

**KENDALL COUNTY BOARD AGENDA  
ADJOURNED SEPTEMBER MEETING**

**Kendall County Office Building, Rooms 209 & 210  
Tuesday October 18, 2016 at 9:00 a.m.**

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Approval of Previous Month's Minutes
5. Approval of Agenda
6. Special Recognition
7. Correspondence and Communications – County Clerk
8. Citizens to Be Heard
9. Executive Session
10. Old Business
11. New Business
  - A. Approval of the Resolution Repealing Resolution 2015-31 and Adopting a New Amended Fee Schedule for the Kendall County Circuit Court Clerk
12. Elected Officials Report and Other Department Reports
  - A. Sheriff
  - B. County Clerk
  - C. Treasurer
  - D. Clerk of the Court
  - E. State's Attorney
  - F. Coroner
  - G. Health Department
  - H. Supervisor of Assessments
13. Standing Committee Reports
  - A. Planning, Building & Zoning
    1. Approve Petition 16-21 High Grove Subdivision Zoning Map Amendment to rezone 9.9 acres from RPD-2 (Residential Planned Development-Two) to R-2 (Single-Family Residential) generally located on the West side of Grove Road, 1 mile north of US Route 52, Seward Township
    2. Approve Petition 16-21 High Grove Subdivision Preliminary Plat and Final of Subdivision for a four (4) lot residential subdivision generally located on the West side of Grove Road, 1 mile north of US Route 52, Seward Township, contingent upon review and acceptance by the County's consulting engineer of grading and engineering plans submitted in compliance with County Subdivision Control Ordinance
    3. Approve Petition 16-25 The Bluffs, Inc d/b/a Cider Creek for an A-1 Special Use to allow a banquet hall, a nano-brewery, a micro-distillery, a year around seasonal festival, and production and sale of sweet cider with variances for (A) Banquet Hall Micro-Distillery, Nano-Brewery shall not have direct access to a road designated as a major collector (or higher), (B) retail sales areas on site within any building or combination of buildings shall not be restricted to one thousand (1,000) square feet, (C) parking be allowed within the 100' agricultural setback. Location of site is 15888 Frazier Road, Little Rock Township
  - B. Public Safety
  - C. Administration/HR
    1. Approve 2017 Property Liability Worker's Compensation Coverage Proposal from IPMG
    2. Approve Resolution Authorizing Execution of Section 5311-Downstate Operating Assistance Grant Agreement for Kendall Area Transit Program
  - D. Highway
  - E. Facilities
  - F. Economic Development
  - G. Finance
    1. Approve Claims in an amount not to exceed \$ 908,509.76 and Grand Juror Claims in an amount not to exceed \$ 1,350.00
    2. Approval to Display Current Budget
  - H. Health & Environment
  - I. Committee of the Whole
  - J. Standing Committee Minutes Approval
14. Special Committee Reports
  - A. VAC
  - B. Historic Preservation
  - C. Board of Health
  - D. Juvenile Justice Council

15. Other Business
16. Chairman's Report

**Appointments**  
**Announcements**

Clint Vaughn (replacing Larry Larson) – Newark Fire Protection District – 3 year term – Expires April 2018

17. Citizens to be Heard
18. Questions from the Press
19. Adjournment

**KENDALL COUNTY BOARD  
REGULAR SEPTEMBER MEETING  
September 20, 2016**

STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF KENDALL    )

The Kendall County Board Meeting was held at the Kendall County Office Building, Room 209, in the City of Yorkville on Tuesday, September 20, 2016 at 9:20 a.m. The Clerk called the roll. Members present: Chairman John Shaw, Lynn Cullick, Bob Davidson, Elizabeth Flowers, Judy Gilmour, Scott Gryder, Dan Koukol, Matthew Prochaska, John Purcell and Jeff Wehrli.

The Clerk reported to the Chairman that a quorum was present to conduct business.

**THE MINUTES**

Member Gryder moved to approve the submitted minutes from the Adjourned County Board Meeting of 8/16/16. Member Koukol seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. Motion carried.

**THE AGENDA**

Chairman Shaw asked for a motion to move executive session to item 19. Member Wehrli moved to approve the amended agenda. Member Davidson seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. Motion carried 8-1.

**SPECIAL RECOGNITION**

**Honoring Judge Leonard Wojtecki**

Member Prochaska moved to approve the resolution honoring Judge Leonard Wojtecki. Member Gryder seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. Motion carried.

**COUNTY OF KENDALL, ILLINOIS  
RESOLUTION HONORING JUDGE LEONARD J. WOJTECKI  
RESOLUTION 16-27**

WHEREAS, the members of the Kendall County Board are saddened to mourn the death of the Honorable Leonard J. Wojtecki, who passed away on Saturday, August 13, 2016; and

WHEREAS, the Hon. Leonard Wojtecki was born on July 6, 1947 in Chicago, Illinois, the son of Leonard and June (Larsen) Wojtecki; and

WHEREAS, was united in marriage to Frances Robertson on August 23, 1969 in Cary, IL; and

WHEREAS, the Hon. Leonard Wojtecki graduated from Marquette University in 1969 and went on to earn his law degree from John Marshall Law School, Chicago, IL in 1976; and

WHEREAS, the Hon. Leonard Wojtecki right out of law school, he joined the Cook County State's Attorney's office as a prosecutor. He then moved to private practice as a trial attorney in Aurora, IL with Truemper, Hollingsworth, and Wojtecki; and

WHEREAS, the Hon. Leonard Wojtecki served as an assistant public defender in Kendall County from 1995 to 2000; and

WHEREAS, the Hon. Leonard Wojtecki was appointed as an associate judge in the 16th Judicial Circuit in August 2000 retiring from the bench in July 2015, spending many years at the Kendall County Circuit Courthouse in Yorkville, Illinois; and

WHEREAS, the Hon. Leonard Wojtecki was dearly loved by his family and friends and was highly respected in the legal community in Kendall County; therefore, be it

RESOLVED, BY THE RESIDENTS OF KENDALL COUNTY AS REPRESENTED BY THE KENDALL COUNTY BOARD, that we mourn the passing of the Honorable Leonard J. Wojtecki and extend our sincere condolences to his family, friends, and all who knew and loved him; and be it further

RESOLVED, that the County Administrator create a suitable copy of this resolution to be presented to the family of the Hon. Leonard Wojtecki as an expression of our deepest sympathy.

Signed this 20<sup>th</sup> day of September 2016.  
John A. Shaw, County Board Chairman

Attest:  
Debbie Gillette, County Clerk & Recorder

### NEW BUSINESS

#### Public Hearing for Cable Television Franchise

The public hearing was opened. John Campbell from Metranet explained what areas they wanted to expand into. Member Davidson questioned if any notice was given to the public. Mr. Wilkins answered how the notices were handled. There have been other hearing and there was no comment from the public at these meetings.

Member Gryder moved to close the public hearing. Member Cullick seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye except Davidson. Motion carried 9-1.

### ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

#### Sheriff

#### HIDTA Grant Modification

Member Prochaska moved to approve the modification to HIDTA Grant releasing additional funds in the amount of \$180,000.00. Member Wehrli seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. Motion carried.

