



**COUNTY OF KENDALL, ILLINOIS
SPECIAL COMMITTEE OF THE WHOLE/
FINANCE COMMITTEE
KENDALL COUNTY OFFICE BUILDING
County Board Rm 210; 111 W. Fox Street; Yorkville**

**Thursday, October 14, 2021 at 4:00PM
MEETING AGENDA**

1. **Call to Order and Pledge of Allegiance**
2. **Roll Call:** Scott Gryder (Board Chair), Matt Kellogg (Board Vice Chair), Amy Cesich, Brian DeBolt, Elizabeth Flowers, Scott Gengler, Judy Gilmour, Dan Koukol, Ruben Rodriguez, Robyn Vickers
3. **Approval of Agenda**
4. **Approval of Claims**
5. **Executive Session for the purpose of the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity**
6. **Department Heads and Elected Official Reports**
7. **New Business**
 - *Special Presentation – Grant Presentation with Mutual Ground*
 - *Discussion and Approval of the American Rescue Plan Act Funds Non Profit Grants*
 - *Discussion and Approval of an American Rescue Plan Act Marketing Plan and Budget*
 - *Discussion and Approval of FY21 Budget Revision*
 - *Discussion and Approval of the Kendall County Fiscal Year 2022 Tentative Budget*
 - *Discussion of Petition 21 – 26 a Request from Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis for Major Amendments to the Special Use Permit for a Banquet Facility Granted by Ordinance 2019-23 by Dividing the Building Allowed to be a Banquet Facility into Separate Event Spaces, Setting the Maximum Capacities of the Event Spaces, Setting the Days of and Hours of Operation for the Event Spaces, Amending the Landscaping Plan, and Removing the Requirement that the Barn Doors be Closed by 7:00 p.m. at Events with Music at 10978 Crimmin Road, Newark (PINs: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, and 04-32-100-008) in Fox Township*
8. **Old Business**
9. **Public Comment**
10. **Questions from the Media**
11. **Chairman’s Report**
12. **Review Board Action Items**
13. **Adjournment**

**Kendall County
ARPA Grant Summary
October 14, 2021**

Policy

Non-Profits who have experienced a loss of revenue or increased expenses since March 2020. The grant request will be 25% of their 2019 or 2020

Eligibility Requirements:

Must be a 501c3, 501c6, 501c10, 501c19, or 501c23

Must have submitted a version of Form 990 with the IRS in 2019 and 2020

Must serve residents of Kendall County

	Applicant Requested	At Staff Review	At Committee	At Board	Approved	Total
Funds	\$ 246,296.00	\$ -	\$ 75,000.00	\$ -	\$ 206,293.93	\$ 527,589.93

	Applicant Requested	At Staff Review	At Committee	At Board	Approved	Total
Organizations	48	0	3	0	9	60

	Applicant to Staff	Staff to Committee	Committee to Board	Board to Approval	Applicant to Approval
Average Days	6	5.33	5	0	0

	Family Counseling Service	Yorkville Chamber of Commerce	Parkview Christan Academy
Status	501(c)3	501(c)6	501(c)3
Amount Requested	25,000	25,000.00	25,000.00
2019 Revenue	2,902,679	149,352	2,137,306
2020 Revenue	4,570,933	133,237	2,029,883
Difference in Revenue	\$ 1,668,254.00	\$ (16,115.00)	\$ (107,423.00)
2019 Expense	2,891,151	143,290	2,191,427
2020 Expense	3,712,993	118,557	2,171,486
Difference in Expense	\$ (821,842.00)	\$ 24,733.00	\$ 19,941.00
Qualification	<i>Increased Expense</i>	<i>Loss Revenue</i>	<i>Loss Revenue</i>
# Employees	48	3	53
# Volunteers	33	30	75

Kendall County Non-Profit Applications 10/14/21

	Applicant Requested	At Staff Review	At Committee	At Board	Approved	Total
Funds	\$ 246,296.00	\$ -	\$ 75,000.00	\$ -	\$ 206,293.93	\$ 527,589.93

	Applicant Requested	At Staff Review	At Committee	At Board	Approved	Total
Organizations	48	0	3	0	9	60

	Status	Amount Requested	Qualification
Family Counseling Service	501(c)3	25,000	<i>Increased Expsene</i>
Yorkville Area Chamber of Commerce	501(c)6	25,000	<i>Loss Revenue</i>
Parkview Christian Academy	501(c)3	25,000	<i>Loss Revenue</i>
		75,000.00	Total Requested

Date Approved		Status	Amount Requested	Qualification
9/30 & 10/5	Mutual Ground	501(c)3	25,000	<i>Loss Revenue</i>
	Two by Two			
9/30 & 10/5	Family Ministry	501(c)3	21,140.75	<i>Loss Revenue</i>
	Knights of			
9/30 & 10/5	Columbus Council	501(c)10	10,153.18	<i>Loss Revenue</i>
	American Legion			
9/30 & 10/5	Post 489 Yorkville	501(c)19	25,000	<i>Loss Revenue</i>
	Oswegoland Senior			
9/30 & 10/5	Inc.	501(c)3	25,000	<i>Loss Revenue</i>
	Open Door			
	Rehabilitation			
9/30 & 10/5	Center	501(c)3	25,000	<i>Increase Expense</i>
	Kendall County			
9/30 & 10/5	Fair Association	501(c)3	25,000	<i>Loss Revenue</i>
9/30 & 10/5	Digtwon Volleyball	501(c)3	25,000	<i>Increase Expense</i>
	Senior Services			
9/30 & 10/5	Associates	501(c)3	25,000	<i>Increase Expense</i>
	Family Counseling			
	Service	501(c)3	25,000	<i>Increased Expsene</i>
	Yorkville Area			
	Chamber of			
	Commerce	501(c)6	25,000	<i>Loss Revenue</i>
	Parkview Christian			
	Academy	501(c)3	25,000	<i>Loss Revenue</i>
			281,294	<i>total</i>

Organization: Family Counseling Service - 501c3

Contact
Jason Andrade
84 Templeton Drive
Oswego, Illinois, 60543
630-844-2662
Open Date: 1/3/1925

Full-time: 48
Part-time: 33
Volunteers: 0
Total People: 81
Furloughed?: No

Application Date:
Created: 9/22/2021
Last Submitted: 12/10/2021

Our website: <https://aurorafcs.org> and our social media: <https://www.facebook.com/FCSAurora/>

Our organization is located in Kendall County and we have locations outside of the county.

Brief Description of Presence:

Family Counseling Service, FCS, provides comprehensive outpatient behavioral health services to Kendall County residents across the life span that includes: individual/group/family/couples therapy, psychiatric services, substance use treatment, psychological testing, domestic violence services, in-home community support, school based treatment, and clinical care coordination. We are community leaders in specialized mental health treatment services for children and families. FCS has served the diverse behavioral health needs of Kendall County residents for many years. We opened our Oswego location in 2019 and are in the process of a build out to double this space. FCS provides on-site counseling services to students in Oswego 308. We have also maintained a long working relationship with Kendall County Court Services to provide the Partner Abuse Intervention Program for perpetrators of domestic violence.

We did not cease to operate at any point during the pandemic.

We did receive grants from Paycheck Protection Program: 422,000.

We did not receive any funding from Kendall County in the last 5 years.

We did not receive funds for COVID Relief from another county, municipality, or other local government.

We did change how we did business during the pandemic: Due to the increased demand for services, we needed to hire and train more staff. This was very difficult during the pandemic. We needed to ensure that our staff had all of the technology to provide telehealth services. As we needed to close our offices due to state mandate, we had to work with our clients to effectively utilize the telehealth platform. The needs of our clients greatly increased in severity and complexity due to loss of jobs, online schooling, decreased family income, and uncertainty with everyday life. Additionally, we needed to attend to the health and wellbeing of our staff, which required new and innovate ways to support them so that they could serve our clients.

Organization's experience during the Covid Pandemic:

During Covid, FCS did not reduce any services to the residents of Kendall County. We needed to hire more staff to meet the needs of increased intakes for those individuals who could not find access to behavioral health treatment from other community providers. Covid brought a wave of individuals who were seeking treatment and, at one point, we had a waiting list of over 180 individuals. To accommodate the increased demand for services, we hired more staff and utilized telehealth services, which required increased technology and support. We needed to hire and train new staff to meet service demands and assist our current staff in providing telehealth services from their home. During Covid, we experienced an increase in individuals contacting us and reporting that other providers were experiencing wait times of up to several months. By the time we these individuals would contact our office, they had experienced many barriers to treatment and were frequently told "no" or referred to a hospital when they needed help. It is important that mental health care be accessible to all those in need. To meet the need of increase demand, we started a Clinical Care Coordination program to efficiently get individuals in for treatment. We provided immediate access to case management, crisis intervention, community support, and psychiatric treatment.

Grant Request

	Expenses	Revenue	25% of Revenue
2019	\$ 2,891,151.00	\$ 2,902,679.00	\$ 725,669.75
2020	\$ 3,712,993.00	\$ 4,570,933.00	\$ 1,142,733.25
	Increased	N/A	

Total Grant Request: \$ 25,000.00

	Funds Incurred	Explain Use of Funds
Payroll	\$ 20,750.00	additional staff,
Benefits	\$ 4,250.00	Health, Vision, Dental, 401(k)
Mortgage/Rent	\$ -	N/A
Utilities	\$ -	N/A
Social Distancing	\$ -	N/A
Enhanced Cleaning Efforts	\$ -	N/A
Barriers or Partitions	\$ -	N/A
COVID-19 Vaccination	\$ -	N/A
COVID-19 Testing	\$ -	N/A
Physical Plant Changes	\$ -	N/A
Contact Tracing Programs	\$ -	N/A
Technical Assistance	\$ -	N/A
Counseling	\$ -	N/A
Other	\$ -	N/A

Further detail on how funds will be used:

Due to Covid-19, we experienced a 23% increase demand for behavioral health treatment. This was attributable to exacerbation of existing mental health conditions, development of depression/anxiety, unhealthy coping (i.e. substance use, self-harm), children forced to remote learn/self teach, and strain upon the family unit. Also, as other community providers reduced services to the community, we increased and responded to the growing need for treatment. We frequently received calls from community members telling us that they could not find a behavioral health provider or told that there was a four to six month waiting list. This required hiring and training new staff to meet increased service demands. These funds will be used to cover our expenses for hiring new staff to meet the increased demand for mental health treatment.

My organization will expend the grant funds on costs incurred Between 3/3/2021 and receipt of grant funds.

Organization: Yorkville Area Chamber of Commerce - 501c6

Application Date:

Contact
Sherri Farley
26 W Countryside Pkwy.
Yorkville, Illinois, 60560
630-553-6853
Open Date: 8/19/1971

Full-time: 1
Part-time: 2
Volunteers: 30
Total People: 33
Furloughed?: No

Created: 1/10/2021
Last Submitted: 10/13/2021

Our website: <https://www.yorkvillechamber.org/> and our social media: <https://www.facebook.com/yorkvillechamber>

Our organization is located in Kendall County and we do not have locations outside of the county.

Brief Description of Presence:

The Yorkville Area Chamber of Commerce is organized to advance the general welfare and prosperity of Yorkville so that its citizens and all areas of its business community shall prosper. This is accomplished through networking, educational, and professional development programming plus Business-to-Business & Business-to-Community opportunities. Some examples of community interaction: •Annual Biz Boo Business Trick or Treat event that attracts hundreds of families to area businesses (with free participation to businesses and the public) •Work with publisher of annual Community Guide (direct-mailed to over 10,000 residents and businesses) •Promotion or partnership in area community events (festivals, charity fundraisers, etc.) •Formation of “Green Connect,” a group of business members and citizens who meet to perform litter clean-up events and encourage green practices •Committees and groups within the Chamber perform philanthropic activities such as food, clothing, and school supply drives/raze green practices •Disseminate information from and create forums for interaction between elected officials and the business community & residents. •Welcome new residents to the community and guide them to business members & services

We did not cease to operate at any point during the pandemic.

We did receive grants from Paycheck Protection Program: 41294.

We did not receive any funding from Kendall County in the last 5 years.

We did not receive funds for COVID Relief from another county, municipality, or other local government.

We did change how we did business during the pandemic: Staff worked remotely beginning March 2020 then a combination of remote/in-office from late 2020 through spring 2021. New systems for working remotely were installed and learned.

Organization's experience during the Covid Pandemic:

•At the onset of shutdowns, staff shifted the focus from networking events & programming to helping affected businesses find tools to survive. We created a COVID resource web page, compiled and sorted through grant & loan information as it was announced, and disseminated it to businesses through eblasts, emails, and personal contacts. We worked closely with the City and SBDC, sharing information and resources. •When restaurant closures were mandated, we created and continue to maintain a “Yorkville to Go” Facebook group plus a downloadable directory that listed which area restaurants were able to offer delivery, take-out, and curbside pickup. It was gratifying to be told by more than one restaurant owner that “Yorkville to Go” had been key to their survival. •The inability to hold events and gatherings in 2020 and early 2021 severely impacted our means of fundraising (membership dues comprise 67% of total income). We also suspended dropping of members due to non-payment for several months. •Though we did not lay off or reduce staff hours, a key full-time employee left in mid-2020 to accept a different job opportunity that bettered her salary & /benefits. Primarily for that reason, our budget ended the year in the black. Now that we are back up to speed with hosting programs and events, we need to hire a full-time replacement.

