

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
March 2, 2021 – Approved Meeting Minutes**

PBZ Chairman Scott Gengler called the meeting to order at 9:01 a.m.

Present:

Matt Asselmeier – PBZ Department
Scott Gengler – PBZ Committee Chair
David Guritz – Forest Preserve (Arrived at 9:09 a.m.)
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department (Attended Remotely)
Commander Jason Langston – Sheriff’s Department (Attended Remotely)
Alyse Olson – Soil and Water Conservation District (Attended Remotely)
Aaron Rybski – Health Department

Absent:

Meagan Briganti – GIS
Greg Chismark – WBK Engineering, LLC

Audience:

Dan Kramer, Wanda Hogan (Attended Remotely), John Tebrugge (Attended Remotely), Jillian Prodehl, and Jamie Prodehl

AGENDA

Mr. Klaas made a motion, seconded by Mr. Holdiman, to approve the agenda as presented.

The votes were as follows:

Yeas (7): Asselmeier, Gengler, Holdiman, Klaas, Langston, Olson, and Rybski
Nays (0): None
Abstain (0): None
Absent (3): Briganti, Chismark, and Guritz

The motion carried.

MINUTES

Mr. Holdiman made a motion, seconded by Mr. Klaas, to approve the February 2, 2021, meeting minutes.

The votes were as follows:

Yeas (7): Asselmeier, Gengler, Holdiman, Klaas, Langston, Olson, and Rybski
Nays (0): None
Abstain (0): None
Absent (3): Briganti, Chismark, and Guritz

The motion carried.

PETITIONS

Petition 21-06 Jhon Cordero on Behalf of Cordero Real Estate, LLC

Mr. Asselmeier summarized the request.

The Petitioner purchased the subject property in 2020 and wishes to operate a tree service business onsite.

In discussing the proposal, the Petitioner’s Attorney indicated that the Petitioner would engage in making, storing, selling of mulch from trees the Petitioner’s business cuts down from clients. The Petitioner would not grow trees onsite. The Petitioner’s Attorney believed that the site would be used for contractor’s office, storage of trailers, farm implements, and other similar equipment on an open lot, truck, truck tractor, and truck trailer storage yards, wholesaling and warehousing. These uses are permitted uses in the M-1 Limited Manufacturing District. Landscaping businesses are special uses in the M-1 Limited Manufacturing District. Accordingly, the Petitioner would like to rezone the property to the M-1 Limited Manufacturing District.

The application materials, Wetland Delineation Report, site plan, aerial of the property, and aerial of the property showing the location of wetlands on the property were provided.

The property is located approximately two sixty-eight feet (268') west of the intersection of Galena Road and East Beecher Road. The property consists of approximately twenty-five (25) acres.

The property is used agriculturally and the historic aerials show a house formerly located at the north end of the property.

The Future Land Use Map calls for the property to be Mixed Use Business.

Galena Road is a County maintained Major Collector Road. East Beecher is a Township maintained Local Road.

Yorkville has a trail planned along Galena Road. The Kendall County Forest Preserve has a trail planned along East Beecher Road.

There are no floodplains on the property. There are three (3) wetlands on the property totaling approximately ten (10) acres in size. Two (2) of the wetlands are farmed wetlands.

The adjacent land uses are Agricultural, Single-Family Residential, Commercial, and ComEd Right-of-Way.

The adjacent zoning districts are A-1, A-1 SU, and M-2 in the County. R-2, R-3, and B-3 districts are in Yorkville.

The Land Resource Management Plan calls for the area to be Mixed Use Business, Suburban Residential, and ComEd Right-of-Way in the County. Yorkville's Comprehensive Plan calls for the area to be Estate/Conservation Residential.

The A-1 Special Use Permit to the south are for gravel mining operation and compost facility. A M-3 Special Use Permit to the south of the property is for asphalt production.

EcoCAT Report submitted and indicated the presence of the Mottled Sculpin. Adverse impacts were unlikely and consultation was terminated.

The application for NRI was submitted on January 21, 2021. The LESA Score was 176 indicating a low level of protection. The NRI was provided.

Petition information was sent to Bristol Township on February 10, 2021.

Petition information was sent to the United City of Yorkville on February 10, 2021.

Petition information was sent to the Bristol Kendall Fire Protection on February 10, 2021.

Per State law, map amendments cannot be conditioned. However, Section 13:10 of the Kendall County Zoning Ordinance requires that manufacturing site plans be approved by the Kendall County ZPAC.