#### County Clerk

Revenue Report		8/1/16-8/31/16	8/1/15-8/31/15	8/1/14-8/31/14
Line Item	Fund	Revenue	Revenue	Revenue
	County Clerk Fees	\$1,026.50	\$918.50	\$631.50
	County Clerk Fees - Marriage License	\$2,010.00	\$1,530.00	\$1,950.00
	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$0.00
	County Clerk Fees - Misc	\$2,175.00	\$1,758.00	\$2,234.00
	County Clerk Fees - Recording	\$35,447.00	\$30,343.00	\$22,085.00
01010061205	Total County Clerk Fees	\$40,658.50	\$34,549.50	\$26,900.50
01010001185	County Revenue	\$46,097.25	\$38,476.50	\$21,628.25
38010001320	Doc Storage	\$20,551.50	\$18,559.50	\$13,488.50
51010001320	GIS Mapping	\$34,552.00	\$31,234.00	\$22,756.00
37010001320	GIS Recording	\$4,312.00	\$3,898.00	\$2,840.00
01010001135	Interest	\$32.99	\$30.90	\$30.21
01010061210	Recorder's Misc	\$2,146.50	\$5,186.50	\$3,760.00
81010001320	RHSP/Housing Surcharge	\$18,477.00	\$16,533.00	\$11,367.00
CK # 18084	To KC Treasurer	\$166,827.74	\$148,467.90	\$102,770.46

County Clerk Debbie Gillette informed the board that early voting starts September 29 and voter information is available on the website.

#### Treasurer

Office of Jill Ferko  
Kendall County Treasurer & Collector  
111 W. Fox Street Yorkville, IL 60560

#### Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES  
FOR NINE MONTHS ENDED 08/31/2016

<u>REVENUES*</u>	<u>Annual Budget</u>	<u>2016 YTD Actual</u>	<u>2016 YTD %</u>	<u>2015 YTD Actual</u>	<u>2015 YTD %</u>
Personal Property Repl. Tax	\$406,460	\$304,411	74.89%	\$345,605	93.41%
State Income Tax	\$2,650,000	\$1,724,177	65.06%	\$2,068,665	86.56%
Local Use Tax	\$470,000	\$585,741	124.63%	\$405,525	90.12%
State Sales Tax	\$545,492	\$299,422	54.89%	\$550,880	66.77%
County Clerk Fees	\$358,000	\$258,146	72.11%	\$267,799	74.80%
Circuit Clerk Fees	\$950,000	\$656,264	69.08%	\$646,091	68.01%
Fines & Foreits/St Atty.	\$475,000	\$282,144	59.40%	\$322,687	64.54%
Building and Zoning	\$59,500	\$47,156	79.25%	\$54,313	98.75%
Interest Income	\$30,000	\$29,838	99.46%	\$12,213	40.71%
Health Insurance - Empl. Ded.	\$1,250,141	\$856,361	68.50%	\$838,960	75.29%
1/4 Cent Sales Tax	\$2,698,000	\$2,093,243	77.58%	\$2,042,466	79.32%
County Real Estate Transf Tax	\$396,420	\$261,893	66.06%	\$269,751	107.90%
Correction Dept. Board & Care	\$766,500	\$375,080	48.93%	\$590,038	65.56%
Sheriff Fees	\$355,000	\$190,538	53.67%	\$247,687	43.08%
<b>TOTALS</b>	<b>\$11,410,513</b>	<b>\$7,964,413</b>	<b>69.80%</b>	<b>\$8,662,679</b>	<b>76.37%</b>
<b>Public Safety Sales Tax</b>	<b>\$4,800,000</b>	<b>\$3,657,232</b>	<b>76.19%</b>	<b>\$3,574,058</b>	<b>83.12%</b>
<b>Transportation Sales Tax</b>	<b>\$4,500,000</b>	<b>\$3,657,232</b>	<b>81.27%</b>	<b>\$3,574,058</b>	<b>83.12%</b>

\*Includes major revenue line items excluding real estate taxes which are to be collected later.

To be on Budget after 9 months the revenue and expense should at 75.00%

### State's Attorney

State's Attorney Eric Weis did not have a report.

### Coroner

#### Statistics:

<b>2016 Statistics</b>		<b>Stats for Same Period in 2015</b>		<b>Difference</b>
2016 Total Deaths.....	214	Total Deaths.....	197	9%

Autopsies to Date.....	15	Autopsies....	15	
Toxicology Samples.	23	Toxicology Samples..	20	
Cremation Permits....	121	Cremation Permits...	118	3%

- Coroner Toftoy attended the IL Coroner's & Medical Examiners Annual Conference on August 22-24.

### STANDING COMMITTEE REPORTS

#### Planning, Building & Zoning

##### Petition 16-17

Member Gryder made a motion to approve Petition 16-17 Lasky- approve plat of vacation for lots 3 and 4 of Brighton Oaks Subdivision including vacation of ten (10) foot public utility and drainage easement between the two lots. Member Purcell seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 16-13 is available in the office of the County Clerk.

##### Petition 16-18

Member Gryder made a motion to approve Petition 16-18 LRMP Amendment – approve amendment to Land Use Resource Management Plan at northwest intersection of State Route 31 and Light Road in Oswego Township to identify the area as commercial. Member Cullick seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Resolution 16-28 is available in the office of the County Clerk.

##### Petition 16-20

Member Gryder made a motion to approve Petition 16-20 Stor-Mor Inc – approve zoning map amendment at 1317 Route 31, Oswego Township rezoning 3.2 acres from B-1 (Local Shopping District) to B-2 (General Business District). Member Cullick seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 16-14 is available in the office of the County Clerk.

##### Petition 16-20

Member Gryder made a motion to approve Petition 16-20 Stor-Mor Inc – approve Special Use at 1317 Route 31, Oswego Township to operate an enclosed self-service storage facility and an outdoor storage facility. Member Cullick seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 16-15 is available in the office of the County Clerk.

#### Public Safety

##### Bid Approval Security Automation Systems

Member Prochaska made a motion to approve a bid and agreement with Security Automation Systems, Inc in an amount not to exceed \$3,006,655 for security system upgrades at the Public Safety Center and Courthouse. Member Davidson seconded the motion.

Members discussed the alternates and a 10% contingency.

Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

##### Change Orders for Security System Upgrade Project

Member Prochaska made a motion to authorize the approval of change orders for Security System Upgrade Project in an amount not to exceed \$10,000 to be made by consensus of the Public Safety Committee Chair, County Administrator, Sheriff's designee, Facilities Management Director and Technology Services Director. Member Gryder seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

## **Administration/HR**

### **Credit Card Limit**

Member Cullick made a motion to approve an increase to the Technology Services Credit Card limit to \$5,000. Member Gilmour seconded the motion.

The credit card is shared between the Technology Department and GIS.

Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

### **Job Descriptions**

Member Cullick made a motion to approve an increase to the Technology Services Credit Card limit to \$5,000. Member Purcell seconded the motion.

The State's Attorney's Office has reviewed the job descriptions; the committee did not accept all of the recommendations.

Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

### **Cable Television Franchise Agreement**

Member Cullick made a motion to approve the Cable Television Franchise Agreement by and between the County of Kendall, Illinois and CMN-RUS, Inc. Member Koukol seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of IGAM16-39 is available in the office of the County Clerk.