Grant Request

	Expenses	Revenue	25% of Revenue
2019	\$ 143,290.00	\$ 149,352.00	\$ 37,338.00
2020	\$ 118,557.00	\$ 133,237.00	\$ 33,309.25
	N/A	Loss of Revenue	

Total Grant Request: \$ 25,000.00

	Funds Incurred	Explain Use of Funds
Payroll	\$ 25,000.00	Payroll
Benefits	\$ -	N/A
Mortgage/Rent	\$ -	N/A
Utilities	\$ -	N/A
Social Distancing	\$ -	N/A
Enhanced Cleaning Efforts	\$ -	N/A
Barriers or Partitions	\$ -	N/A
COVID-19 Vaccination	\$ -	N/A
COVID-19 Testing	\$ -	N/A
Physical Plant Changes	\$ -	N/A
Contact Tracing Programs	\$ -	N/A
Technical Assistance	\$ -	N/A
Counseling	\$ -	N/A
Other	\$ -	N/A

Further detail on how funds will be used:

During COVID we had reduced revenues that are used for staffing expenses. Event attendance and income have not yet returned to pre-COVID levels.

My organization will expend the grant funds on costs incurred in the 6 months following receipt of grant funds.

Organization: Parkview Christian Academy - 501c3

Application Date:

Contact

Created: 9/22/2021

Dr. Ray Epperson
202 E Countryside Parkway
Yorkville, Illinois, 60560
630-553-5158
Open Date: 1/7/1997

Full-time: 44
Part-time: 9
Volunteers: 75
Total People: 128
Furloughed?: No

Last Submitted: 10/13/2021

Our website: <https://pcafalcons.com>

Our organization is located in Kendall County and we do not have locations outside of the county.

Brief Description of Presence:

We provide a Christian educational alternative to public school. We offer many sports and extra-curricular opportunities for students from 3 years old to seniors in high school. We have enrollment from 25 different cities including the following cities in Kendall County: Yorkville, Plano, Oswego, Bristol, Millbrook, Millington, and Montgomery. Our students do many volunteer projects in Kendall County including providing clothes and toiletries to foster families when they receive an emergency foster placement and may not have the needed supplies for the child.

We did not cease to operate at any point during the pandemic.

We did receive grants from Paycheck Protection Program: \$269,122.27,CARES Act: \$3159.10,Other, please specify::

We did not receive any funding from Kendall County in the last 5 years.

We did not receive funds for COVID Relief from another county, municipality, or other local government.

We did change how we did business during the pandemic: We closed the school and offered remote learning for the last three months of the 2019-2020 school year. We have hired additional custodial help to clean and disinfect the building. We purchased "fogging" disinfecting machines and disinfected all classrooms daily. We purchased water bottle filling stations for our junior/senior high school for student use rather than drinking fountains. We limited class sizes, which impacted our enrollment causing a loss of tuition revenue. We had to cancel many in school activities because of group size limitations and social distancing. We eliminated classroom volunteers for the 2020-2021 school year. Our students were limited in the number of community volunteer opportunities they could complete because of COVID restrictions.

Organization's experience during the Covid Pandemic:

We strongly felt it was important to have face to face instruction with our students. We were able to be open all school year for face to face instruction for all of our students from age 3 to seniors in high school. We were willing to incur additional expenses to provide reduced class sizes at the elementary level and classroom size limitations at the junior high and high school buildings. We altered the way we did passing periods to minimize the number of students moving at one time. We changed our drop off and pick up procedures for the same reason. Our chapel services were live streamed into several classrooms at our junior/senior high school to reduce the number of students gathering in one place. We purchased additional chromebooks so fewer students needed to share computers. Those that were shared were disinfected between use. In our pre-kindergarten classes we divided the number of students into smaller groups and used more small group instruction rather than whole group instruction. For the free play area we had different bins for each of the small groups so they were not sharing toys. All toys were disinfected nightly. Student desks and chairs were disinfected multiple times daily. We tried to implement as many changes and safeguards as possible without impacting the daily life of our students. We provided face to face instruction for the entire year for every student to keep a sense of "normalcy" in their lives.

Grant Request

	Expenses	Revenue	25% of Revenue
2019	\$ 2,191,427.00	\$ 2,137,306.00	\$ 534,326.50
2020	\$ 2,171,486.00	\$ 2,029,883.00	\$ 507,470.75
	N/A	Loss of Revenue	

Total Grant Request: \$ 25,000.00

	Funds Incurred	Explain Use of Funds
Payroll	\$ -	N/A
Benefits	\$ -	N/A
Mortgage/Rent	\$ -	N/A
Utilities	\$ -	N/A
Social Distancing	\$ -	N/A
Enhanced Cleaning Efforts	\$ -	N/A
Barriers or Partitions	\$ -	N/A
COVID-19 Vaccination	\$ -	N/A
COVID-19 Testing	\$ -	N/A
Physical Plant Changes	\$ -	N/A
Contact Tracing Programs	\$ -	N/A
Technical Assistance	\$ 25,000.00	This expense is to increase the bandwidth and computer access at our facilities.
Counseling	\$ -	N/A
Other	\$ -	N/A

Further detail on how funds will be used:

When we were required to go to remote learning we did not have enough access for all of our students to receive remote instruction. When we returned to face to face instruction we increased the number of devices so students would not have to share devices. Students at times need to quarantine and need access to remote learning. All of these are the result of COVID. Our increased need for technology has caused an increase in the need for additional bandwidth and computer access. The technical assistance is in regard to increasing our technology access capability.

My organization will expend the grant funds on costs incurred in the 6 months following receipt of grant funds.



728 E. Veterans Parkway, Suite 110
Yorkville, IL 60560
630-385-2200 | www.pesolamedia.com

REQUESTED PROPOSAL

DIGITAL MARKETING PACKAGE.

Kendall County, IL

Jennifer & Scott

PROPOSAL ISSUED

10 / 11 / 2021

PROPOSAL EXPIRES

11 / 15 / 2021

Created by:

Cami Lorentsen
Creative Director - PMG
camil@pesolamedia.com

DIGITAL STRATEGY

PMG's creative team would perform, create & follow through with the following digital avenues to help establish Kendall County's Online presence to the surrounding areas. **Our Goal** is straight forward & simple; we will grow your business, obsess over your image, and develop your brand. Our multi-skilled & creative team suggest & would be willing to assist in the following services; Email and Social Media Marketing along with Graphic Design Services for any other services needed.

01. EMAIL MARKETING

Convert followers into paying customers and leverage the audience you've worked so hard to build. When someone subscribes to your email list, they are inviting you into their inbox. Your subscribers have already raised their hand saying they want to hear from your business. PMG is familiar and skilled in working with Constant Contact or MailChimp, we will design **2-4 email blasts a month**. We will tweak & edit provided email copy.

Fun Fact: 64% of small businesses use email marketing to reach customers.

02. SOCIAL MEDIA MARKETING

PMG will set up your Facebook & instagram business accounts, design brand driven SM graphics and publish your posts. We will put together a monthly SM calendar & schedule those posts once approved. The SM Calendar will include **2-4 posts weekly**. Our team is familiar with other outlets and will be willing to help with 2-3 more platforms of your choice (if for whatever reason we are less familiar with a platform, we will do any necessary research to broaden our strengths).

Fun Fact: Over 3.6 BILLION people use social media.

WE ARE GRAPHIC DESIGNERS

Within all of these services we will be certain to provide our upmost best graphic design abilities to drive your brand to where you want it to be. We have the ability to further help you in many other marketing & advertising avenues if you do so wish.

Fun Fact: We are great at what we do - it's simple.

GRAND TOTAL

Email Marketing | SMM

\$999 Monthly

(This does not include any third party services)

MORE WE CAN DO

Our team offers a wide range of skills! We can help in many ways, these are just a few we suggest for Kendall County.

To name a few extras...

GRAPHIC DESIGN & PRODUCTION OF; A-Frame Signs, Banners, Booklets, Brochures ,Business Cards, Catalogs, Door Hangers, EDDMs, Envelopes, Fillable PDFs, Floor Decals, Flyers, Foam Boards, Folders, Greeting Cards, Labels, Letter Head, Logo Design, Magnets, Manuals, Menus, Mesh Banners, Notepads, Pamphlets, Postcards, Postcard Magnets, Posters, Rack Cards, Retractable Banners, Signage, Staggered Sheets, Stickers, Tablecloths, Table Tents, Vinyl Banners, Window Decals, Yard Signs

WEBSITE DESIGN, DEVELOPMENT & MANAGEMENT, DIGITAL MARKETING & PROMOTIONAL ITEMS

(These services are not included in above price)

Cambria Lorentsen

Creative Director - PMG

Social Media solutions that *get your company noticed*



Kendall County

PACKAGE FEATURES	premier \$799 <i>per month</i>	essential \$499 <i>per month</i>	basic \$345 <i>per month</i>	setup \$175 <i>one time fee per account</i>
Number of Accounts*	Up to 5	Up to 3	1 Account	1 Account
Account Setup	✓	✓	✓	✓
Display Logos and Banners	✓	✓	✓	✓
Account Verification**	✓	✓	✓	✓
Account Visibility and Optimization	✓	✓	✓	✓
Monthly Content Planning	✓	✓	✓	✗
Monthly Analytics	✓	✓	✓	✗
Written Content for Posts	✓	✓	✓	✗
Social Media Post Graphics	✓	✓	✓	✗
Comment Maintenance	✓	✓	✗	✗
Weekly Posts	4 Weekly	3 Weekly	1 Weekly	✗
Google Analytics Acquisition***	✓	✗	✗	✗
ADD-ONS				
<i>*optional</i>				
Sponsored Posts and Ads	Customizable Budget	Customizable Budget	Customizable Budget	—
Graphic Design Services	\$85 /hr.	\$85 /hr.	\$85 /hr.	\$85 /hr.
Stock Photos	\$25 /photo	\$25 /photo	\$25 /photo	\$25 /photo

1. Guaranteed over the course of the contract. Conditions apply. 2. Add-on features allow purchases of multiple increments. 3. All conditions must be satisfied. You can view all conditions by viewing Pesola Media Group's Social Media Proposal. © 2021 PMG. All rights reserved.

* Social Media platforms include Facebook, Instagram, Twitter, LinkedIn, Google+, and Pinterest. Other platforms may be considered.
 ** Social Media accounts will be verified when applicable. Not all accounts are eligible for verification.
 *** Established Google Analytics account required for Social Media Acquisition.

COUNTY OF KENDALL, ILLINOIS

ORDINANCE 2021-___

**ORDINANCE AUTHORIZING A BUDGET AMENDMENT TO THE
KENDALL COUNTY FISCAL YEAR 2021 BUDGET**

WHEREAS, 55 ILCS 5/6-1002 provides that, the authority of the county board to amend the annual appropriation ordinance at any point during the fiscal year shall be the same as its authority to determine and adopt the original annual budget; such amended budget shall be prepared as otherwise provided in this Section; and

WHEREAS, on May 10, 2021 the U.S. Department of the Treasury announced the launch of the Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021, to provide \$350 billion in emergency funding for state, local, territorial, and Tribal governments; and

WHEREAS, on May 24, 2021 Kendall County received \$12,527,397.50 from the U.S. Department of the Treasury as the first of two tranches from the Coronavirus State and Local Fiscal Recovery Funds;

WHEREAS, a Circuit Clerk audit was prepared after the Kendall County Board approved the fiscal year 2021 budget; and

WHEREAS, the Fiscal Year 2021 Budget did not include, \$6,412.50 of Accounting and Auditing expenditures budgeted in the Corporate (General) Fund; and

WHEREAS, COVID-19, a novel severe acute respiratory illness, that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza caused Kendall County to incur unplanned and unexpected costs to mitigate the spread of the virus; and

WHEREAS, a significant outbreak of Coronavirus Disease (COVID19) emerged in the United States and Kendall County incurred unexpected costs in FY20 and FY21; and

WHEREAS, the Fiscal Year 2021 Budget did not include increased transfer out of \$50,000 to the Building Fund, decreased transfer out \$50,000 in the Mental Health Fund and, increased transfer out of \$53,378.71 to Special Revenue Fund for Countywide COVID-19 CURES expenditures in the Corporate (General) Fund; and

WHEREAS, the Fiscal Year 2021 Budget did not include increased transfer in of \$150,000 and decreased transfer in of \$50,000 in the Mental Health Fund budget; and

WHEREAS, the Fiscal Year 2021 Budget did not include increased revenue of \$12,559,398 and increased expenditure of \$3,044,784 in the American Rescue Plan Act Fund budget; and

WHEREAS, the Fiscal Year 2021 Budget did not include increased revenue of \$9,328.41 in the

Economic Development Revolving Loan Fund budget; and

WHEREAS, the Fiscal Year 2021 Budget did not include increased revenue of \$2,053,978.49 and increased expense of \$1,595,985.45 and decrease revenue \$101,600 in the Health Department Fund; and

WHEREAS, the Fiscal Year 2021 Budget did not include decreased expenditure of \$69,336.04 in the General Fund Budget, and decreased expenditure of \$370,000 in the Health Department Budget, and decreased expenditure of \$2,325.19 in the Circuit Clerk Document Storage Fund, and decreased expenditure of \$57,126.97 in the Circuit Clerk Court Automation Fund, and decreased expenditure of \$307.63 in the Jail Commissary Fund, and decreased expenditure of \$7,581.45 in the Probation Fund, and increased expenditure of \$506,677.28 in the American Rescue Plan Act Fund; and

NOW, THEREFORE, BE IT RESOLVED, by this County Board of Kendall County, Illinois that the following budget revisions and journal entries in the Fiscal Year 2021 budget are hereby authorized as attached Exhibit A:

BE IT FURTHER RESOLVED, that the Kendall County Clerk is hereby authorized to distribute a certified copy of this Ordinance to the County Administrator and the Kendall County Treasurer.

Approved and adopted by a two-thirds majority vote of the County Board of Kendall County, Illinois, this ___ day of _____, 2021.

