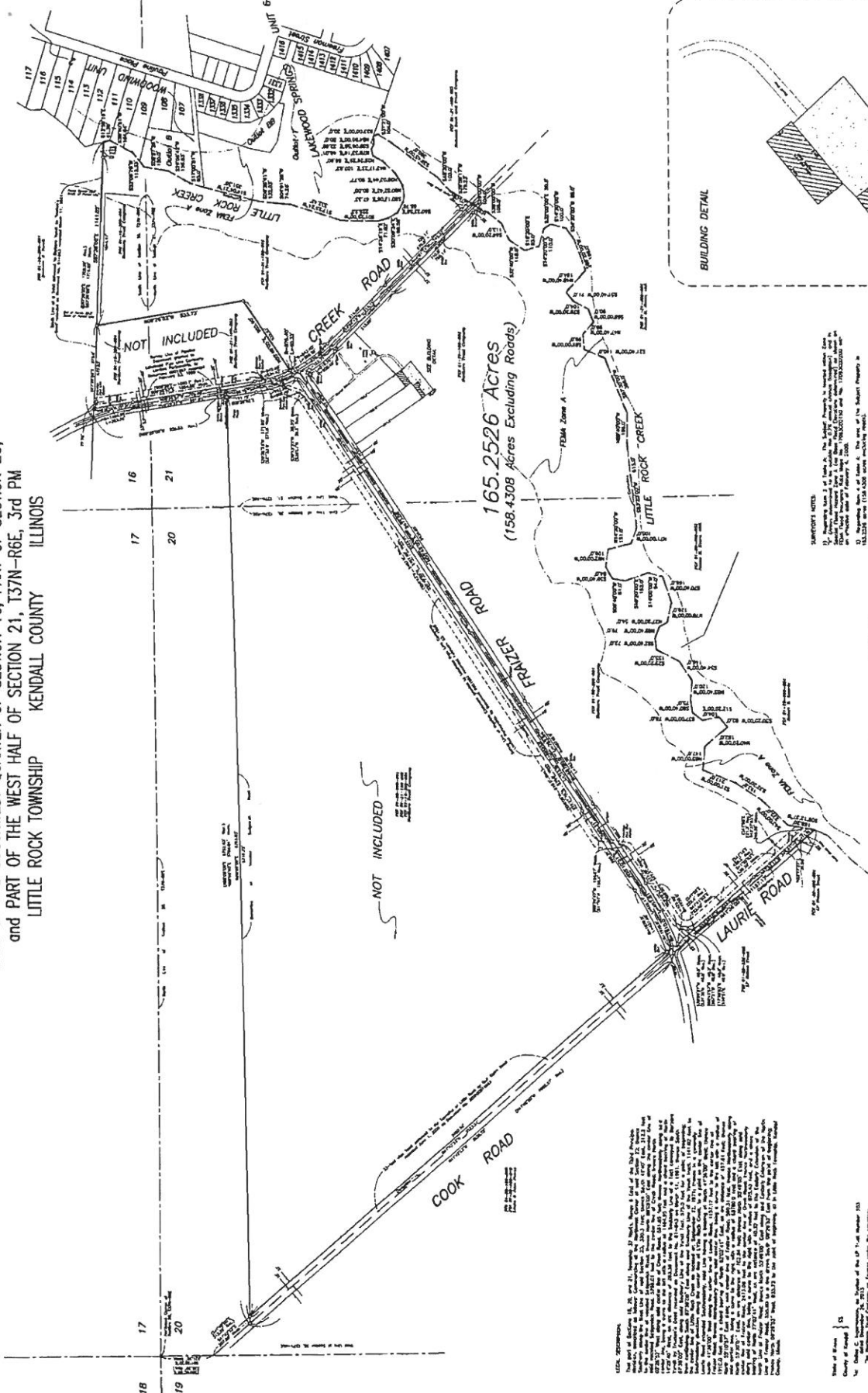
Cider Creek will be developed over a number of years as a hybrid use of agriculture, entertainment, food and family fun. Typically known as a U Pick Orchard, offering commodities grown on and off the site, food produced from the commodities along with other food and refreshments, entertainment and activities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

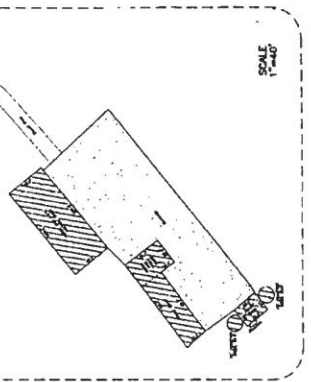
Note: Cider Creek is a dba of The Bluffs, Inc., an Illinois corporation owned by the Nelson family.

