

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**
111 West Fox Street • Rooms 209 and 210 • Yorkville, IL • 60560
AGENDA

Wednesday, June 26, 2019 – 7:00 p.m.

CALL TO ORDER

ROLL CALL: Bill Ashton (Chair), Roger Bledsoe, Tom Casey, Bill Davis, Karin McCarthy-Lange, Larry Nelson (Secretary), Ruben Rodriguez (Vice-Chairman), John Shaw, Claire Wilson, and One Vacancy

APPROVAL OF AGENDA

APPROVAL OF MINUTES Approval of Minutes from May 22, 2019 Meeting (Pages 2-11)

PETITIONS

1. **19 – 12 – Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis (Pages 12-100)**
Request: Request for a Special Use Permit for a Banquet Center
PIN: 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
Location: 10978 Crimmin Road (Approximately 0.54 Miles South of the Intersection of Fox River Drive and Crimmin Road on the East Side of Crimmin Road), Fox Township
Purpose: Petitioners Wish to Operate a Banquet Center at the Subject Property. Property is Zoned A-1.

CITIZENS TO BE HEARD/PUBLIC COMMENT

NEW BUSINESS

OLD BUSINESS

Update on Petition 18-04-Request from the Kendall County Regional Planning Commission for Amendments to the Land Resource Management Plan for Properties Located Near Route 47 in Lisbon Township-Commission Could Withdraw the Petition, Amend the Petition, or Request that the County Board Chairman Place the Petition on a Future County Board Meeting Agenda

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Petition 19-08 Map Amendment Rezoning Property East of 8225 Galena Road

Petition 19-13 Text Amendment for Research and Development Home Occupations

OTHER BUSINESS/ANNOUNCEMENTS

ADJOURNMENT Next Meeting on Wednesday, July 24, 2019

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time.

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

*Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois*

Unapproved - Meeting Minutes of May 22, 2019 - 7:00 p.m.

Chairman Ashton called the meeting to order at 7:00 p.m.

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Bill Davis, Karin McCarthy-Lange, Larry Nelson, and Claire Wilson

Members Absent: Ruben Rodriguez and John Shaw

Staff Present: Matthew H. Asselmeier, Senior Planner, and Ruth Ann Sikes, Part Time Office Assistant (Zoning)

In the Audience: Mark Caldwell, Adam Theis, JoAnn Theis, Steve Graves, Jeff Spang, Kurt Buhle, Jeanette Buhle, and Matthew Prochaska

Chairman Ashton welcomed Karin McCarthy-Lange to the Commission representing Oswego Township.

APPROVAL OF AGENDA

Member Bledsoe made a motion, seconded by Member Nelson to approve the agenda. With a voice vote of seven (7) ayes, the motion carried unanimously.

APPROVAL OF MINUTES

Member Wilson made a motion, seconded by Member Casey, to approve the minutes of the April 24, 2019, meeting. With a voice vote of seven (7) ayes, the motion carried unanimously.

Ruth Ann Sikes, Part Time Office Assistant (Zoning) asked all audience members that were going to speak to please sign in and speak directly into the microphone so that everything could be recorded.

PETITIONS

19-11 Mark Caldwell on Behalf of Dickson Valley Ministries

Mr. Asselmeier provided updated information on Petition 19-11.

At the April 24, 2019, meeting of the Kendall County Regional Planning Commission, the Commission requested less detail on the Petitioner's site plan.

Mr. Asselmeier stated that the Petitioner desires this major amendment in order to have a long-range plan for their facilities and to provide more clarity to the site plan that was submitted in 2014.

The proposed changes are follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) "overnight campers." This number is inclusive of as many as one hundred (100) day-only campers during the summer.
2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).

3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.
4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house, various free standing decks for small group activities, at least two (2) open air camper pavilions, day camp specific activities, water activities (i.e. splash pad, or wading fountain), and combined septic field serving all new restrooms will also be located in this area.
5. Development B, Resident Camp Area, shall consist of five (5) year-round camper cabins; four (4) of which are new.
6. Development C, Activity Area, shall consist of an outdoor high ropes course, mini-golf course, ice rink pavilion, free standing decks for small groups and one (1) year-round camper cabin.
7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods, camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area.
8. Development E, Entrance Drive, shall consist of a new gatehouse for a controlled entrance and a multi-bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated.
9. Development F, Maintenance Area, shall consist of a new shop and removal or remodel of the old shop.
10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building.
11. Development H, North Activity Area, shall consist of primitive non-public campsites, no permanent structures, and a parking area off of Finnie Road. Experiential activities similar to, but not limited to, climbing tower(s), zip line(s), team activities, a high ropes course, and a pedestrian walkway over/under/across Finnie Road are planned for this area.
12. The Retreat Development Zone shall consist of a water filtration building or addition to the existing well and well house. A new building for recreation room, snack shop, and host offices. Within this zone, several buildings will have additions and/or remodels.
13. Addition 1, Director's Lodge, shall consist of an addition to the north end of the building. The current structure is one hundred twenty-six feet (126') offset from the road.
14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west.
15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces, an addition of at least two (2) separate "leaders" rooms with restrooms, and remodel and add-on to program office for camp store.
16. Addition 4, Oulund Chalet, shall consist of remodeling to improve housing space and remodeling of restrooms.
17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition of added housing.

18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar.
19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

Also at the April meeting, the Commission was concerned about Fox Township's requests of the Petitioner. Fox Township clarified that they do not want a right-of-way dedication at this time, but they would like to be informed if a structure is constructed above or below Finnie Road.

The proposed conditions on the special use permit are as follows:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.
2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan.
3. Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road.
4. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.
5. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.
6. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

Member Nelson asked Mr. Caldwell if the new version was better. Mr. Caldwell replied they were comfortable with the changes and they would deal with any permitting issues when the new additions were constructed.

Member Nelson made a motion, seconded by Member Wilson, to recommend approval of the amended petition with the condition proposed by Staff.

Ayes (7): Ashton, Bledsoe, Casey, Davis, McCarthy-Lange Nelson, and Wilson
Nays (0): None
Absent (2): Rodriguez and Shaw

The motion passed. This proposal will go to the Zoning Board of Appeals on July 1st.

19-12 Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis
Mr. Asselmeier summarized the request.

JoAnn Bright-Theis would like to establish the Brighter Daze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.

The subject property is approximately thirty-eight acres (38) acres in size.

Crimmin Road is a major collector and scenic route. No trails are planned along the road.

A riverine wetland is located along the southwest edge of the subject property.

The adjacent land uses are agricultural related, farmsteads, religious, or forest preserve. The adjacent zonings are A-1. Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Millington Fen INAI Site, Fox River INAI Site, Millington Railroad Fen Natural Landmark, Tucker-Millington Fen Natural Preserve, and River Redhorse (*Moxostoma carinatum*). Negative impacts to the above are considered unlikely and consultation was terminated.

The NRI application was submitted on March 14, 2019. The LESA Score was 181 indicating a low level of protection.

Fox Township was emailed information on March 27, 2019. Fox Township submitted comments on April 16, 2019. In particular, Fox Township reiterated that the Township was a dry township; the Township disagreed with the functional classification of Crimmin Road contained in the Land Resource Management Plan; the Township requested a traffic study regarding the impact of the proposed venue on Crimmin Road, including the possibility of improvements to Crimmin Road necessitated by the proposed special use permit. On May 9, 2019, the Petitioner, Fox Township, and the Kendall County Planning, Building and Zoning Department held a conference call on the proposal. The Petitioner agreed to the dry regulations of the Township. The Township stated that they would not fight the functional classification of Crimmin Road in the Land Resource Management Plan. The Township stated that they (Fox Township) would request a traffic study from the Kendall County Highway Department. This study could result in a change of the speed limit on Crimmin Road to a speed less than the current fifty-five miles per hour (55 MPH), a requirement the Petitioners post additional one-way directional signage within their property, and the possibility that Fox Township adopt an ordinance forbidding parking along Crimmin Road. "Venue Ahead" signage along Crimmin Road was discussed. Also, the possible dedication of right-of-way was discussed.

Newark Fire Protection District was emailed information on March 27, 2019.

The Village of Newark was emailed information on March 27, 2019.

ZPAC reviewed this proposal at their meeting on April 2, 2019. The Health Department provided information about well monitoring. A site survey will be completed defining the location of the existing septic system. The equestrian business will continue at the property as a separate business. Discussion occurred regarding the planned the realignment of Crimmin Road. ZPAC recommended approval with all but (1) member voting yes. One (1) member voted present.

No variances were requested and the Petitioner will operate the banquet center in compliance with the regulations currently stated in the Zoning Ordinance.

The business plan for the proposed operations, building elevations, landscaping plan, parking illumination plan, and interior plan were provided.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately eight thousand (8,000) square foot barn for weddings and similar events. The maximum capacity will be approximately two hundred eighty (280) people, with one (1) additional employee. While banquets will occur inside the existing barn, prospective clients could use the exterior grounds for pictures and outdoor ceremonies. The interior of the barn is converted arena with a concrete floor. The barn is approximately twenty-six feet (26') tall at its peak and ten feet (10') tall at the ends.

An existing pond is located east of the horse barn.

The hours of operation will be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers 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 proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

The proposed business would use luxury trailer bathrooms for events with the intention to have permanent restroom facilities by 2021. Restroom facilities will be located north of the barn by the parking area.

The dumpster shall be located next to the parking lot by the barn.

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

Ancillary items, such as Brighter Daze shirts and glasses, may be sold on the premises.

An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.

Portable bathrooms will be used for events.

The property fronts Crimmin Road. According to the site plan, 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 will be 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.

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

One entrance and one exit sign will be installed on the property. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown the on proposed site plan, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue.

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 east and the barn doors will remain closed after 7:00 p.m.

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

Staff recommends approval of the requested special use permit subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and parking illumination plan.
2. 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.
3. 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.
4. The subject parcel must maintain a minimum of five (5) acres.
5. 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)
6. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
7. 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. (Last sentence added after discussion with Fox Township).
8. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
9. 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.

10. 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. Barn doors shall close by 7:00 p.m.
11. The hours of operation shall be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. 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.
12. A new certificate of occupancy must be issued for the barn.
13. 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. (Added per Fox Township).
14. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
15. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
16. 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.
17. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Member Wilson asked where the closest houses are located in relation to the property. Mr. Asselmeier said there is one (1) directly across from the property and six (6) within a half (1/2) mile of the property. The operators of the facility live on site.

Member McCarthy-Lange asked if the neighbors had been notified. Mr. Asselmeier replied yes per State law.

Member Wilson asked where the lights would be located. Adam Theis replied they would be along the existing curb line just west of the parking lot. Mr. Theis said they have thirty-four (34) parking spots on site and seventy-five (75) additional spots on a remote lot and the parking plan meets the requirements of the Zoning Ordinance.

When asked about septic system for permanent toilets, Mr. Theis replied they would be doing a study within the next six (6) months to determine the actual design and location recommendations.

Mr. Theis said they do plan on having events on Sunday with the hours being the same as Saturday hours, with thirty (30) events a year. After discussion on the subject, the Petitioners agreed to have Sunday hours the same as Monday through Thursday hours, closing the facility at 10:00 p.m.

Jeff Spang, speaking as a resident of Fox Township, had the following questions, where do staff and vendors park and how would the Petitioners handle events with no air conditioning in the months of June, July and August. Mr. Spang stated that events are currently held on the property and these events are not private, but public events. Mr. Theis responded that vendors and staff park on the remote lot. There is no air conditioning,

but they will have fans and the temperature is cooler inside the building. They have had no public events and would like to know the dates that Mr. Spang was referencing.

Steven Graves and Kurt Buhle both voiced concerns about the added traffic getting to and from the venue because it is very dangerous stretch of road.

Jeff Spang, speaking as Fox Township Supervisor, reported that Fox Township has an investigation in process and would like for the Commission to lay this proposal over so they can complete their investigation. Member Nelson asked if the continuation of this would impact votes on the issue. Mr. Spang said the investigation could impact votes.

Member Wilson asked if Crimmin Road was a major collector road and Mr. Asselmeier replied yes according to the Land Resource Management Plan. Discussion occurred regarding how Crimmin Road was classified as a major collector road.

Jeanette Buhle expressed concerns about directional signage outside of venue especially at night.

The consensus of the Commission and without any objections from Commissioners, the Petitioner or anyone else in attendance, this proposal was laid over until the June meeting of the Kendall County Regional Planning Commission.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

None

OLD BUSINESS

Petition 18-04 Request from the Kendall County Regional Planning Commission

Matthew Prochaska, Planning, Building, and Zoning Committee Chairman, said that the Committee has refused to forward the proposal to the County Board. He is exploring a discharge petition.

Member Nelson made a motion, seconded by Member Davis, to lay this issue over for one (1) month.

Ayes (7): Ashton, Bledsoe, Casey, Davis, McCarthy-Lange, Nelson, and Wilson
Nays (0): None
Absent (2): Rodriguez and Shaw

This proposal will be laid over until the June meeting of the Kendall County Regional Planning Commission.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petition 17-28 pertaining to Kendall County gun range zoning regulations was approved by the County Board. A summary of the ordinance was provided to Commissioners.

Mr. Asselmeier reported that Petition 19-07 pertaining to parking and storage of RV's, trailers, and mobile homes was withdrawn by the Kendall County Planning, Building and Zoning Committee.

Mr. Asselmeier reported that Petition 19-08 did not go to the County Board. The prospective buyer and sellers are still negotiating the terms of the contract.

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier announced that Ben Schroeder's resignation was accepted by the County Board Chairman.

Mr. Asselmeier said he spoke to Mike Hoffman today and Mr. Hoffman plans to have the text amendment changes done by the end of the week or Tuesday, May 28th, at the latest. The contract with the County expires June 29th for this project.

Mr. Prochaska said the County Board does have some candidates from Big Grove Township under consideration and hopes to fill the seat within the next couple months.

ADJOURNMENT

Member Wilson made a motion, seconded by Member Davis, to adjourn. With a voice vote of seven (7) ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 8:15 p.m.

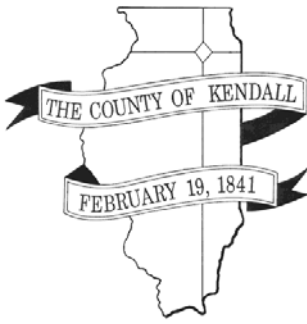
Respectfully submitted by,
Ruth Ann Sikes
Part-Time Office Assistant (Zoning)

Enc.

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
MAY 22, 2019**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Mark Caldwell		
John B. Jones	[REDACTED]	[REDACTED]
[REDACTED] This	[REDACTED]	[REDACTED]
Steve Graves	[REDACTED]	
Jett Spring	millbrook	
KURT BUHLER	[REDACTED]	
Jegnette Buhler	[REDACTED]	



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 19-12

**Robert Bright on Behalf of the Madison Trust and Castle Bank
N A and JoAnn Bright-Theis
A-1 Special Use – Banquet Facility**

INTRODUCTION

JoAnn Bright-Theis would like to establish the BrighterDaze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.

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, 04-32-100-006, and 04-32-100-008

LOT SIZE 38.34 +/- Acres

EXISTING LAND USE Agricultural/Farmstead

ZONING A-1 Agricultural District

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 A-1 Special Use to Operate a Banquet Facility

APPLICABLE REGULATIONS §7.01 D.10 – 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

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 0.60 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 0.60 DU/Acre)	A-1, A-1 SU, R-2, and R-3

The special use permit 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.

An aerial of the property is included as Attachment 7.

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

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

related materials are included as Attachment 1, Pages 26-29.

NATURAL RESOURCES INVENTORY

NRI application submitted on March 14, 2019 (see Attachment 1, Page 25). The LESA Score was 181 indicating a low level of protection. The NRI report is included as Attachment 17.

ACTION SUMMARY

FOX TOWNSHIP

Fox Township was emailed information on March 27, 2019. Fox Township submitted comments on April 16, 2019. The comments are included as Attachment 18. In particular, Fox Township reiterated that the Township was a dry township; the Township disagreed with the functional classification of Crimmin Road contained in the Land Resource Management Plan; the Township requested a traffic study regarding the impact of the proposed venue on Crimmin Road, including the possibility of improvements to Crimmin Road necessitated by the proposed special use permit. On May 9, 2019, the Petitioner, Fox Township, and the Kendall County Planning, Building and Zoning Department held a conference call on the proposal. The Petitioner agreed to the dry regulations of the Township. The Township stated that they would not fight the functional classification of Crimmin Road in the Land Resource Management Plan. The Township stated that they (Fox Township) would request a traffic study from the Kendall County Highway Department. This study could result in a change of the speed limit on Crimmin Road to a speed less than the current fifty-five miles per hour (55 MPH), a requirement the Petitioners post additional one-way directional signage within their property, and the possibility that Fox Township adopt an ordinance forbidding parking along Crimmin Road. "Venue Ahead" signage along Crimmin Road was discussed. Also, the possible dedication of right-of-way was discussed.

On June 14, 2019, Fox Township submitted updated comments which are included as Attachment 20. In particular, Fox Township requested:

1. No parking on Crimmin Road.
2. A right-of-way dedication of forty-five feet (45') as measured from the centerline of Crimmin Road for the entire length of the subject property.
3. No sound greater than sixty-five (65) dBa as measured from the property line of the complaint.
4. The special use permit should be contingent on a completed traffic study with the Petitioner paying for any necessary construction caused by increased traffic on Crimmin Road.
5. A maximum of thirty (30) events per year with an operating season between April 1st and November 1st.
6. Saturday only events with a conclusion of no later than 10:00 p.m.
7. The Township believes inadequate parking is planned for the proposal.
8. No selling or serving of alcohol per Fox Township's dry regulations.

The Township also requested that the advisory bodies consider public safety when making their recommendations.

NEWARK FIRE PROTECTION DISTRICT

Newark Fire Protection District was emailed information on March 27, 2019.

VILLAGE OF NEWARK

The Village of Newark was emailed information on March 27, 2019.

ZPAC

ZPAC reviewed this proposal at their meeting on April 2, 2019. The Health Department provided information about well monitoring. A site survey will be completed defining the location of the existing

septic system. The equestrian business will continue at the property as a separate business. Discussion occurred regarding the planned the realignment of Crimmin Road. ZPAC recommended approval with all but (1) member voting yes. One (1) member voted present. The minutes of the meeting are included as Attachment 16.

KCRPC

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on May 22, 2019. At this meeting, the Petitioners agreed to layover until the June meeting to allow Fox Township to complete their research on this request. The minutes of this meeting are included as Attachment 19.

GENERAL

The Petitioners intend to establish the BrighterDaze Farm and Events banquet facility run by JoAnn Bright-Theis at the subject property. A special use permit is required to operate a banquet facility at the subject property. Pictures of the property are included as Attachments 8-15.

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

- a. The facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan.
- b. The subject parcel must be a minimum of 5 acres.
- c. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
- d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance.
- e. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.
- f. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
- g. The noise regulations are as follows:

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

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

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

The subject property and proposed business meets the above requirements.

BUSINESS OPERATION

The business plan for the proposed operations is included as Attachment 1, Pages 2-4. The site plan is included as Attachment 2. The building elevations are included as Attachment 3. The landscaping plan is included as Attachment 4. The parking illumination plan is included as Attachment 5. The interior plan is included as Attachment 6.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately eight thousand (8,000) square foot barn for weddings and similar events. The maximum capacity will be approximately two hundred eighty (280) people, with one (1) additional employee. While banquets will occur inside the existing barn, prospective clients could use the exterior grounds for pictures and outdoor

ceremonies. The interior of the barn is a converted arena with a concrete floor. The barn is approximately twenty-six feet (26') tall at its peak and ten feet (10') tall at the ends.

An existing pond is located east of the horse barn.

The hours of operation will be Sunday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers 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 proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

The proposed business would use luxury trailer bathrooms for events with the intention to have permanent restroom facilities by 2021. Restroom facilities will be located north of the barn by the parking area.

The dumpster shall be located next to the parking lot by the barn.

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

Ancillary items, such as Brighter Daze shirts and glasses, may be sold on the premises.

BUILDING CODES

An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.

ENVIRONMENTAL HEALTH

Portable bathrooms will be used for events. The Petitioners will be conducting a soil study to determine the appropriate location for a septic field.

ROAD ACCESS

The property fronts Crimmin Road. Fox Township expressed concerns regarding Crimmin Road which could be addressed through appropriate restrictions.

PARKING AND INTERNAL TRAFFIC CIRCULATION

According to the site plan, 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 will be 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 are proposed for site. According to the parking illumination plan, 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 will be installed on the property. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

LANDSCAPING

As shown on the proposed site plan, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue.

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 east and the barn doors will remain closed after 7:00 p.m.

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

PREVIOUS EVENTS

According to information provided to the County, the Petitioners did not charge for events held previously on the property prior to June 1, 2019. On June 3, 2019, the Petitioners contacted the County and stated that they had an event on June 1, 2019, and charged a rental fee for this event. The Petitioners believed that the special use permit would be approved prior to the June 1st date and did not want to cancel the event.

FINDINGS OF FACT

§ 13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on special use permit applications. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

*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.***

*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.***

*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

Staff recommends approval of the requested special use permit subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan,

and parking illumination plan.

2. 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.
3. 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.
4. The subject parcel must maintain a minimum of five (5) acres.
5. 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)
6. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
7. 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. (Last sentence added after discussion with Fox Township).**
8. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
9. 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.