Board Chairman Signature:

Attest:

Scott R. Gryder, Chairman
County Board

Debbie Gillette
County Clerk

_____ Ayes
_____ Nays
_____ Abstain

Exhibit A

Budget Amendment

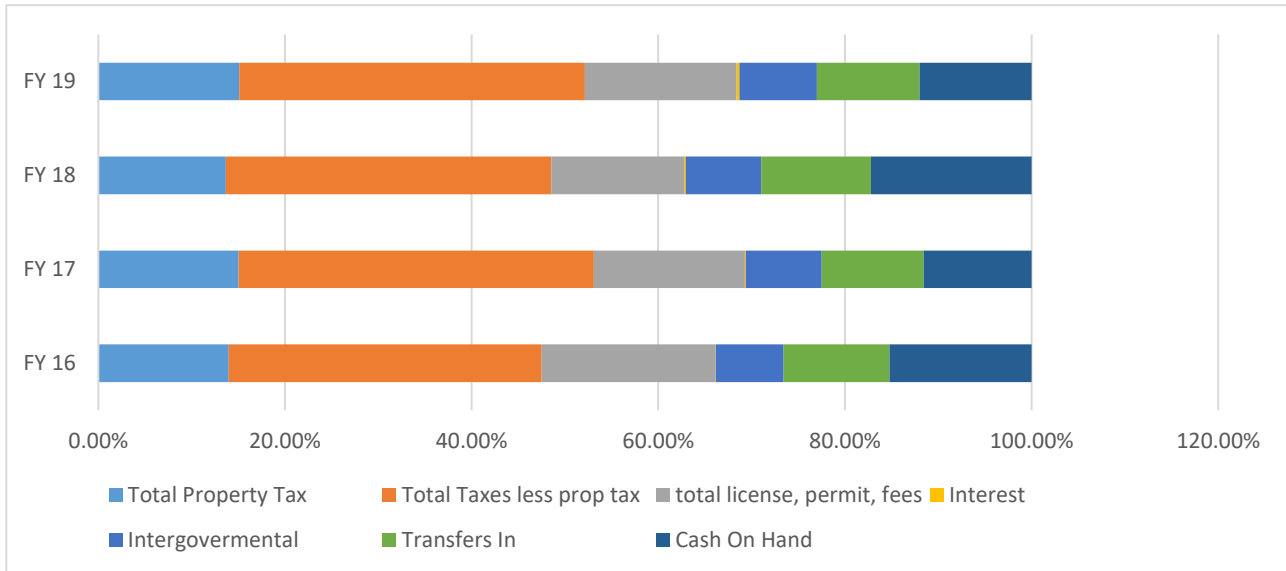
General Fund #1100			
11000828 65490	Auditing and Accounting	Mack & Associates	(6,412.50)
11002538 6xxxx	Transfer to Building Fund	Transfer to Building Fund	50,000.00
11002538 6xxxx	Transfer to Mental Health Fund	Transfer to Mental Health Fund	(50,000.00)
11000530 62150	Contractual Services	Elevate Lobbyist	25,000.00
11002538 6xxxx	Transfer to Veteran's Assistance #1211	COVID-19 CURES Expenditures	(2,686.32)
11002538 6xxxx	Transfer to Coroner #1308	COVID-19 CURES Expenditures	(3,192.84)
11002538 6xxxx	Transfer to Circuit Clerk Fund #1313	COVID-19 CURES Expenditures	(6,849.90)
11002538 6xxxx	Transfer to Court Security Fund #1314	COVID-19 CURES Expenditures	(9,149.01)
11002538 6xxxx	Transfer to Probation Services Fund #1326	COVID-19 CURES Expenditures	(11,526.97)
11002538 6xxxx	Transfer to State's Attorney Fund #1343	COVID-19 CURES Expenditures	(12,738.42)
11002538 6xxxx	Transfer to Treasurer Fund #1347	COVID-19 CURES Expenditures	(5,018.25)
11002538 6xxxx	Transfer to Animal Control Fund #1400	COVID-19 CURES Expenditures	(2,217.00)
Mental Health Fund #1358			
135815 4xxxx	Transfer from ARPA	Transfer from ARPA	(150,000.00)
135815 40000	Transfer from General Fund	Transfer from General Fund	50,000.00
ARPA Fund #1770			
177025 42970	Grant Award	Grant Award	(12,527,397.50)
177025 41350	Interest Income	Interest Income	(2,000.00)
177025 79114	Public Health	SAO Attorney Salary & Benefit Expense	23,000.00
177025 79114	Public Health	SAO Paralegal Salary & Benefit Expense	16,000.00
177025 79114	Public Health	Public Defender Salary & Benefit Expense	18,000.00
177025 79114	Public Health	Circuit Clerk Salary & Benefit Expense	57,000.00
177025 79109	Public Health	Sheriff OT Expense	6,577.77
177025 79109	Public Health	Transfer Out to HHS Fund	370,000.00
177025 79112	Mental Health Services	Transfer Out to Mental Health Court Fund	150,000.00
177025 79210	Aid To Non-Profit	Aid To Non-Profit Expense	1,000,000.00
177025 79213	Other Economic Support	Transfer Out to Forest Preserve	30,000.00
177025 79517	Broadband Infrastructure	Broadband Study Expense	130,000.00
177025 79601	Provision of Govt Services	Transfer Out to Lost Revenue Fund	1,194,706.00
177025 79701	Administrative	Finance & Budget Salary & Benefit Expense	34,500.00
177025 79701	Administrative	Admin Cost Expense	15,000.00
Economic Development Revolving Loan Fund #1316			
131605 47960	Revolving Loan	Grace Holistic Loan	(9,328.41)
Health Department Fund #1205			
120513 42510	BH Counsel Fee	BH Counsel Fee	65,700.00
120513 42560	Solid Waste Fee	Solid Waste Fee	(600.00)
120513 42610	FCM Homeless Service	FCM Homeless Service	(190,225.00)
120513 42620	Mental Health Grants	Mental Health Grants	(115,700.00)
120513 42640	Fox Valley United Wat	Fox Valley United Wat	1,800.00
120513 42650	State Grant Health Protection	State Grant Health Protection	(384,514.25)
120513 42670	NEIAA on Aging	NEIAA on Aging	(3,739.24)
120513 42730	WIC Grant	WIC Grant	(21,500.00)
120513 42750	Community Action State Grant	Community Action State Grant	(1,067,400.00)
120513 42790	Climate Change	Climate Change	(5,300.00)
120513 42850	High Risk Infant Follow Up	High Risk Infant Follow Up	34,100.00
120513 43680	COVID Contact Testing	COVID Contact Testing	(235,000.00)
120513 43730	Healthworks Illinois	Healthworks Illinois	(30,000.00)
120513 51380	Salaries - Public Health	Salaries - Public Health	7,985.45
120513 62190	Printing	Printing	11,900.00
120513 63540	Telecommunication	Telecommunication	11,000.00
120513 63850	Refunds	Refunds	51,500.00
120513 67760	Supplies - Medical	Supplies - Medical	50,500.00
120513 67810	Direct Client Assistance	Direct Client Assistance	1,391,200.00
120513 69780	Capital Expenditure	Capital Expenditure	71,900.00

Journal Entries

General Fund #1100			
11000530 62150	TeleDirect Communication	Contractual services	(10,800.00)
11001001 62150	Contractual Services	Contractual Services	(41,879.51)
11002010 51540	Corrections OT	Salary	(7,927.37)
11000314 62010	Postage	Pitney Bowes	(1,421.18)
11000314 62190	Printing	Precise Printing	(677.00)
11000314 62000	Supplies	Supplies	(274.67)
11001618 62000	Office Supplies	Office Supplies	(198.20)
11001618 64550	COVID test	COVID test	(100.00)
11001618 65050	Juvenile Detention	Juvenile Detention	(3,105.00)
1100618 62000	Supplies	Supplies	(92.53)
11001044 65890	Contractual Services	Contractual Services	(1,164.00)
11002233 65860	Equipment	Equipment	(1,390.74)
11002233 62050	Personnel	Personnel	(305.84)
Health Department Fund #1205			
120505 xxxxx	COVID Expenditure	COVID Expenditure	(370,000.00)
Doc Storage Fund #1304			
130403 66500	Miscellaneous Expense	Transfer to ARPA	(2,325.19)
Court Automation Fund #1313			
131303 51040	Salary - Deputy Clerk	Transfer to ARPA	(56,666.60)
131303 66500	Miscellaneous Expense	Transfer to ARPA	(460.37)
Jail Commissary Fund #1321			
132120 64540	Thermal Scanner	Transfer to ARPA	(307.63)
Probation Fund #1326			
132616 62150	AT & T	Cellular Phone	(6,604.36)
132616 62160	Equipment	Webcams & laptop	(977.09)
ARPA Fund #1770			
177025 79108	TeleDirect Communication	Public Health Expense	10,800.00
177025 79104	Contractual Services	Prevention /Congregation/Settings	41,879.51
177025 79109	Sheriff Overtime	Payroll Cost	7,927.37
177025 79104	Supplies	Prevention /Congregation/Settings	2,372.85
177025 79108	Office Supplies	Other COVID Expense	390.73
177025 79102	Juvenile Detention	COVID Testing	3,105.00
177025 79108	Service	Other COVID Expense	1,469.84
177025 79701	Equipment	Administration Expense	1,390.74
177025 xxxxx	Health Department	COVID Expenditure	370,000.00
177025 79104	Social Distance Supplies	Supplies	2,325.19
177025 79214	Additional Personal	Rehiring Public Sector Staff	57,126.97
177025 79105	Thermal Scanner	Personal Protective Equipment	307.63
177025 79105	Phone,Laptop,Webcam	Personal Protective Equipment	7,581.45

Kendall County Property Tax % of All Revenue

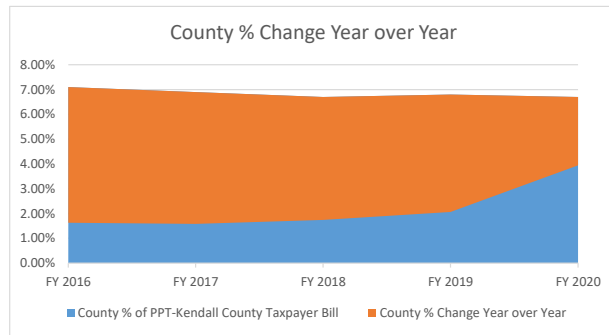
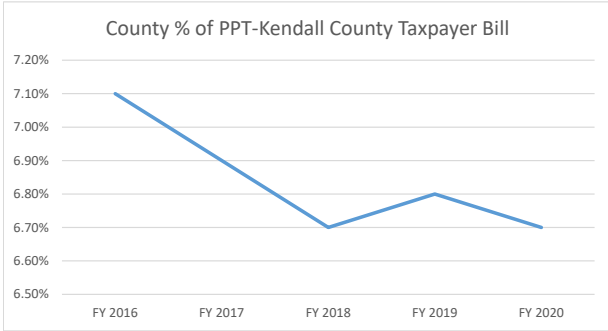
	FY 16	FY 17	FY 18	FY 19	FY 20
Total Property Tax	13.96%	15.04%	13.65%	15.10%	12.87%
Total Taxes less prop tax	33.55%	38.04%	34.89%	37.05%	35.44%
total license, permit, fees	18.61%	16.20%	14.23%	16.24%	23.35%
Interest	0.06%	0.08%	0.17%	0.30%	0.39%
Intergovernmental	7.25%	8.13%	8.08%	8.30%	3.91%
Transfers In	11.36%	10.96%	11.77%	11.01%	10.21%
Cash On Hand	15.21%	11.54%	17.21%	11.99%	13.82%



	FY 16	FY 17	FY 18	FY 19	FY 20
Total Property Tax	10,628,855	10,928,502	11,000,706	11,484,403	10,963,993
Total Taxes less prop tax	25,545,223	27,635,959	28,116,277	28,177,491	30,206,805
total license, permit, fees	14,171,505	11,767,883	11,467,461	12,353,744	19,902,175
Interest	42,501	59,265	135,975	229,260	332,960
Intergovernmental	5,523,471	5,908,833	6,509,440	6,312,747	3,335,535
Transfers In	8,651,797	7,961,434	9,489,008	8,374,799	8,700,171
Cash On Hand	11,581,074	8,380,215	13,871,212	9,121,061	11,780,332
Total Taxes & L, P, Fees	76,144,426	72,642,091	80,590,079	76,053,505	85,221,971

Kendall County Year over Year Change

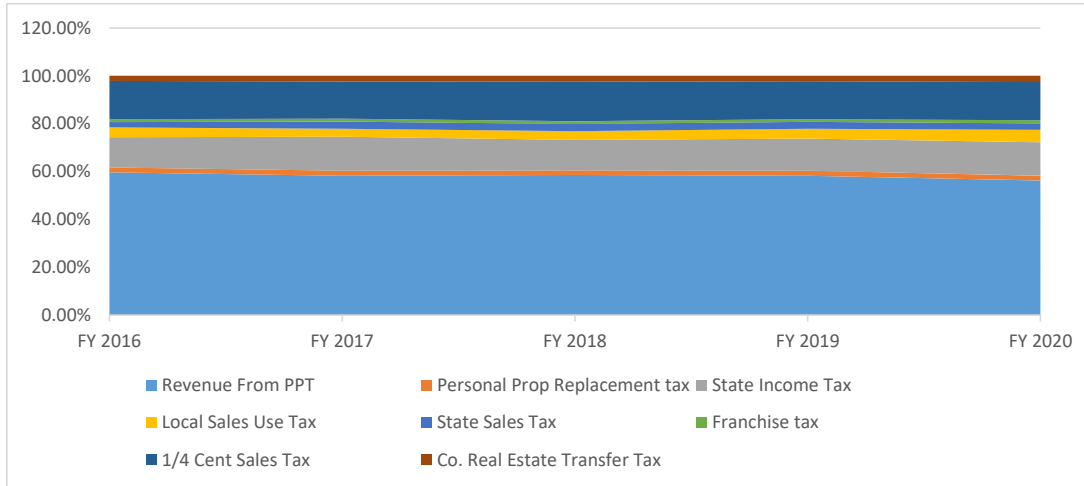
	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
County % of PPT-Kendall County Taxpayer Bill	7.10%	6.90%	6.70%	6.80%	6.70%
County % Change Year over Year	-5.47%	-5.32%	-4.96%	-4.74%	-2.75%