ALTA/ACSM LAND TITLE SURVEY OF  
PART OF THE SOUTHWEST QUARTER OF SECTION 16, PART OF SECTION 20,  
and PART OF THE WEST HALF OF SECTION 21, T37N-R6E, 3rd PM  
LITTLE ROCK TOWNSHIP KENDALL COUNTY ILLINOIS



Philip D. Young and Associates, Inc.  
LAND SURVEYING - TOPOGRAPHIC MAPPING - L.S. #164-007773  
1878 South Bridge Street  
Parkland, Illinois 62450  
Telephone (630) 553-1500

JOB NO.	1401
JOB NAME	1401/16E
DATE	11/13/18
REVISION DATE	



**SUBJECT'S NOTES:**

- The subject property is located within the boundaries of the Cook County Forest Preserve, District 10, and is subject to the rules and regulations of the Forest Preserve Commission.
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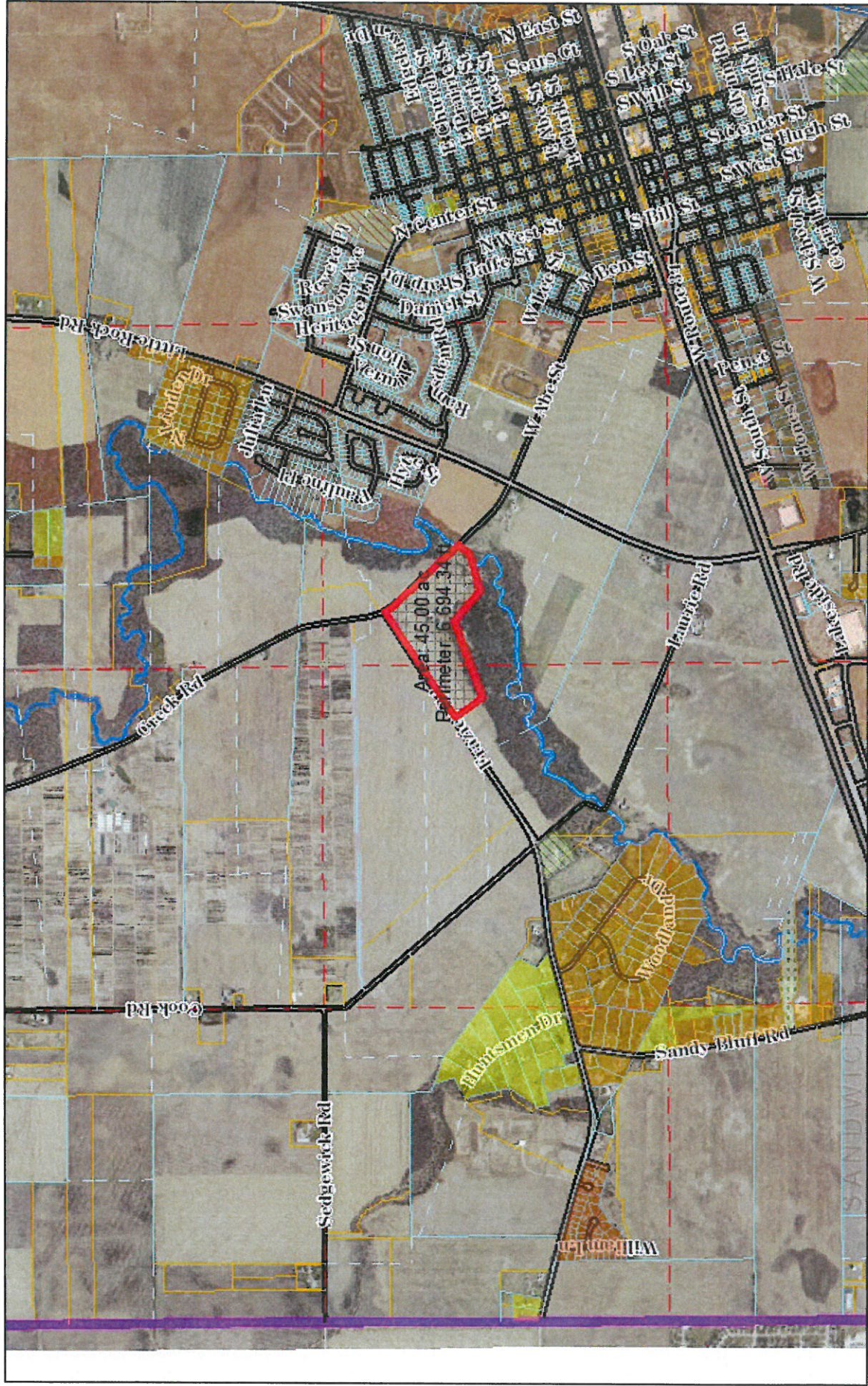


**SCALE:** 1\"/>  
N  
0 50 100 150 200





**LEGAL DESCRIPTION:**  
That part of Sections 16, 17, 18, 19, 20, and 21, Township 37 North, Range 6 East, of the 3rd Principal Meridian, containing 165.2526 acres (158.4308 acres excluding roads) more or less, as shown on the attached plat, and as more fully described in the plat hereto attached.