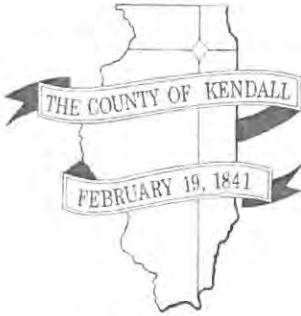
10. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. Barn doors shall close by 7:00 p.m.
11. **Events shall be held on Saturdays only and shall conclude by 10:00 p.m.** 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). (Changed per Fox Township)**
12. A new certificate of occupancy must be issued for the barn.
13. **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. (Added per Fox Township).**
14. **No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road (Added per Fox Township).**
15. **The special use permit shall be contingent upon the completion of a traffic study by the Kendall**

County Highway Department. The operator(s) of the banquet facility allowed by this special use permit shall pay for any improvements to Crimmin Road identified in the traffic study caused by the business allowed by this special use permit. (Added per Fox Township).

16. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
17. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
18. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
19. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

ATTACHMENTS

1. Application Materials (Including Business Plan)
2. Site Plan
3. Building Elevation
4. Landscaping Plan
5. Parking Illumination Plan
6. Interior Plan
7. Aerial
8. Entrance Looking South
9. Entrance Looking East
10. Entrance Looking North
11. Entrance Looking West
12. Exit Looking South
13. Exit Looking East
14. Exit Looking North
15. Exit Looking West
16. April 2, 2019 ZPAC Minutes
17. NRI Report
18. April 16, 2019 Fox Township Comments
19. May 22, 2019 KCRPC Minutes
20. June 14, Fox Township Comments



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560
 (630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME BrighterDaze Farm & Events

FILE #: 19-12

NAME OF APPLICANT JoAnn Bright-Theis		
CURRENT LANDOWNER/NAME(s) Robert Bright		
SITE INFORMATION	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
ACRES .18	10978 Crimmin Rd., Newark IL 60541	04-31-200-13
EXISTING LAND USE AGR	CURRENT ZONING AGR	LAND CLASSIFICATION ON LRMP A1
REQUESTED ACTION (Check All That Apply):		
<input checked="" type="checkbox"/> SPECIAL USE ___ MAP AMENDMENT (Rezone to ___) ___ VARIANCE ___ ADMINISTRATIVE VARIANCE ___ A-1 CONDITIONAL USE for: _____ ___ SITE PLAN REVIEW ___ TEXT AMENDMENT ___ RPD (___ Concept; ___ Preliminary; ___ Final) ___ ADMINISTRATIVE APPEAL ___ PRELIMINARY PLAT ___ FINAL PLAT ___ OTHER PLAT (Vacation, Dedication, etc.) AMENDMENT TO A SPECIAL USE (___ Major; ___ Minor)		
¹PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Adam R Theis	10978 Crimmin Rd., Newark IL 60541	[REDACTED]
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER # (Cell, etc.)
[REDACTED]	[REDACTED]	[REDACTED]
²ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
Ray Toth	196 E South St, Elmhurst, IL 60126	sparks9@sbcglobal.net
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
630-530-3700		630-530-3700
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
SIGNATURE OF APPLICANT		DATE

FEE PAID: \$ 1155.00
 CHECK #: 681632

RECEIVED

MAR 26 2019

KENDALL COUNTY

¹Primary Contact will receive all correspondence from County
²Engineering Contact will receive all correspondence from the County's Engineering Consultants



Mission Statement

BrighterDaze Farm is committed to offering an exclusive and memorable experience for our customer's event. BrighterDaze is the ideal setting for anyone looking for a beautiful, private and spacious venue. We provide an 8,000 square foot barn that can accommodate intimate weddings of 40 people or grand guest lists of up to 280 people. We understand that everyone has a different idea of perfect; that's why we allow our customers the opportunity to customize the finest details of their event.

Business Plan

Hours of Operation:

Monday – Thursday: 9:00 AM – 10:00 PM

Friday – Saturday: 9:00 AM – 12:00 PM

Holiday Schedule: Open on the Eve and Day of all Federal Holidays

Closed for the Winter: Reopen April 1st

Wedding/Event Tours scheduled by appointment by appointment only outside hours of operation

Event Setup begins at 9:00 AM CST the day of event

Customers are to "vacate" the property 1 hour after conclusion of event

of Employees: 1

Event Setup & Cleanup Plans: BDF to utilize local sub-contracting services for all applicable trades to include but not limited to: Table(s), chair(s), linens, decorations (flowers, center-pieces, etc), food, beverage(s), bathrooms and cleanup services.

NO CASH BARS allowed

Bathrooms: Luxury Trailer Bathrooms will be utilized for events and is included in pricing.

BrighterDaze Farm to provide permanent facilities by 2021

Max Occupancy: 280 people

Venue Information: 60' x 120' (7,200 sq ft) Converted Arena w/ Concrete Flooring

Noise Control: All music/noise to originate from within venue at all times with the exception of processional(s)/recessional(s).

Sound not to exceed 65 dB (7:00 AM – 10:00 PM)

Sound not to exceed 55 dB (10:00 PM – 7:00 AM)

Music will “face” East (away) from Crimmin Rd with all doors remaining “closed” after 7pm.

BrighterDaze Farm has mature trees located on the property to facilitate dampening the sound.

Distance from Venue to Crimmin Rd = 700'

Setback from Crimmin Rd to neighbors residence = 200'

Parking Plan: One-Way Traffic Pattern to be utilized during business hours

34 Regular Parking Spaces + 4 Handicapped Spaces (Venue)

75 Regular Parking Spaces (Remote Parking)

Lighting to be “off” 1 hour after conclusion of event

Sale of Ancillary Items

BDF reserves the right to sell ancillary items such as sweaters, shirts, cups/glasses, etc.

Main Entrance/Exit Sign(s) Specifications (Locations as shown on Traffic Plan)



Header	Notice Sign
Legend	Notice: Main Entrance
Part#	S-8380
SPN#	8GWC
Colors	Blue and Black
Shape	Horizontal
Contents	1 Safety Sign



MODEL NO.	SIZE W x H	DESCRIPTION	THICKNESS
H-5755	36 x 12"	Exit w/Right Arrow	1/12"

CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. [REDACTED]

ORIGINATING OFFICE:	FOR SETTLEMENT INQUIRIES, CONTACT:
Chicago Title Company, LLC 2000 West Galena, Suite 105 Aurora, IL 60506 Main Phone: (630)892-3775 Email: auroraescrow@cti.com	Chicago Title and Trust Company 2000 West Galena, Suite 105 Aurora, IL 60506 Main Phone: (630)892-3775 Main Fax: (630)892-9241

Issued By: Daniel J. Kramer
1107A S. Bridge St.
Yorkville, IL 60560

SCHEDULE A

ORDER NO. [REDACTED]

Property Ref.: Vacant land, Newark, IL 60541

1. Effective Date: September 20, 2017
2. Policy or Policies to be issued:
 - a. ALTA Owner's Policy 2006
Proposed Insured: Madison Trust Company, Custodian FBO Robert A. Bright M1507085
Policy Amount: \$250,000.00
 - b. ALTA Loan Policy 2006
Proposed Insured: First National Bank, its successors and/or assigns as their respective interests may appear
Policy Amount: \$390,000.00
3. The estate or interest in the land described or referred to in this Commitment is:
Fee Simple
4. Title to the estate or interest in the land is at the Effective Date vested in:
First National Bank of Omaha, DeKalb Illinois, (formerly known as Castle Bank, a division of First National Bank of Omaha) as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Nuber 2526, as to parcels 1 and 2
Madison Trust Company, Custodian FBO Robert A. Bright M1507085 as to parcel 3

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SCHEDULE A
(continued)

5. The land referred to in this Commitment is described as follows:

PARCEL 1:

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 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS 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 DEGREES 18 MINUTES 51 SECONDS 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 DEGREES 53 MINUTES 45 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 1066.40 FEET; THENCE SOUTH SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 16 MINUTES 44 SECONDS 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 DEGREES 59 MINUTES 40 SECONDS 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 DEGREES 37 MINUTES 45 SECONDS 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 DEGREES 48 MINUTES 12 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 607.20 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PART DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, 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, 233.54 FEET

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ALTA Commitment (06/17/2006)



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SCHEDULE A
(continued)

FOR A POINT OF BEGINNING; THENCE CONTINUING SOUTHERLY, ALONG SAID EAST LINE, 178.96 FEET; THENCE WESTERLY, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS 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 DEGREES 18 MINUTES 51 SECONDS 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 500.21 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 230.0 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 105.22 FEET TO THE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, 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; THENCE WESTERLY, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS 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 DEGREES 18 MINUTES 51 SECONDS 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 500.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 230.0 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 105.22 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 31, WHICH IS 233.54 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHERLY, ALONG SAID EAST LINE, 233.54 FEET TO SAID NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 112 DEGREES 15 MINUTES 30 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 341.46 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 160 DEGREES 32 MINUTES 46 SECONDS WITH THE LAST

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SCHEDULE A
(continued)

DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 451.82 FEET TO SAID CENTERLINE OF CRIMMINS ROAD; THENCE SOUTHWESTERLY, ALONG SAID CENTERLINE, BEING A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 33.0 FEET TO THE POINT OF BEGINNING; ALL IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, 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; THENCE WEST, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS 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 DEGREES 18 MINUTES 51 SECONDS 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 500.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 230.0 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 105.22 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 31 WHICH IS 233.54 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHERLY, ALONG SAID EAST LINE, 233.54 FEET TO SAID NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 112 DEGREES 15 MINUTES 30 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 341.46 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 160 DEGREES 32 MINUTES 46 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 451.82 FEET TO SAID CENTERLINE OF CRIMMINS ROAD; THENCE SOUTHWESTERLY, ALONG SAID CENTERLINE, BEING A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF

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SCHEDULE A
(continued)

33.0 FEET TO THE POINT OF BEGINNING IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, 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; THENCE WEST, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS 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 DEGREES 18 MINUTES 51 SECONDS 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 96.90 FEET; THENCE CONTINUING ALONG SAID CENTERLINE AND THE LAST DESCRIBED COURSE BEING A CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 279.87 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 85 DEGREES 16 MINUTES 45 SECONDS WITH THE CHORD OF THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 336.0 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 99 DEGREES 38 MINUTES 52 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 64.05 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 92 DEGREES 26 MINUTES 37 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 273.94 FEET; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 79 DEGREES 20 MINUTES 56 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 33.58 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 79 DEGREES 20 MINUTES 56 SECONDS WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 239.11 FEET; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 92 DEGREES 26 MINUTES 37 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 57.63 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 99 DEGREES 38 MINUTES 52 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 361.78 FEET TO SAID CENTERLINE OF CRIMMINS ROAD; THENCE SOUTHEASTERLY, ALONG SAID CENTERLINE, BEING A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 30.0 FEET TO THE POINT OF BEGINNING

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SCHEDULE A
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IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

END OF SCHEDULE A

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SCHEDULE B

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

General Exceptions

1. **Rights or claims of parties in possession not shown by Public Records.**
2. **Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.**
3. **Easements, or claims of easements, not shown by the Public Records.**
4. **Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.**
5. **Taxes or special assessments which are not shown as existing liens by the Public Records.**
6. **We should be furnished a properly executed ALTA statement and, unless the land insured is a condominium unit, a survey if available. Matters disclosed by the above documentation will be shown specifically.**
7. **Note for Information: The coverage afforded by this commitment and any policy issued pursuant hereto shall not commence prior to the date on which all charges properly billed by the company have been fully paid.**

A Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.

B 8. Taxes for the years 2017.

Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: [04-29-300-007-0000](#) (1 of 12)

Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.

(affects part of parcel 1)

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SCHEDULE B
(continued)

- C 9. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-29-300-010-0000](#) (2 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 1)

- D 10. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-29-300-012-0000](#) (3 of 12)
Note: Taxes for the year 2016 amounting to \$2,033.16 are paid of record.
(affects part of parcel 1)

- E 11. Taxes for the years 100.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-30-400-007-0000](#) (4 of 12)
Note: Taxes for the year 2016 amounting to \$89.30 are paid of record.
(affects part of parcel 1)

- F 12. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-30-400-011-0000](#) (5 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 1)

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SCHEDULE B
(continued)

- G 13. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-32-100-006-0000](#) (6 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 1)

- H 14. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-32-100-008-0000](#) (7 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 1)

- I 15. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-30-400-012-0000](#) (8 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects parts of parcels 2 and 3)

- J 16. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-30-400-013-0000](#) (9 of 12)
Note: Taxes for the year 2016 amounting to \$5952.78 are paid of record.
(affects parts of parcels 2 and part of parcel 3)

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SCHEDULE B
(continued)

- K 17. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-30-400-014-0000](#) (10 of 12)
Due to the \$150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 2)
- L 18. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-31-200-013-0000](#) (11 of 12)
Note: Taxes for the year 2016 amounting to \$18.20 are paid of record.
(affects part of parcel 3)
- M 19. Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: [04-31-200-014-0000](#) (12 of 12)
Note: Taxes for the year 2016 amounting to \$6,973.78 are paid of record.
(affects part of parcel 2)
- N 20. Mortgage dated December 20, 2011 and recorded January 12, 2012 as Document No. [201200000710](#) made by Castle Bank, a Division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha to secure an indebtedness in the amount of \$900,000.00.
Modification of Mortgage recorded April 25, 2013 as Document No. 201300008721.
(affects parcels 1 and 2)
- O 21. Assignment of Rents recorded January 12, 2012 as Document No. 201200000711 made by Castle Bank, a Division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha.
(affects parcels 1 and 2)

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SCHEDULE B
(continued)

- P 22. Mortgage dated December 20, 2011 and recorded January 12, 2012 as Document No. [201200000712](#) made by Castle Bank, a division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha to secure an indebtedness in the amount of \$500,000.00.

(affects parcel 2)
- Q 23. Assignment of Rents recorded January 12, 2012 as Document No. 201200000713 made by Castle Bank, a division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha.

(affects parcel 2)
- AE 24. If work has been performed on the Land within the last six months which may subject the Land to liens under the mechanics lien laws, the Company should be furnished satisfactory evidence that those who have performed such work have been fully paid and have waived their rights to a lien. If evidence is not provided or is unsatisfactory, this commitment/policy will be subject to the following exception:

Any lien, or right to a lien, for services, labor or material, heretofore or hereafter furnished, imposed by law, and not shown by the Public Records.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.
- AB 25. Information should be furnished establishing whether any written agreement has been entered into by and between any party and a broker for the purposes of buying, selling, leasing or otherwise conveying any interest in the Land described herein. If such an agreement has been entered into, satisfactory evidence should be furnished establishing that the compensation agreed upon in such agreement has been paid and the broker's lien, or right to a lien, for such amount has been extinguished. In the event said evidence is not furnished, our policy(ies), when issued, will be subject to the following exception:

Any lien, or right to a lien, imposed by law under the provisions of the Commercial Real Estate Broker Lien Act for compensation agreed upon by a broker and the broker's client or customer under the terms of a written agreement entered into for the purposes of buying, selling, leasing, or otherwise conveying any interest in the Land described in Schedule A.
- AC 26. The Company should be furnished a statement that there is no property manager employed to manage the Land, or, in the alternative, a final lien waiver from any such property manager.

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SCHEDULE B
(continued)

- AF 27. The Company should be furnished the following:
- a) A Certification of Trust executed by the trustee in accordance with 760 ILCS 5/8.5, together with excerpts of the trust agreement and amendments thereto relating to the designation of trustees and the power of the trustee to act in the current transaction, or
- b) In the alternative, the trustee, in his or her sole discretion, may deliver to the Company a full copy of the trust agreement together with all amendments thereto.
- The Company reserves the right to add additional items or make further requirements after review of the requested documentation.
- S 28. Terms, powers, provisions, and limitations of the Trust under which title to the Land is held.
- T 29. The Land described in Schedule A either is unsubdivided property or constitutes part of a subdivided lot. As a result, a Plat Act Affidavit should accompany any conveyance to be recorded. In the alternative, compliance should be had with the provisions of the Plat Act (765 ILCS 205/1 et seq.)
- AD 30. Existing unrecorded leases and all rights thereunder of the lessees and of any person or party claiming by, through or under the lessees.
- U 31. Rights of the public, the state of Illinois and the municipality in and to that part of the land, if any, taken or used for road purposes. Affects part of the land lying in Crimmin Road in survey dated Jan 5, 1998 by James M. Olson, surveyor no. 2253.
- V 32. Rights of way for drainage tiles, ditches, feeders, laterals and underground pipes, if any.
- W 33. Rights of owners of land bordering on the streams in respect to the water and use of the surface of said body of water.
- X 34. Easement granted June 9, 1964 and recorded July 21, 1964 as document 145640 by Crimmins, et al to Illinois Power Company, its successors and assigns, the right and easement for public utilities purposes as described therein, together with the right of ingress and egress thereto for said purposes. Said easement was assigned to Northern Illinois Gas Company, its successors and assigns, by instrument recorded March 3, 1966 as document 151253.
- Y 35. Encroachment of the fence located mainly on the land onto the property North and adjoining by approximately 3.2 feet and along the West line measuring 255.45 feet by approximately 1.3 feet in section 30, land onto the property Southwesterly and adjoining by approximately 16.4 feet and the property Southerly and adjoining by Approximately 19.4 feet in section 31 and onto the property South and adjoining by approximate 8.5 feet and onto the property East and adjoining by approximate 7.5 feet in section 28; onto property North and adjoining by approximate 20.5 feet in section 29; as shown on plat of survey number 2253 prepared by Illinois Professional Land Surveyer dated January 5, 1998.

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SCHEDULE B
(continued)

- Z 36. Easement in favor of Nicor Gas, and its/their respective successors and assigns, to install, operate and maintain all equipment necessary for the purpose of serving the land and other property, together with the right of access to said equipment, and the provisions relating thereto contained in the grant recorded/filed as document no. 2000004172.
(see instrument for affects)
- AA 37. Terms and provisions of a Kendall County Health Department Well Variance recorded October 19, 2004 as Document No. 200400029156.

(For further particulars, see record.)
- AG 38. All endorsement requests should be made prior to closing to allow ample time for the company to examine required documentation.
(This note will be waived for policy).
- AH 39. Note for additional information: the "**Kendall**" county recorder requires that any documents presented for recording contain the following information:
- A. The name and address of the party who prepared the document;
 - B. The name and address of the party to whom the document should be mailed after recording;
 - C. All permanent real estate tax index numbers of any property legally described in the document;
 - D. The address of any property legally described in the document;
 - E. All deeds should contain the address of the grantee and should also note the name and address of the party to whom the tax bills should be sent.
 - F. Any deeds conveying unsubdivided land, or, portions of subdivided land, may need to be accompanied by a properly executed "plat act affidavit."
- AI 40. For residential property only:

A provision for inflation coverage will be added to the owner's policy. This enhancement can automatically increase the amount of the owner's policy. For additional information, please contact your local underwriter.

END OF SCHEDULE B

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SCHEDULE B
(continued)

Title Insurance Agent:

Daniel J. Kramer
1107A S. Bridge St.
Yorkville, IL 60560
Phone: (630)553-9500
Fax: (630)553-5764

Authorized Signatory

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CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. *The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at <http://www.alta.org>.*

END OF CONDITIONS

1031 EXCHANGE SERVICES

If your transaction involves a tax deferred exchange, we offer this service through our 1031 division, IPX1031. As the nation's largest 1031 company, IPX1031 offers guidance and expertise. Security for Exchange funds includes segregated bank accounts and a 100 million dollar Fidelity Bond. Fidelity National Title Group also provides a 50 million dollar Performance Guaranty for each Exchange. For additional information, or to set-up an Exchange, please call Scott Nathanson at (312)223-2178 or Anna Barsky at (312)223-2169.

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AMERICAN
LAND TITLE
ASSOCIATION



**KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM**

1. Applicant Madison Trust Company FBO Robert Bright M1507085.
 Address 401 East 8th Street Suite 200P
 City Sioux Falls State SD Zip 57103

2. Nature of Benefit Sought Special Use Permit

3. Nature of Applicant: (Please check one)
 Natural Person (a)
 Corporation (b)
 Land Trus/Trustee (c)
 Trust/Trustee (d)
 Partnership (e)
 Joint Venture (f)

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:
Self-Directed IRA

5. If your answer to Section 3 you have checked letter b, c, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:

NAME	ADDRESS	INTEREST
Robert Bright	10978 Crimmin Rd Newark IL 60541	100%

6. Name, address, and capacity of person making this disclosure on behalf of the applicant:
Shaine Timmins, 401 East 8th Street, Suite 200P, Sioux Falls, SD 57103, Authorized Signer for Madison Trust Company

VERIFICATION

I, Shaine Timmins, being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Subscribed and sworn to before me this 19th day of March, A.D. 2019

(seal)

[Redacted Signature]
Notary Public

CHAYA TOVA SLATER
 NOTARY PUBLIC-STATE OF NEW YORK
 No. 01SL6348808
 Qualified In Rockland County
 My Commission Expires 10-03-2020



CORPORATE RESOLUTION

This resolution remains in effect until you receive notice that it has been revoked or receive a new form.

I. Organization Information

- a. Name of Organization: Madison Trust Company, Inc.
- b. Organization Type: Trust Company serving as IRA Custodian
- c. Corporate Headquarters: 401 E. 8th Street, Suite 200P, Sioux Falls, SD 57103
- d. Telephone Number: 800-721-4900

II. This resolution is an authorization to act on behalf of Madison Trust Company's accounts.

III. Authorized Signatories:

The Individuals who sign below are authorized to:

- a. Sign any documents related to assets held by Madison Trust Company's accounts.
- b. Invest and redeem the assets held by Madison Trust Company's accounts.
- c. Obtain account information and give instructions for the purchase, sale, exchange, transfer or assets or securities held by Madison Trust Company's accounts.
- d. Establish access to Madison Trust Company's accounts online or through any other electronic or telephonic system.
- e. Engage in any other action regarding the assets held by Madison Trust Company's accounts.

The number of signatures required on a document is one (1).