## **Highway**

### **CMAP Payment**

Member Koukol made a motion to approve the use of Transportation Sales Tax Funds for the local element payment of \$17,822 to CMAP for FY 2017. Member Prochaska seconded the motion.

County Engineer Fran Klaas explained the need to fund the agency; they have helped the County receive \$6 million for projects. CMAP helps the County fill out the paperwork and keep the projects relevant.

Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

### **5 Year Surface Transportation Program**

Member Koukol made a motion to approve the 5-Year Surface Transportation Program for 2017-2021. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

### **Highway Department Parking Lot**

Member Koukol made a motion to approve the low bid of D Construction in the amount of \$80,570 to pave the Highway Department parking lot using County Highway Funds. Member Davidson seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Resolution16-29 is available in the office of the County Clerk.

## **Facilities**

### **Public Safety Center Parking Lot**

Member Davidson made a motion to approve the low bid from D Construction in the amount of \$24,765 to pave the Public Safety Center parking lot; said funds to be taken from the Kendall County Budget Line #750-2-000-6653. Member Wehrli seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

### **Pave West Ridge Street**

Member Davidson made a motion to approve the low bid from D Construction in the amount of \$42,475 to pave West Ridge Street from the East edge of pavement of S Main Street to 200 feet East; said funds to be taken from the Kendall County

Budget Line #010-2-100-9101. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried 9-1.**

## **Economic Development**

Member Koukol said that they will not be meeting on Friday.

## **Finance**

### **CLAIMS**

Member Davidson moved to approve the claims submitted in the amount of \$711,097.82, Petit Juror Claims in an amount not to exceed \$3,900, and Grand Juror Claims in an amount not to exceed \$1,450. Member Flowers seconded the motion.

**COMBINED CLAIMS:** FCLT MGMT \$109,479.09, B&Z \$6,003.38, CO CLK & RCDR \$2,009.22, ELECTION \$7,450.62, ED SRV REG \$5,900.16, SHRFF \$27,369.13, CRRCTNS \$8,495.39, MERIT \$496.90, EMA \$1,264.00, CRCT CT CLK \$342.93, JURY COMM \$7,963.18, CRCT CT JDG \$11,142.35, CRNR \$2,752.82, CMB CRT SRV \$1,340.61, PUB DFNDR \$741.50, ST ATTY \$13,249.17, SPRV OF ASSMNT \$519.99, CO TRSR \$162.64, EMPLY HLTH INS \$155.71, PPOST \$1,155.00, OFF OF ADM SRV \$677.64, CO BRD \$3,904.77, TECH SRV \$10,012.68, CAP EXPND \$199.92, CAP IMPRV FND \$24,752.05, CO HWY \$56,242.75, CO BRDG \$65,034.85, TRANSPRT SALES TX \$163,098.25, HLTH & HMN SRV \$24,747.18, FRST PRSRV \$1,192.05, ELLIS HS \$1,538.18, ELLIS GRNDS \$442.91, ELLIS CMPS \$906.87, ELLIS RDNG LSSNS \$2,633.86, ELLIS BDAY PRITIES \$906.88, ELLIS WDDNGS \$5,231.92, HOOVER \$3,213.02, ENV ED SCHL \$17.32, ENV ED CMPS \$1,949.30, ENV ED NTRL BGNNGS \$666.33, ENV ED OTHR PUB PRGMS \$54.00, ENV ED LWS OF NTR \$80.74, GRNDS & NTRL RSRCS \$2,898.15, ANML CNTRL \$398.59, RCDR DOC STRG \$802.08, SHRFF PRV OF ALCHL/CRM \$94.00, HIDTA \$12,306.46, CMSRY FND \$3,822.91, HGBF K-9 GRANT FND \$691.95, CRT SEC FND \$2,127.74, LAW LBRY \$5,708.00, CRCT CLK DOC STRG \$3,214.93, CRT AUTOMA \$5,574.00, PRBTN SRV EXP FND \$5,382.57, GIS \$62.37, KAT \$70,979.37, JAIL BND DBT EXP \$475.00, CO RSRV FND EXP \$12,791.81, EMPLY BNFT \$56.16, PUB SFTY EXP \$10,605.18, SHRFF FTA FND \$1,954.96, VAC \$844.33, SHRFF VHCL FND \$160.00

Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

## **Historic Courthouse Window Replacements**

Member Purcell made a motion to approve the Historic Courthouse (HCH) Window Replacement Agreement with Patrick McCann, Inc in the amount of \$39,500 to be paid from line #0402-000-6650. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of IGAM16-40 is available in the office of the County Clerk.

## **Public Building Commission Deposit of Funds**

Member Purcell made a motion to deposit funds received from the Public Building Commission to Fund 750 Public Safety Capital Improvement Fund to be restricted for the Public Safety Center and Courthouse. Member Gryder seconded the motion.

Members discussed the funding of projects and how it would be divided between the two buildings.

Member Purcell withdrew the motion and defer it back to the Finance Committee. Motion fails for lack of a second.

Chairman Shaw asked for a roll call vote on the original motion. All members present voting aye except Purcell. **Motion carried 9-1.**

## **Health & Environment**

### **Food Protection Ordinance**

Member Gilmour made a motion to approve the Food Protection Ordinance and authorize forwarding to the Illinois Department of Public Health for review and approval. Member Cullick seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

### **Water Supplies Ordinance**

Member Gilmour made a motion to approve the Water Supplies Ordinance and authorize forwarding to the Illinois Department of Public Health for review and approval. Member Prochaska seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

### **Wastewater Treatment System Ordinance**



Member Gilmour made a motion to approve the Wastewater Treatment System Ordinance and authorize forwarding to the Illinois Department of Public Health for review and approval. Member Purcell seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

### **Committee of the Whole**

Member Gryder stated that they discussed many of the items that were voted on today.

### **STANDING COMMITTEE MINUTES APPROVAL**

Member Cullick moved to approve all of the Standing Committee Minutes and Reports. Member Flowers seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

### **BREAK**

### **RECONVENE**

Member Flowers was excused from the meeting.

### **SPECIAL COMMITTEE REPORTS**

#### **Public Building Commission**

##### **Dissolving the Public Building Commission**

Member Wehrli made a motion to approve the resolution dissolving the Kendall County Public Building Commission, County of Kendall, Illinois, pursuant to the Public Building Commission Act (50 ILCS 20/1 et seq). Member Purcell seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Resolution16-30 is available in the office of the County Clerk.

### **VAC**

Olivia Laschober stated that with the recent passing of Steve Barrett there have been some changes; Chad Lockman is now the Superintendent and Olivia is now the Assistant Superintendent. They also have a work study student. Since they began outreach their appointments are up about 30% since last year.

### **Historic Preservation**

Member Wehrli said that they did not meet. At the last PBZ meeting they discussed bringing the members of the Historic Preservation group to the next PBZ to hopefully get more people involved with the Historic Preservation.

### **Board of Health**

Member Wehrli reported that they meet on September 20, 2016.

### **Juvenile Justice Council**

Member Gilmour informed the board that they met on September 16, 2016 and approved new members. They approved using some of the proceeds from the SKY Run to use for grants to help prevent truancy in the schools.