	FY21 Budget		FY20 Budget		FY19 Budget		FY18 Budget		FY17 Budget		FY16 Budget		
	Rate per \$100	Rate per \$100	% of Total	Rate per \$100	% of Total	Rate per \$100	% of Total	Rate per \$100	% of Total	Rate per \$100	% of Total	Rate per \$100	% of Total
Property Tax Bill - Parcel #021361049													
Kendall County	0.00614	0.623	6.70%	0.641	6.78%	0.673	6.72%	0.708	6.90%	0.748	7.14%		
Oswego School District #308		6.480	69.63%	6.496	68.71%	6.794	67.88%	6.913	67.34%	6.971	66.62%		
Oswego FPD		0.701	7.54%	0.693	7.33%	0.713	7.13%	0.738	7.19%	0.752	7.19%		
Waubonsee JC #516		0.438	4.70%	0.527	5.58%	0.541	5.41%	0.551	5.37%	0.560	5.35%		
Oswegoland Park District		0.400	4.29%	0.432	4.57%	0.450	4.50%	0.467	4.55%	0.476	4.55%		
Oswego Library District		0.264	2.84%	0.265	2.80%	0.272	2.72%	0.281	2.74%	0.286	2.74%		
Forest Preserve		0.158	1.70%	0.154	1.63%	0.154	1.54%	0.175	1.71%	0.218	2.08%		
Village of Oswego		0.151	1.62%	0.152	1.61%	0.153	1.53%	0.163	1.59%	0.176	1.68%		
Bristol Township		0.090	0.97%	0.095	1.00%	0.150	1.50%	0.154	1.50%	0.154	1.47%		
Bristol Road District		0.001	0.01%	0.001	0.01%	0.109	1.08%	0.116	1.13%	0.123	1.17%		
Total	0.00614	9.307		9.455		10.010		10.265		10.465			

Kendall County Total Tax Revenue

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Revenue From PPT	10,628,855.28	10,928,502.31	11,000,706.23	11,484,403.27	10,963,992.97
Personal Prop Replacement tax	365,463.32	390,305.10	348,693.16	429,208.19	390,794.05
State Income Tax	2,241,829.06	2,672,458.13	2,389,490.78	2,647,781.09	2,722,387.09
Local Sales Use Tax	729,937.91	626,561.76	692,968.44	810,367.45	1,004,048.27
State Sales Tax	410,416.66	557,243.10	555,930.77	562,857.62	525,004.14
Franchise tax	220,855.33	235,484.58	224,999.87	222,682.12	251,689.44
1/4 Cent Sales Tax	2,842,109.67	2,917,549.25	3,096,299.31	3,134,675.58	3,115,818.44
Co. Real Estate Transfer Tax	372,609.00	432,228.25	459,166.25	426,829.00	506,559.25
Total Tax Revenue	17,812,076.23	18,760,332.48	18,768,254.81	19,718,804.32	19,480,293.65



	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Revenue From PPT	59.67%	58.25%	58.61%	58.24%	56.28%
Personal Prop Replacement tax	2.05%	2.08%	1.86%	2.18%	2.01%
State Income Tax	12.59%	14.25%	12.73%	13.43%	13.98%
Local Sales Use Tax	4.10%	3.34%	3.69%	4.11%	5.15%
State Sales Tax	2.30%	2.97%	2.96%	2.85%	2.70%
Franchise tax	1.24%	1.26%	1.20%	1.13%	1.29%
1/4 Cent Sales Tax	15.96%	15.55%	16.50%	15.90%	15.99%
Co. Real Estate Transfer Tax	2.09%	2.30%	2.45%	2.16%	2.60%

Year	Additional Funds if taken CPI	New Construction amount	CPI and New Construction	CPI %
FY 2018	445,818.90	243,511.00	689,329.90	2.1%
FY 2019	450,928.71	238,109.00	689,037.71	2.1%
FY 2020	412,527.66	286,351.00	698,878.66	1.9%
FY 2021	506,020.87	340,685.00	846,705.87	2.3%
FY 2022	312,784.79	381,803.00	694,587.79	1.4%
Totals	2,128,080.94	1,490,459.00	3,618,539.94	



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 21-26

**Robert Bright on Behalf of the Madison Trust and Castle Bank
N A and JoAnn Bright-Theis
Major Amendment to A-1 Special Use for a Banquet Facility**

INTRODUCTION

On August 27, 2019, the County Board adopted Ordinance 2019-23 which granted a special use permit for a banquet facility at 10978 Crimmin Road. The special use permit included seventeen (17) conditions.

The Petitioners would like to change their use of the approximately nineteen thousand seven hundred (19,700) square foot building to allow for smaller events and allow for events throughout the year. In particular, the Petitioners would like to make the following changes:

1. Divide the building allowed for events into Event Space A with approximately nine thousand six hundred (9,600) square feet, Event Space B with approximately two thousand nine hundred (2,900) square feet, and the remaining approximately seven thousand two hundred forty-two (7,242) square feet into non-project space not used for events.
2. Event Space A would have a maximum two hundred eighty (280) guests and Event Space B would have a maximum sixty (60) guests. Only (1) event would take place at a given time and total allowable number of guests shall not exceed two hundred eighty (280). The present maximum number of guests is two hundred eighty (280).
3. Remove the requirement that the north and south barns doors close by 7:00 p.m. at events with music.
4. Remove the requirement that events can be held on weekends only.
5. Remove the cap on the number of events per year at the property; the cap is thirty (30) events.
6. Change the concluding time of events from 10:00 p.m. to 11:00 p.m. The requirement that customers have one (1) hour to vacate the premise upon the conclusion of an event would be retained. The Petitioners originally requested that events end at Midnight; the time was changed at the Regional Planning Commission meeting.
7. Originally, the Petitioners requested that Event Space A would close on November 1st and reopen April 1st. On October 7, 2021, they submitted an email requesting that Event Space A close on November 15th and reopen April 15th to accommodate events rescheduled because of the COVID-19 pandemic. Event Space B may operate year round.
8. Setup for events would occur at 9:00 a.m. on the day of the event.
9. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. This requirement is unchanged.
10. The landscaping plan shall be amended to include the planting of twelve (12) cedar trees. The cedar trees shall be approximately twelve feet (12') in height at the time of planting. The trees shall be planted by November 30, 2021. This condition was added at the Zoning Board of Appeals hearing.
11. Musicians and disc jockeys shall be required to plug into a sound system provided and controlled by

the owners of the business allowed by the special use permit. This condition was added at the Zoning Board of Appeals hearing.

The draft ordinance, including the site plan and landscaping plan, is attached.

The minutes of all meetings and other materials associated with this Petition can be found at <https://www.co.kendall.il.us/home/showpublisheddocument/20679/63763660862010000>.

The Petitioners also requested that the attached pictures be included with the memo to show that the property is wooded and secluded.

ACTION SUMMARY

FOX TOWNSHIP

The Fox Township Planning Commission reviewed this Petition at their meetings on July 6, 2021, and July 21, 2021. The Fox Township Planning Commission recommended in favor of dividing the space and setting the maximum number of guests for Event Space A at two hundred eighty (280) and sixty (60) for Event Space B. They recommended against deleting the requirement that the barn doors close at 7:00 p.m. They recommended that weekday events conclude by 10:00 p.m. with guests allowed one (1) extra hour to vacate the property; weekend events conclude at 11:00 p.m. with allowed one (1) extra hour to vacate the property. They defined weekends as Fridays and Saturdays. They recommended keeping the maximum number of large events at thirty (30) per year and the small event space be available to rent on weekends on an unlimited basis. The above recommendations were approved unanimously of the three (3) Commissioners in attendance on July 21st. The Commission also recommended that the smaller event space be available to rent on weekdays on an unlimited basis by a vote of two (2) in favor and one (1) in opposition; two (2) Commissioners were absent. The Commissioner that voted no felt that allowing an unlimited number of events at the property would transform the property from a primarily agricultural use to a primarily non-agricultural business use.

The Fox Township Board reviewed this proposal at their meeting on July 12, 2021. The Township Board had concerns regarding whether or not the Petitioners were following the current restrictions, the direction of speakers, extending the hours of operation, extending the operating season, noise level, and traffic.

NEWARK FIRE PROTECTION DISTRICT

No comments received.

VILLAGE OF NEWARK

No comments received.

ZPAC

ZPAC reviewed this proposal at their meeting on July 6, 2021. The Health Department noted that the Petitioners were working with them to ensure that the septic system was sized appropriately. The septic system was severely undersized. There has not been a failure of the septic system. The septic system has been mapped and a design was proposed. The Health Department requested a condition in the special use permit stating that the Petitioners shall submit an application and secure a permit for the septic system renovation with the Kendall County Health Department before approval of the amendment by the County Board. A permit could be secured in one (1) or two (2) weeks. The Petitioners did not object to the condition be added to the list of conditions. The Health Department also noted that the well qualified as a non-community well and must follow the rules of that program. Discussion occurred regarding having live music events at the property. Live music events have occurred ancillary to other banquet center events and can occur inside the building. ZPAC recommended approval of the requested amendments by a vote of six (6) in favor and zero (0) in opposition; four (4) members were absent. An email stating that the Petitioners applied for septic permit is included with the rest of the materials online.

RPC

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on July 28, 2021. The Petitioners agreed to change the end time of events from Midnight to 11:00 p.m. Guests

would still have one (1) hour to leave the property. Steve Knutson, Fox Township Planning Commission Chairman, explained the Commission's opinion on the proposal. Kurt Buhle stated that he moved to the area for peace and quiet; the banquet facility was not a quiet operation. He stated that the north barn doors were currently not closed, events were occurring during the non-operating time of the year, and events were occurring after 10:00 p.m. John Vogt expressed concerns about noise and increase traffic. Robert Bright invited everyone, including his neighbors, onto the subject the property and that installing the sound system was on the priority list. Members Rodriguez and Wormley visited the subject property. Member Nelson suggested planting additional evergreen type trees in addition to the plantings required by the landscaping plan. The Petitioners were agreeable with this suggestion. Member Wilson suggested installing a fence in addition to the evergreens. The Kendall County Regional Planning Commission recommended approval of the Petition with the requirement that the Petitioners submit a landscaping plan with evergreen type trees planted and a timeframe for planting the evergreens. The landscaping plan should be submitted prior to the Kendall County Planning, Building and Zoning Committee meeting. The vote was eight (8) in favor and zero (0) in opposition with two (2) members absent. Member Wilson made a motion to add the fencing requirement, but that motion died for lack of second.

ZBA

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on August 2, 2021. The Petitioners reiterated their reasons for requesting the amendments. Chairman Mohr and Member Clementi expressed concerns that the Petitioners were not following the existing regulations regarding hours of operation and having the barn doors closed. The Petitioners provided an updated landscaping plan and stated that the new trees would be planted by November 30, 2021. Steve Knutson, Fox Township Planning Commission Chairman, explained the Commission's recommendations. Steve Knutson, as a private resident, felt that the Petitioners have not been following the existing regulations completely and neighbors should be given a right to have at least a few nights of quiet. Kurt Buhle expressed concerns regarding the Petitioners not following existing regulations; he was also concerned about noise, traffic, safety, security, and property values. The Kendall County Zoning Board of Appeals recommended approval of the request by vote of four (4) in favor and zero (0) in opposition with three (3) members absent subject to the following conditions:

1. The building shall be divided as requested by the Petitioners.
2. The landscaping plan shall be amended to reflect the planting of the twelve (12) cedar trees as shown on the revised landscaping plan. The trees shall be approximately twelve feet (12') tall at the time of planting and shall be planted by November 30, 2021.
3. As requested by the Petitioners, the maximum number of guests in Event Space A shall be two hundred eighty (280) and the maximum number of guests in Event Space B shall be sixty (60). There shall be only one (1) event on the property at a given time and the total allowable number of guests shall not exceed two hundred eighty (280) guests.
4. The Petitioners' request that the barn doors be open after 7:00 p.m. be denied.
5. A condition should be added requiring musicians and disc jockeys to plug into a sound system provided and controlled by the business owners.
6. Events in either space should conclude by 10:00 p.m. on weekdays and 11:00 p.m. on weekends with customers given one (1) hour to vacate the premises. Tours of the facility shall be by appointment. The definition of weekend and weekday would not change from the existing ordinance.
7. As requested by the Petitioners, setup for events in either space would start at 9:00 a.m. on the day of the event.
8. As requested by the Petitioners, Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.

9. As requested by the Petitioners, the cap on the number of events per weekend and the cap on the number events in a season should be removed.
10. All other conditions and restrictions in Ordinance 2019-23 shall remain effective.
11. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.
12. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

PBZ COMMITTEE

The PBZ Committee reviewed this proposal at their meeting on September 13, 2021. A letter from the Petitioners' Attorney was provided explaining why the barn doors were open after the allotted time and why an event continued after 10:00 p.m. Updated information on the septic system had not been provided. The Committee voted to forward the proposal to the Committee of the Whole with a neutral recommendation in order to obtain the input of the other County Board members by a vote of five (5) in favor and zero (0) in opposition.