According to the site plan included, four (4) structures are proposed for the site. Any new structures would require applicable building permits.

The site plan proposes access off of Galena Road and E. Beecher Road.

While no new odors are foreseen, future site plan submittals should be examined to address odors.

No lighting information was provided. The site plan for the proposed business should be evaluated to address lighting.

No screening information was provided. Section 10:01.A.2 of the Kendall County Zoning Ordinance requires storage to be in completely enclosed buildings if located within one hundred fifty feet (150') of a residential zoning district. Any fencing or buffering should be evaluated as part of the site plan review process.

The site plan shows a detention pond on the south side of the property. Applicable stormwater and wetland permits could be required as part of the site plan review.

The site plan indicates a utility box onsite. Well and septic information would have to be evaluated as part of a building permit process.

The proposed Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes with gravel mining, asphalt production, and composting uses also located in the vicinity.

The Zoning classification of property within the general area of the property in question. The surrounding properties in the unincorporated area are zoned A-1, M-2, and M-3.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. A more intense Manufacturing zoning classification is necessary to cover all of the proposed uses instead of the existing A-1 zoning classification.

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 in the area includes uses associated with Manufacturing zoning districts and Commercial zoning districts.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Mixed Use Business. The M-1 Limited Manufacturing District is consistent with the Mixed Use Business classification.

Because the Future Land Use Map calls for this property to be Mixed Use Business, Staff recommends approval of the requested Map Amendment. However, careful site plan review should occur when the property is developed to ensure that negative impacts on the wetlands and other environmentally sensitive features of the property are minimized.

Mr. Gengler asked if any lighting was proposed at this time. Mr. Asselmeier reported no lighting information has been provided. No information was provided regarding signage.

David Guritz arrived at this time (9:09 a.m.).

Mr. Klaas reported no lighting would be required.

Dan Kramer, Attorney for the Petitioner, explained the locations of wetlands on the property. He said the main entrance would be on East Beecher with a hard surface drive. The Petitioner was not a landscaping business and was not in the composting business. No retail would occur at the site at this time. The yard would be fenced. The mulching machine will be outdoors. There is a small odor after a rain. He provided a history of the business.

Mr. Rybski asked about dust control plans. Mr. Kramer responded that water and a chemical compound would be used to control dust. Mr. Kramer also provided information on the new septic system. Discussion occurred regarding the well; it is believed that the well was capped.

Mr. Gengler asked about the neighboring house. The house is owner-occupied.

Mr. Klaas requested that the septic system be placed twenty feet (20') from the existing right-of-way of Galena Road. He requested a sixty foot (60') right-of-way dedication. He also requested a partial access, like right-in right-out. He also noted that chipping machines are loud.

Ms. Olson requested that soil erosion and sediment control practices occur on the property during construction. Mr. Kramer agreed.

Mr. Kramer stated that the Petitioner would like to be in business at the property by Fall 2021.

Mr. Holdiman made a motion, seconded by Mr. Klaas, to forward the proposal to Regional Planning Commission.

The votes were as follows:

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Yeas (8): Asselmeier, Gengler, Guritz, Holdiman, Klaas, Langston, Olson, and Rybski
Nays (0): None
Abstain (0): None
Absent (2): Briganti and Chismark

The motion carried.

The proposal goes to the Kendall County Regional Planning Commission on March 24, 2021.

Petition 21-07 Wanda and Thomas Hogan

Mr. Asselmeier summarized the request.

According to the information provided to the County, the Petitioners would like to offer an outdoor, twenty (20) stall flea market on the subject property with food. The flea market would feature vendors, including the Petitioners, their family members, and other vendors, that would sell goods not produced on the premises.

The application materials, plat of survey, site plan, and the aerial of the property were provided.

The property is located at 14975 Brisbin Road.

The property is approximately three point eight (3.8) acres.
The current land use is Agricultural. The future land use is Rural Estate Residential.

Brisbin Road is a township maintained Major Collector.

There are no trails planned along Brisbin Road.

There are no floodplains or wetlands on the property.

The adjacent land uses are Agricultural.

The adjacent zoning districts are A-1.

The Future Land Use Map calls for the area to be Agricultural and Rural Estate Residential. The Village of Plattville's Future Land Use Map calls for the property to be Low Density Residential. The subject property is greater than one point five (1.5) miles from the Village of Lisbon. However, the Village of Lisbon's Future Land Use Map calls for this property to be Mixed Use Business and Agricultural.

The A-1 special use to the west is for an indoor storage facility of boats, trailers, recreational vehicles and classic cars.