### **CHAIRMAN'S REPORT**

Chairman Shaw received a thank you card for the picnic. Mr. Shaw attended a meeting on combating heroin.

### **QUESTIONS FROM THE PRESS**

Tony Scott from the Kendall County Record asked what the vote was on the PBC Funds.

Jim Wyman from WSPY asked if the PBC funds transfer was approved or if it was going back to Finance.

### **EXECUTIVE SESSION**

Member Davidson made a motion to go into Executive Session for (1) the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity, and (2) collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. Member Gryder

seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

#### ADJOURNMENT

Member Prochaska moved to adjourn the County Board Meeting until the next scheduled meeting. Member Koukol seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

Approved and submitted this 11th day of October, 2016.

Respectfully submitted by,  
Debbie Gillette,  
Kendall County Clerk

Kendall County Clerk				
Revenue Report		9/1/16-9/30/16	9/1/15-9/30/15	9/1/14-9/30/14
Line Item	Fund	Revenue	Revenue	Revenue
	County Clerk Fees	\$ 865.00	\$ 789.00	\$ 705.50
	County Clerk Fees - Marriage License	\$ 2,160.00	\$ 1,890.00	\$ 1,950.00
	County Clerk Fees - Civil Union	\$ -	\$ -	\$ -
	County Clerk Fees - Misc	\$ 2,286.50	\$ 1,715.10	\$ 2,197.50
	County Clerk Fees - Recording	\$ 30,555.00	\$ 26,711.00	\$ 25,893.00
01010061205	Total County Clerk Fees	\$ 35,866.50	\$ 31,105.10	\$ 30,746.00
01010001185	County Revenue	\$ 33,618.00	\$ 33,170.50	\$ 24,549.00
38010001320	Doc Storage	\$ 17,259.00	\$ 16,243.00	\$ 15,385.50
51010001320	GIS Mapping	\$ 29,012.00	\$ 27,407.00	\$ 25,985.00
37010001320	GIS Recording	\$ 3,620.00	\$ 3,423.00	\$ 3,243.00
01010001135	Interest	\$ 25.35	\$ 28.47	\$ 22.23
01010061210	Recorder's Misc	\$ 7,544.25	\$ 4,264.25	\$ 3,852.00
81010001320	RHSP/Housing Surcharge	\$ 15,570.00	\$ 14,202.00	\$ 12,699.00
CK # 18101	To KC Treasurer	\$ 142,515.10	\$ 129,843.32	\$ 116,481.73
Death Certificate Surcharge sent from Clerk's office \$1136.00 ck # 18100				
Dom Viol Fund sent from Clerk's office \$360.00 ck 18099				

# Office of Jill Ferko

Kendall County Treasurer & Collector  
111 W. Fox Street Yorkville, IL 60560

## Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES  
FOR TEN MONTHS ENDED 09/30/2016

<u>REVENUES*</u>	<u>Annual Budget</u>	<u>2016 YTD Actual</u>	<u>2016 YTD %</u>	<u>2015 YTD Actual</u>	<u>2015 YTD %</u>
Personal Property Repl. Tax	\$406,460	\$304,411	74.89%	\$345,605	93.41%
State Income Tax	\$2,650,000	\$2,093,403	79.00%	\$2,484,908	103.97%
Local Use Tax	\$470,000	\$639,879	136.14%	\$405,525	90.12%
State Sales Tax	\$545,492	\$335,751	61.55%	\$583,645	68.32%
County Clerk Fees	\$358,000	\$298,804	83.46%	\$302,349	84.46%
Circuit Clerk Fees	\$950,000	\$728,369	76.67%	\$779,290	82.03%
Fines & Foreits/St Atty.	\$475,000	\$316,894	66.71%	\$396,485	79.30%
Building and Zoning	\$59,500	\$52,561	88.34%	\$63,386	115.25%
Interest Income	\$30,000	\$34,478	114.93%	\$13,795	45.98%
Health Insurance - Empl. Ded.	\$1,250,141	\$939,574	75.16%	\$918,839	82.46%
1/4 Cent Sales Tax	\$2,698,000	\$2,356,529	87.34%	\$2,290,777	88.96%
County Real Estate Transf Tax	\$396,420	\$307,990	77.69%	\$308,227	123.29%
Correction Dept. Board & Care	\$766,500	\$476,060	62.11%	\$679,163	75.46%
Sheriff Fees	\$355,000	\$212,916	59.98%	\$269,619	46.89%
<b>TOTALS</b>	<b>\$11,410,513</b>	<b>\$9,097,619</b>	<b>79.73%</b>	<b>\$9,821,614</b>	<b>86.59%</b>
<b>Public Safety Sales Tax</b>	<b>\$4,800,000</b>	<b>\$4,123,630</b>	<b>85.91%</b>	<b>\$4,010,990</b>	<b>93.28%</b>
<b>Transportation Sales Tax</b>	<b>\$4,500,000</b>	<b>\$4,123,630</b>	<b>91.64%</b>	<b>\$4,010,990</b>	<b>93.28%</b>

\*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 10 months the revenue and expense should at 83.33%

### EXPENDITURES

All General Fund Offices/Categories

<b>\$28,159,719</b>	<b>\$21,240,322</b>	<b>75.43%</b>	<b>\$20,569,509</b>	<b>76.24%</b>
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# KENDALL COUNTY CORONER

## September 2016 Monthly Report

DATE	CASE NUMBER	TIME	NATURE	POST	TOX	LOCATION
Saturday, September 03, 2016	1609215 *	11:52 PM	Natural	N	N	Assisted Living
Tuesday, September 06, 2016	1609216 *	6:24 AM	Natural	N	N	Residence
Wednesday, September 07, 2016	1609217	11:52 AM	Natural	N	N	Assisted Living
Friday, September 09, 2016	1609218 *	6:35 PM	Accident	Y	Y	Residence
Saturday, September 10, 2016	1609219 *	6:00 PM	Natural	N	N	Nursing Home
Monday, September 12, 2016	1609220 *	7:40 AM	Natural	N	N	Residence
Friday, September 16, 2016	1609221	3:31 PM	Natural	N	N	Residence
Saturday, September 17, 2016	1609222 *	9:22 PM	Natural	N	N	Residence
Sunday, September 18, 2016	1609223 *	10:30 AM	Natural	N	N	Residence
Monday, September 19, 2016	1609224 *	7:24 AM	Accident	Y	Y	Residence
Monday, September 19, 2016	1609225 *	5:28 PM	Natural	N	N	Nursing Home
Monday, September 19, 2016	1609226 *	6:16 PM	Natural	N	N	Residence
Tuesday, September 20, 2016	1609227	9:22 AM	Natural	N	N	Residence
Tuesday, September 20, 2016	1609228	12:22 PM	Natural	N	N	Residence
Wednesday, September 21, 2016	1609229 *	5:30 PM	Natural	N	N	Residence
Thursday, September 22, 2016	1609230 *	6:35 PM	Natural	N	N	Residence
Friday, September 23, 2016	1609231 *	9:32 PM	Natural	N	N	Residence
Wednesday, September 28, 2016	1609232 *	8:12 PM	Natural	N	N	Nursing Home
Thursday, September 29, 2016	1609233 *	5:31 AM	Natural	N	N	Residence
Friday, September 30, 2016	1609234 *	6:10 AM	Natural	N	N	Nursing Home

\* Denotes death which occurred outside normal business hours.