STAFF RECOMMENDATION

Staff recommended approval of the requested major amendment to an existing special use permit subject to the following conditions and restrictions:

1. The approximately nineteen thousand seven hundred (19,700) square foot building shall be divided as requested.
2. The landscaping plan referenced in Condition 2.A is amended to include the amended landscaping provided at the Zoning Board of Appeals hearing. The twelve (12) cedar trees shall be approximately twelve feet (12') in height at the time of planting. The trees shall be planted by November 30, 2021.
3. Condition 2.C of Ordinance 2019-23 shall be deleted and replaced with the following:
 - C. A maximum of two hundred eighty (280) guests shall be allowed in attendance within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.
4. Condition 2.I of Ordinance 2019-23 shall be deleted and replaced with the following:
 - I. No music shall originate outside of any building. This exemption 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 buildings. Musicians and disc jockeys shall be required to plug into a sound system provided and controlled by the owners of the business allowed by the special use permit.
5. Condition 2.J of Ordinance 2019-23 shall be deleted and replaced with the following:
 - J. Events in either event spaces shall conclude by 11:00 p.m. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 15th and reopen April 15th. Event Space B may operate year round.
6. All other conditions and restrictions contained in Ordinance 2019-23 shall remain effective.
7. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.
8. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

FINDINGS OF FACT

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The Kendall County Zoning Board of Appeals did not make a finding of this fact. Chairman Mohr and Member Thompson voted for a positive finding and Members Clementi and Fox voted for a negative finding.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The proposed use will be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity cannot be mitigated by establishing restrictions related to the number of guests allowed on the property, the days and hours of operation, and buffering within the ordinance granting the special use permit and major amendment to the special use permit. Chairman Mohr and Members Clementi and Fox voted for the negative finding and Member Thompson voted for a positive finding.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner’s approved site plan from Ordinance 2019-23 addresses utilities, drainage, and points of ingress and egress. Finding approved by all members present.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. The site conforms to the regulations of the A-1 Agricultural Zoning District. Members Clementi, Fox, and Thompson voted for the positive finding and Chairman Mohr voted for a negative finding.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective “Encourage Agriculture and Agribusiness.” Chairman Mohr and Members Clementi and Fox voted for the positive finding and Member Thompson vote for a negative finding.

SITE INFORMATION

PETITIONER Robert Bright on Behalf of the Madison Trust and Castle Bank NA and JoAnn Bright Theis

ADDRESS 10978 Crimmin Road, Newark

LOCATION Approximately 0.54 Miles South of the Intersection of Fox River Drive and Crimmin Road on the East Side of Crimmin Road



TOWNSHIP Fox

PARCEL #s 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, and 04-32-100-008

LOT SIZE 38.34 +/- Acres

EXISTING LAND USE Agricultural/Farmstead/Banquet Facility

ZONING A-1 Agricultural District with a Special Use Permit for a Banquet Facility

LRMP	Future Land Use	Agricultural
	Roads	Crimmin Road is a Major Collector Road and is also classified as a Scenic Route.
	Trails	None
	Floodplain/Wetlands	A riverine wetland is located along the southwest edge of the subject property.

REQUESTED ACTION Major Amendment to A-1 Special Use to Operate a Banquet Facility

APPLICABLE REGULATIONS §7:01 D.12 – A-1 Special Uses – Permits Banquet Facilities to be Located in the A-1 District with Approval of a Special Use Provided that the Facility Meets Certain Criteria

§ 13:08 – Special Use Procedures and Procedure for Approving Major Amendments to Existing Special Uses

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural/Wooded/ Millington Forest Preserve	A-1	Rural Residential (Max 0.65 DU/Acre) and Forest Preserve	A-1
South	Agricultural/Religious	A-1	Agricultural	A-1
East	Millington Forest Preserve	A-1	Forest Preserve	A-1
West	Agricultural/Farmstead	A-1	Rural Residential (Max 0.65 DU/Acre)	A-1, A-1 SU, R-2, and R-3

The special use permit to the west is for the operation of a fur-bearing animal farm.

Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

- Millington Fen INAI Site
- Millington Railroad Fen Natural Landmark
- Tucker-Millington Fen Natural Preserve
- River Redhorse (*Moxostoma carinatum*)

Consultation was terminated

NATURAL RESOURCES INVENTORY

The LESA Score was 181 indicating a low level of protection.

GENERAL

Ordinance 2019-23, included as Attachment 2, placed the following restrictions on the special use permit for a banquet facility at the subject property:

- A. The site shall be developed substantially in accordance with the Site Plan attached hereto as Exhibit C, Landscaping Plan attached hereto as Exhibit D, and Parking Illumination Plan attached hereto as Exhibit E.
- B. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.
- C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
- D. The subject parcel must follow the site plan configuration with the exception of the right-of-way dedication listed in condition L.
- E. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
- F. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit

may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property.

G. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.

H. 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.

I. No music shall originate outside of any building. This exemption 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 buildings. For events with music, the north and south barn doors shall close by 7:00 p.m.

J. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).

K. A new certificate of occupancy must be issued for the barn.

L. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way.

M. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road.

N. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.

O. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township's laws, related to the operation of this type of business.

P. 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.

Q. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

BUILDING CODES

An updated Occupancy Permit will be required reflecting the change of use.

ENVIRONMENTAL HEALTH

The Petitioners were working with Environmental Health regarding the size of the septic system.

ROAD ACCESS

The property fronts Crimmin Road.

PARKING AND INTERNAL TRAFFIC CIRCULATION

According to the site plan approved with Ordinance 2019-23, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces are located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

LIGHTING

Two (2) new lights were proposed for the site. According to the parking illumination plan approved with Ordinance 2019-23, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

SIGNAGE

One entrance and one exit sign are shown on the site plan attached to Ordinance 2019-23. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

LANDSCAPING

As shown on the site plan attached to Ordinance 2019-23, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue. At the Zoning Board of Appeals hearing, the Petitioners submitted a revised landscaping plan showing the planting of twelve (12) additional cedar trees that will be approximately twelve feet (12') in height at the time of planting. The planting of the cedar trees will occur in the fall of 2021.

NOISE CONTROL

All music and noise shall originate inside the venue except for processions and recessions at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face inside the building and speakers on the ceiling will be pointed downward. The Petitioners also require disc jockeys to plug into the venue's sound system so the Petitioners can control the noise level.

With the combination of distance, plantings, and control of the sound system, the Petitioners believe noise will not be an issue.

Since the issuance of the special use permit in 2019, the Kendall County Sheriff's Department has responded to one (1) noise complaint at the property. The Sheriff's Department responded to the complaint, but the decibel level was not confirmed to be in violation of the special use permit.

ATTACHMENTS

1. Draft Ordinance
2. Ordinance 2019-23
3. Five Pictures

ORDINANCE NUMBER 2021-_____

GRANTING MAJOR AMENDMENTS TO THE SPECIAL USE PERMIT FOR A BANQUET FACILITY GRANTED BY ORDINANCE 2019-23 BY DIVIDING THE BUILDING ALLOWED TO BE A BANQUET FACILITY INTO SEPARATE EVENTS SPACES, SETTING THE MAXIMUM CAPACITIES OF THE EVENT SPACES, SETTING THE DAYS OF AND HOURS OF OPERATION FOR THE EVENT SPACES, AMENDING THE LANDSCAPING PLAN, AND REMOVING THE REQUIREMENT THAT THE BARN DOORS BE CLOSED BY 7:00 P.M. AT EVENTS WITH MUSIC ON A 38.34 ACRE +/- PARCEL LOCATED AT 10978 CRIMMIN ROAD ON THE PROPERTY IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, AND 04-32-100-008 IN FOX TOWNSHIP

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits, place conditions on special use permits, amend special use permits, and provides the procedure through which special use permits are granted and amended; and

WHEREAS, Section 7:01.D.12 of the Kendall County Zoning Ordinance permits the operation of banquet halls as a special use with certain restrictions in the A-1 Agricultural Zoning District; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 38.34 acres located at 10978 Crimmin Road (PINs: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, AND 04-32-100-008) in Fox Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property.”; and

WHEREAS, on August 27, 2019, the Kendall County Board adopted Ordinance 2019-23 which granted a special use permit for a banquet facility with restrictions at the subject property; and

WHEREAS, Condition 2.A of Ordinance 2019-23 established a landscaping plan at the subject property; and

WHEREAS, Condition 2.C of Ordinance 2019-23 set the maximum number of guests in attendance at a banquet center related event at two hundred eighty (280); and

WHEREAS, Condition 2.I of Ordinance 2019-23 required that the north and south barn doors be closed by 7:00 p.m. at events with music; and

WHEREAS, Condition 2.J of Ordinance 2019-23 established the hours of operation, a season of operation, and set a maximum number of events allowed at the subject property at thirty (30);

WHEREAS, the subject property is currently owned by Madison Trust and Castle Bank N A as represented by Robert Bright and JoAnn Bright-Theis has permission to operate a banquet facility on the subject property and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about June 22, 2021, the Petitioner’s representative filed a petition for a major amendment to Ordinance 2019-23 which granted a special use permit allowing the operation of a banquet facility at the

subject property by dividing the building allowed to be a banquet facility into separate event spaces, setting the maximum capacities of the event spaces, setting the days of and hours of operation for the event spaces, and removing the requirement that the barn doors be closed by 7:00 p.m. at events with music; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on July 15, 2021, the Kendall County Zoning Board of Appeals conducted a public hearing on August 2, 2021, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner presented evidence, testimony, and exhibits in support of the requested major amendments to an existing special use permit and zero members of the public testified in favor, one member of the public testified in opposition, and one member of the public expressed concerns regarding the requested major amendments; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the major amendments to an existing special use permit with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated August 2, 2021, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a neutral recommendation of the requested major amendments to an existing special use permit; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, these major amendments to an existing special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for major amendments to the special use permit granted by Ordinance 2019-23 which allowed for the operation of a banquet facility on the subject property subject to the following conditions:
 - A. The approximately nineteen thousand seven hundred (19,700) square foot building shall be divided in substantial the way shown on building diagram attached hereto as Exhibit C.
 - B. The landscaping plan referenced in Condition 2.A of Ordinance 2019-23 is amended to include the amended landscaping attached hereto as Exhibit D. The twelve (12) cedar trees shall be approximately twelve feet (12') in height at the time of planting. The trees shall be planted by November 30, 2021.

- C. Condition 2.C of Ordinance 2019-23 shall be deleted and replaced with the following:
“A maximum of two hundred eighty (280) guests shall be allowed in attendance within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests on the property for banquet center events shall not exceed a total of two hundred eighty (280) guests.”
 - D. Condition 2.I of Ordinance 2019-23 shall be deleted and replaced with the following:
“No music shall originate outside of any building. This exemption 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 buildings. Musicians and disc jockeys shall be required to plug into a sound system provided and controlled by the owners of the business allowed by the special use permit.”
 - E. Condition 2.J of Ordinance 2019-23 shall be deleted and replaced with the following:
“Events in either event spaces shall conclude by 11:00 p.m. Tours of the facility for prospective customers shall be by appointment and may occur at any time. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 15th and reopen April 15th. Event Space B may operate year round.”
 - F. All other conditions and restrictions contained in Ordinance 2019-23 shall remain effective.
 - G. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.
 - H. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
- 3. These major amendments to an existing special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.
 - 4. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect these major amendments to an existing special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 19th day of October, 2021.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A

LEGAL DESCRIPTION OF ROBERT BRIGHT TRACT (38.3391 Acres):

That part of the Southwest Quarter of Section 29, that part of the Southeast Quarter of Section 30, that part of the Northeast Quarter of Section 31 and that part of the Northwest Quarter of Section 32, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter of Section 31; thence Southerly, along the East Line of said Northeast Quarter, 412.50 feet for a point of beginning; thence West, along a line which is parallel with the North Line of said Northeast Quarter and which forms an angle of $88^{\circ}55'20''$ with the last described course, measured counter-clockwise therefrom, 628.98 feet; thence Northwesterly, along a line which forms an angle of $136^{\circ}30'40''$ with the last described course, measured counter-clockwise therefrom, 506.73 feet to the centerline of Crimmins Road; thence Northeasterly, along said centerline which forms an angle of $105^{\circ}18'51''$ with the last described course, measured counter-clockwise therefrom, 50.50 feet; thence Northeasterly, along said centerline being a tangential curve to the right with a radius of 2300.0 feet, an arc distance of 1058.74 feet; thence Northeasterly, along said centerline which is tangent to the last described curve at the last described point, 299.42 feet; thence Northeasterly, along said centerline being a curve to the left with a radius of 730.0 feet, an arc distance of 8.76 feet to the West Line of said Southwest Quarter of Section 29; thence Southerly, along said West Line, 22.82 feet; thence Southeasterly, along a line which forms an angle of $136^{\circ}53'45''$ with the last described course, measured clockwise therefrom, 1066.40 feet; thence Southeasterly, along a line which forms an angle of $148^{\circ}16'44''$ with the last described course, measured counter-clockwise therefrom, 889.54 feet to a point on a Southerly Line of a Tract conveyed to Robert A. Bright as Trustee of the Robert A. Bright Declaration of Trust by Trustee's Deed recorded as Document 9801248 on February 4, 1998; thence Southwesterly along said Southerly Line which forms an angle of $89^{\circ}59'40''$ with the last described course, measured counter-clockwise therefrom, 197.0 feet to a Southerly Corner of said Bright Tract; thence Northwesterly, along a line which forms an angle of $95^{\circ}37'45''$ with the last described course, measured counter-clockwise therefrom, 359.61 feet to a point on a line drawn Easterly, parallel with the North Line of said Northwest Quarter of Section 32, from the point of beginning and which is 607.20 feet from the point of beginning; thence Westerly, along said parallel line which forms an angle of $107^{\circ}48'12''$ with the last described course, measured clockwise therefrom, 607.20 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 38.3391 acres.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on August 2, 2021. Members Cherry, LeCuyer, and Whitfield were absent.

FINDINGS OF FACT

§ 13:08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order recommend in favor of the applicant on special use permit applications.

