

**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION**

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

**Minutes of January 23, 2019 - 7:00 p.m.**

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

**ROLL CALL**

Members Present: Bill Ashton, Tom Casey, Bill Davis, Larry Nelson, Ruben Rodriguez, Claire Wilson, and Angela Zubko

Members Absent: Roger Bledsoe, Benjamin Schroeder, and John Shaw

Staff Present: Matthew H. Asselmeier, Senior Planner, Ruth Ann Sikes, Office Assistant

In the Audience: Dan Kramer, Stuart Weihler, Paula Weihler, Larry Anderson, Tom Gargrave, and Matthew Prochaska

Chairman Ashton welcomed the new member Bill Davis and new recording secretary Ruth Ann Sikes. Mr. Asselmeier stated that the Department is working with the Administrative Services Department regarding recognizing Budd Wormley for his years of service to the Kendall County Regional Planning Commission.

**APPROVAL OF AGENDA**

Ms. Zubko made a motion, seconded by Ms. Wilson, to approve the agenda as presented. With a voice vote of all ayes, the motion carried unanimously.

**APPROVAL OF MINUTES**

Ms. Wilson made a motion, seconded by Ms. Zubko, to approve the August 22, 2018, Kendall County Regional Planning Commission meeting minutes. With a voice of all ayes, the motion carried.

**PETITIONS**

**19-04 – Rodolfo and Georgina Nunez. Special Use Permit for Landscaping Business**

Mr. Asselmeier summarized the request.

The Petitioners would like to operate a landscaping business at 6725 Route 71 in Oswego Township; property is zoned A-1.

Oswego has a trail planned along Route 71. There is a pond on the property to the northwest. There are thirty-nine (39) homes located within a half (½) mile of the property.

The Petitioners would like one year to construct a new building on the site and would like to existing building to remain.

Petition information was sent to the Oswego Township on December 21, 2018, and they responded with no objections. The Village of Oswego was sent on December 21, 2018, and they responded with no objections. Petition information was sent to the Oswego Fire Protections on December 21, 2018. The Petitioner and Oswego Fire Protection exchanged correspondence regarding sprinkler requirements.

ZPAC met on this case on January 8, 2019. ZPAC unanimously recommended approval of this proposal  
KCRPC Meeting Minutes 1.23.19

Chairman Ashton asked if the pond was on the property; Mr. Asselmeier replied that it was on the adjacent property.

Ms. Zubko asked about the placement of employee parking, bathrooms, and handicapped stalls? Mr. Asselmeier replied that parking would be on the driveway and employees would go off site for their work. Employees would use the bathroom inside the house. No customers would come to the property. Neither the Village of Oswego nor the Illinois Department of Transportation requested an easement or right-of-way dedication for a trail.

Member Wilson asked what kind of containers on the property. The containers are shipping containers.

Dan Kramer, on behalf of the Petitioners, described the proposal. The business is a small business. Mr. Nunez is certified as a tree specialist, not a lawn mowing company. He does not have a lot of equipment. The proposed building is strictly for dry storage. The only truck that would be stored outside is Mr. Nunez's pickup truck; no delivery truck would be stored outside. The well and septic locations have been found.

Mr. Rodriguez questioned if the listed size of the building would be large enough for the proposed operations. Mr. Kramer responded that the Petitioner doesn't have a whole lot of equipment and he is fine with the building's size.

Ms. Zubko asked for clarification of the term "nursery stock". Mr. Kramer responded that nursery stock would consist of trees and not mulch or other landscape debris.

Ms. Wilson requested clarification on the number lots. Mr. Kramer explained the legal description and lot lines were determined because of Plat Act requirements.

Ms. Zubko made a motion, seconded by Ms. Wilson, to recommend approval of Petition 19-04 with the conditions proposed by Staff.

Yes (7): Ashton, Casey, Davis, Nelson, Rodriguez, Wilson, and Zubko  
No (0): None  
Absent (3): Bledsoe, Schroeder, and Shaw

The motion carried.

Petition 19-04 will go to the Zoning Board of Appeals on January 28, 2019.

**19-05 – Specialty Oswego, LLC (Current Owners) and Stuart and Paula Weihler (Prospective Buyers)**

Mr. Asselmeier summarized the request.

Stuart and Paula Weihler would like to establish a banquet facility, at the subject property. Specialty Oswego, LLC is the current owners and Stuart and Paula Weihler are prospective buyers. Property is located in the 5100 block of Schlapp Road, approximately zero point four eight (0.48) miles south of the intersection of Plainfield Road and Schlapp Road on the East Side of Schlapp Road.

The current land use is agricultural and farmstead and the future land use is rural residential. Schlapp Road is a township road classified as a minor collector. A variance is required because of the road classification of Schlapp Road.