Witness my hand and seal of office this 13th day of November, 2018.  
Philip D. Young, Surveyor  
My Comm. Expires 11/13/2021  
1401/16E  
11/13/18

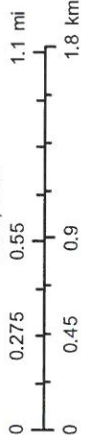
# Area Map Cider Creek



August 23, 2016

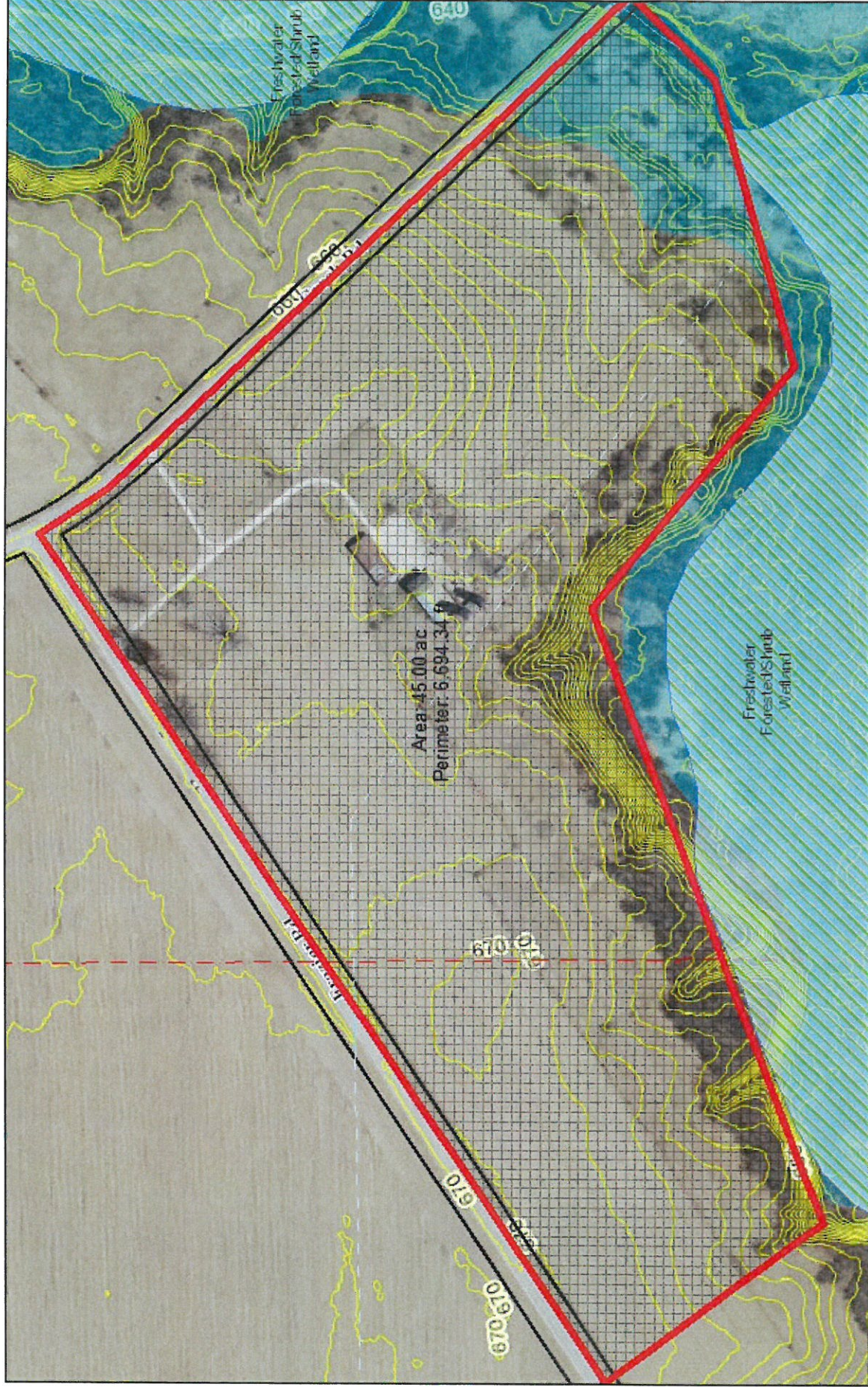
-  Agricultural
-  Agricultural-Building Permit
-  Agricultural-Special Use
-  Agricultural-Special Use-Planned Unit Development

1:34,156



Kendall County Illinois GIS

# Cider Creek To Be ReZoned A-SU





August 22, 2016

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  $55^{\circ}49'05''$  West, along said centerline of Frazier Road, 1980.0 feet; thence South  $37^{\circ}40'55''$  East, 537.0 feet; thence North  $68^{\circ}19'05''$  East, 1250.0 feet; thence South  $51^{\circ}40'55''$  East, 616.0 feet; thence North  $72^{\circ}41'29''$  East, 607.87 feet to the centerline of Little Rock Creek; thence North  $38^{\circ}00'00''$  East, along said centerline, 106.0 feet; thence North  $29^{\circ}00'00''$  East, along said centerline, 104.0 feet to said centerline of Creek Road; thence North  $44^{\circ}01'24''$  West, along said centerline, 745.32 feet; thence North  $44^{\circ}54'15''$  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.