EcoCat submitted on February 2, 2021, and consultation was terminated.

NRI application submitted on January 28, 2021. LESA Score was 190 indicating a low level of protection. The NRI Report was provided.

Lisbon Township was emailed information on February 10, 2021.

Brisbin Road is maintained by Seward Township in this area. Seward Township was emailed information on February 10, 2021.

The Village of Plattville was emailed information on February 10, 2021.

Lisbon-Seward Fire Protection District was emailed information on February 10, 2021.

According to the plat of survey and the site plan, the site will consist of twenty (20) outdoor vendor stations plus one (1) additional food vendor located along the western and southwestern portion of the property near the existing approximately forty foot by eighty foot (40'X80') steel barn. A food area will be located north of the barn. An existing red storage trailer is located north of the existing gravel drive.

No new buildings are planned for the site. No existing structures are planned for demolition.

Section 7:01.D.48 places several conditions and restrictions on special use permits the sale of pottery, art, and home décor. These include:

1. A sit-down food area is allowed if incidental to the primary operation of retail sales.
2. The subject parcel must not be less than three (3) acres in size.
3. Must be along a hard surfaced road classified as an arterial or major collector in the Land Resource Management Plan.
4. Is located in an area not designated as Agricultural on the Land Resource Management Plan.
5. Must occur in a manner that will preserve the existing farmhouse, barns, related structures, and the pastoral setting.
6. Must serve as a transitional use between agricultural areas and advancing suburban development.
7. Must serve to prevent spot zoning.
8. Retail and wholesale must occur in an existing building, unless other approved by the County Board.
9. Any new structures must reflect the current architecture of the existing structures.
10. No outside display of goods.
11. Cannot generate noise, vibrations, glare, fumes, odors, or electrical interference beyond which normally occurs on A-1 zoned property.
12. Limited demolition of farmhouse and outbuildings is allowed.
13. Site plan is required.
14. Signage must follow the requirements in the Zoning Ordinance.
15. Off-street parking must follow the requirements in the Zoning Ordinance.

Assuming the County Board approves sales outside existing buildings, all of the above requirements of the Zoning Ordinance are addressed.

If approved, this would be the eleventh (11th) special use permit for the sale of products not grown on the premises in the unincorporated area.

According to the business plan, the Petitioner would like operate the flea market a maximum two (2) weekends per month. The flea market would be open from 8:00 a.m. until 5:00 p.m. with vendors given addition time to set-up their spaces. A weekend is considered Saturday and Sunday.

Other than the Petitioner and their family, the business will not have any employees.

No new structures are planned for the property.

A barrier will be installed by the propane tank.

According to the site plan, two (2) porta-johns are planned south of the existing red storage trailer.

A potable water source is available in the existing steel barn.

The Petitioner would make accommodations for vendors that want electricity. Solar panels are onsite.

A refuse area is planned east of the porta-johns.

The property drains to the east.

The Petitioner secured stormwater permits in 2000 for the construction of the two (2) ponds on the premises.

Based on the information provided, no stormwater permits are required.

The property fronts Brisbin Road. Patrons would drive west on the existing gravel driveway and parking in one (1) of the designated areas. Patrons would leave the property on the same gravel driveway.

The site plan shows two (2) parking areas. The parking area by the existing steel barn consists of seven (7) parking spaces plus two (2) handicapped accessible parking spaces. The seven (7) parking stalls would be eight feet by fifteen feet (8'X15'). The two handicapped parking spaces would be ten feet by fifteen feet (10'X15') with a five foot (5') landing area. An additional thirteen (13) parking spaces are planned along the north property line. The parking spaces would be gravel with the exception of the two (2) handicapped accessible spaces which would be hard surfaced.

Vendors would park at their vending station.

The Petitioners plan to use cones with chains to keep vehicles away from pedestrians.

No additional lighting was planned as part of this project. If additional lighting were added, a photometric plan would be required because the number of parking spaces exceeds thirty (30).

The Petitioner plans to have a sign at Brisbin Road when the flea market is open. A picture of the sign was provided. The sign is approximately four feet by six feet (4'X6') in size. While the sign can be illuminated, the Petitioner will not light the sign.

No additional landscaping is planned.

No information regarding noise control was provided.

Before issuing a final recommendation, Staff would like comments from ZPAC Members, Lisbon Township, Seward Township, the Village of Plattville, and the Lisbon-Seward Fire Protection District.