Name of authorized signatories:

E. Brian Finkelstein, Chairman

Mervyn Klein, CEO

Daniel Gleich, President



_____ Dated: 02/20/2018

_____ Dated: 02/20/2018

_____ Dated: 02/20/2018



Additional Persons who can conduct transactions:

The individuals listed below are authorized to sign Transfer Authorizations, Re-registration Confirmations, Assignment of Notes, and any documents related to assets on behalf of Madison Trust Company's accounts.

- | | | | |
|----------------------|--|-------------------|--|
| Charles Knopf | | Jim Riswold | |
| Alexa Holzberg | | Nick Talarico | |
| Aidy Markowitz | | Xiomara Rodriguez | |
| Tova Slater | | Seth Bergida | |
| Maggie Borchardt | | Shaine Timmins | |
| Amanda Pillitteri | | Liam Stewart | |
| Anne McBride | | Ian Robertson | |
| Brittany Bordeau | | Zachary Croan | |
| Elizabeth Frasciello | | | |

The individuals listed below are authorized to sign IRA LLC Operating Agreements on behalf of Madison Trust Company's accounts.

- | | | | |
|----------------------|--|--------------------|--|
| Charles Knopf | | Joel Galkin | |
| Alexa Holzberg | | Mark Weissman | |
| Aidy Markowitz | | Kathleen Christman | |
| Tova Slater | | Laurah Boswell | |
| Maggie Borchardt | | Anne McBride | |
| Amanda Pillitteri | | Liam Stewart | |
| Shaine Timmins | | Brittany Bordeau | |
| Ian Robertson | | Zachary Croan | |
| Elizabeth Frasciello | | | |



Certification and Indemnification:

The undersigned signatories of Madison Trust Company hereby certify that:

- Each of the authorized signatories listed below is authorized by resolution of the board of directors to act on behalf of the organization in connection with any of the Madison Trust Company accounts.
- Madison Trust Company agrees to indemnify and hold harmless any investment company, its officers, employees and agents from and against all losses, claims and expenses (including attorney's fees) incurred by the investment company for relying in good faith upon the information provided in this resolution and for action on instructions believed by the investment company to have originated from any authorized signatory or additional authorized person listed above.
- This resolution remains in full force and effect until revoked by an authorized signatory of Madison Trust Company. Any revocation will not affect any liability resulting from transactions initiated before the investment company has had a reasonable amount of time to act upon the revocation.

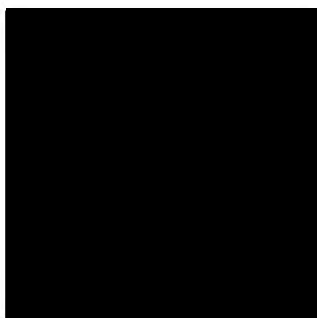
The undersigned are authorized to certify this information on behalf of Madison Trust Company and confirm that these provisions conform to the charter or other organizing document of Madison Trust Company.

Authorized Signatories:

E. Brian Finkelstein, Chairman

Mervyn Klein, CEO

Daniel Gleich, President



Dated: 02/20/2018

Dated: 02/20/2018

Dated: 02/20/2018

KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Bright & Entheising Events
 Address 10978 Crimmin Rd
 City Newark, IL 60541 State IL Zip 60541

2. Nature of Benefit Sought Special Use Permit

3. Nature of Applicant: (Please check one)

- Natural Person (a)
- Corporation (b)
- Land Trust/Trustee (c)
- Trust/Trustee (d)
- Partnership (e)
- Joint Venture (f)

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:

Event Venue

5. If your answer to Section 3 you have checked letter b, c, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:

NAME	ADDRESS	INTEREST
JoAnn Bright-Theis	10978 Crimmins Rd Newark, IL 60541	25%
Adan Theis	10978 Crimmins Rd Newark, IL 60541	25%
Nicola Bright	10978 Crimmins Rd Newark, IL 60541	25%
Robert Bright	10978 Crimmins Rd Newark, IL 60541	25%

6. Name, address, and capacity of person making this disclosure on behalf of the applicant:

JoAnn Bright-Theis 10978 Crimmins Rd Newark, IL 60541

VERIFICATION

I, _____, being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Subscribed and sworn to before me this _____ day of _____, A.D. _____

(seal)

Notary Public



**Kendall County Soil & Water
Conservation District**

7775A Route 47 Byrnesville, Illinois 60560 • (630)553-5821 extension 3



www.kendallswcd.org

RECEIVED
MAR 13 2019

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Robert Bright
Address: 10978 Crimmin Rd
City, State, Zip: Newark, IL 60541
Phone Number: () [REDACTED]
Email: [REDACTED]

Contact Person: JoAnn Bright-Theis
10978 Crimmin Rd
Newark, IL 60541
() [REDACTED]
[REDACTED]

Please select: How would you like to receive a copy of the NRI Report? Email Mail

Site Location & Proposed Use

Township Name Fox Township Township Fox N, Range T36 E, Section(s) R6
Parcel Index Number(s) 04-31-200-013
Project or Subdivision Name N/A Number of Acres .28
Current Use of Site A1 Proposed Use General Public
Proposed Number of Lots n/a Proposed Number of Structures n/a
Proposed Water Supply Well (On-Site) Proposed type of Wastewater Treatment n/a
Proposed type of Storm Water Management n/a

Type of Request

- Change in Zoning from _____ to _____
- Variance (Please describe fully on separate page)
- Special Use Permit (Please describe fully on separate page)

Name of County or Municipality the request is being filed with: Kendall County

In addition to this completed application form, please including the following to ensure proper processing:

- Plat of Survey/Site Plan** – showing location, legal description and property measurements
- Concept Plan** - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
- If available: topography map, field tile map, copy of soil boring and/or wetland studies
- NRI fee** (Please make checks payable to Kendall County SWCD)

The NRI fees, as of July 1, 2010, are as follows:

Full Report: \$375.00 for five acres and under, plus \$18.00 per acre for each additional acre or any fraction thereof over five.
Executive Summary Report: \$300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under	\$	<u>375.00</u>
_____ Additional Acres at \$18.00 each	\$	_____
Total NRI Fee	\$	_____

NOTE: Applications are due by the 1st of each month to be on that month's SWCD Board Meeting Agenda. Once a completed application is submitted, please allow 30 days for inspection, evaluation and processing of this report.

I (We) understand the filing of this application allows the authorized representative of the Kendall County Soil and Water Conservation District (SWCD) to visit and conduct an evaluation of the site described above. The completed NRI report expiration date will be 3 years after the date reported.

Petitioner or Authorized Agent

Date

This report will be issued on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, handicap or marital status.

FOR OFFICE USE ONLY

NRI# 1407 Date initially rec'd 3/14/19 Date all rec'd _____ Board Meeting April 2019
Fee Due \$ _____ Fee Paid \$ _____ Check # _____ Over/Under Payment _____ Refund Due _____

Applicant: Robert Bright
Contact: JoAnn Bright-Theis
Address: 10978 Crimmin Rd
Newark , IL 60541

IDNR Project Number: 1908293
Date: 03/01/2019

Project: BrighterDaze Farm & Events
Address: 10978 Crimmins Rd , Newark

Description: Repurpose existing 120' x 62' arena for weddings and events

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

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

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

An IDNR staff member will evaluate this information and contact you to request additional information or to terminate consultation if adverse effects are unlikely.

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Kendall

Township, Range, Section:

36N, 6E, 29
36N, 6E, 30
36N, 6E, 31
36N, 6E, 32



IL Department of Natural Resources

Contact

Justin Dillard
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction

Kendall County Zoning Commission
Matt Asselmeier
111 W Fox St
Yorkville , Illinois 60560 -1498

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

Security

EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.



EcoCAT Receipt	Project Code 1908293
-----------------------	-----------------------------

APPLICANT	DATE
-----------	------

Robert Bright Adam theis 10978 Crimmin Rd Newark, IL 60541	3/1/2019
---	----------

DESCRIPTION	FEE	CONVENIENCE FEE	TOTAL PAID
-------------	-----	-----------------	------------

EcoCAT Consultation	\$ 125.00	\$ 2.94	\$ 127.94
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TOTAL PAID \$ 127.94

Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

JB Pritzker, Governor

Colleen Callahan, Director

March 04, 2019

JoAnn Bright-Theis
Robert Bright
10978 Crimmin Rd
Newark, IL 60541

RE: BrighterDaze Farm & Events
Project Number(s): 1908293
County: Kendall

Dear Applicant:

This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.

Justin Dillard
Division of Ecosystems and Environment
217-785-5500

Please fill out the following findings of fact to the best of your capabilities. §13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals shall consider in rendering a decision, but is not required to make an affirmative finding on all items in order to grant a **special use**. They are as follows:

That the establishment, maintenance, and operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort, or general welfare.

BrighterDaze Farm & Events have hosted a cursory review with the Code Official for Kendall County Planning, Building & Zoning (Brian Holdiman), an architect (Sparks Architects) and structural engineer (Hinsdale Engineering) whom have raised no issues with public endangerment.

That the special use will not be substantially injurious to the use and enjoyment of other properties 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.

BrighterDaze Farm & Events will abide by the results of the Special Use Permit effort. We feel strongly the venue will not impair property values due to the natural "buffers" afforded to the farm (mature trees, berms and spacious property). Customers will frequent local businesses such as hotels, restaurants, etc resulting in a stronger local economy.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided.

BrighterDaze Farm & Events utilizes a "one way" traffic pattern to quickly and safely flow patrons in and out of the property with minimum impact to local traffic. All facilities have been permitted and/or inspected by Kendall County within the past 15 years.

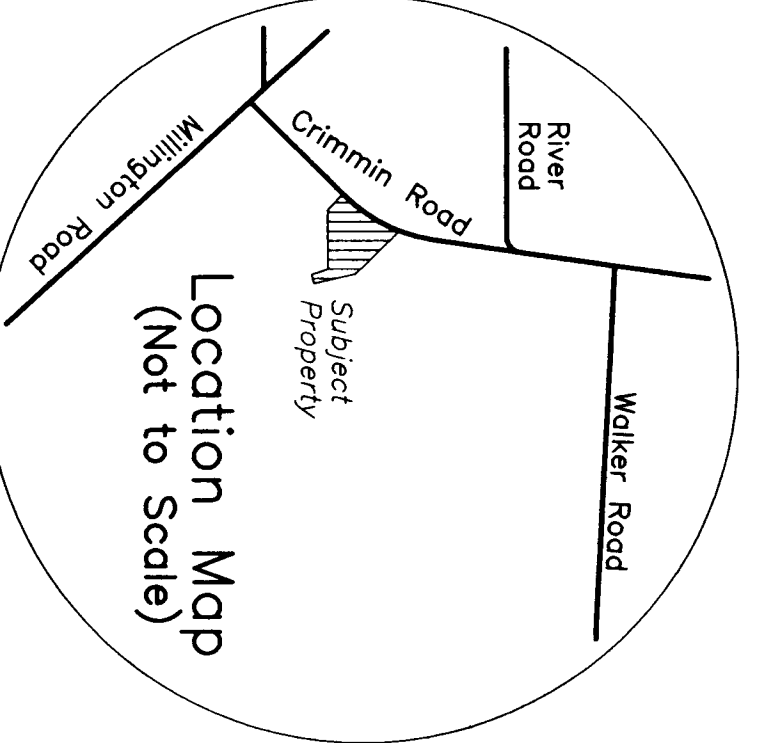
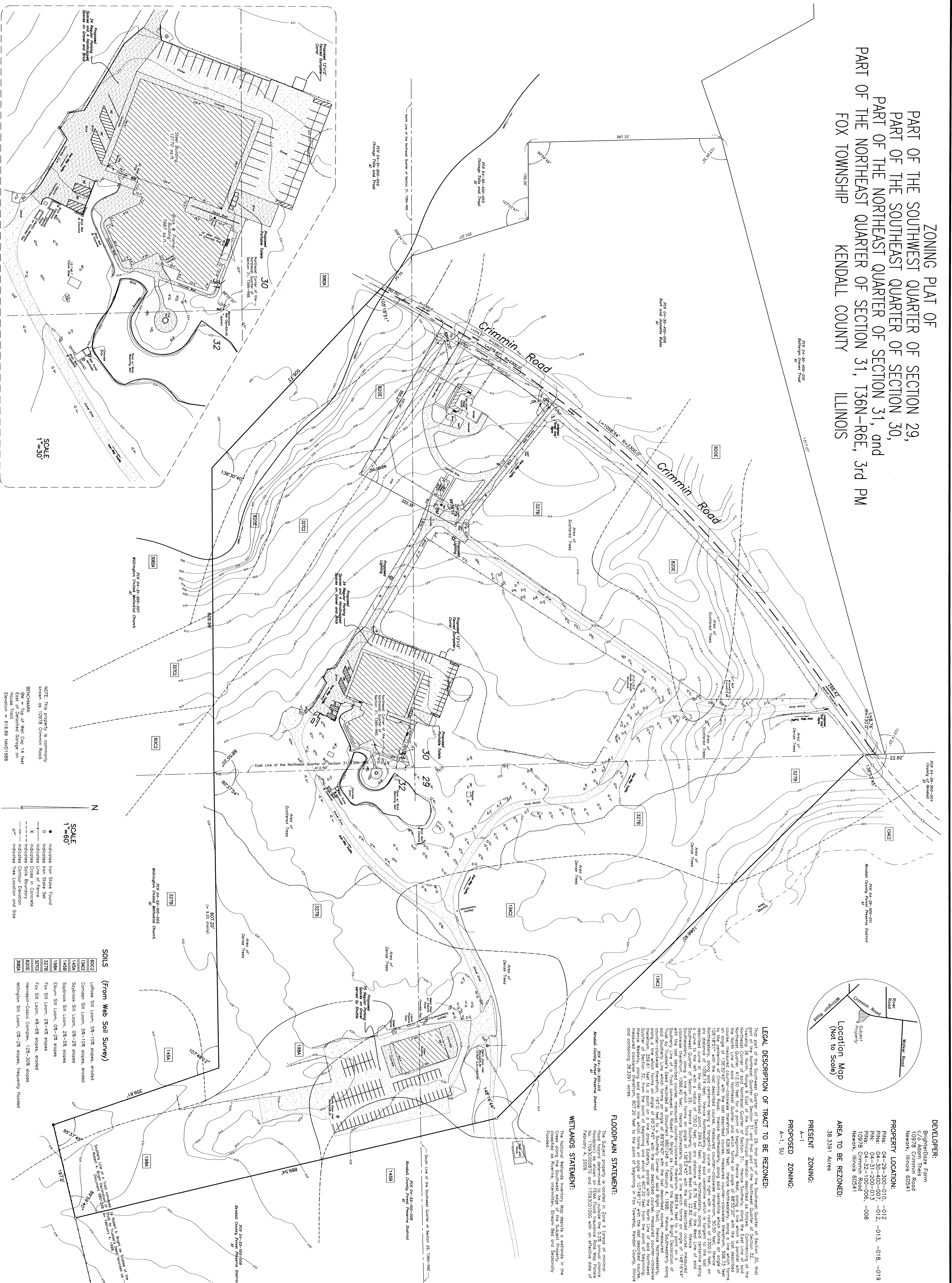
That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals

BrighterDaze Farm & Events will abide by the results of the Special Use Permit effort.

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.

BrighterDaze Farm & Events abides by all codes/regulations of the Land Resource Management Plan and other adopted County, Municipal plans and policies.

ZONING PLAN 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 32, T36N-R6E, 3rd PM
 FOX TOWNSHIP KENDALL COUNTY ILLINOIS



DEVELOPER:
 BrightDaze Farm
 c/o Adam Thies
 10378 Crimmin Road
 Newell, Illinois 62541

PROPERTY LOCATION:
 PINs: 04-29-300-010 -012
 PINs: 04-30-400-007 -012, -013, -018, -019
 PINs: 04-31-200-013
 PINs: 04-32-100-006, -008
 Subject Property
 Newell, Illinois 62541

AREA TO BE REZONED:
 38.5391 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, and part of the Southwest Quarter of Section 30, that
 Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the
 Northeast Corner of Section 29, and running North 89° 59' 42" West, 432.50 feet to a point of beginning; thence
 West, along a line which is parallel with
 the North Line of said Northeast Quarter and which bears on a slope of 88° 55' 07" with the last described
 on a slope of 136° 30' 42" with the last described course, measured counter-clockwise therefrom, 508.73 feet
 103° 18' 03" with the last described course, measured counter-clockwise therefrom, 503.50 feet; thence
 Northwesterly, along a curve being a horizontal curve to the right, with a radius of 230.10 feet on
 described curve of the last described point, 239.42 feet; thence Northwesterly, along said centerline being
 Southwest Quarter of Section 29, thence Southwesterly, along said West Line, 22.82 feet; thence
 Southwesterly, along a line from a point of beginning to the last described corner of 1487.64 feet
 with the last described course, measured counter-clockwise therefrom, 888.54 feet to a point on a
 Tract by Trustee's Deed recorded as Document 8601248 on February 4, 1988; thence Southwesterly, along
 said Southwesterly line, 19.70 feet to a point of beginning; thence Northwesterly, along a line which
 bears on a slope of 82° 37' 45" with the last described course, measured counter-clockwise therefrom,
 along a line which forms an angle of 92° 37' 45" with the last described course, measured counter-clockwise
 Quarter of Section 32, from the point of beginning and which is 601.20 feet from the point of beginning;
 thence Westwesterly, along a curve being a horizontal curve to the right, with a radius of 607.20 feet to the
 and containing 38.5391 acres.

FLOODPLAIN STATEMENT:
 The Subject Property is located in Zone X (Areas of minimal
 floodhazard) as shown on FEMA Flood Insurance Rate Map Panels
 No. 1709200095C and 1709200100C with an effective date of
 February 21, 2018.

WETLANDS STATEMENT:
 The National Wetlands Inventory Map depicts a wetlands in the
 Creek, along the Southwest edge of the Subject Property
 flooded.
 as shown on the National Wetlands Inventory Map, Stream Bed and Seasonally

SOILS (From Web Soil Survey)

- 60C2 Udfase Silt Loam, 5%-10% slopes, eroded
- 13K2 Camden Silty Loam, 5%-10% slopes, eroded
- 14A4 Sogypoon Silty Loam, 0%-2% slopes
- 14B8 Sogypoon Silty Loam, 2%-5% slopes
- 198A Eburn Silty Loam, 0%-2% slopes
- 327B Fox Silty Loam, 2%-4% slopes, eroded
- 327C Fox Silty Loam, 4%-6% slopes, eroded
- 820E Herington-Casco Complex, 12%-30% slopes
- 308A Millington Silty Loam, 0%-2% slopes, frequently flooded

SCALE 1"=60'

SCALE 1"=30'

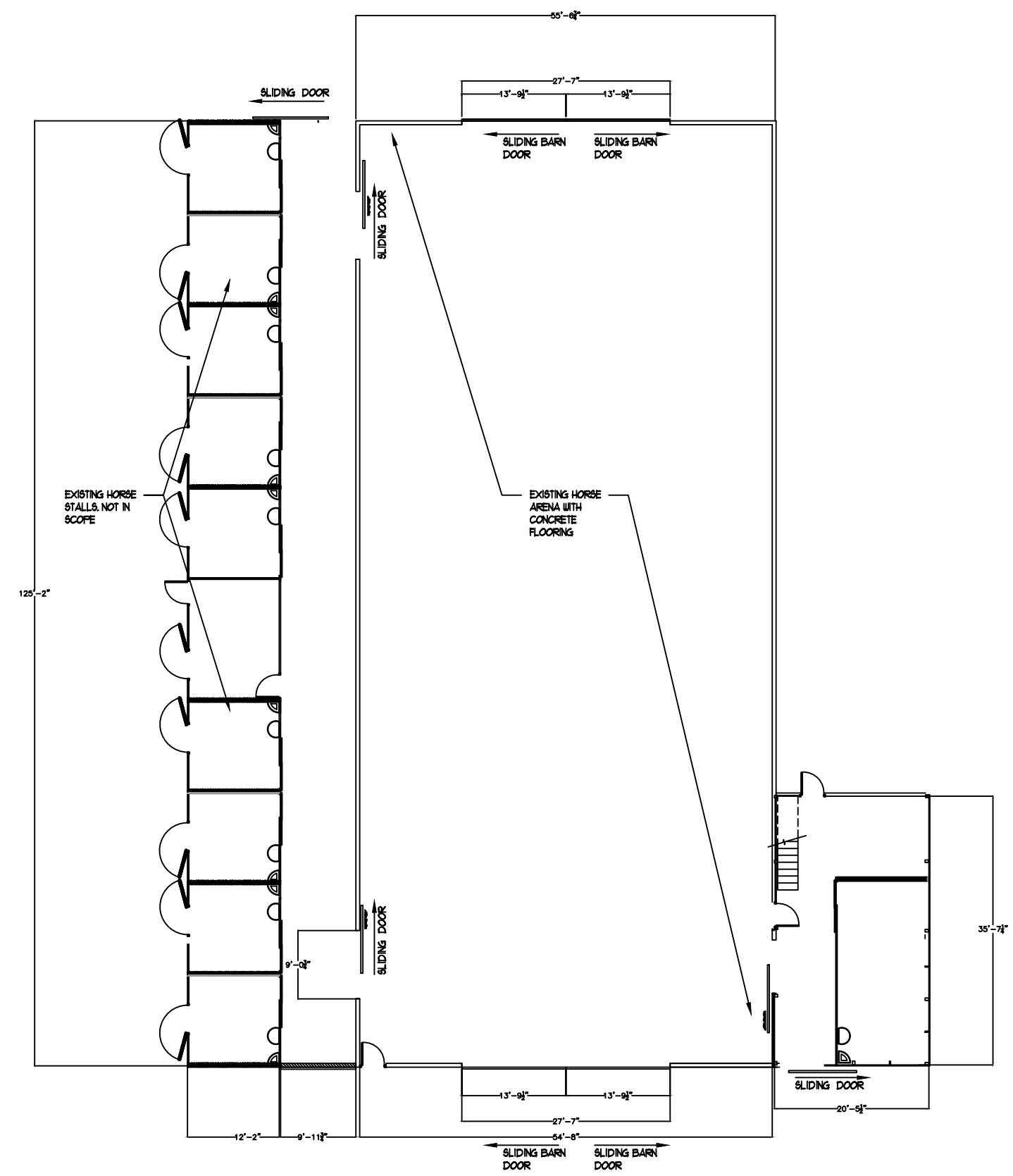
NOTE: This property is commonly known as 10378 Crimmin Road.
 BENCHMARK: Top of New Cap 1 1/4 feet East of Survey Station 31.
 Elevation = 616.88 NAVD1988

December 7, 2018

JOB NO.	18197
JOB NAME	BRIGHTDAZE FARM
DWG FILE	18197
REVISION DATE	

Plot revised 12/07/18 per Client comments dated 12/06/18 regarding parking spaces, building area, and portable toilet and dumpster corral locations.