Seven (7) homes, not including the homes in the Douglas Hill Subdivision and Leisure Lea Subdivision, are located within one half (1/2) mile of the existing property lines.

The EcoCAT was submitted on December 18, 2018, and consultation was terminated.

The NRI application was submitted on December 21, 2018. To date, the Kendall County Soil and Water Conservation District has not provided a LESA Score.

Oswego Township was emailed information on December 21, 2018. Oswego Township is in favor of the proposal provided right-of-way is dedication for Schlapp Road.

Oswego Fire Protection District was emailed information on December 21, 2018. The Petitioner will seek a variance to the sprinkler requirements and they plan to install a security system.

The Village of Oswego was emailed information on December 21, 2018. The Village of Oswego expressed no opposition to the proposal.

ZPAC met on this proposal on January 8, 2019. Discussion occurred regarding a sprinkler variance from the Oswego Fire Protection District. Clarification was provided regarding the terms “weekends” and “weekdays”. Discussion occurred regarding well testing based on the number of events. The Petitioners acknowledged Kendall County’s Right to Farm Clause. The Petitioners stated that they no longer wanted the special use permit previously granted at the property. The Petitioners acknowledged that they would have to apply for a stormwater management permit. ZPAC unanimously recommended approval of the proposal.

The Weihlers intend to establish the Heritage Homestead banquet facility and wedding venue as a limited liability company. Their business plan, site plan, landscaping plan, and lighting plan were provided to the Commission.

As noted in the business plan plat or survey and site plan, the Weihler’s would use the southern ten (10 acres of the current property configuration for their event business. They plan to construct a four thousand, nine hundred fifty (4,950) square foot barn with two (2) two thousand five hundred (2,500) square foot outdoor areas on the southwest and northeast sides of the barn. One (1) two thousand (2,000) square foot tent with concrete pad would be located northwest of the barn. Two (2) grain bins, one (1) for the bride and one (1) for the groom, would be constructed to the northwest of each outdoor area. An Additional bar grain bin would be constructed west of the tent. Each grain bin would be one hundred seventy-one (171) square feet would be One (1) outdoor grassy ceremony area, measuring three thousand five hundred (3,500) square feet would be located east of the barn area. One (1) one hundred eight-one (181) square feet gazebo would be located southwest of the barn. One (1) additional one thousand five hundred (1,500) square foot storage building would be located to the east of the parking area. One (1) one hundred (100) square foot trash enclosure is planned east of the parking area. Gravel pathways would connect the parking lot to the various structures and areas of interest on the property.

The Weihler’s propose an approximately thirty-seven thousand seven hundred sixty-two (37,762) square foot wet detention pond around the southern portion of the gazebo. Based on the information provided regarding the amount of disturbed ground (land disturbed for parking, facilities, and detention), a stormwater management permit will be required.

The Weihler’s plan to have events year-round. For weekdays, events would start no sooner than 9:00 a.m. and end no later than 10:00 p.m. For weekends and holidays, events would start no sooner than 9:00 a.m. and end no later than midnight.

The Weihler’s plan to use select caterers and will have adequate insurance.

If approved, the Weihler's plan to start construction by April 2019 and start having events in October 2019 with a full season of bookings for 2020.

Chairman Ashton asked about lighting crossing the property line. Mr. Asselmeier said the restriction regarding lighting can be made more explicit to ensure that lighting will not cross property lines. The parking lot lights will not be turned on when events are not occurring.

Mr. Casey asked why the Petitioners were seeking a variance to the sprinkler requirements. Mr. Asselmeier explained that the Petitioners did not want to install sprinklers.

Ms. Zubko asked if the pathways met the standards of the Americans with Disabilities Act. The Petitioners clarified that the pathways will be designed to meet the standards.

Ms. Zubko questioned the location of the trash enclosures. Employees of the banquet business will haul trash to the location and ensure that litter is removed from the site.

Ms. Wilson requested clarification regarding Sundays as a weekday. Mr. Asselmeier explained that the Petitioners did not want Sundays to be considered part of the weekend.

Dan Kramer, on behalf of the Petitioners, confirmed that parking lot lights will only be on during events. The Petitioners will have low wattage security lights. All events will be catered. The Petitioner support the right-of-way dedication for Schlapp Road. He explained the sprinkler situation and concerns about having a water source for sprinklers. A security system will be installed onsite. The parking lots will be gravel, but the handicapped parking spaces will be blacktopped.

Ms. Wilson asked about the concrete slabs. These slabs will be used for outdoor patio areas.

Mr. Davis asked if the construction will be all new construction. The response was yes, but the Petitioners may incorporate some old barn wood.

The restrooms will be inside the barn.