Mr. Rybski requested a phone call with the Petitioner regarding the food vendor. Wanda Hogan, Petitioner, was agreeable to this request. No concerns existed regarding the porta-potties. There is a hose in the existing building which is connected to the existing well.

The business owners live at the property.

There is a slide going into one (1) of the ponds. The slide will be closed.

The current building is used for agricultural storage.

Mr. Holdiman asked if live music would occur. Ms. Hogan responded no.

Mr. Klaas made a motion, seconded by Mr. Guritz, to forward the proposal to the Kendall County Regional Planning Commission.

The votes were as follows:

Yeas (8): Asselmeier, Gengler, Guritz, Holdiman, Klaas, Langston, Olson, and Rybski

Nays (0): None

Abstain (0): None

Absent (2): Briganti and Chismark

The motion carried.

The proposal goes to the Kendall County Regional Planning Commission on March 24, 2021.

Petition 21-08 Jamie and Jillian Prodehl

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Mr. Asselmeier summarized the request.

Jamie and Jillian Prodehl would like to operate the Sable Creek Homestead, LLC banquet facility at the subject property.

From 2008 until 2018, the subject property had a special use permit for a place of worship.

The application materials, plat of survey, site plan, engineering plan, landscaping plan, photometric plan, building elevations, and aerial were provided.

The property is located at 4405 Van Dyke Road.

The property is approximately five point eight (5.8) acres.

The Existing Land Use is Single-Family Residential and Institutional.

The Future Land Use is Rural Residential.

Van Dyke Road is Township maintained Minor Collector.

A trail is planned along Van Dyke Road in this area.

A floodway and one hundred (100)-year floodplain are located along the southwest corner of the property.

The adjacent land uses are Agricultural.

The adjacent properties are zoned A-1.

The Future Land Use Map calls for the area to be Rural Residential and Public Institutional.

There is a special use permit to the east for a place of worship.

Based on the aerial of the site, there are eight (8) homes within a half mile of the subject property.

The Illinois Natural Heritage Database shows the following protected resource in the vicinity of the project location:

Aux Sable Creek INAI Site

Negative impacts to the above are considered unlikely and consultation was terminated.

NRI application submitted on February 8, 2021.

Seward Township was emailed information on February 22, 2021.

Lisbon-Seward Fire Protection District set the maximum occupancy of the building at two hundred (200). They will do a pre-inspection of the facility. The email outlining this information was provided.

The Village of Plattville was emailed information on February 22, 2021.

The City of Joliet was emailed information on February 22, 2021.

The Petitioners intend to establish the Sable Creek Homestead, LLC banquet facility run by the Petitioners. As noted in the business plan, the Petitioners live at the subject property and will manage the facility. Jillian Prodehl is a Certified Wedding Planner, Venue Owner Certified, and Certified Wedding Designer. Jamie Prodehl owns Revolution Fabrications Services.

This type of use is permitted as a special use on an A-1 property with certain conditions. Those conditions include:

- 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. The subject parcel must be a minimum of five (5) acres.

- c. The use of this property shall be in compliance with all applicable ordinances.
- d. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
- e. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

The subject property and proposed business meets the above requirements except the first condition regarding roadway classification. The Petitioners are seeking a variance to this requirement.

The subject property possessed a special use permit for a place of worship. The ordinance granting this special use was provided. The previous owners voluntarily sought and the County Board approved a revocation of this special use permit in 2018.

If approved, this would be the ninth (9th) special use permit for a banquet facility in the unincorporated area.

The business plan for the proposed operations and the plat of survey were provided. The site plan was also provided.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately four thousand two hundred sixty-three (4,263) square foot metal barn for weddings and similar events. The site plan showed an approximately four hundred fifty (450) square foot patio south of the existing metal building. A proposed grassy area was planned southeast of the existing metal building for outdoor ceremonies. An existing concrete pad was shown next to the planned grassy area; a silo building or gazebo was planned for this area. The existing parking area next to the existing metal building would be expanded. A temporary tent would be located south of the parking area to accommodate events requiring social distancing. A new three thousand eight hundred forty (3,840) square foot storage building was planned north of the existing one thousand eighty (1,080) square foot metal building. An existing house and detached garage were also located on the property.

The existing metal building is fully insulated with over four inches (4") of spray foam insulation and exterior steel for noise and climate control. The maximum capacity of the existing metal building, as determined by the Lisbon-Seward Fire Protection District, is approximately two hundred (200) people. The building has dual furnace and AC units and can be used year-round. The renderings of the building were provided.

The maximum number of employees would be four (4), including the Petitioners.