Phillip D. Young and Associates, Inc.
 LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775
 11078 South Bridge Street
 Yorkville, Illinois 60560
 Telephone (630)553-1580



A North View

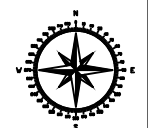


B West View



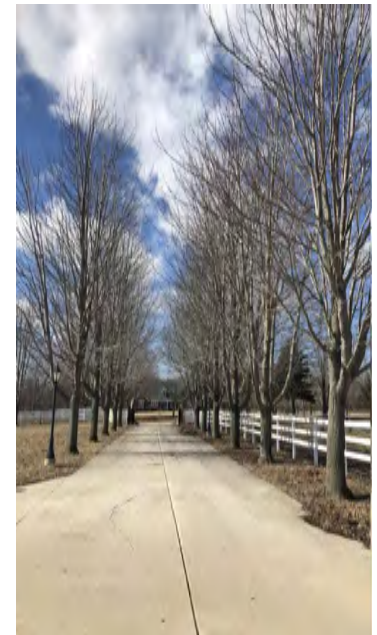
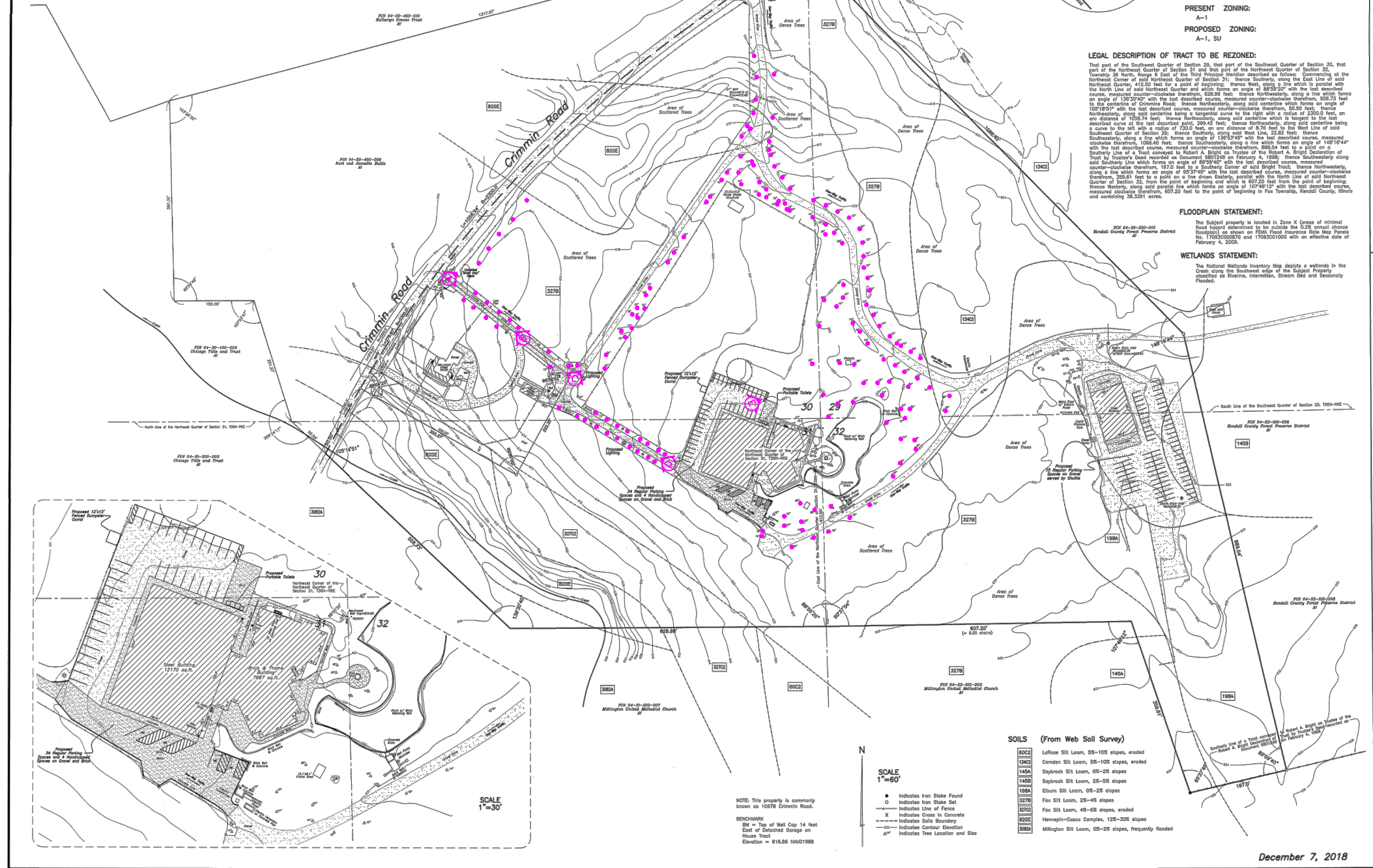
C South View

Brighter Daze Farm
SCALE: Not to Scale



DATE REV			
REVISIONS			
DATE REV			
REVISIONS			
BrighterDaze Farm Building Elevations Plan			
DRAWN BY	CHECKED BY	10978 Crimmins Rd • Newark, IL 60541	
ART			
PROJECT NUMBER			
DATE ISSUED	SCALE	N/A	
03/19/19			
SHEET NUMBER			
		1.0	

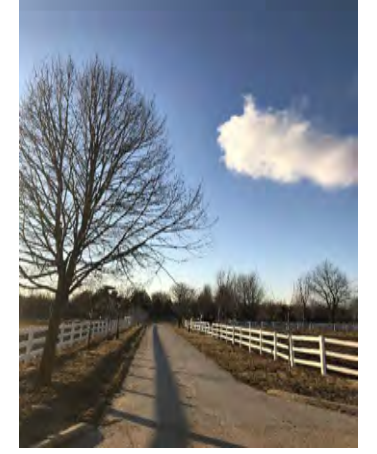
ZONING PLAT OF
PART OF THE SOUTHWEST QUARTER OF SECTION 29,
PART OF THE SOUTHWEST QUARTER OF SECTION 30,
PART OF THE NORTHEAST QUARTER OF SECTION 31, and
PART OF THE NORTHEAST QUARTER OF SECTION 31, T36N-R6E, 3rd PM
FOX TOWNSHIP KENDALL COUNTY ILLINOIS



B Main Entrance Drive



C Middle Drive



D Main Drive



A Main Entrance



E NE View

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

DEVELOPER:
BrighterDaze Farm
c/o Adam Thies
10978 Crimmins Road
Newark, Illinois 60541

PROPERTY LOCATION:
PIN: 04-29-300-010, -012
PIN: 04-30-400-007, -012, -013, -018, -019
PIN: 04-31-200-013
PIN: 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 Northeast Corner of said Northeast Quarter of Section 31; thence Southwesterly, along the East Line of said Northeast Quarter, 412.50 feet to 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 89°25'00" with the East line of said Northeast Quarter, measured counter-clockwise therefrom, 624.88 feet; thence Northwesterly, along a line which forms an angle of 133°20'00" with the last described course, measured counter-clockwise therefrom, 524.78 feet to the Northeast Corner of Crimmins Road; thence Northwesterly, along said centerline which forms an angle of 122°25'00" with the last described course, measured counter-clockwise therefrom, 653.00 feet; thence Northwesterly, along said centerline which is tangent to the last described curve to the left with a radius of 2200.00 feet, on an azimuth of 105°24'00" with the last described course, measured counter-clockwise therefrom, 290.45 feet; thence Northwesterly, along said centerline which is tangent to the last described curve to the left with a radius of 2200.00 feet, on an azimuth of 87°30'00" with the last described course, measured counter-clockwise therefrom, 105.20 feet; thence Northwesterly, along a line which forms an angle of 148°19'00" with the last described course, measured counter-clockwise therefrom, 828.54 feet to a point on a line which is parallel with the East Line of said Northeast Quarter of Section 31, 100.00 feet from the East Line of said Northeast Quarter of Section 31; thence Northwesterly, along a line which forms an angle of 92°34'00" with the last described course, measured counter-clockwise therefrom, 187.00 feet to a southerly corner of said Bright Tract; thence Northwesterly, along a line which forms an angle of 92°34'00" with the last described course, measured counter-clockwise therefrom, 355.61 feet to a point on a line drawn Easterly, parallel with the North Line of said Northeast Quarter of Section 32, from the point of beginning and which is 65.20 feet from the point of beginning; thence Northwesterly, along a line which forms an angle of 107°49'00" with the last described course, measured counter-clockwise therefrom, 272.20 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 38.3391 acres.

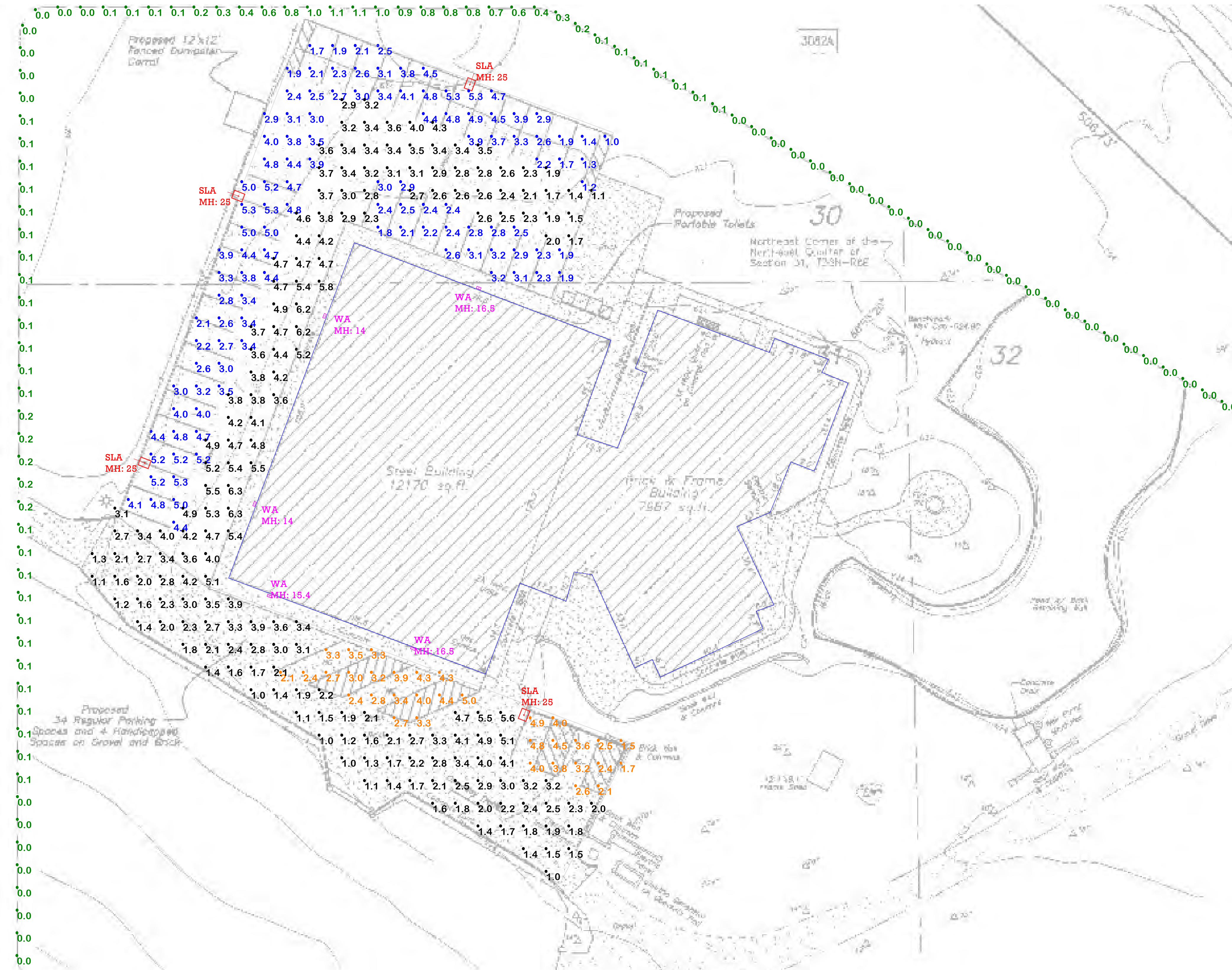
FLOODPLAIN STATEMENT:
The Subject property is located in Zone X (Areas of minimal flood hazard) determined to be outside the 500-year return period floodplain as shown on FEMA Flood Insurance Rate Map Panels No. 170902002B and 170902002C with an effective date of February 4, 2005.

WETLANDS STATEMENT:
The National Wetlands Inventory Map depicts a wetland in the Creek along the Southwest edge of the Subject Property classified as Riverine, Intermittent, Stream Bed and Seasonally Flooded.

Philip D. Young and Associates, Inc.
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775
1078 South Bridge Street
Newark, Illinois 60541
Telephone (630)553-1500

NO.	DATE	BY	REVISIONS





Luminaire Data						
Label	Qty	Symbol	Manufacture	Description	Lum. Lumens	Lum. Watts
SLA	4		PHILIPS GARDCO	ECF-S-64L-1A-NW-G2-3	23936	0.850 205.9
WA	5		PHILIPS STONCO	LPW32-7	6910	0.850 70.5

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

Calculation Values							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Handicap Spaces (Orange)	Illuminance	Fc	3.32	5.0	1.5	2.21	3.33
Parking Spaces (Blue)	Illuminance	Fc	3.40	5.3	1.0	3.40	5.30
Property Line (Green)	Illuminance	Fc	0.17	1.1	0.0	N.A.	N.A.
Traffic Lanes (Black)	Illuminance	Fc	3.07	6.3	1.0	3.07	6.30
All Hardscape	Illuminance	Fc	3.24	6	1	3.24	6.00

Scale: 1 inch= 20 Ft.

DB Lighting Consultation (DBLC) assumes no responsibility for any errors in the IES 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 federal, state and/or local codes and regulations.

Prepared For:
Brittany Willer

Prepared by:
DB Lighting Consultation
407-924-4113



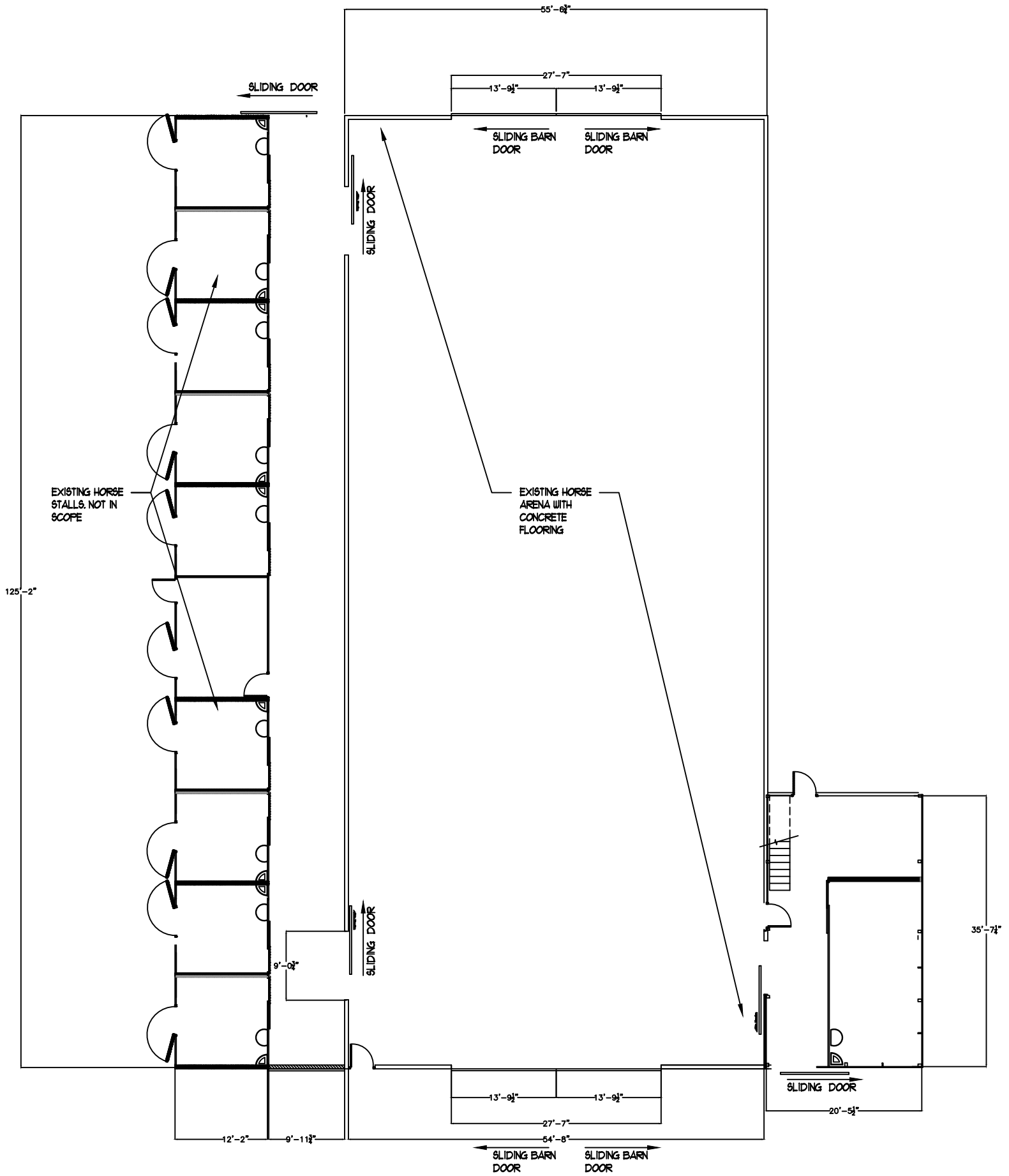
Chicago Lightworks
505 Warrenville Rd.
Suite 101
Lisle, IL 60532