Percentage of calls which occurred outside of normal business hours      80%

### Statistics:

FY 2016 Statistics		Stats for Same Period in FY 2015		Difference
2016 Total Deaths.....	234	Total Deaths.....	228	3%
Autopsies to Date.....	17	Autopsies....	16	
Toxicology Samples.	25	Toxicology Samples..	24	
Cremation Permits....	133	Cremation Permits...	132	1%

### Coroner's Office Personnel Update:

\* No Report

**ORDINANCE NUMBER 2016-\_\_\_\_\_**

**MAP AMENDMENT FOR A 9.9979 ACRE PARCEL**

Rezone from RPD-2 to R-2

WHEREAS, the request is for a map amendment from RPD-2 to R-2, for part of a property located on the west side of Grove Road, approximately one mile north of U.S. Route 52 in Seward Township; and

WHEREAS, said property is identified with the tax identification number 09-07-200-024 and the part for rezoning is legally described below; and

That Part of the Northeast Quarter of Section 7, Township 36 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Southeast Corner of said Northeast Quarter; thence North 00 35'24" West, along the East Line of said Northeast Quarter, 817.95 feet to the Northeast Corner of the South 50 acres of said Northeast Quarter (as monumented) for the point of beginning; thence North 00 35'24" West, along said East Line, 466.30 feet' thence North 89 49'29" West, 934.05 feet to the East Line of a Tract conveyed to the Joliet Park District by Warranty Deed recorded January 23, 2014 as Document 2014000001104; thence South 00 35'24" East, along said East Line, 446.30 feet to said North Line of the South 50 Acres of the Northeast Quarter (as monumented); thence South 89 49'29" East, along said North Line, 934.05 feet to the point of beginning in Seward Township, Kendall county, Illinois.

WHEREAS, the petitioner desires to rezone 9.9979 acres to R-2 (Single-Family Residential); and

WHEREAS, a petition granting rezoning on this property was approved by Kendall County from A-1 to RPD-2 in 2006 for the proposed High Grove Subdivision. The final plat of subdivision was not recorded. Since that time, the Joliet Park District has acquired 97 of the original 109 acres of the area originally zoned RPD-2; and

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.07.F of the Zoning Ordinance, and recommendation for approval by the Zoning Board of Appeals on August 29, 2016; and

WHEREAS, the findings of fact were approved as follows:

*Existing uses of property within the general area of the property in question. **The existing uses of property within the area of this property are agricultural and residential.***

*The Zoning classification of property within the general area of the property in question. **The zoning classifications within the general area consist of A-1 Agricultural with 97 acres to the north and west zoned as RPD-2.***

*The suitability of the property in question for the uses permitted under the existing zoning classification. **The property will be developed per the restrictions of the county's subdivision control ordinance and a preliminary and final plat of subdivision have been recommended for approval by the County's Regional Plan Commission.***

*The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. **The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of***

State of Illinois  
County of Kendall

Zoning Petition  
#16-21

*an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification.*  
**The trend of development in the area has residential zoning that would allow for a more dense development. The requested zoning, however, will have less density and allow for more open space.**

*Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.* **The rezoning to R-2 is consistent with the County's Land Use Plan in the area as rural residential with a maximum density of 0.65 dwelling units per acre.**

*NOW, THEREFORE, BE IT ORDAINED*, that the Kendall County Board hereby grants a zoning map amendment from RPD-2 to R-2 on the tract of land located and depicted on the drawing attached as "Exhibit A" hereto and incorporated herein.

*IN WITNESS OF*, this ordinance has been enacted on October 18, 2016.

Attest:

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Kendall County Clerk  
Debbie Gillette

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Kendall County Board Chairman  
John Shaw

**ORDINANCE NUMBER 2016 - \_\_\_\_\_**

**GRANTING APPROVAL OF A PRELIMINARY AND FINAL PLAT OF SUBDIVISION  
FOR 9.99 ACRES  
HIGH GROVE SUBDIVISION**

WHEREAS, The Beane Homestead, LLC/Thomas and Suzanne Casey have filed a petition for a preliminary and final plat within the R-2 Single Family Zoning District for a 9.99 acre property located on the west side of Grove Road, approximately one mile north of U.S. Route 52 in Seward Township; and

WHEREAS, said property is identified with the tax identification number 09-07-200-024 and the part for rezoning is legally described below; and

That Part of the Northeast Quarter of Section 7, Township 36 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Southeast Corner of said Northeast Quarter; thence North 00 35'24" West, along the East Line of said Northeast Quarter, 817.95 feet to the Northeast Corner of the South 50 acres of said Northeast Quarter (as monumented) for the point of beginning; thence North 00 35'24" West, along said East Line, 466.30 feet' thence North 89 49'29" West, 934.05 feet to the East Line of a Tract conveyed to the Joliet Park District by Warranty Deed recorded January 23, 2014 as Document 2014000001104; thence South 00 35'24" East, along said East Line, 446.30 feet to said North Line of the South 50 Acres of the Northeast Quarter (as monumented); thence South 89 49'29" East, along said North Line, 934.05 feet to the point of beginning in Seward Township, Kendall county, Illinois.

WHEREAS, the County Board of Kendall County, Illinois rezoned the subject property from RPD-2 to R-2 Single Family residential for five lots (including a lot for a private roadway) by Ordinance 2016-\_\_ on October 18, 2016; and

WHEREAS, all procedures required by the Kendall County Subdivision Control Ordinance were followed including a favorable recommendation from the Zoning, Platting Advisory Committee in accordance with Section 7.02 and Section 7.04 of the Subdivision Control Ordinance, and recommendation for approval by the Kendall County Regional Plan Commission on August 24, 2016; and

WHEREAS, the Kendall County Board has considered the recommendation of the Regional Plan Commission and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and



*NOW, THEREFORE, BE IT ORDAINED,* that the Kendall County Board hereby approves a preliminary and final plat of subdivision for said tract of land entitled “High Grove Subdivision” included as “Exhibit A” attached hereto and incorporated herein.

*IN WITNESS OF,* this ordinance has been enacted on October 18, 2016.