The Petitioners would comprise a list of preferred, local vendors. All vendors would be required to be licensed and insured. The Petitioners would not provide food or alcohol for events; vendors would be utilized for these services.

The original proposed hours of operation were weekdays from 9:00 a.m. until 10:00 p.m. and 9:00 a.m. until Midnight on weekends. Weekends would be Fridays, Saturdays, the day prior to any Federal or State Holiday, and any Federal or State Holiday that lands on a Thursday. Vendors would operate from 9:00 a.m. until Midnight on weekends and 9:00 a.m. until 10:00 p.m. on Sundays; this time includes setup and breakdown of events. Weddings could occur between 10:00 a.m. until 11:00 p.m. on weekends. Amplified music must cease by 10:00 p.m. Event guests must leave by 11:00 p.m. on weekends. Bridal parties and individuals helping with breakdown must leave by Midnight on weekends. Cleanup for Sunday weddings shall be at 10:00 p.m. Rehearsals would occur on Tuesdays through Thursdays. Tours would be Monday through Thursday from 9:00 a.m. until 8:00 p.m. Planned maintenance would occur on Fridays through Mondays from 7:00 a.m. until 10:00 a.m.

A forty-eight (48) square foot trash enclosure is planned north of the new storage building. Garbage will be placed in a dumpster. The enclosure will have a swing door. Trash will be picked up on Tuesdays and additional pickups could occur, if necessary.

If approved, the Petitioners hope to start operations as quickly as possible.

Although the Petitioners do not have current plans to do so, ancillary items, such as shirts and glasses, may be sold on the premises.

The Petitioners have also developed a marketing plan, which was provided.

An updated Occupancy Permit will be required reflecting the change of use for the existing metal building. Any structures constructed as part of the banquet facility operations will be required to secure applicable building permits.

The existing metal building has indoor restroom facilities. The septic field was located south of the existing metal building and the well is located north of the existing metal building.

The southwest corner of the property is located within a floodway and one hundred (100) year floodplain. An eight foot (8') wide grass path is proposed inside this area along with plantings.

The property fronts Van Dyke Road.

A right-of-way dedication was asked for when the property was a church. The dedication was supposed to run along the entire frontage of the property at a depth of twenty feet (20'). This dedication did not occur.

The site plan shows the gravel driveway expanding to twenty-four feet (24') in width.

The parking lot will consist of fifty-nine (59) parking spaces, including three (3) handicapped accessible parking spaces. The parking lot would be gravel except for the area reserved for the handicapped accessible parking spaces.

The photometric plan calls for three (3) new light poles. Two (2) of the poles would have twin head and one (1) pole would be a single head. One (1) new wall light is proposed on the new storage building. No lighting would leave the sight. The photometric plan was provided.

As noted on the site plan, one (1) circular sign is planned for the property. The supports for the sign will be seven feet (7') in height and five feet (5') in width. The circle will be no larger than four foot (4') in circumference. The sign will be doubled faced and will not be illuminated. A sign example was provided.

The landscaping plan shows five (5) six foot (6') ornamental trees, ten (10) six foot (6') Skyhigh Juniper trees, four (4) six foot (6') Emerald Green Arborvitae, six (6) five (5) gallon Isanti Redtwig Dogwoods, six (6) one (1) gallon Sweet Autumn Clematis, six (6) five (5) gallon Limelight Hydrangea, seven (7) five (5) gallon Vanilla Strawberry Hydrangea, and eight (8) one (1) gallon Kodiak Black Honeysuckle. The floodplain area is planned to have a dry mesic prairie seedmix with wildflowers. IDOT class seedmix 1 is also planned to be installed near the parking lot and between the tent area and new accessory building.

In addition to the plantings, two (2) split rail fences are planned south of the existing septic field and southwest of the temporary tent. Split rail fences are also planned along the outer perimeters of the grass areas east of the existing metal building, between the parking lot and the northern property line and at the northeast corner of the property.

The landscaping plan was provided.

The Petitioners agreed to follow Kendall County's noise regulations. As noted previously, the existing metal building is insulated to reduce noise from escaping the building. All amplified music will cease by 10:00 p.m. Non-amplified music will be allowed as part of wedding ceremonies.

Before issuing a recommendation, Staff would like comments from ZPAC members, Seward Township, City of Joliet, Village of Plattville, and the Lisbon-Seward Fire Protection District.

As of the date of this meeting, the following are the proposed conditions and restrictions for this special use permit and variance.