Rev	Date	Comments

Project Name:
BrighterDaze Farms Parking

Project ID Number: 2019-151

Date: 03/14/2019



1
A1

EXISTING CONDITIONS

1/16" = 1'-0" 6,976 SF

NORTH

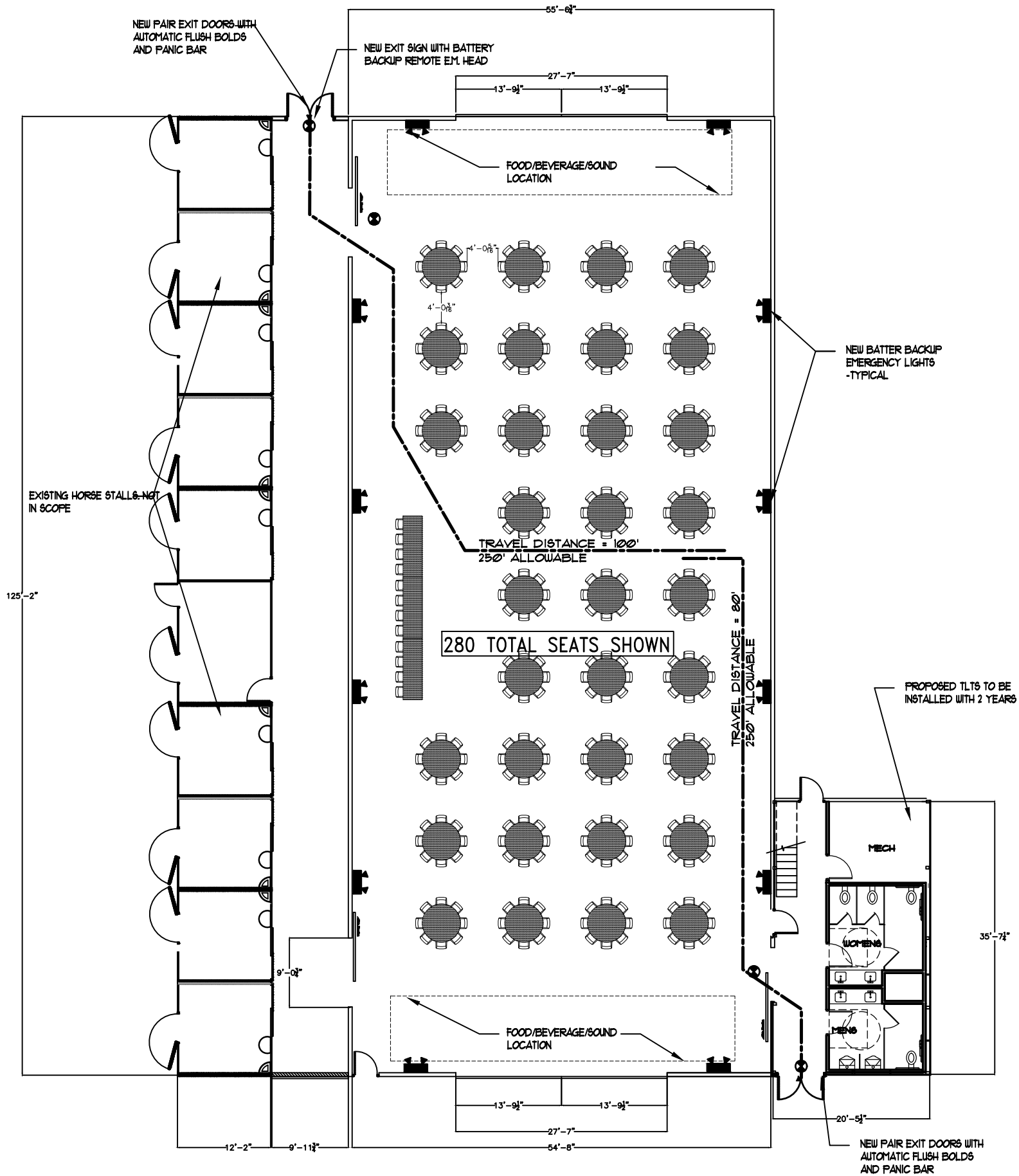
FOR REVIEW
03-15-19

SAI
SPARKS ARCHITECTS
INCORPORATED

196 SOUTH STREET
ELMHURST, IL 60126
PHONE: 1.630.530.3700
SPARKSARCH1.COM

BRIGHTER DAZE FARM
OVERALL PLAN
10978 Crimmin Road
Newark, IL 60541

Project
Number:
Sheet
Number:
A1
03-15-19



CALCULATION FOR REQUIRED PLUMBING FIXTURES PER IL PLUMBING CODE

280 OCCUPANTS, 140 MALE / 140 FEMALE

MALES
 WATER CLOSETS 2 @ 101-300 OCCUPANTS
 URINALS 1 @ 1-150 OCCUPANTS
 LAVATORIES 2 @ 101-200 OCCUPANTS

FEMALES
 WATER CLOSETS 3 @ 101-150 OCCUPANTS
 LAVATORIES 2 @ 101-200 OCCUPANTS

PLUMBING FIXTURE REQUIREMENTS			
MALE		FEMALE	
WC	LAV	WC	LAV
2 + 1UR	2	3	2

PLUMBING FIXTURES PROVIDED			
MALE		FEMALE	
WC	LAV	WC	LAV
1 + 2UR	2	3	2

1 OVERALL PLAN
 A1 1/16" = 1'-0" 6,976 SF



CALCULATION FOR REQUIRED EGRESS WIDTH

6,976 SF / 15 SF per OCC (TABLES & CHAIRS) = 465 OCCUPANTS
 465 x .15 = 70" EGRESS WIDTH REQUIRED
 140" WIDTH PROVIDED

FOR REVIEW
 03-15-19



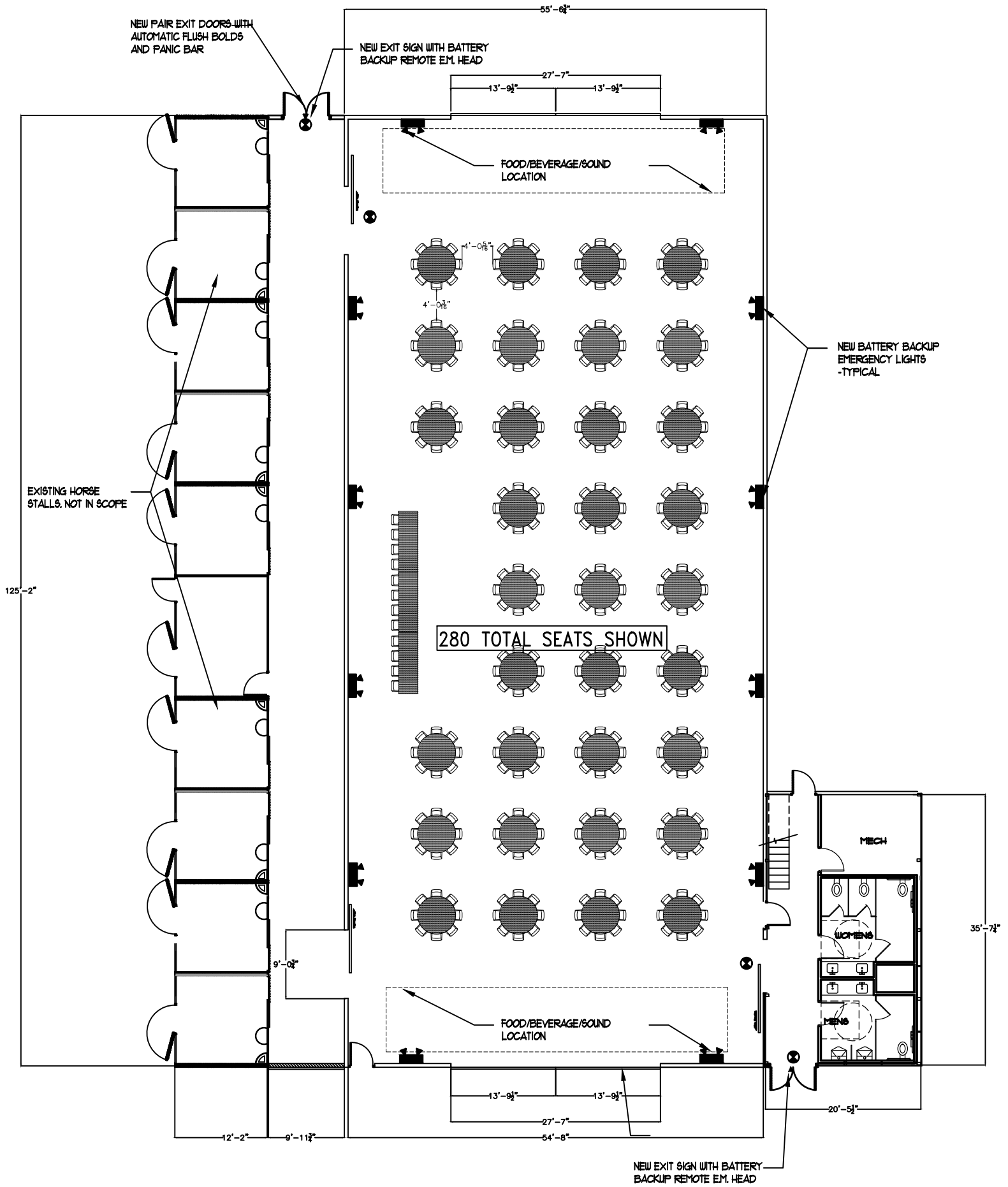
196 SOUTH STREET
 ELMHURST, IL 60126
 PHONE: 1.630.530.3700
 SPARKSARCH1.COM

BRIGHTER DAZE FARM
OVERALL PLAN
 10978 Crimmin Road
 Newark, IL 60541

Project Number:
 Sheet Number:

A2

03-15-19



CALCULATION FOR REQUIRED EGRESS WIDTH
 6,976 SF / 15 SF per OCC (TABLES & CHAIRS) = 465 OCCUPANTS
 465 x .15 = 70" EGRESS WIDTH REQUIRED
 140" WIDTH PROVIDED

NORTH

1
A1

EXIT / EM PLAN

1/16" = 1'-0" 6,976 SF

NORTH

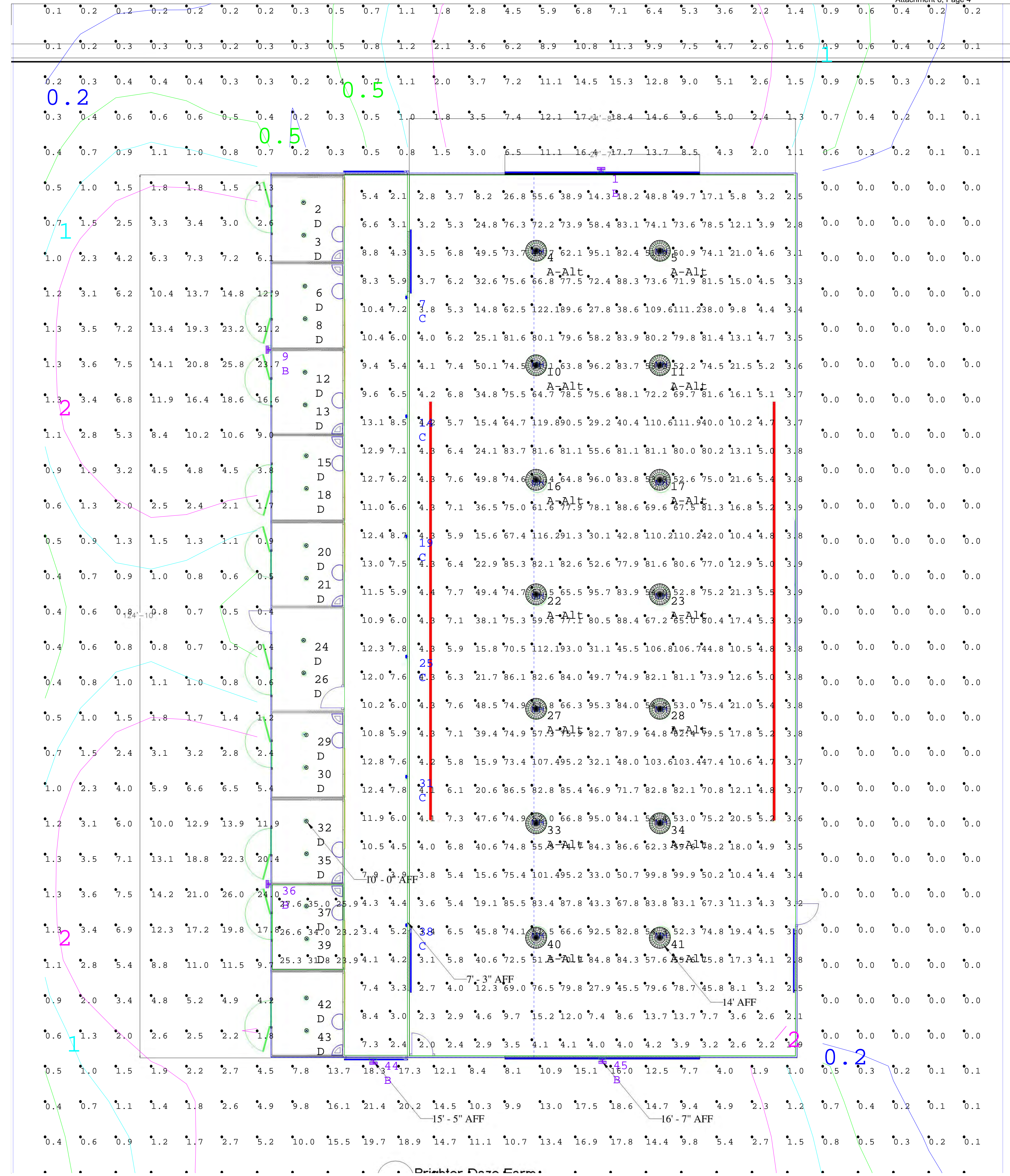
FOR REVIEW
03-15-19

SAI
 SPARKS ARCHITECTS
 INCORPORATED

196 SOUTH STREET
 ELMHURST, IL 60126
 PHONE: 1.630.530.3700
 SPARKSARCH1.COM

BRIGHTER DAZE FARM
EM LIGHTING PLAN
 10978 Crimmin Road
 Newark, IL 60541

Project Number:
 Sheet Number:
EM1
 03-15-19



Scale: 1 inch= 8 Ft.



Scale: as noted	PROJECT #103124
	CASE #204297
Date: 10/1/2018	Filename: BrighterDaze Farm 204297B.AGI
Job Name: BrighterDaze Farm Newark, IL Lighting Layout Version B	Drawn By: Shaun Fillion, LC
Prepared For: BW Design Adam Theis	

Calculation Summary											
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Description	PtSpcLr	PtSpcTb	Meter Type
Brighter Daze_Workpl	Illuminance	Fc	43.00	122.1	1.9	22.63	64.26	Readings at 3 FT AFF	4	4	Normal
Corridor_Floor	Illuminance	Fc	7.72	13.1	2.1	3.68	6.24	Readings at 0 FT AFF	4	4	Normal
Exterior Perimeter	Illuminance	Fc	3.81	26.0	0.0	N.A.	N.A.	Readings at 0 FT AFG	5	5	Horizontal
Stall_Floor	Illuminance	Fc	28.14	35.0	23.2	1.21	1.51	Readings at 0 FT AFF	4	4	Normal

Luminaire Schedule											
Symbol	Qty	Tag	Label	Lum. Lumens	LLF	Description	Lum. Watts	Total Watts	Filename	BUG Rating	
	14	A-Alt	BHH400P22PS	34833	0.720	400W BHH Highbay	450	6300	BHH400P22PS - Middle - LSI21681.	B5-U5-G4	
	5	B	WPLEDFC104N	13118	1.000	WPLEDFC104N	105.3	526.5	WPLEDFC104N - Neutral - RAB01941	B2-U0-G2	
	6	C	BRISK8N	970	1.000	BRISK8N	8.87	53.22	BRISK8N - Neutral - RAB02226MOD4	B0-U3-G1	
	20	D	RDLED6R26D-80N-W-W2477		1.000	RDLED6R26D-80N-W-W	29.289	585.78	RDLED6R26-80N-W-W - Neutral - RA	B2-U1-G1	

Expanded Luminaire Location Summary						
LumNo	Tag	X	Y	MTG HT	Orient	Tilt
1	B	129.5	152.7	16.55	90	0
2	D	87.4	147.9	9.9	0	0
3	D	87.4	143.3	9.9	0	0
4	A-Alt	120.3	141.1	14	0	0
5	A-Alt	137.8	141.1	14	0	0
6	D	87.6	136.1	9.9	0	0
7	C	101.95	134.5	7.25	180	0
8	D	87.6	131.5	9.9	0	0
9	B	82.3	127.1	14	180	0
10	A-Alt	120.3	124.9	14	0	0
11	A-Alt	137.8	124.9	14	0	0
12	D	87.6	123.9	9.9	0	0
13	D	87.6	119.3	9.9	0	0
14	C	101.95	117.7	7.25	180	0
15	D	87.8	112.1	9.9	0	0
16	A-Alt	120.3	108.7	14	0	0
17	A-Alt	137.8	108.7	14	0	0
18	D	87.8	107.5	9.9	0	0
19	C	101.95	100.7	7.25	180	0
20	D	87.8	99.4	9.9	0	0
21	D	87.8	94.8	9.9	0	0
22	A-Alt	120.3	92.5	14	0	0
23	A-Alt	137.8	92.5	14	0	0
24	D	87.4	86	9.9	0	0
25	C	101.95	83.7	7.25	180	0
26	D	87.4	81.4	9.9	0	0
27	A-Alt	120.3	76.3	14	0	0
28	A-Alt	137.8	76.3	14	0	0
29	D	87.8	72.6	9.9	0	0
30	D	87.8	68	9.9	0	0
31	C	101.95	66.7	7.25	180	0
32	D	87.8	60.4	9.9	0	0
33	A-Alt	120.3	60.1	14	0	0
34	A-Alt	137.8	60.1	14	0	0
35	D	87.8	55.8	9.9	0	0
36	B	82.3	51.5	14	180	0
37	D	87.8	48.4	9.9	0	0
38	C	101.95	45.7	7.25	180	0
39	D	87.8	43.8	9.9	0	0
40	A-Alt	120.3	43.9	14	0	0
41	A-Alt	137.8	43.9	14	0	0
42	D	87.8	35.4	9.9	0	0
43	D	87.8	30.8	9.9	0	0
44	B	97.3	26.2	15.4	270	0
45	B	129.7	26.3	16.55	270	0
Total Quantity: 45						

NOTES:

Scale: as noted	PROJECT #103124
	CASE #204297
Date: 10/1/2018	Filename: BrighterDaze Farm 204297B.AGI
Drawn By: Shaun Fillion, LC	
Job Name: BrighterDaze Farm Newark, IL Lighting Layout Version B	Prepared For: BW Design Adam Theis

Attachment 7 Aerial



1

Millington F.P.

















**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
April 2, 2019 – Unapproved Meeting Minutes**

PBZ Committee Chairman Matthew Prochaska called the meeting to order at 9:00 a.m.

Present:

Megan Andrews – Soil and Water Conservation District (Arrived at 9:03 a.m.)
Matt Asselmeier – PBZ Department
Meagan Briganti – GIS
David Guritz – Forest Preserve (Arrived at 9:05 a.m.)
Deputy Commander Mitchell Hattan – Sheriff’s Department
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Aaron Rybski – Health Department
Matthew Prochaska – PBZ Committee Chair

Absent:

Greg Chismark – WBK Engineering, LLC

Audience:

Mark Caldwell, Adam Theis, and JoAnn Bright-Theis

AGENDA

Mr. Klaas made a motion, seconded by Mr. Rybski, to approve the agenda as presented. With a voice vote of all eyes, the motion carried unanimously.

MINUTES

Mr. Hattan made a motion, seconded by Mr. Klaas, to approve the March 5, 2019, meeting minutes. With a voice vote of all eyes, the motion carried unanimously.

PETITIONS

Petition 19-11 Mark Caldwell on Behalf of Dickson Valley Ministries – Major Amendment to a Special Use Permit by Repealing and Replacing Their Approved Site Plan at 8250 Finnie Road in Fox Township

Mr. Asselmeier summarized the request.

The subject property is approximately one hundred sixty (160) acres in size and has a special use permit for a youth camp and retreat center. The use at the subject property was originally established in 1971. The subject property was zoned A-1 with a special use permit for a youth camp and retreat center following the 1974 Countywide rezoning.

Ms. Andrews arrived at this time (9:03 a.m.).

The existing zoning regulations on the property were established by Ordinance 2014-05. This ordinance repealed several pre-existing ordinances and combined the conditions and restrictions placed upon Dickson Valley Ministries into one (1) ordinance. The restrictions placed on the special use permit were:

1. The property can be utilized all year long.
2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
3. The number of over-night campers shall be limited to no more than 350 at any one time.
4. No more than 8 hook-ups for RV’s.
5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

Ordinance 2014-05 also included a site plan, which the Petitioner wishes to amend.

The Petitioner desires the update to their existing site plan in order to meet their needs. The long-range plan will take no less than ten (10) years and will occur as funding allows.

Mr. Guritz arrived at this time (9:05 a.m.)

The proposed changes are as follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) "overnight campers." This number is inclusive of as many as one hundred (100) day-only campers during the summer.
2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).
3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.
4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house with no more than a total of twelve thousand square feet (12,000 sq. ft.) under roof. The capacity for meetings and activities for up to two hundred fifty (250) campers year-round with some sections for open air activities. The plan also calls for various freestanding decks for small groups or activities, two (2) open air camper pavilion areas with maximum capacity of fifty (50) people each at two thousand square feet (2,000 sq. ft.) in size. The area will also host day camp activities, including water activities (i.e. splash pad, or wading fountain). The fifty thousand square feet (50,000 sq. ft.) of combined septic field serving all new restrooms will also be located in this area. A picture of the Development A is included as Attachment 5.
5. Development B, Resident Camp Area, shall consist of four (4) year-round camper cabins of no more than two thousand five hundred square feet (2,500 sq. ft.) each for total house of twenty (20) persons per cabin. There will be one (1) additional summer staff cabin at two thousand square feet (2,000 sq. ft.). A picture of Development B is included as Attachment 6.
6. Development C, Activity Area shall consist of an outdoor high ropes course, by sky-tracks or similar, mini golf course, ice rink pavilion, free standing decks for small groups and one (1) summer staff cabin of no more than two thousand square feet (2,000 sq. ft.) A picture of Development C is included as Attachment 7.
7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods with seating up to three hundred fifty (350), camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area. A picture of Development D is included as Attachment 8.
8. Development E, Entrance Drive, shall consist of a gatehouse for a controlled entrance and a six (6) bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated. A picture of Development E is included as Attachment 9.
9. Development F, Maintenance Area, shall consist of a new shop not to exceed eight thousand square feet (8,000 sq. ft.) and removal of the old shop or remodel the old shop into storage.
10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building. A picture of Development G is included as Attachment 10.
11. Development H, North Activity Area, shall consist of primitive campsites, no permanent structures, a parking area off of Finnie Road, high climbing tower, zip lines, miscellaneous team activities and a pedestrian walkway over/under/across Finnie Road.
12. The Retreat Development Zone shall consist of a water filtration station, including possible new structures or addition to the existing well. A new building for recreation room, snack shop, and host offices are also planned for this zone.

13. Addition 1, Director's Lodge, shall consist of a fourteen foot by eighteen foot (14' x 18') dining room addition. The current structure is one hundred twenty-six feet (126') offset from the road and the addition may encroach no more than an additional three feet (3'). A picture of Addition 1 is included as Attachment 11.
14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west, which will increase seating from two hundred (200) to two hundred fifty (250). A lower level of addition could include offices or meeting space and the kitchen will be upgraded as needed. A picture of Addition 2 is included as Attachment 12.
15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces to accommodate eighty to one hundred (80-100) people, an addition of two (2) separate "leaders" rooms with restrooms, and remodel and add-on to program office for camp store. A picture of Addition 3 is included as Attachment 13.
16. Addition 4, Oulund Chalet, shall consist of remodeling of the upper level to improve housing space and remodeling of restrooms. A picture of Addition 4 is included as Attachment 14.
17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition for four (4) separate "leaders" rooms with restrooms. A picture of Addition 5 is included as Attachment 15.
18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar. A picture of Addition 6 is included as Attachment 16.
19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing and Additions to lodge for possible staff housing and extra space. A picture of Addition 7 is included as Attachment 17.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

The future land use map calls for this area to be agricultural, open space, and countryside residential. The adjacent zoning districts are A-1 and R-1. Zoning within one half (1/2) mile are A-1 and R-1.