Attest:

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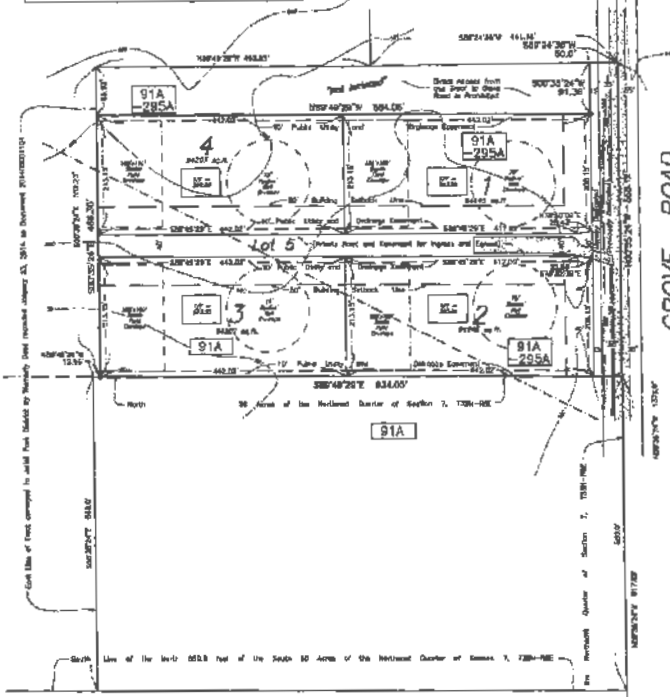
Debbie Gillette  
Kendall County Clerk

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John Shaw  
Kendall County Board Chairman

PRELIMINARY AND FINAL PLAT OF HIGHGROVE SEWARD TOWNSHIP KENDALL COUNTY ILLINOIS

NOTE: Gravel access from Lots 1 and 2 to Grove Road is prohibited. Lots 1 and 2 may only access Grove Road through Lot 5 (Private Road and Easement for ingress and egress)



• Indicates Concrete Monument Set 3/4" x 3/4" Iron Pipe Set in of above Lot Corners, Angle Points and Points of Curvature

--- Indicates State Boundary --- Indicates Contour Elevation

NOTE: Elevation are based on a local coordinate system.

P.L.N. 08-07-200-024

Soil Type - USDA/NRCS (Putnam Soil Testing QR/28/2014)

91A August City Clay Loam, 0%-2% slopes Specific Field Conditions: Severe

295A Mahone Sil Loam, 0%-2% slopes Soiltype: Poor Specific Field Conditions: Severe

AREA TABLE table with columns for Lot, Acreage, and Acres

NOTICE OF FEES: All fees as indicated in the above Plat are subject to payment of fees pursuant to the Land Cash Ordinance of Kendall County...

KENDALL COUNTY RIGHT-TO-FARM STATEMENT: Kendall County has a long rich tradition in agriculture and remains the top food producing county in Illinois...

City of JOLIET CITY COUNCIL: State of Illinois } 55 County of WIU } Approved by the City Council of the City of Joliet, Illinois, this \_\_\_ day of \_\_\_ 20\_\_

City of JOLIET PLAN COMMISSION: State of Illinois } 55 County of WIU } Approved by the Plan Commission of the City of Joliet, Illinois, this \_\_\_ day of \_\_\_ 20\_\_

PLAT AND ZONING COMMITTEE CERTIFICATE: State of Illinois } 55 County of Kendall } Approved by the Plat and Zoning Committee, this \_\_\_ day of \_\_\_ 20\_\_

COUNTY BOARD CERTIFICATE: State of Illinois } 55 County of Kendall } Approved by the County Board of Kendall County, Illinois, this \_\_\_ day of \_\_\_ 20\_\_

VILLAGE OF PLATAVILLE PLAN COMMISSION: State of Illinois } 55 County of Kendall } Approved by the Plan Commission of the Village of Plataville, Illinois, this \_\_\_ day of \_\_\_ 20\_\_

VILLAGE OF PLATAVILLE VILLAGE COUNCIL: State of Illinois } 55 County of Kendall } Approved by the Village Council of the Village of Plataville, Illinois, this \_\_\_ day of \_\_\_ 20\_\_

COUNTY RECORDER CERTIFICATE: State of Illinois } 55 County of Kendall } This instrument is for Record in the Recorder's Office of Kendall County, Illinois, on this \_\_\_ day of \_\_\_ 20\_\_ at \_\_\_ o'clock \_\_\_ M.

COUNTY HEALTH DEPARTMENT: State of Illinois } 55 County of Kendall } Issuance of building permits shall be subject to lot and zoning and subdivision, demonstrating the ability to construct and provide a sewage disposal system capable of meeting or exceeding all applicable state and local rules and regulations.

PUBLIC UTILITY EASEMENT PROVISIONS: An instrument to convey the easements and other property with related gas, electric and communication services to utility companies...

COUNTY CLERK CERTIFICATE: State of Illinois } 55 County of Kendall } This is to certify that I, Suzanne J. Beane, County Clerk for Kendall County, Illinois, have reviewed this instrument and find it to be in conformity with the laws of this State...

CHAIRMAN EASEMENT AND EASEMENT EGRESS PROVISIONS: An instrument is hereby prepared for and granted by the County of Kendall, Illinois, and its Board of Supervisors to the City of Joliet, Illinois, for the purpose of providing for the installation, maintenance, repair and replacement of a sewer system...

PLAT OFFICER CERTIFICATE: State of Illinois } 55 County of Kendall } Approved this \_\_\_ day of \_\_\_ 20\_\_

SURVEYOR'S CERTIFICATE: State of Illinois } 55 County of Kendall }

This is to certify that I, Phillip D. Young, an Illinois Professional Land Surveyor and or other of Phillip D. Young and Associates, Inc., as the agent of the proprietor of the land described herein, have surveyed, adjudicated and platted the land shown hereon to be hereinafter shown as Highgrove, Seward Township, Kendall County, Illinois, being a subdivision of Part of the Northeast Quarter of Section 7, Township 25 North, Range 8 East of the Third Principal Meridian in Seward Township, Kendall County, Illinois, more particularly described as follows:

East Part of the Northeast Quarter of Section 7, Township 25 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Southeast Corner of said Northeast Quarter, thence north 02°02'24" West, along the East line of said Northeast Quarter, 417.98 feet to the Northwest Corner of the South 80 Acres of said Northeast Quarter (as monumented) for the point of beginning; thence North 07°33'27" East, along said East line, 600.13 feet to a point which is 170.62 feet North of the Southeast Corner of said Northeast Quarter; thence South 88°27'24" West, perpendicular to said East line, 600.13 feet, thence South 02°33'24" East, parallel to said East line, 91.38 feet; thence North 08°07'20" East, 84.05 feet to the East line of a tract conveyed to the Joliet Park District by Warranty Deed recorded January 23, 2014 Document 201403031108; thence South 07°33'24" East, along said East line, 442.30 feet to said North Line of the South 50 Acres of the Northeast Quarter (as monumented); thence South 88°27'24" East, along said North line, 824.05 feet to the point of beginning in Seward Township, Kendall County, Illinois

I also certify that the above described property lies within 1-1/2 miles of the corporate limits of the Village of Plataville and the City of Joliet, both of which have sewerage and sewerage and an Official Plat and are zoned for this special purpose authorized by Division 12 of Article 11 of the Illinois Municipal Code as amended.

I also certify that on or about this date I have paid the fee of \$24.00 for a special Flood Hazard area as identified by the Federal Emergency Management Agency based on Flood Insurance Rate Map Panel No. 1706302140C with an effective date of January 8, 2014.

I also certify that the attached plat is in compliance with Chapter 100 of the Illinois Revised Statutes, that all subdivision returns and returns have been filed, that the instrument is recorded in the office of the Recorder of this plat, and that all dimensions are shown in feet and decimal parts thereof.

This professional service conforms to the current Illinois Minimum Standard for a boundary survey.

PHILIP D. YOUNG Illinois Professional Land Surveyor No. 2878 (Expires 11/30/18)

COUNTY ENGINEER CERTIFICATE: State of Illinois } 55 County of Kendall }

I, \_\_\_\_\_ County Engineer of Kendall County do hereby certify that the attached plat has been examined by me and found to comply with the governing requirements set forth in the regulations governing the platting of subdivisions filed and accepted by the County Board of Kendall County, Illinois.