1. The site shall be developed substantially in accordance with submitted site plan, landscaping plan, and photometric plan.
2. A variance to Section 7:01.D.12.a shall be granted to allow the placement of the banquet hall on a non-arterial and non-major collector roadway.
3. A maximum of two hundred (200) guests, vendors, and employees in attendance at a banquet center related event may be on the subject property at a given time.
4. The business allowed by this special use permit may have a maximum of four (4) employees, including the property owners.
5. The subject parcel must maintain a minimum of five (5) acres.
6. The owners of the business allowed by this special use permit may install one (1) sign in substantially the location shown on the site plan. The sign shall look similar to the sign example. The supports for the sign will be seven feet (7') in height and five feet (5') in width. The circle will be no larger than four foot (4') in circumference. The sign may be double sided. The sign shall not be illuminated.
7. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
8. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

9. No music shall originate outside of any building. This restriction shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of the building. For music originating inside the building, all amplified music shall cease on or before two hours prior to closing.
10. The hours of operation for the business allowed by this special use permit shall be between 9:00 a.m. and 10:00 p.m. on weekdays and between 9:00 a.m. until Midnight on weekends. For the purposes of this ordinance, a weekend shall be Fridays, Saturdays, the day prior to any Federal or State Holiday, and any Federal or State Holiday that falls on a Thursday. All other days shall be considered weekdays. Maintenance of the property may occur outside these hours of operation.
11. All guests at events related to the business allowed by this special use permit shall vacate the property no later than one (1) hour prior to the business closure time listed in the previous condition. Vendors and individuals assisting with the cleanup of events must vacate the property by the closure time listed in the previous condition.
12. None of the buildings associated with the business allowed by this special use permit shall be considered agricultural exempt structures. Applicable building and occupancy permits shall be secured for all new structures related to the business allowed by this special use permit. A new certificate of occupancy must be issued for the existing metal barn.
13. The owner(s) or operator(s) of the business allowed by this special use permit shall live at the subject property as their primary place of residence.
14. All trash and garbage generated by events associated with the business allowed by this special use permit shall be stored in the trash enclosure shown on the site plan. The owner(s) or operator(s) of the business allowed by this special use permit shall ensure that garbage and trash shall be removed from the property at least one (1) time per week or as necessary to maintain the property clear of garbage and trash.

15. The subject property shall be landscaped substantially in accordance with the landscaping plan. All landscaping and the driveway widening shall occur within one hundred twenty (120) days after the approval of the ordinance granting a special use permit for a banquet facility at the subject property.
16. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
17. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
18. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
19. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Mr. Klaas left at this time (9:55 a.m.).

Mr. Rybski asked about restroom facilities. Jillian Prodehl, Petitioner, responded that restrooms existed in the existing building. Mr. Rybski noted that the septic system was designed for a church. He requested to meet with the Petitioners to discuss the septic system. The new occupancy will be lower than the occupancy for the church. Discussion occurred regarding the well.

Mr. Gengler noted Mr. Klaas requested that larger deliveries should head west from the property and Van Dyke Road is planned to be paved.

Mr. Holdiman made a motion, seconded by Mr. Guritz, to forward the proposal to the Regional Planning Commission.

The votes were as follows:

Yeas (7): Asselmeier, Gengler, Guritz, Holdiman, Langston, Olson, and Rybski

Nays (0): None

Abstain (0): None

Absent (3): Briganti, Chismark, and Klaas

The motion carried.

The proposal goes to the Kendall County Regional Planning Commission on March 24, 2021.

Petition 21-10 Kendall County Regional Planning Commission

Mr. Asselmeier summarized the request.

In December 2019, the County Board approved a 2019-2039 Long Range Transportation Plan. In December 2020, the County Board approved a 2020-2040 Long Range Transportation Plan that was similar to the 2019-2039 Long Range Transportation Plan.

The Plan has several changes from the Future Land Use Map contained in the Land Resource Management Plan. After discussions with Fran Klaas, at their meeting on October 28, 2020, the Kendall County Comprehensive Land Plan and Ordinance Committee recommended the following changes to the Kendall County Land Resource Management Plan:

Remove

- Prairie Parkway
- Lisbon / Helmar Bypass
- Caton Farm Road West Route 71
- Fox River Drive Westerly Bypass of Village of Newark
- Whitfield Road Extension North to Griswold Springs Road
- Gates Lane West of Route 47
- County has now taken position to keep WIKADUKE Trail on the existing Stewart Road alignment all the way to Rance Road and then extend a new alignment northeasterly to Route 30 and Heggs Road, using the Village of Oswego's alignment for the WIKADUKE Trail.

