

**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION**

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

**Meeting Minutes of April 24, 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, Larry Nelson, Ruben Rodriguez, Benjamin Schroeder, and Claire Wilson

Members Absent: John Shaw

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

In the Audience: Mark Caldwell, Todd Milliron, Ron Mund, and Chris Paluch

**APPROVAL OF AGENDA**

Member Wilson made a motion, seconded by Member Bledsoe to approve the agenda as amended with Petition 19-12 removed because neighboring property owners were not notified properly. With a voice vote of eight (8) ayes, the motion carried unanimously.

**APPROVAL OF MINUTES**

Member Nelson made a motion, seconded by Member Casey, to approve the minutes of the March 27, 2019, meeting. With a voice vote of eight (8) ayes, the motion carried unanimously.

**PETITIONS**

**19-11 Mark Caldwell on Behalf of Dickson Valley Ministries**

Mark Caldwell, on behalf of Dickson Valley Ministries, is requesting a major amendment to their special use permit to repeal the site plan adopted by Ordinance 2014-05 and replace the site plan with the proposed site plan. The Petitioner desires the amendment in order to have a long-range plan for their facilities.

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.

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. The LESA Score was 173 indicating a low level of protection.

Petition information was sent to Fox Township on March 26, 2019. Fox Township submitted comments on April 16, 2019. The Township requested the following:

1. Any encroachment onto the Finnie Road right-of-way close than one hundred and twenty-six feet (126') be required to obtain a traditional variance.
2. Any permits required for storm water management must be procured prior to the issuance of any building permit.
3. Fox Township Board and the Fox Township Highway Department reserve the right to approve or disapprove any overhead walkway on Finnie Road.

The Petitioner agreed with Fox Township's requests. The Petitioner submitted a revised site plan deleting the three (3') foot encroachment in Addition 1.

Petition information was sent to the Village of Millbrook on March 26, 2019. No comments were received.

Petition information was sent to the Sandwich Fire Protection District on March 26, 2019. No comments were received.

ZPAC met on this proposal on April 2, 2019. The Petitioner stated that the project number of people onsite will not change from the 2014 projection which was an increase of forty percent (40%). Discussion occurred regarding a right-of-way dedication for Finnie Road. 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). Development will not occur onsite near any protected area as identified in the EcoCat Report. ZPAC unanimously recommended approval of the proposal.

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.

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.
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 housing of twenty (20) persons per cabin. There will be one (1) additional summer staff cabin at two thousand square feet (2,000 sq. ft.).
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.).
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.
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.
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.
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. The site plan shall be amended to delete the additional three foot (3') encroachment.
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.
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.
16. Addition 4, Oulund Chalet, shall consist of remodeling of the upper level 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 for four (4) separate "leaders" rooms with restrooms.
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 and Additions to lodge for possible staff housing and extra space.

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.

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.

The proposed Findings of Fact were:

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 existing special use has been in existence since the 1970s with no known complaints to the Planning, Building and Zoning Department. Provided the site is developed as proposed, the proposed use of the site will not be detrimental or endanger the public health, safety, morals, comfort or general welfare.

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 has been in existence at the subject property since the 1970s and no known issues exist which might cause injury to neighboring property owners or diminished property values.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Adequate utilities, access roads, points of ingress and egress, drainage, and other necessary facilities either exist on the site or are planned for in the proposed site plan.

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 proposed special use permit amendment conforms to the applicable 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. This statement is true.

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

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. In the event that a revised site plan is not submitted, the additional three foot (3') encroachment mentioned in Addition 1 shall be removed from the approved Site Plan. (Added per Fox Township).
3. When requested by either Fox Township or the Kendall County Highway Department, the Petitioner shall dedicate thirty-five feet (35') of right-of-way as measured from the centerline of Finnie Road for Finnie Road right-of-way. The sign shown on the attached Site Plan may remain at its current locations if the right-of-way dedication occurs.
4. Any crossings over, on, or below the Finnie Road right-of-way shall be approved by Fox Township (Added per Fox Township)
5. 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. (Though not mentioned specifically, the Kendall County Stormwater Management Ordinance is one (1) of the local laws that must be followed; this should address Fox Township's concerns about stormwater regulations.)
6. 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.

7. 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.
8. 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.

Member Wilson asked about housing for the additional employees and about adding more RV hookups. Mark Caldwell, Executive Director, answered that housing is already onsite and they have no desire to add more hookups.

Member Schroeder asked where is everyone placed at night. Mr. Caldwell answered there are new cabins and additions to the lodges. Member Schroeder asked if the buildings were sprinkled. Mr. Caldwell said no, but they have an alarm system that goes directly to KenCom and it takes the Sandwich Fire Department about ten (10) minutes to get to the site.

Member Rodriguez asked how long the campers stay at the property. Mr. Caldwell answered it was random, with churches from two (2) to six (6) nights. Resident camps are six (6) nights long and then the day camps come at 9:00 a.m. and leave at 4:00 p.m.