Larry Anderson, Oswego, stated that he was an adjacent property owner. Mr. Anderson was concerned about patrons of the business coming onto his property and possibly falling into his pond. Mr. Anderson requested that a fence be installed by the Petitioners on the banquet facility property. Chairman Ashton advised Mr. Anderson to install "No Trespassing" signs on Mr. Anderson's property.

Tom Gargrave, Oswego, expressed concerns regarding noise and light pollution. Mr. Gargrave expressed concerns about traffic safety because of the intersection of Schlapp Road, Plainfield Road, and Simons Road. Mr. Gargrave stated that the water table is falling in the area. He believed the proposal could be spot zoning.

Mr. Kramer indicated that the Petitioners are willing to work with Mr. Anderson regarding identify the property lines. A fence or plantings could be installed along the property line. Mr. Kramer explained that the property could be annexed into Oswego and that more intense retail uses would be allowed on the property if annexation occurred.

Signage size has not been determined.

The office will be inside the barn.

No one will be living onsite.

Mr. Nelson made a motion, seconded by Mr. Casey, to recommend approval of Petition 19-05 with the conditions proposed by Staff.

Yes (7): Ashton, Casey, Davis, Nelson, Rodriguez, Wilson, and Zubko  
No (0): None  
Absent (3): Bledsoe, Schroeder, and Shaw

The motion carried.

Petition 19-05 will go to the Zoning Board of Appeals on January 28, 2019.

### **CITIZENS TO BE HEARD/ PUBLIC COMMENT**

None

### **NEW BUSINESS**

#### **Election of Officers-Chairman, Vice Chairman, Treasurer, Secretary and Recording Secretary**

Mr. Nelson made a motion, seconded by Ms. Zubko to nominate the following individuals to the designated positions:

Bill Ashton (Chairman), Ruben Rodriguez (Vice Chairman), Matt Asselmeier (Treasurer), Larry Nelson (Secretary), and Ruth Ann Sikes (Recording Secretary)

With no additional nominees, Mr. Nelson made a motion, seconded by Mr. Casey, to close the call for nominees. With a voice vote of all ayes, the motion carried unanimously.

With a voice vote of all ayes, the nominees were approved unanimously.

#### **Appointments to Comprehensive Land Plan and Ordinance Committee**

Chairman Ashton announced the appointments to the Comprehensive Land Plan and Ordinance Committee as follows: Larry Nelson (Chairman), Chairman of the Kendall County Regional Planning Commission or Their Designee (Bill Ashton), Chairman of the Kendall County Zoning Board of Appeals or Their Designee (Randy Mohr), Chairman of the Kendall County Board or Their Designee (Scott Gryder), Chairman of the Kendall County Planning, Building and Zoning Committee or Their Designee (Matthew Prochaska), Megan Andrews, Jeff Wehrli, and John Shaw.

#### **Approval of 2019 Meeting Dates**

Ms. Zubko made a motion, seconded by Ms. Wilson, to approve the 2019 meeting calendar.

With a voice vote of all ayes, meeting dates were approved unanimously.

#### **Annual Meeting-February 2, 2019 at 9:00 a.m.**

The Commission reviewed the draft agenda for the Annual Meeting.

### **OLD BUSINESS**

#### **Update on Petition 18-04 Request from the Kendall County Regional Planning Commission for Changes to the Future Land Use Map for Properties Located Near Route 47 in Lisbon Township.**

Mr. Asselmeier provided an update on the proposal. Planning, Building and Zoning Committee Chairman Matthew Prochaska indicated that he hopes to have the proposal to County Board in February.

### **REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

Mr. Asselmeier informed the Commission that Petition 17-28 was referred back to Committee, 18-03 withdrawn at Committee, 18-07 withdrawn at Committee, 18-13 approved by the County Board, 18-15 approved by the County Board, 18-20 was approved by the County Board, 18-25 was approved by the County Board, 18-26 was approved by the County Board. Planning, Building and Zoning Committee Chairman Matthew Prochaska described the process he intended to follow regarding Petition 17-28.

### **CORRESPONDENCE**

Mr. Asselmeier read the correspondence regarding United City of Yorkville Unified Development Ordinance Project, Village of Oswego Unified Development Ordinance Project, City of Joliet Comprehensive Plan Update Project, Village of Minooka Comprehensive Plan Update Project.

### **OTHER BUSINESS/ANNOUNCEMENTS**

None

### **ADJOURNMENT**

Ms. Zubko made a motion, seconded by Ms. Wilson, to adjourn. With a voice vote of all ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 8:45 p.m.

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

Enc.

**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION  
JANUARY 23, 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)
Don Kramer	1107 N S Burt St Yorkville, Ill.	19-04 19-05   d/kramer@donkramerlaw.com
Larry Andrew		
Tom GARGRAVE		
Matt Prochaska	111 W. Fox St Yorkville, IL 60560	