Add

- Millington Road Extending North of Lions Road to Connect to Route 34
- Walker Road Relocated West of Route 71 to Make Connection to New Fox River Drive / Crimmins Road intersection
- Westerly Extension of Collins Road West of Minkler Road to Route 71
- Connecting Millbrook Road with the Millbrook Bridge by Aligning Millbrook Road and Whitfield Road behind the Existing Bank Building
- Having Douglas Road's Alignment Correspond to the Village of Oswego's Plans
- Aligning Cannonball Trail to Dickson Road and Gordon Street
- Extending Cherry Road into the Henneberry Woods Forest Preserve
- Extending Johnson Road East from Ridge Road to the County Line
- Miller Road Extended in DeKalb County

Changes in Land Use

- Changing the Suburban Residential Classification for the Properties South of the Johnson Road Extension to Mixed Use Business
- Updating the Future Land Use Map to Reflect Current Municipal Boundaries
- Correcting the Classification of the Minooka School District Property Near the Intersection of Route 52 and County Line Road
- Classifying the Parcels of Land Shown as "Unknown" on the Future Land Use Map to Match Adjoining Properties and/or Uses

The proposal was presented at the February 6, 2021, Kendall County Regional Planning Commission Annual Meeting.

At their meeting on February 24, 2021, the Kendall County Regional Planning Commission voted to initiate the proposed amendments.

The current Future Land Use Map, an updated Future Land Use Map, and updated trail map were provided. The redline version of the related text was also provided. The listing of parcels changed from unknown to a different use was also provided.

Mr. Guritz asked about the WIKADUKE Trail. Mr. Asselmeier explained the location of the Trail.

Mr. Guritz was happy to see the extension of Cherry Road.

Mr. Holdiman made a motion, seconded by Mr. Guritz, to forward the proposal to the Regional Planning Commission.

The votes were as follows:

Yeas (7): Asselmeier, Gengler, Guritz, Holdiman, Langston, Olson, and Rybski

Nays (0): None

Abstain (0): None

Absent (3): Briganti, Chismark, and Klaas

The motion carried.

The proposal goes to the Kendall County Regional Planning Commission on March 24, 2021.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petitions 20-02 and 20-05 were withdrawn by the Petitioner. The Planning, Building and Zoning Committee will be discussing the next steps for this property at their March 8, 2021, meeting.

OLD BUSINESS/NEW BUSINESS

Follow-Up from the Kendall County Regional Planning Commission Annual Meeting

Mr. Asselmeier provided a report from the Annual Meeting.

Mr. Asselmeier reported the summary for 2020 and 2021 future projects and goals.

Thirty-two (32) Petitions Filed in 2020; forty-six (46) Petitions Filed in 2019; thirty-three (33) Petitions Filed in 2018; thirty-three (33) Petitions Filed in 2017.

Thirty-four (34) New Housing Starts in 2020; twenty (20) New Housing Starts in 2019.

Three hundred twenty-six (326) Total Permits in 2020; two hundred fifty-seven (257) Total Permits in 2019.

Clarified the Enforcement Section and Fines Section of the Zoning Ordinance and Removed the Hearing Officer from the Zoning Ordinance.

Senior Planner Passed the Certified Floodplain Manager (CFM) Exam.

Completed the Zoning Ordinance Project with Teska to Correct Typographical and Citation Errors within the Zoning Ordinance.

Updates to the Recreational Vehicle Park and Campground Zoning Regulations Approved.

Updated the Historic Preservation Ordinance to Meet the Criteria for Certified Local Government Status.

Adjusted Departmental Operations due to the COVID-19 Pandemic.

Code Compliance Official Trained New Part-Time Code Enforcement Officer.

Code Compliance Official Held a Community Event at Ace Hardware in Yorkville.

ISO Improved to 4.

Department Revenues in June Were the Highest Revenues for a Single Month Since Mid-2000s.

Department Revenues for the Fiscal Year Were the Highest in at Least Ten (10) Years.

Worked with GIS to Place 2018 Contour Information on the Website.

Updated the Number of Members on the Stormwater Planning Committee to Match State Law Zoning Administrator or His/Her Designee Named Administrator of Stormwater Administrator.

Four (4) Parties Were Found Guilty for Violating the Zoning Ordinance.

Organized a Public Hearing Regarding Kendall County's Stormwater Management Ordinance.

Distributed a Survey to the Townships Regarding Kendall County's Stormwater Management Activities.