Finnie Road is considered a scenic route and no trails are planned in the area.

There are floodplains and wetlands on the property. None of the proposed development is occurring in the floodplain or wetlands.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Dixon Valley Sedge Meadow INAI Site, Fox River INAI Site, Dickson Sedge Meadow Natural Heritage Landmark, and River Redhorse (*Moxostoma carinatum*). Negative impacts to the above are considered unlikely and consultation was terminated.

The Petitioner submitted an application for NRI.

Petition information was sent to Fox Township on March 26, 2019.

Petition information was sent to the Village of Millbrook on March 26, 2019.

Petition information was sent to the Sandwich Fire Protection District on March 26, 2019.

Any new buildings would have to meet applicable building codes.

As noted on the proposed site plan, lighting will be intentionally left low.

The subject property is heavily wooded. As noted on the proposed site plan, the Petitioner considers the natural landscape important to their operations.

Stormwater permits will be required as the proposal is implemented and will be reviewed on a project-by-project basis.

The Petitioner proposes to make adjustments to their wells and septic systems. These changes will be evaluated as the proposal is implemented. Electricity is already onsite.

Before issuing a recommendation, Staff would like consultation with ZPAC members, the Fox Township Highway Commissioner, and the Sandwich Fire Protection District regarding any concerns to the public health and safety they may possess.

Mr. Rybski asked if more employees will be added onsite. Mr. Caldwell stated the number of people onsite will not change from what was proposed in 2014. The projected increase in people onsite is forty percent (40%).

Mr. Caldwell stated that they (Dickson Valley Ministries) wanted to show everything on the site plan. The mission of the organization has not changed.

Mr. Klaas asked if any complaints had been filed regarding this property with Building and Zoning. Mr. Holdiman responded not to his knowledge.

Discussion occurred regarding a right-of-way dedication for Finnie Road. Mr. Caldwell requested clarification on how a dedication occurred. Mr. Klaas explained the process. Mr. Caldwell will take the request to his board at the end of April to discuss the dedication. The suggestion was made to have right-of-way dedication within ten (10) years. The sign would encroach into the setback if a dedication occurred.

If the plan was developed fully, the investment would be Four Point Five Million Dollars (\$4.5 Million).

Mr. Guritz discussed the EcoCat Report. Mr. Caldwell stated that the development will not occur near the protected areas.

Mr. Klaas made a motion, seconded by Mr. Rybski, to forward the major amendment to the Kendall County Regional Planning Commission with the following conditions:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.
2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the proposed Site Plan. The site shall be developed substantially in conformance with the attached Site Plan.
3. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.
4. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.
5. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.
6. 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 major amendment to an existing special use permit.

Ayes (9): Andrews, Asselmeier, Briganti, Guritz, Hattan, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Present (0): None
Absent (1): Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on April 24, 2019.

Petition 19-12 Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis – Special Use Permit for a Banquet Center at 10978 Crimmin Road in Fox Township

Mr. Asselmeier summarized the request.

JoAnn Bright-Theis would like to establish the BrighterDaze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.

No variances were requested and the Petitioner will operate the banquet center in compliance with the regulations currently stated in the Zoning Ordinance.

The business plan for the proposed operations, building elevations, landscaping plan, parking illumination plan, and interior plan were provided.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately eight thousand (8,000) square foot barn for weddings and similar events. The maximum capacity will be approximately two hundred eighty (280) people, with one (1) additional employee. While banquets will occur inside the existing barn, prospective clients could use the exterior grounds for pictures and outdoor ceremonies. The interior of the barn is converted arena with a concrete floor. The barn is approximately twenty-six feet (26') tall at its peak and ten feet (10') tall at the ends.

An existing pond is located east of the horse barn.

The hours of operation will be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers 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 proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

The proposed business would use luxury trailer bathrooms for events with the intention to have permanent restroom facilities by 2021. Restroom facilities will be located north of the barn by the parking area.

The dumpster shall be located next to the parking lot by the barn.

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

Ancillary items, such as Brighter Daze shirts and glasses, may be sold on the premises.

The subject property is approximately thirty-eight acres (38) acres in size.

Crimmin Road is a major collector and scenic route. No trails are planned along the road.

A riverine wetland is located along the southwest edge of the subject property.

The adjacent land uses are agricultural related, farmsteads, religious, or forest preserve. The adjacent zonings are A-1. Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Millington Fen INAI Site, Fox River INAI Site, Millington Railroad Fen Natural Landmark, Tucker-Millington Fen Natural Preserve, and River Redhorse (*Moxostoma carinatum*). Negative impacts to the above are considered unlikely and consultation was terminated.

The NRI application was submitted on March 14, 2019.

Fox Township was emailed information on March 27, 2019.

Newark Fire Protection District was emailed information on March 27, 2019.

The Village of Newark was emailed information on March 27, 2019.

An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.

Portable bathrooms will be used for events.

The property fronts Crimmin Road.

According to the site plan, 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 will be 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.

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

One entrance and one exit sign will be installed on the property. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown the on proposed site plan, the site contains approximately one hundred sixty-six trees of varying heights encircling the venue.

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 east and the barn doors will remain closed after 7:00 p.m.

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

Before issuing a recommendation, Staff would like the following issues addressed/clarified:

1. Input from the Kendall County Sheriff's Department and the Newark Fire Protection District regarding any concerns regarding having a facility at this location.
2. Input from the Kendall County Health Department regarding the septic and well facilities.
3. Input from WBK regarding the need for a stormwater management permit.
4. Acknowledgement from the Petitioners that they are aware and will follow Kendall County's Right to Farm Clause.
5. Acknowledgement from the Petitioners that they agree to follow all applicable Federal, State, and Local laws governing this type business and the implications for not following such laws.

Mr. Rybski asked about food preparation. All events will be catered.

Mr. Rybski asked about the number of events. Mr. Theis responded that they anticipate ten-twenty (10-20) events with fifty percent (50%) growth after that time. Mr. Rybski explained the well testing requirements. A site survey will be completed to define the location of the existing septic system.

Deputy Commander Hattan asked about traffic control. Mr. Theis explained the internal traffic control system. The Petitioner will contract with a company to direct traffic on and off Finnie Road.

No new structures will be constructed onsite. New lighting will be installed onsite as shown on the site plan.

Mr. Guritz will forward the Forest Preserve regulations related to equestrian use to the Petitioner. Horses will not be involved with proposed business. The equestrian business will continue at the property as a separate business.

Outside company will supply alcohol; no alcohol will be sold onsite.

Ms. Andrews requested clarification on the acreage of the property. Mr. Theis will provide clarification on the size of the property.

Noise will be controlled by existing landscaping and trees; music will initiate indoors and face east inside the venue. Business will close at 10:00 p.m.

Mr. Klaas discussed the planned the realignment of Crimmin Road.

Mr. Klaas made a motion, seconded by Mr. Holdiman, to forward the special use permit request to the Kendall County Regional Planning Commission with the following conditions proposed by Staff.

Ayes (8): Andrews, Asselmeier, Briganti, Hattan, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Present (1): Guritz
Absent (1): Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on April 24, 2019.

Petition 19-13 Kendall County Planning, Building and Zoning Committee – Text Amendment to Sections 4.06 and 4.07 of the Kendall County Zoning Ordinance by Allowing Research and Development Related Home Occupations to be Conducted Outside of a Dwelling or Permitted Accessory Structure and Adding the Phrase “Unless Otherwise Permitted by Law” to the End of Section 4.06.f and Section 4.07.g

Mr. Asselmeier summarized the request.

At their meeting February 27, 2019, the Comprehensive Land Plan and Ordinance Committee requested that Staff prepare a proposed text amendment to the Kendall County Zoning Ordinance allowing research and development related home occupations to be conducted outside the dwelling or accessory structure and to address noise, dust, fumes, and odor issues.

For reference, “Home Occupation” related terms are defined as follows:

HOME OCCUPATION Any occupation or profession engaged in by an occupant of a dwelling unit as a use which is clearly incidental and secondary to the use of the dwelling as a residence.

HOME OCCUPATION - AGRICULTURAL. A home occupation in an agricultural zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be "home occupation". *(Amended 04/18/2000)*

HOME OCCUPATION- RESIDENTIAL A home occupation in a residential zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be a "home occupation".

Home Occupations are permitted uses in the A-1 District and all Residential Districts. Home Occupations are special uses in the RPD Districts.

At their meeting on March 27, 2019, the Kendall County Regional Planning Commission voted to initiate the text amendment.

Mr. Rybski asked about home occupations that could be impacted by this proposal. Mr. Asselmeier suggested that individuals wanted to construct firearms and test those firearms outdoors would be impacted. Mr. Asselmeier also suggested a business creating telescopes could be impacted.

Mr. Asselmeier read the definition of research and development from the Zoning Ordinance.

County regulations cannot supersede federal or state regulations.

Mr. Rybski made a motion, seconded by Ms. Andrews, to forward the text amendment to the Kendall County Regional Planning Commission.

Ayes (9): Andrews, Asselmeier, Briganti, Guritz, Hattan, Holdiman, Klaas, Rybski, and Prochaska
Nays (0): None
Present (0): None
Absent (1): Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on April 24, 2019.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OLD BUSINESS/NEW BUSINESS

None

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Hattan made a motion, seconded by Mr. Rybski to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:47 a.m., adjourned.

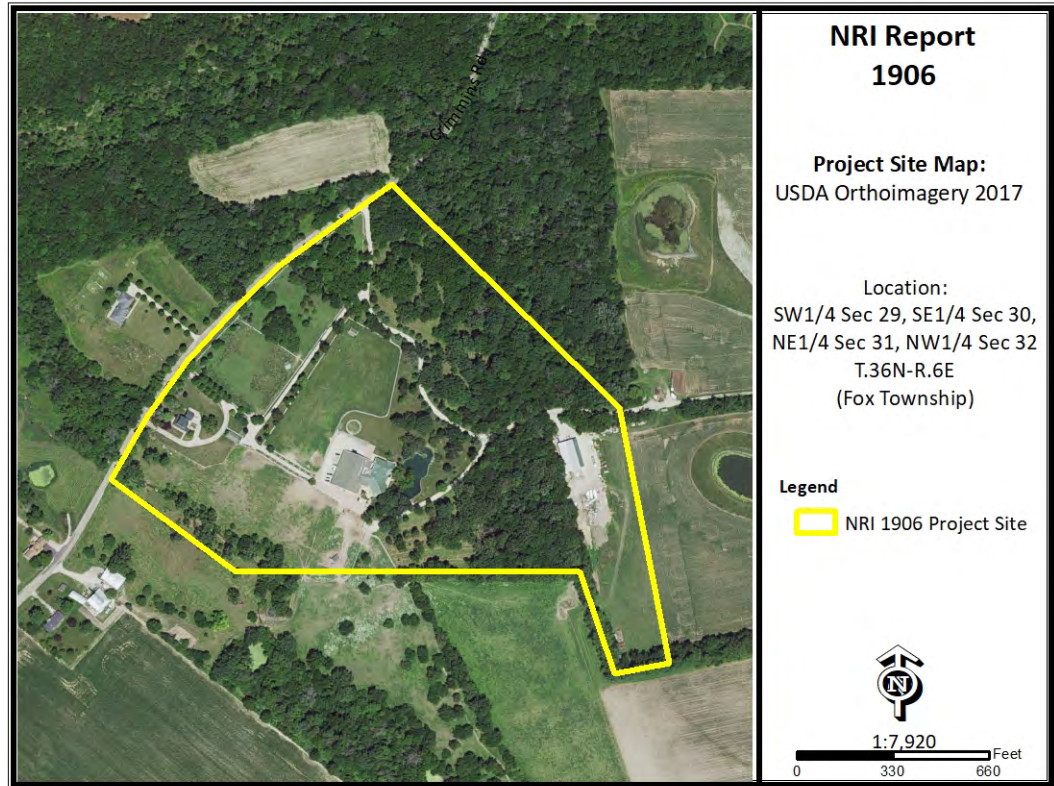
Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

**KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
APRIL 2, 2019**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
<i>Mark Caldwell</i>		
<i>Ada B. Jurek</i>		
<i>CLIFF FOX</i>	<i>110 FLYING NEWARK IL 60541</i>	<i>ADMIN@NEWARK.IL.US</i>

NATURAL RESOURCE INFORMATION (NRI) EXECUTIVE SUMMARY REPORT: 1906



April 2019

Petitioner: Robert Bright
Contact: JoAnn Bright-Theis

Prepared by:



**Kendall County Soil & Water
Conservation District**

7775A Route 47 • Yorkville, Illinois 60560
Phone: (630)553-5821 x3 • Fax: (630)553-7442
www.kendallswcd.org

Petitioner: Robert Bright

Contact Person: JoAnn Bright-Theis

County or Municipality the petition is filled with: Kendall County

Location of Parcel: SW¼ Section 29, SE ¼ Section 30, NE ¼ Section 31 & NW ¼ Section 32 T.36N.-R.6E. (Fox Township), 3rd Principal Meridian in Kendall Co., IL

Project or Subdivision Name: Not Provided

Existing Zoning & Land Use: A-1; Residential, Barn with Paddock areas, Wooded

Proposed Zoning & Land Use: A-1 Special Use; Banquet Center

Proposed Water Source: Well

Proposed Type of Sewage Disposal System: Septic

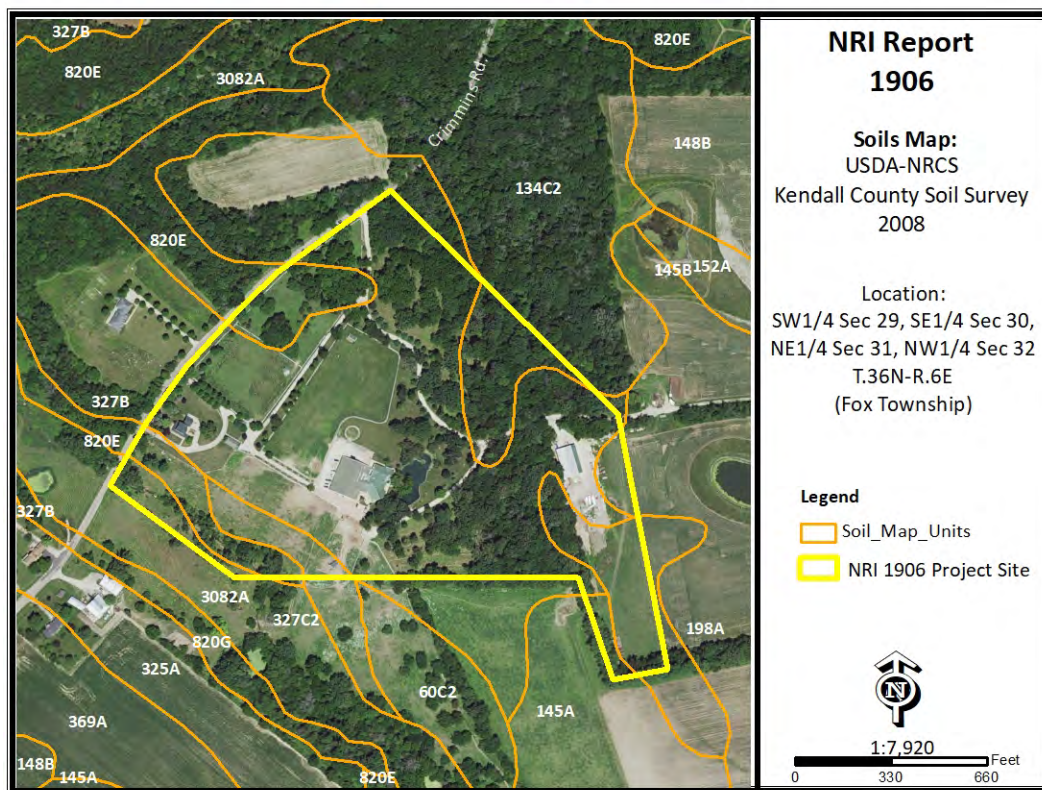
Proposed Type of Storm Water Management: N/A

Size of Site: 38.3acres

Land Evaluation Site Assessment Score: 181 (Land Evaluation: 78; Site Assessment: 103)

Natural Resource Considerations

Soil Map:



SOIL INFORMATION:

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this parcel is shown to contain the following soil types (please note this does not replace the need for or results of onsite soil testing; please refer to onsite soil test results for planning/engineering purposes):

Table 1:

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
134C2	Camden silt loam, 5-10% slopes, eroded	Well drained	B	Non-hydric	Statewide Importance
145A	Saybrook silt loam, 0-2% slopes	Moderately well drained	C	Non-hydric	Prime Farmland
145B	Saybrook silt loam, 2-5% slopes	Moderately well drained	C	Non-hydric	Prime Farmland
198A	Elburn silt loam, 0-2% slopes	Somewhat poorly drained	B/D	Non-hydric Hydric Inclusions likely	Prime Farmland
327B	Fox silt loam, 2-4% slopes	Well drained	B	Non-hydric	Prime Farmland
327C2	Fox silt loam, 4-6% slopes, eroded	Well drained	B	Non-hydric	Prime Farmland
820E	Hennepin-Casco complex, 12-30% slopes	Hennepin: Well drained Casco: Somewhat Excessively drained	Hennepin: C Casco: B	Non-hydric	Non-prime
3082A	Millington silt loam, 0-2% slopes, frequently flooded	Poorly drained	B/D	Hydric	Prime Farmland (if drained and protected from flooding or not frequently flooded during growing season)

Hydrologic Soil Groups: Soils have been classified into four (A, B, C, D) hydrologic groups based on runoff characteristics due to rainfall. If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D), the first letter is for drained areas and the second letter is for undrained areas.

- ✓ **Hydrologic group A:** Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- ✓ **Hydrologic group B:** Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.
- ✓ **Hydrologic group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- ✓ **Hydrologic group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Hydric Soils: A soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile. Of the soils found onsite, 3082A Millington silt loam is identified as a hydric soil and, 198A Elburn silt loam is denoted as having the potential for hydric inclusions.

Prime Farmland: Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, six are designated as prime farmland one is classified as being of statewide importance.

Table 2:

Map Unit	Surface Runoff	Water Table	Ponding	Flooding
134C2	Medium	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
145A	Low	February - April Upper Limit: 2.0'-3.5' Lower Limit: 2.2'-3.8'	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
145B	Low	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
198A	Low	January - May Upper Limit: 1.0'-2.0' Lower Limit: >6.0'	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
327B	Low	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
327C2	Medium	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
820E	Hennepin: Very High Casco: High	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
3082A	Negligible	January - May Upper Limit: 0.0'-1.0' Lower Limit: >6.0' June, Nov, Dec: Upper Limit: -- Lower Limit: --	January - May Surface Water Depth & Duration: 0.0'-0.5'; Brief Frequency: Frequent June, Nov, Dec: Surface Water Depth & Duration: - Frequency: None	January - May Brief, Frequent June, Nov, Dec Brief, Frequent

Surface Runoff: Refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover. Indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal).

Ponding: Ponding is standing water in a closed depression. Unless a drainage system is installed, the water is removed only by percolation, transpiration or evaporation. Duration is expressed as very brief (less than 2 days), brief (2 to 7 days), long (7 to 30 days), very long (more than 30 days). Frequency is expressed as none (ponding is not probable), rare (unlikely but possible under unusual weather conditions), occasional (occurs, on average, once or less in 2 years) and frequent (occurs, on average, more than once in 2 years).

Flooding: Temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding. Duration expressed as brief is 2 to 7 days and a frequent frequency means that it is likely to occur often under normal weather conditions.

SOIL LIMITATIONS:

According to the USDA-NRCS, soil properties influence the development of building sites, including the selection of the site, the design of the structure, construction, performance after construction and maintenance. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features. Ratings are based on the soil in an undisturbed state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance.

- ✓ **Not Limited:** Indicates that the soil has features that are very favorable for the specified use; good performance and low maintenance can be expected.
- ✓ **Somewhat Limited:** Indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design or installation; fair performance and moderate maintenance can be expected.
- ✓ **Very Limited:** Indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures; poor performance and high maintenance can be expected.

Conventional Septic System Rating Criteria:

The factors considered are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. Soils that are deemed unsuitable for installation of an on-site sewage disposal system per the Kendall County Subdivision Control Ordinance may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact: Kendall County Health Department located at 811 W. John Street, Yorkville, IL; (630)553-9100 ext. 8026.

Limitations are listed below for dwellings with basements, dwellings without basements, small commercial building, shallow excavations, lawns/landscaping and onsite conventional sewage disposal systems. Please note this information is based on soils in an undisturbed state as compiled for the USDA-NRCS 2008 Soil Survey of Kendall County, IL and the Kendall County Subdivision Control Ordinance; this does not replace the need for site specific soil testing or results of onsite soil testing.