Member Wilson questioned the specific changes to the site plan. Mr. Caldwell said they don't want to have to deal with a zoning issue every time they want to add a building, so they want to amend the site plan now with everything that could possibly happen. Discussion occurred about the level of detail of the site plan.

Mr. Caldwell expressed concerns about the right of way dedication. Member Wilson expressed concerns about needing Fox Townships approval to cross the street.

Member Wilson made a motion, seconded by Member Nelson, that, per the Petitioner's request, this proposal be laid over until a revised site plan is submitted.

Ayes (8): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, Schroeder, and Wilson  
Nays (0): None  
Absent (1): Shaw

The motion carried. This proposal will go to the Kendall County Zoning Board of Appeals on April 29<sup>th</sup> with a request to continue the hearing. The proposal will return to Kendall County Regional Planning Commission after a revised site plan is submitted.

### **19-13 Kendall County Regional Planning Commission**

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".

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.

According to the Kendall County Zoning Ordinance, research and development is defined as follows:

RESEARCH AND DEVELOPMENT: A building or group of buildings in which are located facilities for scientific research, experimental study, investigation, testing and experimentation, but not primarily facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

At their meeting on April 2, 2019, ZPAC unanimously voted to forward the proposal to the Kendall County Regional Planning Commission.

On April 2, 2019, a copy of this proposal was mailed to each township. On April 11, 2019, Fox Township submitted comments against the proposal. Fox Township felt the wording research and development was vague and open ended. It seemed to allow for many uses. Mr. Asselmeier stated that the definition of research and development was sent to Fox Township after they submitted comments and the Township has not responded.

Discussion occurred regarding the reasons why this proposal was created. Somebody applied for a gun manufacturer license and they wanted to test their gun outside on their property. Under the strict letter of the law, someone cannot do a research and development related business outdoors.

Todd Milliron, Yorkville, was at the Fox Township meeting and there was concern about the proposal being too broad and vague. Fox Township was concerned that research and development was occurring in an area it shouldn't occur.

Member Wilson wanted to know if this wording would allow someone to test other products in their yard for effectiveness. Member Nelson said outdoor testing is illegal currently, but this proposal would allow people to test products outdoors.

Ronald Mund questioned if he could do research and development in his house and go to a neighbor's house for testing. Chairman Ashton said no; someone cannot be outside the building and conduct testing.

Member Nelson made a motion, seconded by Member Davis, to move this proposal on to the Zoning Board of Appeals for a hearing.

Ayes (8): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, Schroeder, and Wilson  
Nays (0): None  
Absent (1): Shaw

The motion passed. This proposal will go to the Zoning Board of Appeals on April 29<sup>th</sup>.

**OLD BUSINESS**

None

**CITIZENS TO BE HEARD/ PUBLIC COMMENT**

Ronald Munz expressed concerns about Petition 19-11. The first concern was traffic. The other concern was aesthetics.

**NEW BUSINESS**

**Consideration and Action to Amend or Withdraw Petition 19-09 Regarding a Request from Kendall County Regional Planning Commission Pertaining to a Text Amendment Making Sheriff's Office Shooting Ranges a Permitted Use in Oswego township.**

Member Nelson made a motion, seconded by Member Casey, to withdraw Petition 19-09.

Member Nelson said that the States Attorney of Kendall County took the matter under advisement and rendered a decision that the site that was subject of initiating the text amendment was exempt from zoning because of federal pre-emptions.

Chris Paluch stated that the site on Route 71 was deemed to be a temporary site when it was opened in 1992. He favored opening the range in Lisbon Township.

Chairman Ashton gave an explanation of the proposal. The current Sheriff is working to get the range in Lisbon Township open in the near future.

Todd Milliron stated that the Route 71 Kendall County Sheriff's Department gun range was not zoned correctly and is not a permitted gun range. He believed the Sheriff's department is no different than anybody else and they needed to go through the normal permitting process. The Kendall County Sheriff's office wants two (2) gun ranges, one on Route 71 and one (1) in Lisbon Township. He would like to see the Kendall County Board make a decision and pass judgment on the Route 71 site. He did not believe the State's Attorney's opinion had been tested. He advocated that the County Board should vote no on this petition.

Ayes (7): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, and Schroeder  
Nays (1): Wilson  
Absent (1): Shaw

The motion carried. The proposal is withdrawn.

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

None

**OTHER BUSINESS/ANNOUNCEMENTS**

The next meeting will be May 22<sup>nd</sup> with Petitions 19-11 and 19-12 probably on the agenda.



**ADJOURNMENT**

Member Wilson made a motion, seconded by Member Davis, to adjourn. With a voice vote of eight (8) 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  
APRIL 24, 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 K Caldwell		
Todd Milliron		
Ron Mund		
Chris Patock		