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The Kendall County Zoning Board of Appeals did not make a finding of this fact. Chairman Mohr and Member Thompson voted for a positive finding and Members Clementi and Fox voted for a negative finding.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The proposed use will be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity cannot be mitigated by establishing restrictions related to the number of guests allowed on the property, the days and hours of operation, and buffering within the ordinance granting the special use permit and major amendment to the special use permit. Chairman Mohr and Members Clementi and Fox voted for the negative finding and Member Thompson voted for a positive finding.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **True, the Petitioner’s approved site plan from Ordinance 2019-23 addresses utilities, drainage, and points of ingress and egress. Finding approved by all members present.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. **The site conforms to the regulations of the A-1 Agricultural Zoning District. Members Clementi, Fox, and Thompson voted for the positive finding and Chairman Mohr voted for a negative finding.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **True, the proposed use is consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective “Encourage Agriculture and Agribusiness.” Chairman Mohr and Members Clementi and Fox voted for the positive finding and Member Thompson vote for a negative finding.***

RECOMMENDATION

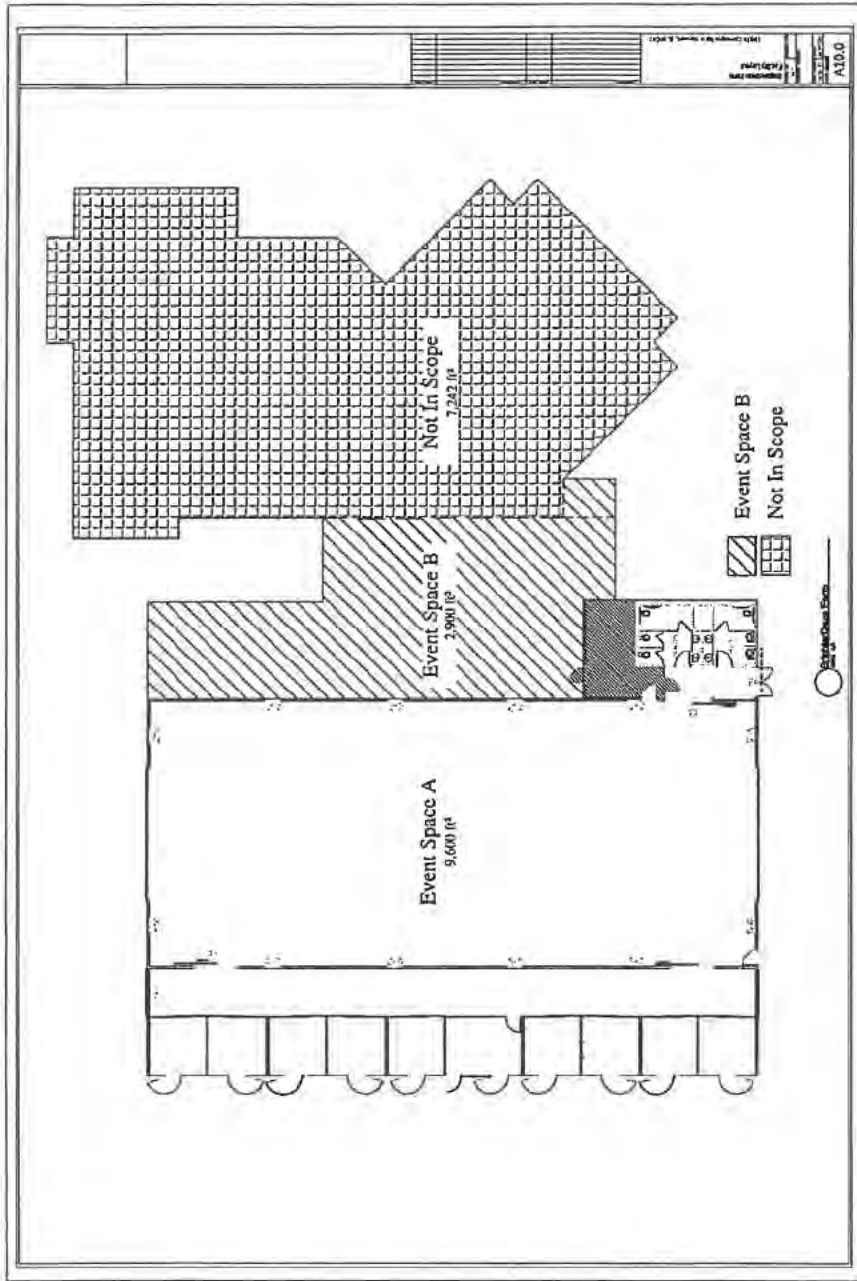
Approval by vote of four (4) in favor and zero (0) in opposition subject to the following conditions:

1. The building shall be divided as requested by the Petitioners.
2. The landscaping plan shall be amended to reflect the planting of the twelve (12) cedar trees as shown on the revised landscaping plan. The trees shall be approximately twelve feet (12') tall

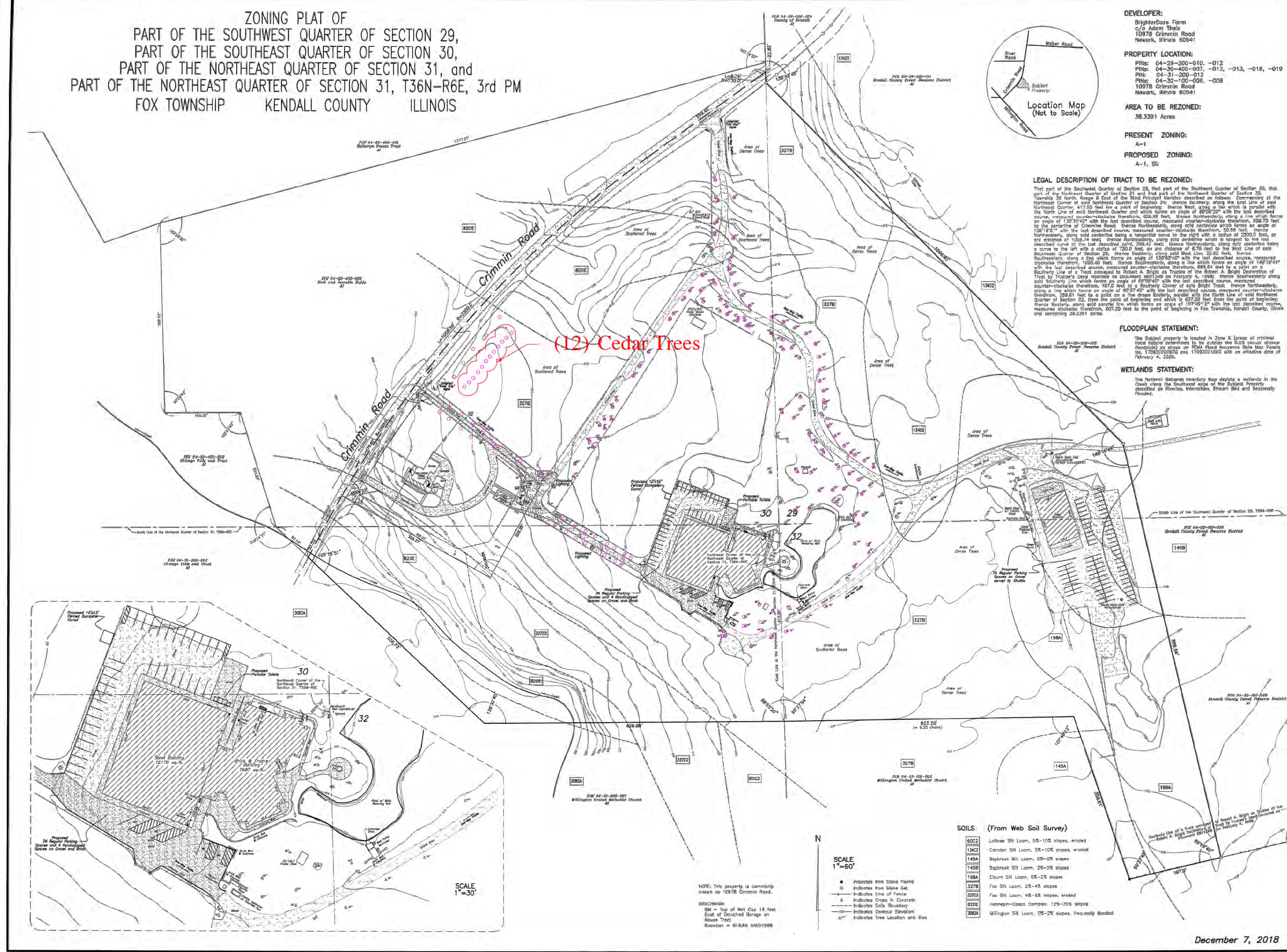
at the time of planting and shall be planted by November 30, 2021.

3. As requested by the Petitioners, the maximum number of guests in Event Space A shall be two hundred eighty (280) and the maximum number of guests in Event Space B shall be sixty (60). There shall be only one (1) event on the property at a given time and the total allowable number of guests shall not exceed two hundred eighty (280) guests.
4. The Petitioners' request that the barn doors be open after 7:00 p.m. be denied.
5. A condition should be added requiring musicians and disc jockeys to plug into a sound system provided and controlled by the business owners.
6. Events in either space should conclude by 10:00 p.m. on weekdays and 11:00 p.m. on weekends with customers given one (1) hour to vacate the premises. Tours of the facility shall be by appointment. The definition of weekend and weekday would not change from the existing ordinance.
7. As requested by the Petitioners, setup for events in either space would start at 9:00 a.m. on the day of the event.
8. As requested by the Petitioners, Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.
9. As requested by the Petitioners, the cap on the number of events per weekend and the cap on the number events in a season should be removed.
10. All other conditions and restrictions in Ordinance 2019-23 shall remain effective.
11. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.
12. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Exhibit C



ZONING PLAT OF
PART OF THE SOUTHWEST QUARTER OF SECTION 29,
PART OF THE SOUTHEAST QUARTER OF SECTION 30,
PART OF THE NORTHEAST QUARTER OF SECTION 31, and
PART OF THE NORTHEAST QUARTER OF SECTION 32, T36N-R6E, 3rd PM
FOX TOWNSHIP KENDALL COUNTY ILLINOIS



DEVELOPER:
BrighterDaze Farm
c/o Adam Thais
10978 Crimmins Road
Newark, Illinois 60541
Phone: (815) 353-1550
Cell: (815) 353-1550

PROPERTY LOCATION:
P/Ns: 04-29-300-010, -012, -013, -014, -015, -016, -017, -018, -019
P/Ns: 04-30-400-007, -012, -013, -014, -015, -016, -017, -018, -019
P/Ns: 04-31-200-013
P/Ns: 04-32-100-006, -008
10978 Crimmins Road
Newark, Illinois 60541

AREA TO BE REZONED:
38.3391 Acres

PRESENT ZONING:
A-1

PROPOSED ZONING:
A-1, SU

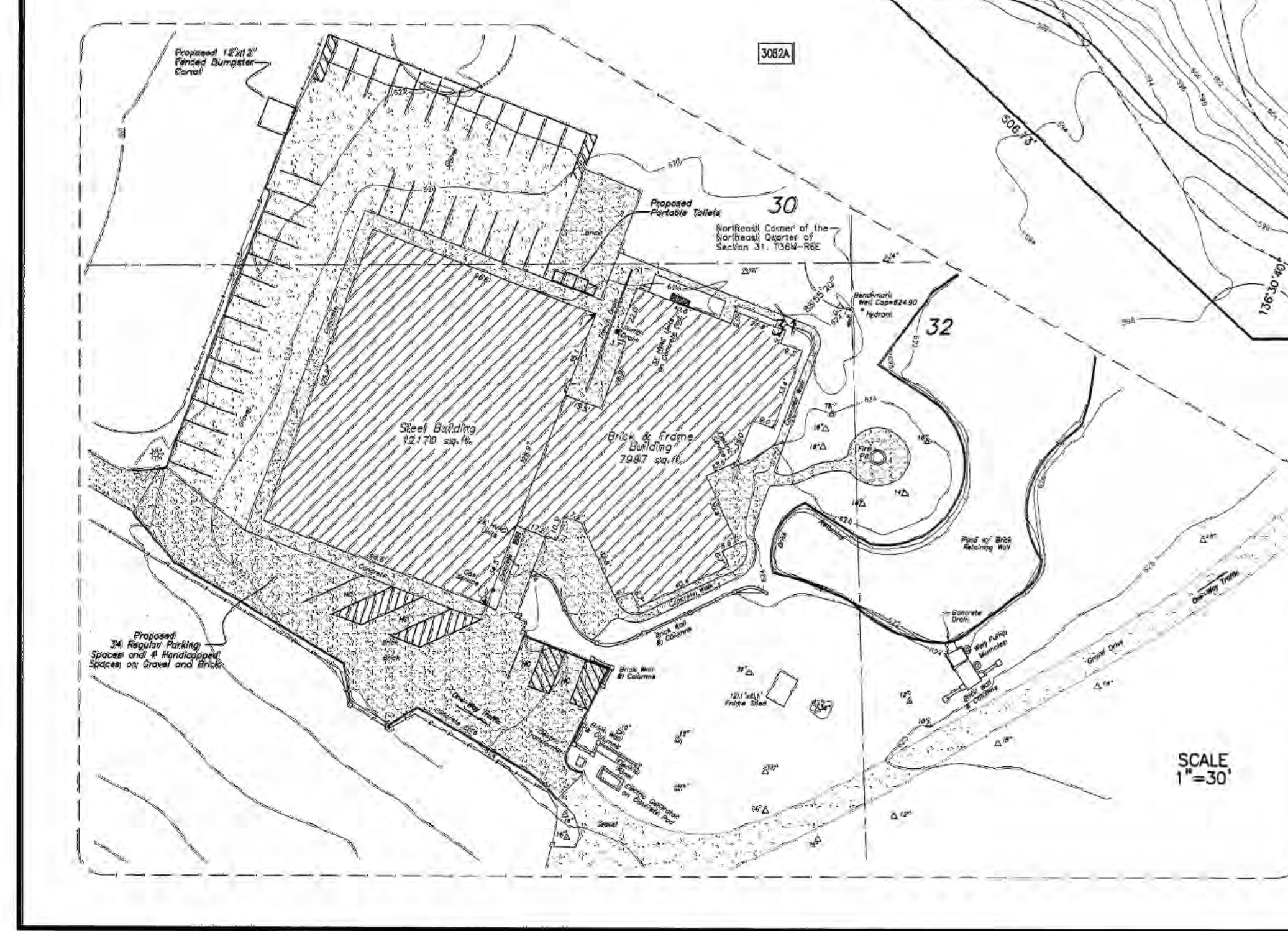
LEGAL DESCRIPTION OF TRACT TO BE REZONED:
That part of the Southwest Quarter of Section 29, that part of the Southwest Quarter of Section 30, that part of the Northeast Quarter of Section 31 and that part of the Northeast Quarter of Section 32, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northwest corner of said Southwest Quarter of Section 29, going Southerly along the East Line of said Northwest Quarter, 419.50 feet to a point of beginning, thence West, along a line which is parallel with the North Line of said Northwest Quarter and which forms an angle of 89°52'24" with the last described course, measured counter-clockwise therefrom, 536.70 feet to the beginning of Columnar Road, thence Northwesterly, along said columnar which forms an angle of 120°18'24" with the last described course, measured counter-clockwise therefrom, 50.00 feet, thence Northwesterly, along said columnar which is tangential to the 19th 1/4th of a Section of 2300.0 feet, on a curve of 105.74 feet, thence Northwesterly, along said columnar which is tangential to the last described curve of the last described path, 258.42 feet, thence Northwesterly, along said columnar which is a curve to the left with a radius of 720.0 feet, an arc distance of 8.78 feet to the West Line of said Southwest Quarter of Section 29, thence Southerly, along said West Line, 22.50 feet, thence Southwesterly, along a line which forms an angle of 135°54'48" with the last described course, measured counter-clockwise therefrom, 1000.45 feet, thence Southwesterly, along a line which forms an angle of 142°10'24" with the last described course, measured counter-clockwise therefrom, 888.24 feet to a point on a boundary line of a tract owned by Robert A. Bright as Trustee of the Robert A. Bright, Declaration of Trust by Trustee's Deed recorded as instrument 1021228 on February 3, 1997, thence Southwesterly along said boundary line which forms an angle of 89°52'24" with the last described course, measured counter-clockwise therefrom, 197.0 feet to a boundary corner of said Bright Tract, thence Northwesterly, along a line which forms an angle of 90°00'00" with the last described course, measured counter-clockwise therefrom, 352.01 feet to a point on a line drawn Easterly, parallel with the North Line of said Northwest Quarter of Section 29, from the point of beginning and which is 607.20 feet from the point of beginning, thence Westerly, along said parcel the which forms an angle of 89°58'12" with the last described course, measured clockwise therefrom, 607.20 feet to the point of beginning in Fox Township, Kendall County, Illinois, and containing 38.3391 acres.