Organized a Joint Meeting of Historic Preservation Groups within the County.

Continued Historic Preservation Commission Awards.

Noxious Weed Related Documents and Notices Drafted and Approved by the County Board.

Update Transportation Plan in Land Resource Management Plan to Match the Long Range Transportation Plan.

Start Researching and Planning for Updating the Land Resource Management Plan in 2022.

Assist with the Codification Process.

Continue to Implement the Citation Policies for the Various Ordinances.

Work with Kendall County EMA to Pursue Disaster Related Grants and Other Funding.

Continue to Meet with Townships Regarding Their Role in the Development Approval Process.

Work with WBK Engineering to Review the County's Stormwater Regulations and Recommend Appropriate Changes Based on Changes in Federal and State Stormwater Regulations.

Continue to Monitor Changes to Zoning Related Regulations at the State Level.

Continue to Work with GIS to Ensure Correct Zoning Information for Each Parcel.

Continue to Work with GIS to Connect Parcels to the Applicable Special Use and Map Amendment Ordinances.

Continue to Work to Ensure Special Use Permits that Require Renewals and Reviews Are Examined in a Timely Manner.

Ensure that Noxious Weed and NPDES Permit Documents Are Submitted to the State in a Timely Manner.

Work with the Illinois Historic Preservation Agency and Historic Preservation Commission on Certified Local Government Projects.

Increase the Visibility and Activities of the Historic Preservation Commission Through Collaboration with Other Historic Preservation Organizations and Events.

Continue Working with the Northwest Water Planning Alliance.

Participate with Implementation of CMAP's 'On To 2050 Plan' for the Chicago Region.

Continue Reviewing and Addressing Potential Changes to the Zoning Ordinance and Departmental Operations for Increased Efficiency.

In 2020, there were five (5) new special use permit applications initiated; three (3) of these are on-hold cannabis related special uses.

Regarding major amendments to special uses, there were (0) in 2020.

Regarding minor amendments to special uses, there was one (1) in 2020.

There was one (1) special use permit revocation.

There were zero (0) special use permit renewals.

There were five (5) stand-alone variances.

There were two (2) administrative variances.

There were zero (0) stormwater variance.

There was one (1) approved conditional use permit.

There was one (1) approved temporary use permit.

There was one (1) site plan review.

There were two (2) plats of vacation.

There was one (1) preliminary and final plat approved.

There were four (4) text amendments initiated.

There was two (2) Land Resource Management Plan initiated; one (1) was approved and one (1) was withdrawn.

There were two (2) map amendments approved initiated.

There were two (2) Stormwater Ordinance Related amendments.

There were no historic landmarks.

There were (2) text amendments to the Historic Preservation Ordinance.

There were nine (9) ZPAC meetings in 2020.

The Regional Planning Commission met eight (8) times in 2020, including the Annual Meeting.

The Zoning Board of Appeal met eight (8) times in 2020.

The Historic Preservation Commission met eight (8) times in 2020.

The Stormwater Management Oversight Committee met one (1) time in 2020.

The Comprehensive Land Plan and Ordinance Committee met six (6) times in 2020.

The Planning, Building and Zoning Committee met thirteen (13) times in 2020.

Of the twenty-six (26) ordinances approved by the County Board in 2020, thirteen (13) were Planning and Building related.

The Department investigated zero (0) noxious weed violations in 2020.

In 2020, there were thirty-four (34) single-family residential permits approved in the unincorporated area. The breakdown by township and subdivision was provided to the Committee.

The Code Inspector did two hundred thirteen (213) site visits inspections in 2020.

There were two hundred fifty-six building related violation investigations in 2020 compared to four hundred six (406) building related violations in 2019. There were fourteen (14) zoning related violations in 2020 compared to seven (7) the previous year.

Total permits issued were three hundred thirty (330) in 2020 compared to two hundred sixty-one (261) in 2019.

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Guritz made a motion, seconded by Mr. Holdiman, to adjourn.

The votes were as follows:

Yeas (7): Asselmeier, Gengler, Guritz, Holdiman, Langston, Olson, and Rybski

Nays (0): None

Abstain (0): None

Absent (3): Briganti, Chismark, and Klaas

The motion carried.

The ZPAC, at 10:20 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

Enc.

**KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
MARCH 2, 2021**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
JILLIAN PRODEHL	[REDACTED]	[REDACTED]
JAMIE PRODEHL	[REDACTED]	↓
Dan KRAMER	JPC	JPC [REDACTED]