Dated this \_\_\_ day of \_\_\_ 20\_\_

Kendall County Engineer

TOWNSHIP HIGHWAY COMMISSIONER CERTIFICATE: State of Illinois } 55 County of Kendall }

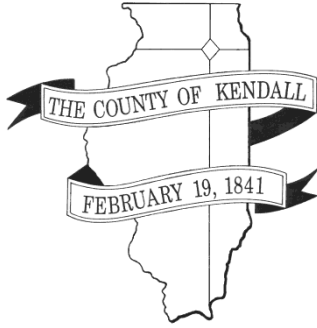
I, \_\_\_\_\_ do hereby certify that all matters pertaining to the Highway requirements as described in the regulations governing plats accepted by the County Board of Kendall County, Illinois as here stated in the attached plat, have been complied with.

Dated this \_\_\_ day of \_\_\_ 20\_\_

Seward Township Highway Commissioner

Table with columns for JOB NO., JOB NAME, DWG FILE, REVISION DATE

Phillip D. Young and Associates, Inc. LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775 1107B South Bridge Street Yorkville, Illinois 60560 Telephone (630)553-1580



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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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**Petition 16-21  
High Grove Subdivision  
Zoning Map Amendment – RPD-2 (Residential Planned  
Development) to R-2 (Single-Family Residential)**

**SITE INFORMATION**

PETITIONER Tom and Suzanne Casey d/b/a Bean Homestead, LLC

ADDRESS Grove Road

LOCATION West side of Grove Road, approximately 1 mile north of U.S. Route 52, Seward Township (PIN 09-07-200-024)

**Note:**



TOWNSHIP Seward

PARCEL # Pt PIN 09-07-200-024

SIZE 9.9 acres

EXITING LAND USE Agricultural

ZONING RPD-2 (Residential Planned Development – Two)  
Current: RPD-2 (High Grove Subdivision)  
Ordinance 2006-42A: Concept & Preliminary Plat  
Ordinance 2006-43A: Rezone from A-1 to RPD-2  
Ordinance 2006-44: Final Plat

Ordinance 2006-45: SSA  
 Ordinance 2006-46: Back-up SSA

LRMP	Land Use	Rural Residential (Max Density 0.65 DU/Ac)
	Roads	Grove Road is a County Road classified as a Major Collector Roadway
	Trails	Proposed Multi-Use Trail on West side of Grove Road per City of Joliet's Comprehensive Plan
	Floodplain/ Wetlands	None

**REQUESTED ACTION** Zoning Map Amendment to rezone from RPD-2 (Residential Planned Development – Two) to R-2 (Single-Family Residential)

Preliminary Plat of Subdivision

Final Plat of Subdivision

**APPLICABLE REGULATIONS** § 8.07 of the Zoning Ordinance (R-2 – Single Family Residential)  
 § 13.07 of the Zoning Ordinance (Amendments)  
 §7.00- §7.04 (Subdivision Control Ordinance- Procedure for Approval & Requirements for Preliminary & Final Plats)  
 §10.00.H of the Subdivision Regulations (Private drive standards)

**SURROUNDING LAND USE**

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Residential	A-1; RPD-2	Rural Residential	A-1
South	Residential	A-1	Rural Residential	A-1; R-1
East	Agricultural	A-1	Rural Residential	A-1
West	Agricultural	RPD-2	Rural Residential	RPD-2; A-1



**PHYSICAL DATA**

**ENDANGERED SPECIES REPORT**

*The EcoCAT Report indicated that The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.*

**ACTION SUMMARY**

**SEWARD TOWNSHIP**

Seward Township approved the request at their August 8, 2016 meeting

**VILLAGE OF PLATTVILLE**

The Village of Plattville is the nearest municipality to the subject site. The Village is within 1½ miles of the proposed development. The Village acknowledged receiving the petition however no comments have been received.

**ZPAC (8.2.16)**

The ZPAC Committee made a favorable recommendation.

**KCRPC (8.24.16)**

The KCRPC made a favorable recommendation on the zoning map amendment request.

**ZBA (8.29.16)**

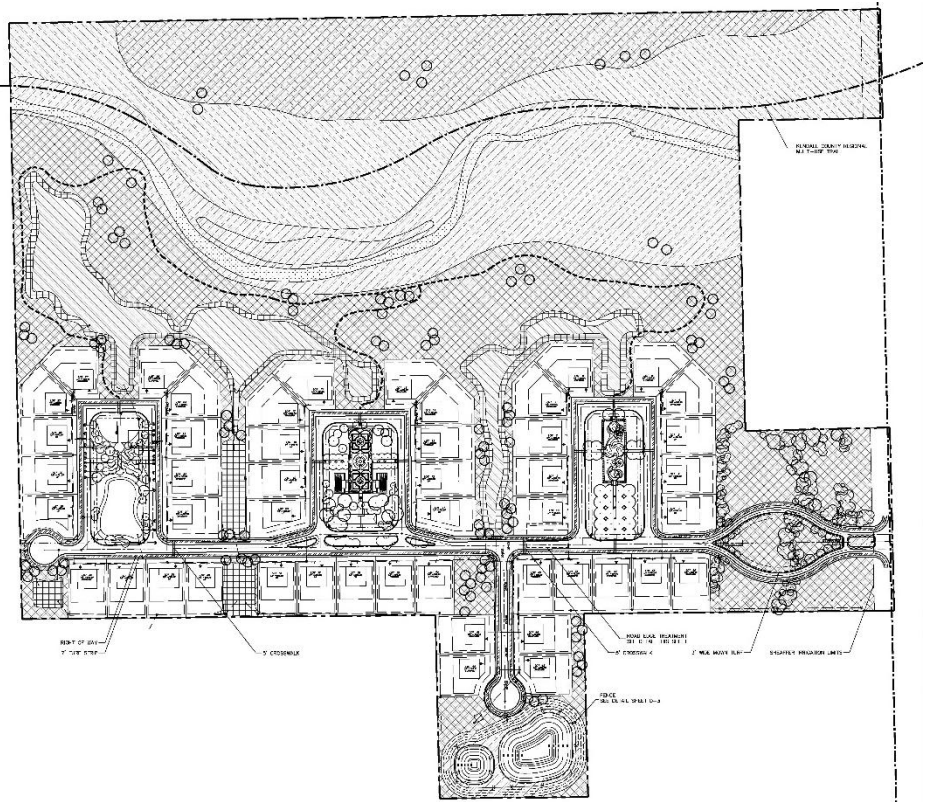
The ZBA made a favorable recommendation (7-0) on the zoning map amendment request. Mr. and Mrs. Troy Feece, owners of the property immediately to the south raised several concerns (addressed in meeting minutes and in staff comments below). The Feece's have filed a written protest to the rezoning, and as they own more than 20% of the frontage immediately adjoining the site, a favorable vote of three-fourths of all the members of the County Board shall be required to approve the request.