FLOODPLAIN STATEMENT:
The Subject property is located in Zone X (Grade of minimal flood elevation is to be applied and 0.02 foot stream floodplain) as shown on FEMA Flood Insurance Rate Map Panel No. 170202002B and 170202002C with an effective date of February 4, 2009.

WETLANDS STATEMENT:
The National Wetlands Inventory Map depicts no wetlands in the Creek flows the Southeast side of the Subject Property, classified as Rivers, Intermittent, Stream Bed and Seasonally Flooded.

Philip D. Young and Associates, Inc.
LAND SURVEYING - TOPOGRAPHIC MAPPING - LIT.#184-002775

NO.	DATE	REVISIONS	DATE	REV



SCALE 1"=30'

NOTE: This property is commonly known as 10978 Crimmins Road.

BENCHMARK:
BM = Top of Well Cap 1 1/2 feet East of Detached Garage on House Tract
Elevation = 616.86 MVD1588

SCALE 1"=60'

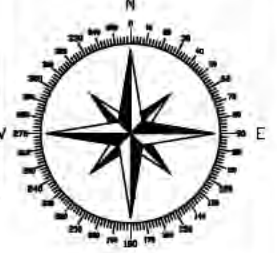
- Indicates Iron Stake Found
- Indicates Iron Stake Set
- Indicates Line of Fence
- x Indicates Cross in Concrete
- Indicates Soil Boundary
- Indicates Contour Elevation
- ▲ Indicates Tree Location and Size

SOILS (From Web Soil Survey)

60C2	LoRose Silt Loam, 5%-10% slopes, eroded
134C2	Camden Silt Loam, 5%-10% slopes, eroded
145A	Seybrook Silt Loam, 0%-2% slopes
145B	Seybrook Silt Loam, 2%-5% slopes
198A	Elburn Silt Loam, 0%-2% slopes
327B	Fox Silt Loam, 2%-4% slopes
327C	Fox Silt Loam, 4%-6% slopes, eroded
820E	Hennepin-Desoto Complex, 1%-30% slopes
308A	Wilmington Silt Loam, 0%-2% slopes, frequently flooded

December 7, 2018

Brighter Daze Farm Landscaping Plan
SCALE: Not to Scale



BrighterDaze Farm
Landscaping Plan
DRAWN BY: ART
CHECKED BY: []
PROJECT NUMBER: []
DATE ISSUED: 07/29/21
SCALE: N/A
SHEET NUMBER: 1.0

10978 Crimmins Rd • Newark, IL 60541



201900012306

DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL

RECORDED: 8/29/2019 07:43 AM
ORDI: 48.00 RHSPS FEE: 10.00
PAGES: 11

State of Illinois
County of Kendall

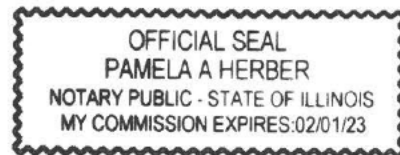
Zoning Petition
#19-12

ORDINANCE # 2019-23

**GRANTING A SPECIAL USE PERMIT ON PROPERTY ZONED A-1
AGRICULTURAL FOR A BANQUET FACILITY ON A 38.34 ACRE +/- PARCEL
LOCATED AT 10978 CRIMMIN ROAD ON THE PROPERTY IDENTIFIED BY
PARCEL IDENTIFICATION NUMBERS 04-29-300-010, 04-29-300-012, 04-30-400-007,
04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-32-100-006,
AND 04-32-100-008 IN FOX TOWNSHIP**

Mailed to and Prepared by:
Matthew Asselmeier
111 West Fox Street Rm. 203
Yorkville, IL 60560

SEAL



Subscribed and sworn to before me
This 28th day of August, 2019



Matthew Asselmeier
Kendall County Senior Planner



Notary Public

11

ORDINANCE NUMBER 2019-23

GRANTING A SPECIAL USE PERMIT ON PROPERTY ZONED A-1 AGRICULTURAL FOR A BANQUET FACILITY ON A 38.34 ACRE +/- PARCEL LOCATED AT 10978 CRIMMIN ROAD ON THE PROPERTY IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-32-100-006, AND 04-32-100-008 IN FOX TOWNSHIP

WHEREAS, Section 13.08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted; and

WHEREAS, Section 7.01.D.10 of the Kendall County Zoning Ordinance permits the operation of banquet facilities as a special use with certain restrictions in the A-1 Agricultural Zoning District; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 38.34 acres located at 10978 Crimmin Road (PINs: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-32-100-006, and 04-32-100-008) in Fox Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as "the subject property."; and

WHEREAS, the subject property is currently owned by Madison Trust and Castle Bank N A as represented by Robert Bright and JoAnn Bright-Theis has permission to operate a banquet facility on the subject property and shall hereinafter be referred to as "Petitioner"; and

WHEREAS, on or about March 19, 2019, Petitioner filed a petition for a special use permit allowing the operation of a banquet facility at the subject property; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on June 6, 2019, the Kendall County Zoning Board of Appeals conducted a public hearing on July 1, 2019, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner and their representative presented evidence, testimony, and exhibits in support of the requested special use permit and zero members of the public testified in favor, one member of the public testified in opposition, and two members of the public expressed concerns regarding the petition; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the special use permit with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated July 1, 2019, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval of the requested special use permit with conditions; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall

WHEREAS, this special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a special use permit allowing the operation of a banquet facility on the subject property subject to the following conditions:
 - A. The site shall be developed substantially in accordance with the Site Plan attached hereto as Exhibit C, Landscaping Plan attached hereto as Exhibit D, and Parking Illumination Plan attached hereto as Exhibit E.
 - B. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.
 - C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
 - D. The subject parcel must follow the site plan configuration with the exception of the right-of-way dedication listed in condition L.
 - E. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
 - F. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property.
 - G. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
 - H. 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.

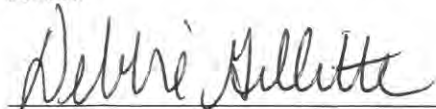
Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point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

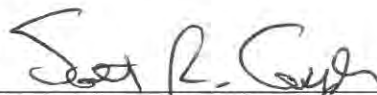
- I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. For events with music, the north and south barn doors shall close by 7:00 p.m.
 - J. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).
 - K. A new certificate of occupancy must be issued for the barn.
 - L. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way.
 - M. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road.
 - N. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
 - O. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township's laws, related to the operation of this type of business.
 - P. 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.
 - Q. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 27th day of August, 2019.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder

Exhibit A

LEGAL DESCRIPTION OF ROBERT BRIGHT TRACT (38.3391 Acres):

That part of the Southwest Quarter of Section 29, that part of the Southeast Quarter of Section 30, that part of the Northeast Quarter of Section 31 and that part of the Northwest Quarter of Section 32, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter of Section 31; thence Southerly, along the East Line of said Northeast Quarter, 412.50 feet for a point of beginning; thence West, along a line which is parallel with the North Line of said Northeast Quarter and which forms an angle of $88^{\circ}55'20''$ with the last described course, measured counter-clockwise therefrom, 628.98 feet; thence Northwesterly, along a line which forms an angle of $136^{\circ}30'40''$ with the last described course, measured counter-clockwise therefrom, 506.73 feet to the centerline of Crimmins Road; thence Northeasterly, along said centerline which forms an angle of $105^{\circ}18'51''$ with the last described course, measured counter-clockwise therefrom, 50.50 feet; thence Northeasterly, along said centerline being a tangential curve to the right with a radius of 2300.0 feet, an arc distance of 1058.74 feet; thence Northeasterly, along said centerline which is tangent to the last described curve at the last described point, 299.42 feet; thence Northeasterly, along said centerline being a curve to the left with a radius of 730.0 feet, an arc distance of 8.76 feet to the West Line of said Southwest Quarter of Section 29; thence Southerly, along said West Line, 22.82 feet; thence Southeasterly, along a line which forms an angle of $136^{\circ}53'45''$ with the last described course, measured clockwise therefrom, 1066.40 feet; thence Southeasterly, along a line which forms an angle of $148^{\circ}16'44''$ with the last described course, measured counter-clockwise therefrom, 889.54 feet to a point on a Southerly Line of a Tract conveyed to Robert A. Bright as Trustee of the Robert A. Bright Declaration of Trust by Trustee's Deed recorded as Document 9801248 on February 4, 1998; thence Southwesterly along said Southerly Line which forms an angle of $89^{\circ}59'40''$ with the last described course, measured counter-clockwise therefrom, 197.0 feet to a Southerly Corner of said Bright Tract; thence Northwesterly, along a line which forms an angle of $95^{\circ}37'45''$ with the last described course, measured counter-clockwise therefrom, 359.61 feet to a point on a line drawn Easterly, parallel with the North Line of said Northwest Quarter of Section 32, from the point of beginning and which is 607.20 feet from the point of beginning; thence Westerly, along said parallel line which forms an angle of $107^{\circ}48'12''$ with the last described course, measured clockwise therefrom, 607.20 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 38.3391 acres.

Exhibit B

FINDINGS OF FACT

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with an approved site plan, landscaping plan, and lighting plan. Proper buffering and noise controls will be necessary to prevent noise from negatively impacting neighboring properties. The Kendall County Sheriff's Department has not submitted comments expressing concerns for public health and safety, based on the information provided by the Petitioners.

Member Clementi dissented with the above Finding and stated that the proposed special use permit would be detrimental and will endanger the public health.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by restrictions related to hours and days of operation, and buffering within the ordinance granting the special use permit.

Chairman Mohr and Member Clementi dissented with the above Finding.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner's site plan addresses utilities, drainage, and points of ingress and egress.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. The site conforms to the regulations of the A-1 Agricultural Zoning District.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness."

Recommendation

The Kendall County Zoning Board of Appeals recommends approval of the requested special use permit with the conditions:

- A. The site shall be developed substantially in accordance with the attached Site Plan, Landscaping Plan, and Parking Illumination Plan.
- B. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.

- C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
- D. The subject parcel must maintain a minimum of five (5) acres.
- E. 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)
- F. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
- G. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property.
- H. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
- I. 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.
- J. No music shall originate outside of any building. This exemption 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 buildings. For events with music, barn doors shall close by 7:00 p.m.
- K. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).
- L. A new certificate of occupancy must be issued for the barn.
- M. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way.
- N. No patron or other entity associated with the business allowed by this special use permit shall

be allowed to park on Crimmin Road.

- O. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
- P. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township's laws, related to the operation of this type of business.
- Q. 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.
- R. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The Kendall County Zoning Board of Appeals issues this recommendation by a vote of four (4) in favor, one (1) opposed, and two (2) absent.