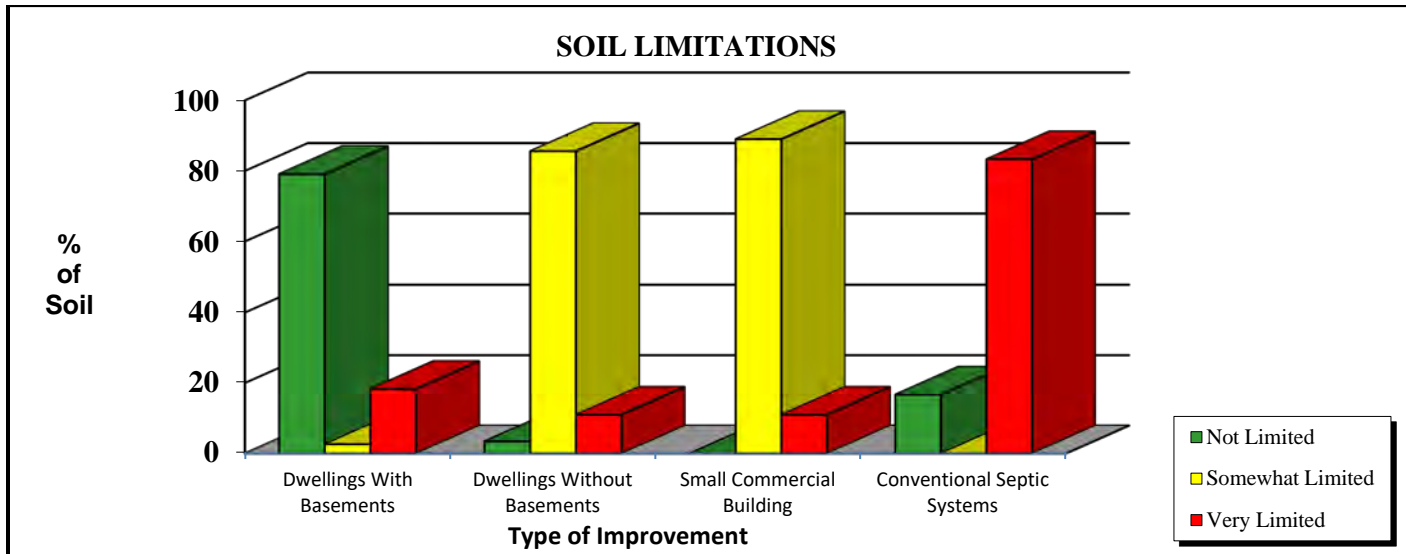
Table 3a: Building Limitations

Soil Type	Dwellings without Basements	Dwellings with Basements	Small Commercial Building	Onsite Conventional Sewage Disposal System
134C2	Somewhat Limited: Shrink-swell	Not Limited	Somewhat Limited: Slope, Shrink-swell	Suitable
145A	Somewhat Limited: Shrink-swell	Somewhat Limited: Depth to saturated zone	Somewhat Limited: Shrink-swell	Suitable
145B	Somewhat Limited: Shrink-swell	Somewhat Limited: Depth to saturated zone	Somewhat Limited: Shrink-swell	Suitable
198A	Somewhat Limited: Depth to saturated zone; Shrink-swell	Very Limited: Depth to saturated zone; Shrink-swell	Somewhat Limited: Depth to saturated zone; Shrink-swell	Suitable
327B	Somewhat Limited: Shrink-swell	Not Limited	Somewhat Limited: Shrink-swell	Unsuitable: Gravel
327C2	Not Limited	Not Limited	Somewhat Limited: Slope	Unsuitable: Gravel
820E	Very Limited: Slope	Very Limited: Slope	Very Limited: Slope	Unsuitable: Gravel
3082A	Very Limited: Ponding; Flooding; Depth to saturated zone	Very Limited: Ponding; Flooding; Depth to saturated zone; Shrink-swell	Very Limited: Ponding; Flooding; Depth to saturated zone	Unsuitable: Frequently Flooded

Table 3b: Building Limitations

Soil Type	Shallow Excavations	Lawns & Landscaping
134C2	Somewhat Limited: Dusty, Unstable excavation walls	Somewhat Limited: Dusty
145A	Somewhat Limited: Depth to saturated zone; Dusty; Unstable excavation walls	Somewhat Limited: Dusty
145B	Somewhat Limited: Depth to saturated zone; Dusty, Unstable excavation walls	Somewhat Limited: Dusty
198A	Somewhat Limited: Depth to saturated zone; Dusty; Unstable excavation walls	Somewhat Limited: Depth to saturated zone; Dusty
327B	Somewhat Limited:	Somewhat Limited:

	Dusty; Unstable excavation walls	Dusty
327C2	Somewhat Limited: Dusty; Unstable excavation walls	Somewhat Limited: Dusty
820E	Hennepin: Very Limited: Slope; Dusty; Unstable excavation walls Casco: Very Limited: Slope; Unstable excavation walls; Dusty	Hennepin: Very Limited: Slope; Low exchange capacity; Dusty Casco: Very Limited: Slope; Dusty; Droughty
3082A	Very Limited: Ponding; Depth to saturated zone; Flooding; Dusty; Unstable excavation walls	Very Limited: Ponding; Flooding; Depth to saturated zone; Dusty



Building Limitations Maps:

Figure 2a: Dwellings With Basements

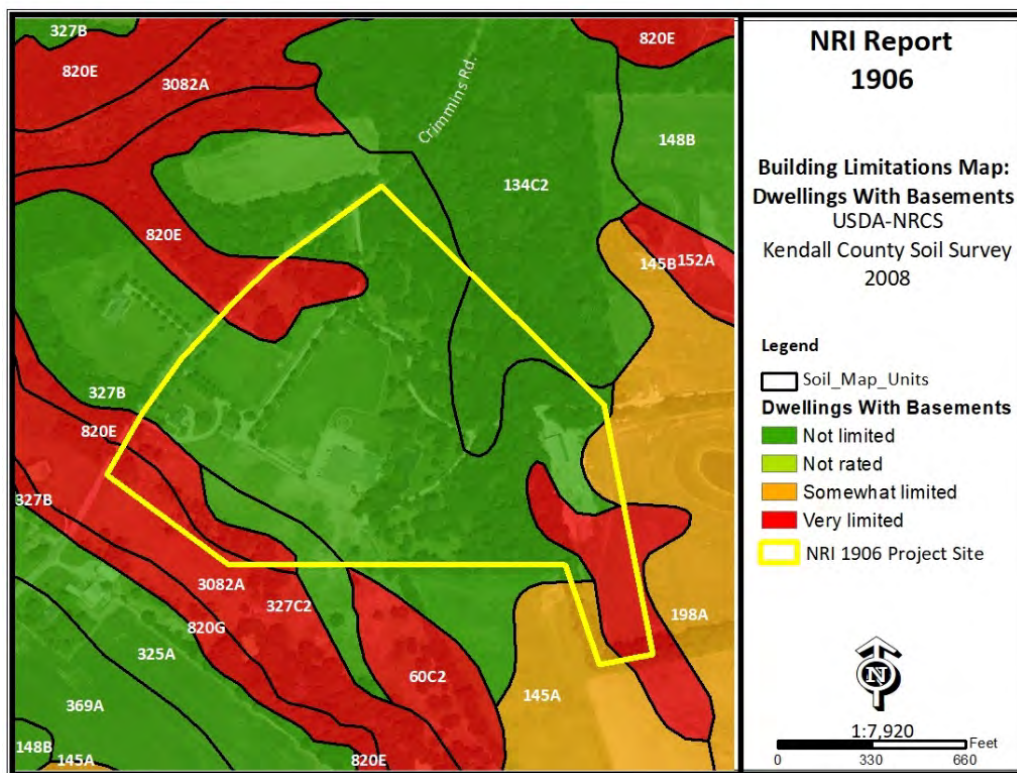


Figure 2b: Dwellings Without Basements

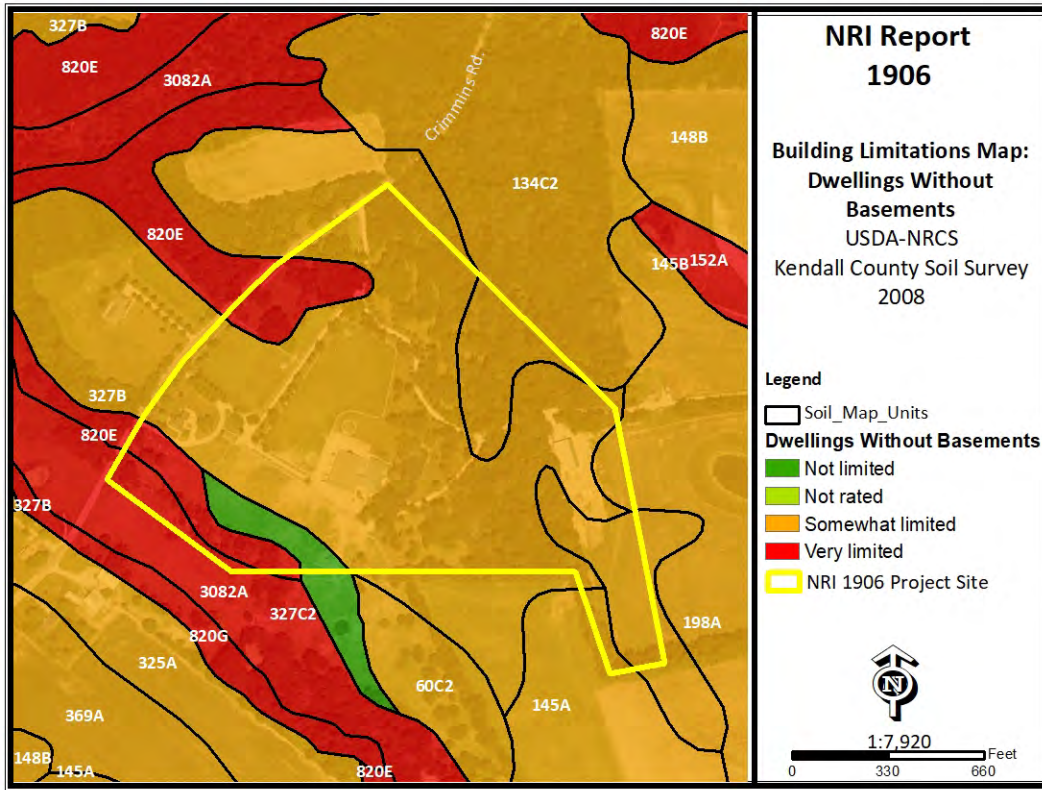


Figure 2c: Small Commercial Building

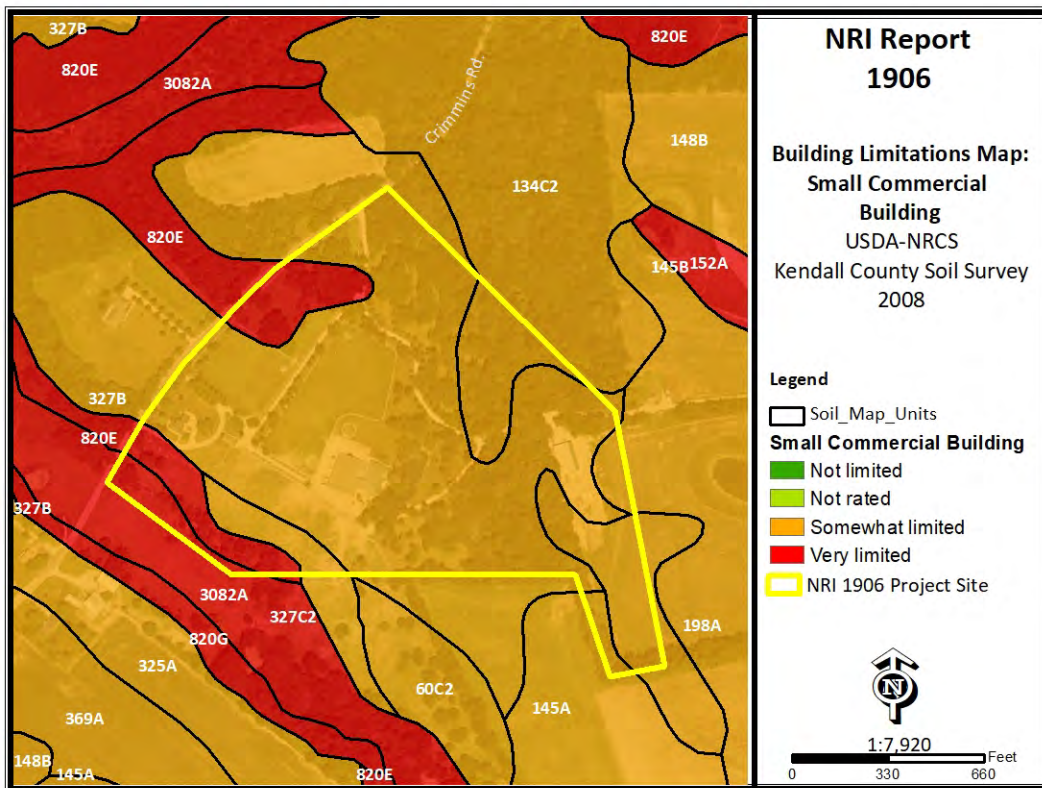


Figure 2d: Shallow Excavations

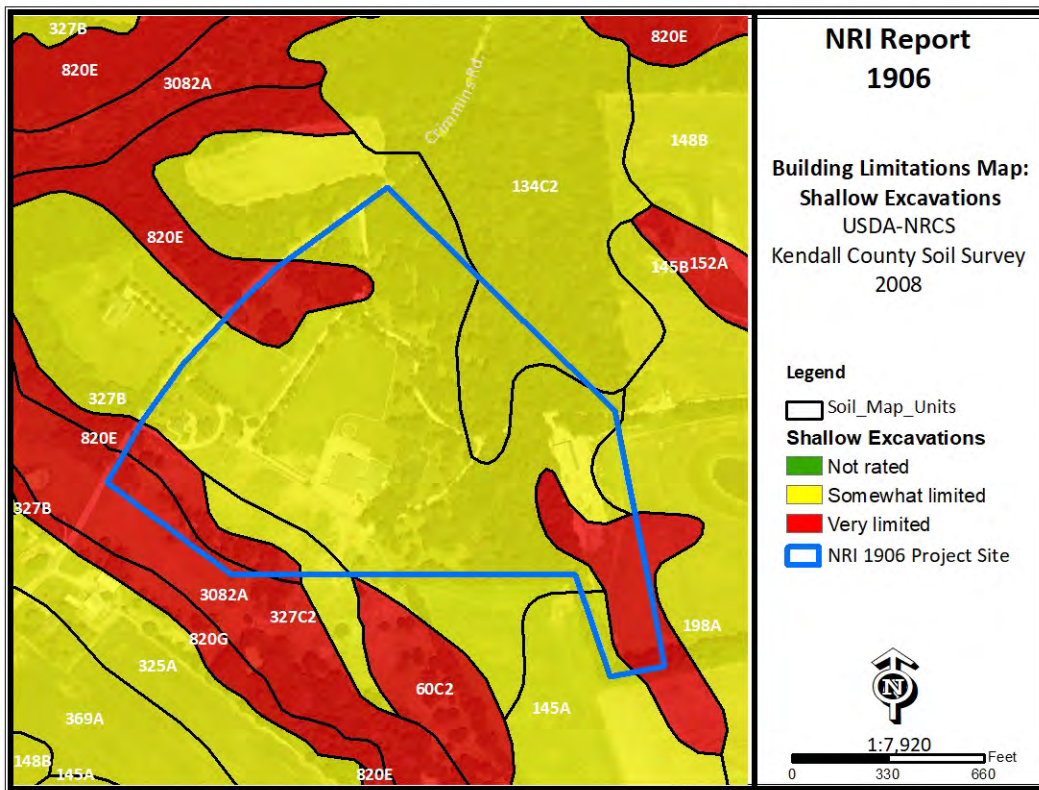
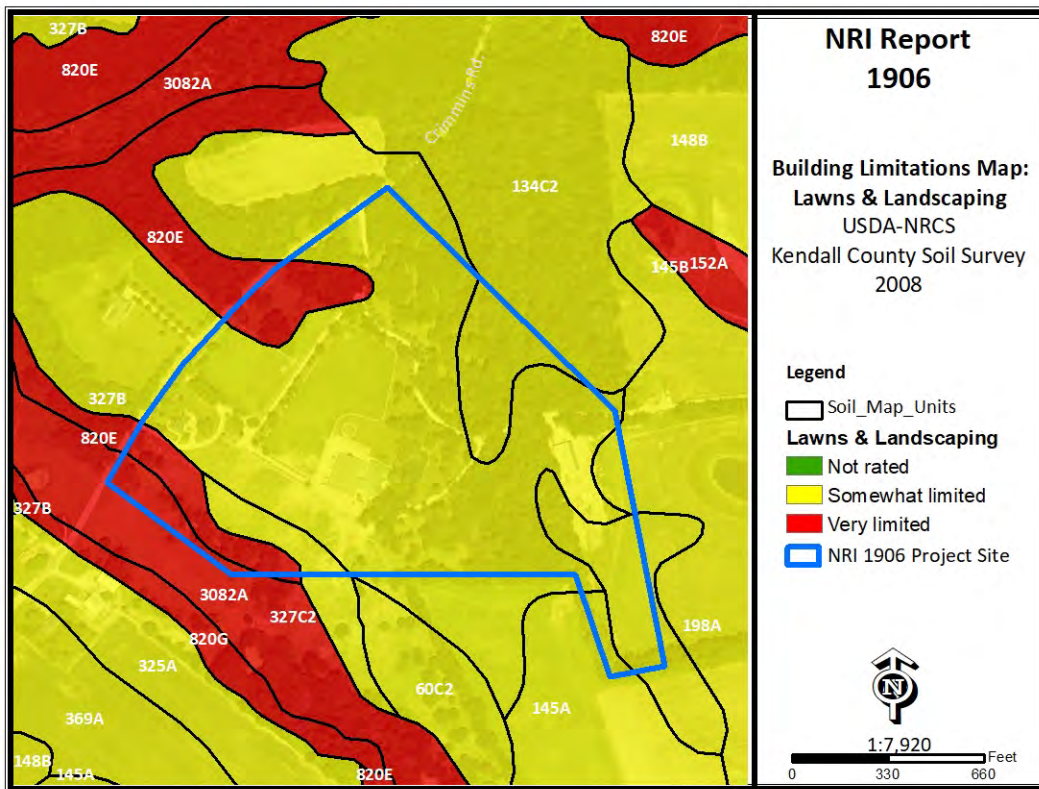


Figure 2e: Lawns & Landscaping



Kendall County Land Evaluation and Site Assessment (LESA):

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **LAND EVALUATION (LE)** – The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
- **SITE ASSESSMENT (SA)** – The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.

Table 4a: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
134C2	5	82	2.6	213.2
145A	2	94	0.4	37.6
145B	2	94	0.6	56.4
198A	1	100	2.8	280.0
327B	4	79	26.4	2085.6
327C2	4	79	1.3	102.7
820E	7	47	3.7	173.9
3082A	4	79	0.5	39.5
Totals			38.3	2988.9
LE Score		LE= 2988.9/38.3		LE = 78

The Land Evaluation score for this site is **78**, indicating that this site is not predominately prime farmland well suited for agricultural production.

Table 4b: Site Assessment Computation

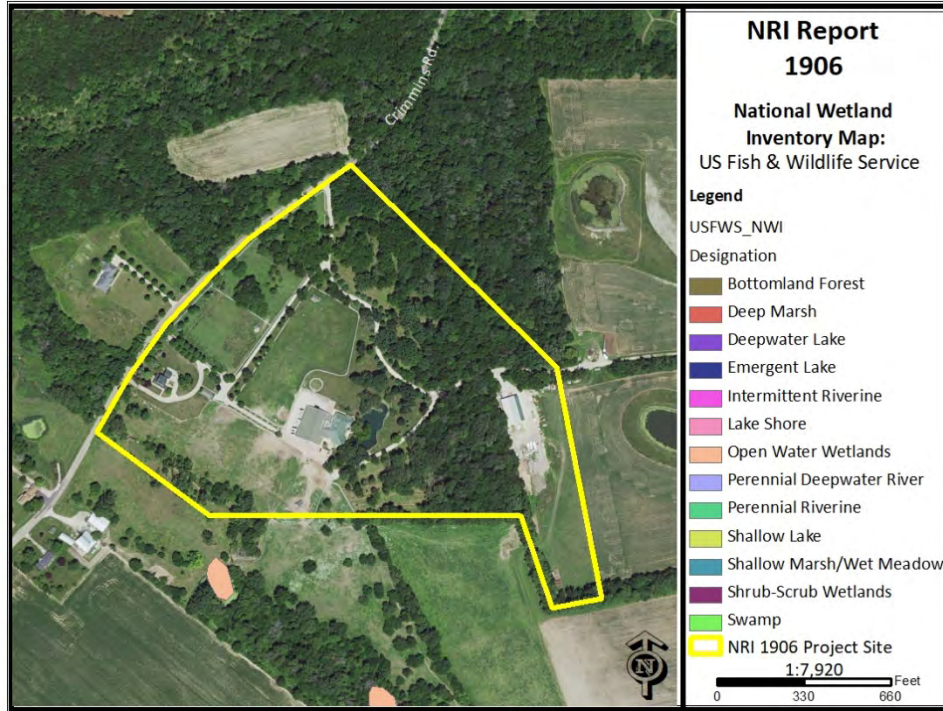
A.	Agricultural Land Uses	Points
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current use adjacent to site. (30-20-15-10-0)	20
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	0
	4. Size of site. (30-15-10-0)	10
B.	Compatibility / Impact on Uses	
	1. Distance from city or village limits. (20-10-0)	10
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	10
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	0
C.	Existence of Infrastructure	
	1. Availability of public sewage system. (10-8-6-0)	10
	2. Availability of public water system. (10-8-6-0)	10
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	6
	Site Assessment Score:	103

Land Evaluation Value: 78 + Site Assessment Value: 103 = LESA Score: 181

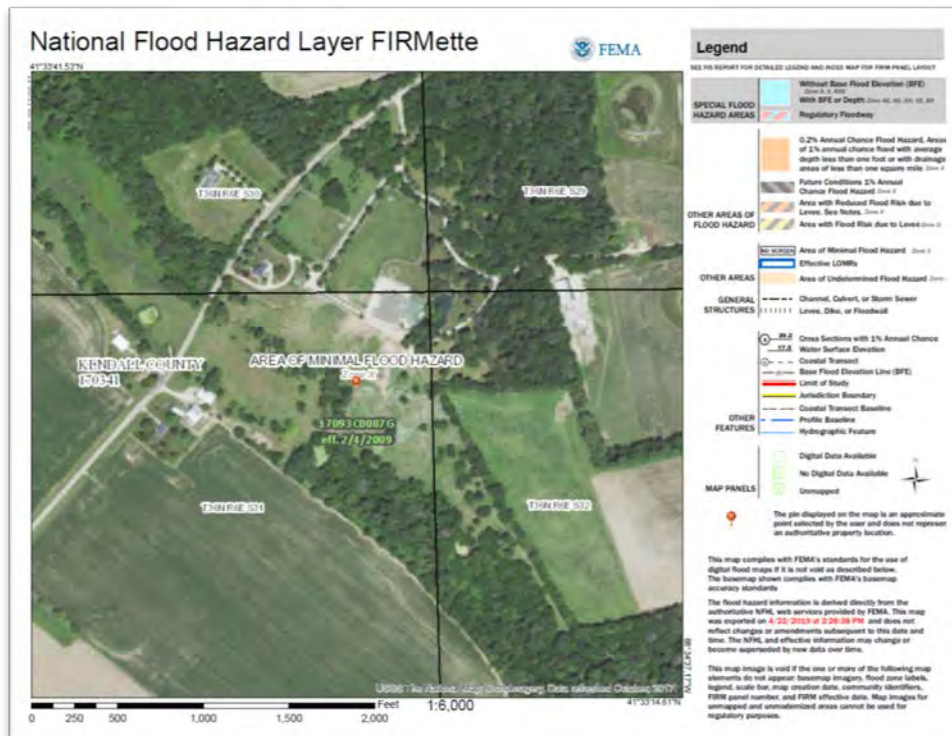
LESA SCORE	LEVEL OF PROTECTION
0-200	Low
201-225	Medium
226-250	High
251-300	Very High

The **LESA Score for this site is 181** which indicates a **low level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

Wetlands: The U.S. Fish & Wildlife Service’s National Wetland Inventory map **does not indicate** the potential presence of a wetland on the project site. If a wetland is present and will be impacted by the project, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.