July 1, 2019

ZONING PLAT OF
 PART OF THE SOUTHWEST QUARTER OF SECTION 29,
 PART OF THE SOUTHEAST QUARTER OF SECTION 30,
 PART OF THE NORTHEAST QUARTER OF SECTION 31, and
 PART OF THE NORTHEAST QUARTER OF SECTION 32,
 FOX TOWNSHIP KENDALL COUNTY ILLINOIS

DEVELOPER:
 Dwyer/Davis, Farm
 10709 Cimmer Road
 Normal, Illinois 62451

PROPERTY LOCATION:
 Section 29
 Range 11N
 Township 18N
 Range 11E
 Township 18N
 Range 11E
 Normal, Illinois 62451

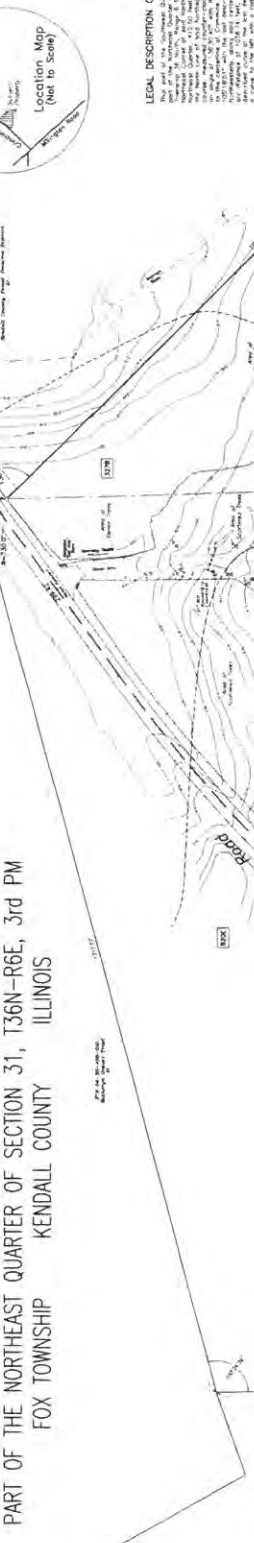
AREA TO BE REZONED:
 38.351 Acres

PRESENT ZONING:
 A-1
 PROPOSED ZONING:
 A-1 SU

LEGAL DESCRIPTION OF TRACT TO BE REZONED:
 Part of the Southwest Quarter of Section 29, the Southeast Quarter of Section 30, the Northeast Quarter of Section 31, and the Northeast Quarter of Section 32, all in Fox Township, Kendall County, Illinois, containing an area of approximately 38.351 acres. This tract is situated between the Cimmer Road to the north and the Fox River to the east, and is bounded to the south by the line of Section 29 and to the west by the line of Section 30.

FLOODPLAIN STATEMENT:
 The subject property is located in Zone 4, a Floodplain Zone with a 1% Annual Flood Frequency. The subject property is not within the Floodway, the Flood Fringe, or the Flood Plain of any floodway.

WETLANDS STATEMENT:
 The subject property is not within any of the wetlands defined in the National Wetlands Inventory.



SOILS (from Web Soil Survey)

Soil Name	Series	Depth	Texture
Ultisol	Ultisol	0-18	clay loam
Ultisol	Ultisol	18-24	loam
Ultisol	Ultisol	24-30	loam
Ultisol	Ultisol	30-36	loam
Ultisol	Ultisol	36-42	loam
Ultisol	Ultisol	42-48	loam

SCALE 1"=60'

- ▨ indicates the State Property
- ◊ indicates the State Lot
- indicates the Center of Section
- indicates the Corner of Section
- ▬ indicates the Boundary of Section

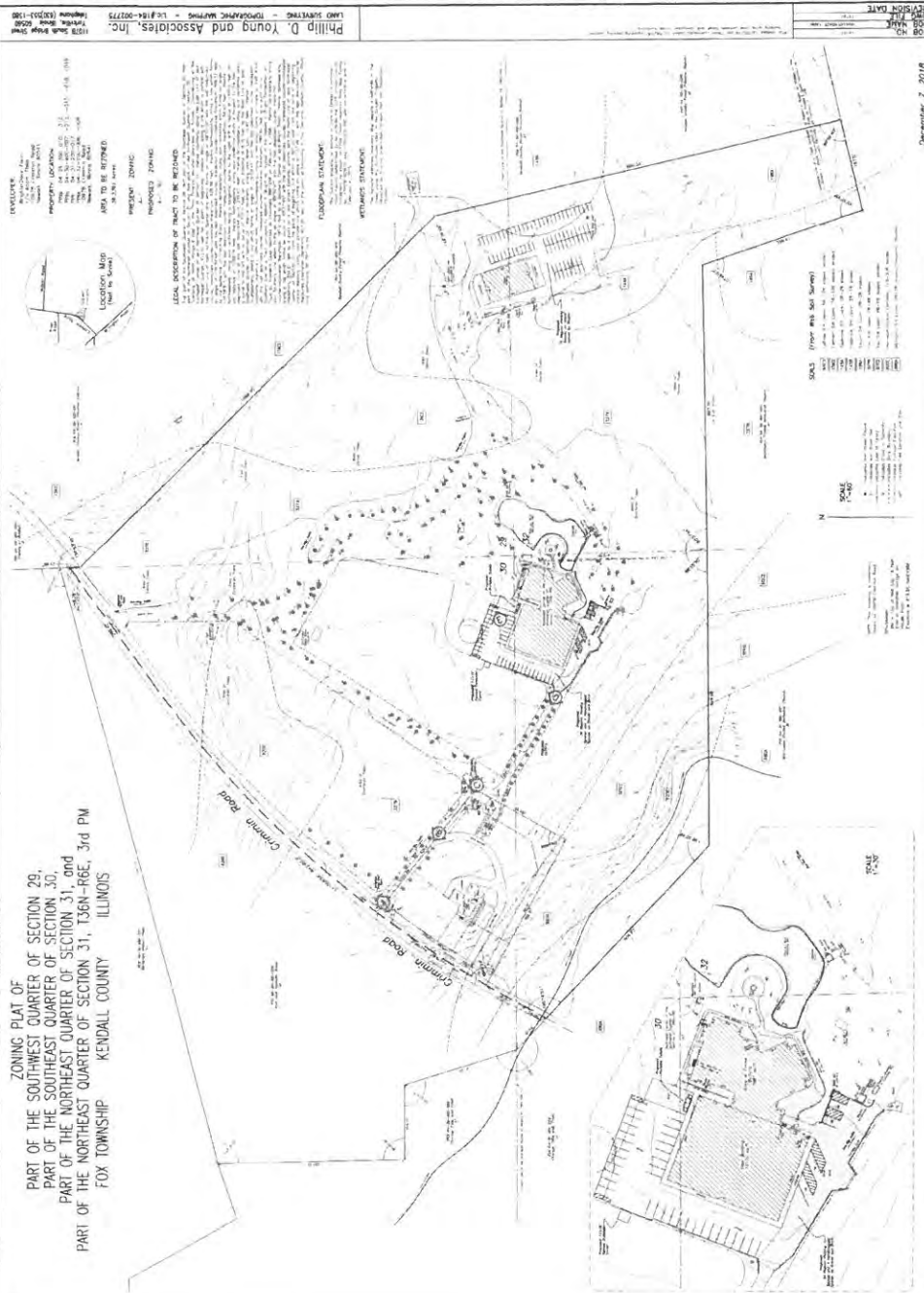
SCALE 1"=30'

- ▨ indicates the State Property
- ◊ indicates the State Lot
- indicates the Center of Section
- indicates the Corner of Section
- ▬ indicates the Boundary of Section



Exhibit D

ZONING PLAT OF
 PART OF THE SOUTHWEST QUARTER OF SECTION 29,
 PART OF THE SOUTHWEST QUARTER OF SECTION 30,
 PART OF THE NORTHEAST QUARTER OF SECTION 31, and
 PART OF THE NORTHEAST QUARTER OF SECTION 31, T36N-R6E, 3rd PM
 FOX TOWNSHIP KENDALL COUNTY ILLINOIS



PROJECT INFORMATION

PROJECT NAME	Brighter Daze Farm Landscaping Plan
PROJECT NUMBER	10978
DATE	December 7, 2016
CLIENT	Brighter Daze Farm
OWNER	10978 Chimmis Rd • Nixa, IL 65641

REVISIONS

NO.	DATE	DESCRIPTION



B Main Entrance Drive



C Middle Drive



D Main Drive



E NE View



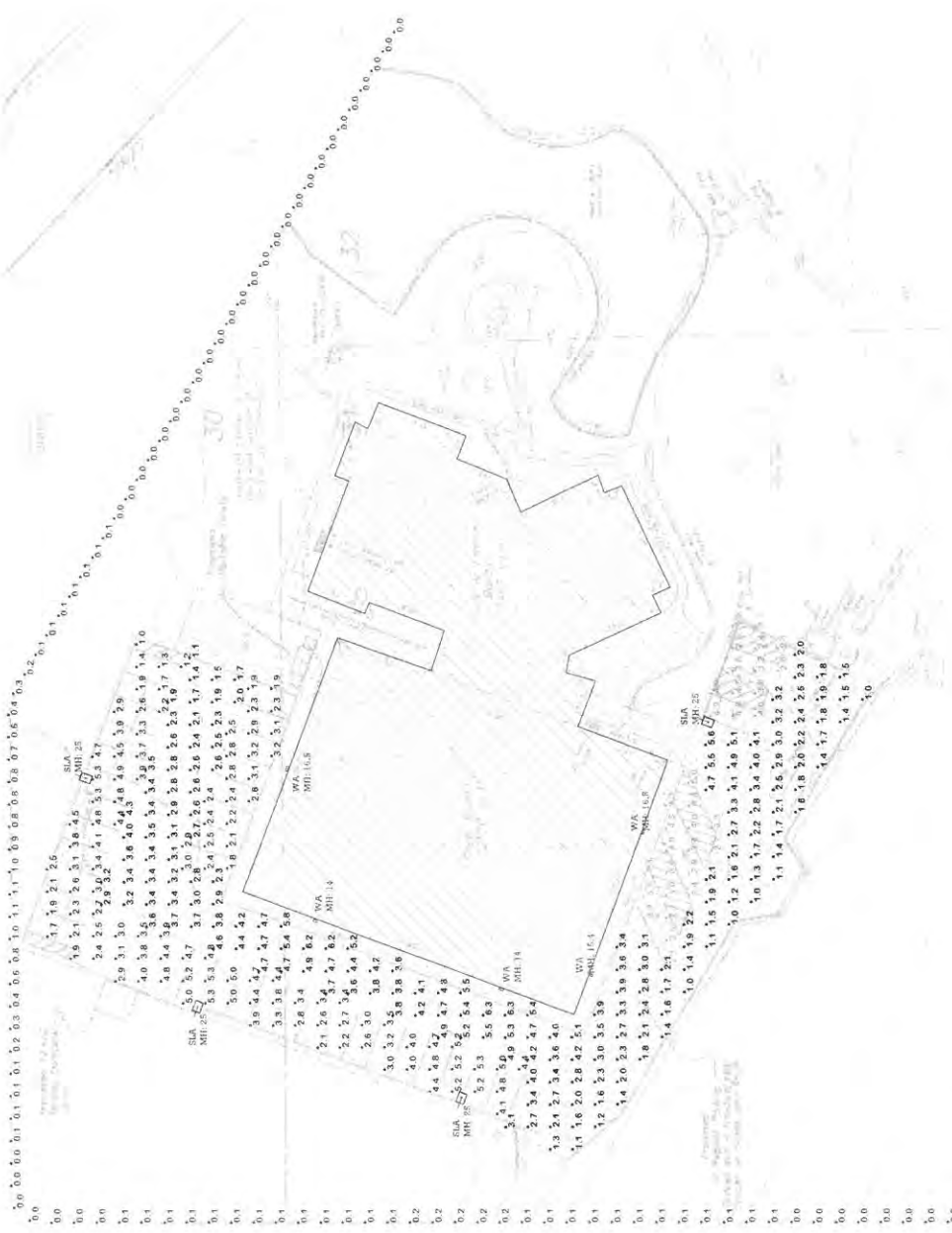
A Main Entrance

Notes:
 1) (166) Trees Ranging from 3" - 36"

Brighter Daze Farm Landscaping Plan
 SCALE: NOT TO SCALE



I.0



Luminaire Data Label	Symbol	Manufacturer	Description	Lum. Lumens	LMF	Lum. Waits
SLA	[Symbol]	PHILIPS GARDCO	ECF-S-84L-IA-NW-G2-3	23936	0.8850	205.9
MH=25	[Symbol]	PHILIPS STONCO	LPW32-7	6910	0.8850	70.5

Calculation Values						
Label	CalcType	Units	Avg	Max	Min	Max/Min
Handicap Spaces (Orange)	Illuminance	Fc	3.32	5.0	1.5	3.33
Parking Spaces (Blue)	Illuminance	Fc	3.40	5.3	1.0	5.30
Property Line (Green)	Illuminance	Fc	0.17	1.1	0.0	N/A
Traffic Lanes (Black)	Illuminance	Fc	0.07	6.3	1.0	6.30
All Hardscape	Illuminance	Fc	3.24	6	1	6.00

- NOTES**
- The calculated results of this lighting simulation represent a prediction of system performance and are not guaranteed.
 - Actual results may vary from the anticipated performance and are subject to means and conditions which are beyond the control of DB Lighting Consultation.
 - Illumination values shown (in foot-candles) are horizontal at grade level based on Mounting Height marked MH=??
 - Calculation points are on an 8' x 8' spacing

Scale: 1/4" = 20' FT.
 DB Lighting Consultation (DBLC) assumes no responsibility for any errors in the EES files, background images, or other information provided to DBLC to be used in these calculations.
 Actual or measured results may vary due to manufacturer tolerances, component malfunctions, obstructions, varying surface reflectance's and other field conditions.
 The owner assumes all responsibility for compliance with local, state and federal codes and regulations.

Prepared For: Britany Willor DB Lighting Consultation 407-924-4113		Chicago Lightworks 505 Warrenville Rd. Suite 101 Lisle, IL 60532	Project Name: BrighterDaze Farms Parking Project ID Number: 2019-151 Date: 03/14/2019	Revisions: Rev: _____ Date: _____ Comments: _____
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