Floodplain: The parcel is not located within the floodplain.



Sediment and Erosion Control: Development on this site should include an erosion and sediment control plan in accordance with local, state and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (<http://www.aiswcd.org/illinois-urban-manual/>) for appropriate best management practices.

LAND USE OPINION:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Robert Bright at the request of their contact JoAnn Bright-Theis for the proposed A-1 Special Use petition project. This parcel is located in portions of Sections 29, 30, 31 & 32 in Fox Township (T.36N.-R.6E. of the 3rd Principal Meridian) in Kendall County. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board has the following opinions and recommendations.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. A land evaluation, which is a part of the Land Evaluation and Site Assessment (LESA) was conducted on this parcel. The soils on this parcel scored an 78 out of a possible 100 points indicating the soils found on the project site are not predominately prime farmland well suited for agricultural production. The overall LESA Score for this site is 181 which indicates a low level of protection for the proposed project site. Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production and is an important resource to Kendall County; of the eight soil types identified onsite, six are designated as prime farmland, one is designated as farmland of statewide importance and one is not indicated as either. A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile; one soil type found onsite, 3082A Millington silt loam is designated as a hydric soil and one soil type, 198A Elburn silt loam has the potential to have hydric inclusions.

For proposed land uses, soils can have potential limitations. This report indicates, if the following uses were to be included as part of future site development or expansion, that for soils located on the parcel, 83.3% are unsuitable for onsite conventional septic systems, 80.1% of the soils are very limited for shallow excavations, 78.8% are very limited for onsite conventional septic systems, 18.3% are very limited for dwellings with basements and shallow excavations, and 11% are very limited for dwellings without basements, small commercial building and lawns/landscaping. This information is based on the soil in an undisturbed state and does not replace the need for site specific soil testing. Some soil reclamation, special design, or maintenance may be required to obtain suitable soil conditions to support development with significant limitations. Additionally, since the scope of the project includes the use of onsite septic systems, please consult with the Kendall County Health Department.

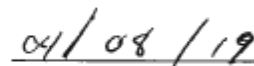
This site is located within the Fox River Watershed and Clear Creek subwatershed.

This development should include a soil erosion sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution. Eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense project uses it may be necessary to have a drainage tile survey completed on the parcel to locate any subsurface drainage tile if suspected onsite. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

The information that is included in this Natural Resources Information Report is to assure the Land Developers take into full consideration the limitations of that land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Compiled Statutes, Ch. 70, Par 405/22.02a).


Chair


Date

From: Fox Township <foxtownshipsupervisor@gmail.com>
Sent: Tuesday, April 16, 2019 12:17 PM
To: Matt Asselmeier
Subject: [External]Re: Kendall County Petition 19-12 (Brighter Daze Farm)

Matt,

Please accept this email as comment on Petition 19-12. Fox Township Board of Trustees, acting as the Planning Commission for Fox Township, discussed this petition at our April Board meeting on April 8th, 2019. Here is a summary of our position:

1) Conceptually, the Board approves of the idea of a Banquet Facility at this location with the following stipulations.

a. Specifically, NO sales at retail of alcoholic beverages are permitted in Fox Township outside municipal corporate limits. We appreciate that the petitioner acknowledges and so states in the petition on page 4.

b. Fox Township Board does not agree that Crimmins Road is a Major Collector Road. While it is listed in the LRMP as a Major Collector, its design and use is more accurately in line with a Minor Collector or Local road. It appears that Crimmins Road is misplaced in its category, especially when you compare Crimmins Road to the roads listed in the minor or local category. Additionally, the County Highway engineer, in a conversation with the Fox Township Road Commissioner has agreed with this assessment.

c. While this issue would appear to be a point of contention for the approval of this petition, Fox Township Board feels that a Traffic Study which includes the addition of the event capacities stated in the petition, and the current design of the roadway could provide recommendations for improvements that would add to the safety of this use. The cost of the Traffic Study should be borne by the petitioner as this new special use is the initiating cause for this study. After the results are in, the cost associated for the necessary improvements can be discussed among the Petitioners, the Township Board, and County representatives.

If you need any other information or have any questions, I am available at any time to assist you in this issue. Thank you for giving us a platform for our input.

Jeff Spang, Supervisor
Fox Township

On Wed, Mar 27, 2019 at 8:38 AM Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

ZPAC Members:

Attachment 19, Page 1
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois

Unapproved - Meeting Minutes of May 22, 2019 - 7:00 p.m.

Chairman Ashton called the meeting to order at 7:00 p.m.

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Bill Davis, Karin McCarthy-Lange, Larry Nelson, and Claire Wilson

Members Absent: Ruben Rodriguez and John Shaw

Staff Present: Matthew H. Asselmeier, Senior Planner, and Ruth Ann Sikes, Part Time Office Assistant (Zoning)

In the Audience: Mark Caldwell, Adam Theis, JoAnn Theis, Steve Graves, Jeff Spang, Kurt Buhle, Jeanette Buhle, and Matthew Prochaska

Chairman Ashton welcomed Karin McCarthy-Lange to the Commission representing Oswego Township.

APPROVAL OF AGENDA

Member Bledsoe made a motion, seconded by Member Nelson to approve the agenda. With a voice vote of seven (7) ayes, the motion carried unanimously.

APPROVAL OF MINUTES

Member Wilson made a motion, seconded by Member Casey, to approve the minutes of the April 24, 2019, meeting. With a voice vote of seven (7) ayes, the motion carried unanimously.

Ruth Ann Sikes, Part Time Office Assistant (Zoning) asked all audience members that were going to speak to please sign in and speak directly into the microphone so that everything could be recorded.

PETITIONS

19-11 Mark Caldwell on Behalf of Dickson Valley Ministries

Mr. Asselmeier provided updated information on Petition 19-11.

At the April 24, 2019, meeting of the Kendall County Regional Planning Commission, the Commission requested less detail on the Petitioner's site plan.

Mr. Asselmeier stated that the Petitioner desires this major amendment in order to have a long-range plan for their facilities and to provide more clarity to the site plan that was submitted in 2014.

The proposed changes are follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) "overnight campers." This number is inclusive of as many as one hundred (100) day-only campers during the summer.
2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).

3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.
4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house, various free standing decks for small group activities, at least two (2) open air camper pavilions, day camp specific activities, water activities (i.e. splash pad, or wading fountain), and combined septic field serving all new restrooms will also be located in this area.
5. Development B, Resident Camp Area, shall consist of five (5) year-round camper cabins; four (4) of which are new.
6. Development C, Activity Area, shall consist of an outdoor high ropes course, mini-golf course, ice rink pavilion, free standing decks for small groups and one (1) year-round camper cabin.
7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods, camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area.
8. Development E, Entrance Drive, shall consist of a new gatehouse for a controlled entrance and a multi-bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated.
9. Development F, Maintenance Area, shall consist of a new shop and removal or remodel of the old shop.
10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building.
11. Development H, North Activity Area, shall consist of primitive non-public campsites, no permanent structures, and a parking area off of Finnie Road. Experiential activities similar to, but not limited to, climbing tower(s), zip line(s), team activities, a high ropes course, and a pedestrian walkway over/under/across Finnie Road are planned for this area.
12. The Retreat Development Zone shall consist of a water filtration building or addition to the existing well and well house. A new building for recreation room, snack shop, and host offices. Within this zone, several buildings will have additions and/or remodels.
13. Addition 1, Director's Lodge, shall consist of an addition to the north end of the building. The current structure is one hundred twenty-six feet (126') offset from the road.
14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west.
15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces, an addition of at least two (2) separate "leaders" rooms with restrooms, and remodel and add-on to program office for camp store.
16. Addition 4, Oulund Chalet, shall consist of remodeling to improve housing space and remodeling of restrooms.
17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition of added housing.

18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar.
19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

Also at the April meeting, the Commission was concerned about Fox Township's requests of the Petitioner. Fox Township clarified that they do not want a right-of-way dedication at this time, but they would like to be informed if a structure is constructed above or below Finnie Road.

The proposed conditions on the special use permit are as follows:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.
2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan.
3. Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road.
4. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.
5. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.
6. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

Member Nelson asked Mr. Caldwell if the new version was better. Mr. Caldwell replied they were comfortable with the changes and they would deal with any permitting issues when the new additions were constructed.

Member Nelson made a motion, seconded by Member Wilson, to recommend approval of the amended petition with the condition proposed by Staff.

Ayes (7): Ashton, Bledsoe, Casey, Davis, McCarthy-Lange Nelson, and Wilson
Nays (0): None
Absent (2): Rodriguez and Shaw

The motion passed. This proposal will go to the Zoning Board of Appeals on July 1st.

19-12 Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis
Mr. Asselmeier summarized the request.

JoAnn Bright-Theis would like to establish the Brighter Daze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.

The subject property is approximately thirty-eight acres (38) acres in size.

Crimmin Road is a major collector and scenic route. No trails are planned along the road.

A riverine wetland is located along the southwest edge of the subject property.

The adjacent land uses are agricultural related, farmsteads, religious, or forest preserve. The adjacent zonings are A-1. Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Millington Fen INAI Site, Fox River INAI Site, Millington Railroad Fen Natural Landmark, Tucker-Millington Fen Natural Preserve, and River Redhorse (*Moxostoma carinatum*). Negative impacts to the above are considered unlikely and consultation was terminated.

The NRI application was submitted on March 14, 2019. The LESA Score was 181 indicating a low level of protection.

Fox Township was emailed information on March 27, 2019. Fox Township submitted comments on April 16, 2019. In particular, Fox Township reiterated that the Township was a dry township; the Township disagreed with the functional classification of Crimmin Road contained in the Land Resource Management Plan; the Township requested a traffic study regarding the impact of the proposed venue on Crimmin Road, including the possibility of improvements to Crimmin Road necessitated by the proposed special use permit. On May 9, 2019, the Petitioner, Fox Township, and the Kendall County Planning, Building and Zoning Department held a conference call on the proposal. The Petitioner agreed to the dry regulations of the Township. The Township stated that they would not fight the functional classification of Crimmin Road in the Land Resource Management Plan. The Township stated that they (Fox Township) would request a traffic study from the Kendall County Highway Department. This study could result in a change of the speed limit on Crimmin Road to a speed less than the current fifty-five miles per hour (55 MPH), a requirement the Petitioners post additional one-way directional signage within their property, and the possibility that Fox Township adopt an ordinance forbidding parking along Crimmin Road. "Venue Ahead" signage along Crimmin Road was discussed. Also, the possible dedication of right-of-way was discussed.

Newark Fire Protection District was emailed information on March 27, 2019.

The Village of Newark was emailed information on March 27, 2019.

ZPAC reviewed this proposal at their meeting on April 2, 2019. The Health Department provided information about well monitoring. A site survey will be completed defining the location of the existing septic system. The equestrian business will continue at the property as a separate business. Discussion occurred regarding the planned the realignment of Crimmin Road. ZPAC recommended approval with all but (1) member voting yes. One (1) member voted present.

No variances were requested and the Petitioner will operate the banquet center in compliance with the regulations currently stated in the Zoning Ordinance.

The business plan for the proposed operations, building elevations, landscaping plan, parking illumination plan, and interior plan were provided.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately eight thousand (8,000) square foot barn for weddings and similar events. The maximum capacity will be approximately two hundred eighty (280) people, with one (1) additional employee. While banquets will occur inside the existing barn, prospective clients could use the exterior grounds for pictures and outdoor ceremonies. The interior of the barn is converted arena with a concrete floor. The barn is approximately twenty-six feet (26') tall at its peak and ten feet (10') tall at the ends.

An existing pond is located east of the horse barn.

The hours of operation will be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers 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 proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

The proposed business would use luxury trailer bathrooms for events with the intention to have permanent restroom facilities by 2021. Restroom facilities will be located north of the barn by the parking area.

The dumpster shall be located next to the parking lot by the barn.

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

Ancillary items, such as Brighter Daze shirts and glasses, may be sold on the premises.

An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.

Portable bathrooms will be used for events.

The property fronts Crimmin Road. According to the site plan, 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 will be 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.

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

One entrance and one exit sign will be installed on the property. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown the on proposed site plan, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue.

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 east and the barn doors will remain closed after 7:00 p.m.

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

Staff recommends approval of the requested special use permit subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and parking illumination plan.
2. 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.
3. 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.
4. The subject parcel must maintain a minimum of five (5) acres.
5. 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)
6. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
7. 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. (Last sentence added after discussion with Fox Township).
8. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
9. 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.

10. 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. Barn doors shall close by 7:00 p.m.
11. The hours of operation shall be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. 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.
12. A new certificate of occupancy must be issued for the barn.
13. 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. (Added per Fox Township).
14. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
15. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
16. 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.
17. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Member Wilson asked where the closest houses are located in relation to the property. Mr. Asselmeier said there is one (1) directly across from the property and six (6) within a half (1/2) mile of the property. The operators of the facility live on site.

Member McCarthy-Lange asked if the neighbors had been notified. Mr. Asselmeier replied yes per State law.

Member Wilson asked where the lights would be located. Adam Theis replied they would be along the existing curb line just west of the parking lot. Mr. Theis said they have thirty-four (34) parking spots on site and seventy-five (75) additional spots on a remote lot and the parking plan meets the requirements of the Zoning Ordinance.

When asked about septic system for permanent toilets, Mr. Theis replied they would be doing a study within the next six (6) months to determine the actual design and location recommendations.

Mr. Theis said they do plan on having events on Sunday with the hours being the same as Saturday hours, with thirty (30) events a year. After discussion on the subject, the Petitioners agreed to have Sunday hours the same as Monday through Thursday hours, closing the facility at 10:00 p.m.

Jeff Spang, speaking as a resident of Fox Township, had the following questions, where do staff and vendors park and how would the Petitioners handle events with no air conditioning in the months of June, July and August. Mr. Spang stated that events are currently held on the property and these events are not private, but public events. Mr. Theis responded that vendors and staff park on the remote lot. There is no air conditioning,

but they will have fans and the temperature is cooler inside the building. They have had no public events and would like to know the dates that Mr. Spang was referencing.

Steven Graves and Kurt Buhle both voiced concerns about the added traffic getting to and from the venue because it is very dangerous stretch of road.

Jeff Spang, speaking as Fox Township Supervisor, reported that Fox Township has an investigation in process and would like for the Commission to lay this proposal over so they can complete their investigation. Member Nelson asked if the continuation of this would impact votes on the issue. Mr. Spang said the investigation could impact votes.

Member Wilson asked if Crimmin Road was a major collector road and Mr. Asselmeier replied yes according to the Land Resource Management Plan. Discussion occurred regarding how Crimmin Road was classified as a major collector road.

Jeanette Buhle expressed concerns about directional signage outside of venue especially at night.

The consensus of the Commission and without any objections from Commissioners, the Petitioner or anyone else in attendance, this proposal was laid over until the June meeting of the Kendall County Regional Planning Commission.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

None

OLD BUSINESS

Petition 18-04 Request from the Kendall County Regional Planning Commission

Matthew Prochaska, Planning, Building, and Zoning Committee Chairman, said that the Committee has refused to forward the proposal to the County Board. He is exploring a discharge petition.

Member Nelson made a motion, seconded by Member Davis, to lay this issue over for one (1) month.

- Ayes (7): Ashton, Bledsoe, Casey, Davis, McCarthy-Lange, Nelson, and Wilson
- Nays (0): None
- Absent (2): Rodriguez and Shaw

This proposal will be laid over until the June meeting of the Kendall County Regional Planning Commission.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petition 17-28 pertaining to Kendall County gun range zoning regulations was approved by the County Board. A summary of the ordinance was provided to Commissioners.

Mr. Asselmeier reported that Petition 19-07 pertaining to parking and storage of RV's, trailers, and mobile homes was withdrawn by the Kendall County Planning, Building and Zoning Committee.

Mr. Asselmeier reported that Petition 19-08 did not go to the County Board. The prospective buyer and sellers are still negotiating the terms of the contract.

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier announced that Ben Schroeder's resignation was accepted by the County Board Chairman.

Mr. Asselmeier said he spoke to Mike Hoffman today and Mr. Hoffman plans to have the text amendment changes done by the end of the week or Tuesday, May 28th, at the latest. The contract with the County expires June 29th for this project.

Mr. Prochaska said the County Board does have some candidates from Big Grove Township under consideration and hopes to fill the seat within the next couple months.

ADJOURNMENT

Member Wilson made a motion, seconded by Member Davis, to adjourn. With a voice vote of seven (7) ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 8:15 p.m.

Respectfully submitted by,
Ruth Ann Sikes
Part-Time Office Assistant (Zoning)

Enc.

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
MAY 22, 2019**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Mark Caldwell		
John B. Jones	[REDACTED]	[REDACTED]
[REDACTED] This	[REDACTED]	[REDACTED]
Steve Graves	[REDACTED]	-
Jett Spring	millbrook	
KURT BUHLER	[REDACTED]	
Jegnette Buhler	[REDACTED]	

Matt Asselmeier

From: Fox Township <foxtownshipsupervisor@gmail.com>
Sent: Friday, June 14, 2019 3:18 PM
To: Matt Asselmeier
Subject: [External]Brighter Daze Special Use

Matt,

Fox Township Board of Trustees met Monday, June 10th, 2019 for our regular monthly meeting. On the agenda was a discussion about the Special Use Zoning request for Brighter Daze Farm. All Trustees of the Board were present as were the board Attorney, Supervisor, and two of the petitioners, Adam and Joanne Theis. The Special Use request was discussed at length and the following items were understood by all parties present. The Fox Township Board of Trustees are requesting the following Items be included in the final version of the Special Use Zoning Change:

- 1) There shall be NO PARKING on Crimmins Road by vehicles attending or serving functions at the Brighter Daze Venue. All vehicles are to be maintained on the venue operator's property.
- 2) Brighter Daze Farm will dedicate to Fox Township 45' of road right of way measured from the center line of Crimmins Road along the entire property adjacent to Crimmins Road.
- 3) Sound emanating from events at Brighter Daze Farm will not exceed 65dcb measured at the complainant's property line, in conjunction with the State of Illinois Nosie Standards.
- 4) This Special Use is contingent upon the Traffic Study to be completed by the Kendall County Highway Department. Fox Township does not warrant any agreement to provide funding for the construction of any changes deemed necessary by the Traffic Study. Any costs required to address impacts to Crimmins Road brought about by the increases in traffic due to the Brighter Daze Events are to be borne by Brighter Daze.
- 5) Brighter Dazes is limited to no more than 30 (Thirty) events per season defined as April 1st to November 1st of each calendar year.
- 6) Events shall be held only on Saturdays and shall be concluded at or before 10:00pm.
- 7) Currently, the petitioners have requested a limit of 280 guests and have provided only 109 parking spaces on-site for these guests. Fox Township considers this ratio to be inadequate as it does not consider support vehicles (band members, caterers, serving staff, kitchen staff, restroom staff, table bus staff, etc.).

8) Fox Township is a "Dry" township and has been since the repeal of Prohibition in 1933. Approval of this application of Special Use in no way permits the sale or serving of alcohol at ANY event held on-Site

These 8 items represent the items discussed.

Fox Township respectfully requests the Kendall County Regional Planning Commission and the Kendall County Zoning Board of Appeals also consider the safety of the public using this facility. While the petitioners have stated that the maximum number of guests per event will be 280, fire codes could permit a much higher number depending on the configuration of tables, chairs, and equipment. Additionally, the limited number of exits could be of concern. In a brief discussion with the county highway engineer, I was told that the traffic study they would be conducting would be primarily concerned with permissible speed limits to be allowed on Crimmins Road. Fox Township is also concerned about traffic loads and intersection visibilities, considering the potential increase in traffic volumes.

Jeff Spang, Fox Township Supervisor

(630) 553-5904 ext 2

foxtownshipsupervisor@gmail.com

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