**PBZ (9.19.16 and 10.11.16)**

*The PBZ Committee requested the applicant resolve a number of issues and return to the Oct. 11<sup>th</sup> PBZ meeting. The project was reviewed at that meeting, and the Committee recommended that both the zoning and preliminary/final plat should proceed for approval by the full County Board, provided that grading issues identified by WBK Engineering shall be resolved prior to County Board action.*

**GENERAL**

This is a Zoning Map Amendment request to rezone 9.9 acres from RPD-2 to R-2 Single Family Residential and a request for approval of a preliminary and final plat of subdivision for four (4) residential lots to be served by a private drive off of Grove Road.



The High Grove Subdivision was approved in 2006 as a 48 lot single family home subdivision with lots of open space on an overall 109-acre tract of land. The approved plan is illustrated to the right. The final plat of subdivision was not recorded thus voiding the approval. Since that time the Joliet Park District has acquired 97 of the 109 acres from the PBZ Memo – Prepared by John Sterrett, Updated by Mike Hoffman – Oct. 13, 2016 Page 3 of 7

petitioners. Their plan is to develop a passive park on the site (a copy of their proposed plan is attached). Of the remaining 12 acres from the original development, the petitioner is requesting to rezone 9.9 acres to R-2 Single-family Residential. The approximately 2 remaining acres on the north side of the proposed subdivision will remain in the Casey family and used with their existing property to the north – with no access allowed from Grove Road for the remaining property.

### **MAP AMENDMENT**

The petitioner is requesting a zoning map amendment to rezone the 9.9 acres from RPD-2 to R-2. The County Land Use Plan identifies this area as Rural Residential with a maximum density of 0.65 dwelling units per acre. With a proposed four (4) lot subdivision, the property will have a density of 0.40 dwelling units per acre. This is less than the proposed density of the original 48 lot development on the 109-acre tract of land. The Village of Plattville's Comprehensive Plan identifies this area as low density residential with a maximum density equivalent to the County of 0.65 dwelling units per acre. The City of Joliet identifies this area as residential with a maximum density of 2.5 dwelling units per acre.

### **ISSUES RAISED BY OBJECTORS**

At the public hearing, the property owner to the south, through their attorney Michael Mattingly, raised four issues. These issues are underlined below, along with staff comments on each.

1. Concern that the property owned by the Joliet Park District could be developed for homes in the future. Attorney Kramer noted at the public hearing that the Park District used Open Space Land Acquisition and Development (OSLAD) funds from the State of Illinois to help purchase the property. Assuming that is accurate, the land will be required to remain available for public recreational use permanently. The following language was contained in a grant agreement for a project that Teska worked on in Seneca: "Land acquired with funding assistance from the OSLAD program shall be operated and maintained in perpetuity for public outdoor recreation use."
2. Concern regarding what happens to the remaining approximately 2 acres north of the subdivision, and if another home could be built on it. The parcel to the north is very long and narrow, approximately 90' wide and 934' deep, and clearly would not be a buildable lot. The plat is labeled to indicate that no access will be provided from Grove Road. In addition, Attorney Kramer noted that this property would just be used by the Casey's, who own the property to the north.
3. Concern that other homes along Grove Road front the street, but the homes built on the lots in this subdivision will have a different orientation (two homes will likely back to the Feece property). This is a true statement. However, if you look at the original approved High Point subdivision, a total of five home lots would have backed to the Feece property as opposed to two under the current proposal.
4. Concern regarding density, and what would have been permitted if the property was developed under Agricultural Zoning. Attorney Mattingly stated that his client understood that if the property was not developed as approved in the RPD-2 High Grove Subdivision, agricultural zoning criteria would apply. He noted that per his calculations, that would mean a maximum of two single-family home permits for this parcel and the larger parcel purchased by the Joliet Park District. At the Public Hearing, Mr. Kramer noted that in previous discussions with Angela Zubko (when she was Senior Planner), they had calculated that four total permits would be allowed. However, in checking through files, we found a note from Angela suggesting only two permits would be possible under Agricultural Zoning. In staff's opinion, the issue is not relevant. The property is already planned for residential on the LRMP, and zoned RPD-2 – not Agriculture. The proposed density is below the maximum allowed density in the LRMP.
5. Concern regarding the use of the planned park. A sketch of the proposed park is attached. The plan is for a passive park that will include natural areas (prairie, woodland, wetlands, etc.), trails, a dog park, a nature playground, picnic shelter, a nature center, restrooms and parking.

### **PRELIMINARY PLAT/FINAL PLAT**

The petitioner has contemporaneously submitted a Preliminary and Final Plat for a four (4) lot subdivision. The Preliminary/Final Plat has been revised as requested by staff. A grading plan is also required in the Subdivision Ordinance, and was submitted on 10/6/2016. This separate document is needed to evaluate proposed drainage, and to identify if there is a need to add any additional drainage easements to the plat. From our preliminary review it appears that no additional easements will be needed. WBK has provided a review (see attached). From this review, it is clear that additional grading coordination is needed between the Park District and this subdivision. The Attorney for the applicant has said this will be completed in time for

WBK review prior to action by the County Board on October 18th.

### **LOT SIZE**

Four residential lots are proposed on the Preliminary and Final Plat. Each of the four lots has a lot size of 94,207 square feet, exceeding the minimum lot size requirement of 90,000 square feet of the R-2 district.

### **ROW/ACCESS**

Grove Road currently has a seventy (70) foot right-of-way. As a major collector roadway, 120' of right-of-way is required. The County Highway Department requested an additional fifteen (15) feet of ROW be dedicated on the west side of Grove Road for future widening both on the 9.9 acres to be developed and the remaining 2.1 acres outside of the development. The County Highway Department has also requested that a "no access easement" be recorded along Grove Road on lots 1 and 2 and the 2.1 acres outside the development. The enclosed Preliminary and Final Plat reflects these revisions.

The four (4) lots are proposed to be served by a private road within proposed lot 5 having a width of 40' (originally proposed at 33', but widen at the request of the County Highway Department). In addition, 10' easements are provided on each side of Lot 5, thus totaling a width of 60' to accommodate the road, drainage and utilities. Private drives serving three or more residential lots must demonstrate that the site could not otherwise be preserved if a public road was provided such as significant trees, topography, water features, historic sites, rural character, etc. A maximum distance for a shared private drive serving three or more residential lots from a public road ROW is 500'. The proposed private drive is longer than 500' to allow for access to the park to the west. This private roadway is to be constructed and maintained by the Joliet Park District. A copy of the agreement regarding road construction and maintenance is included in this packet.

### **EASEMENTS**

A proposed ten (10) foot public utility and drainage easement is located along the front and rear of the proposed lots.

### **WELL/SEPTIC LOCATION**

The Preliminary and Final Plat must include the location and orientation of septic system envelopes on each individual residential lot as well as the location of well envelopes on each individual residential lot. This information is now shown on the Plat, and the proposed septic envelop has been increased from 10,000 to approximately 20,000 square feet based on the recommendation of the County Health Department.

### **STORMWATER**

This is a single family land use with less than five (5) residential structures and is not required to provide stormwater detention. A grading plan and field tile survey have been provided to determine adequate drainage for the proposed site improvements as well as determine impacts to Grove Road and upstream/downstream owners. Compliance with the erosion control requirements must also occur.

### **CONCLUSION**

The rezoning of the subject property from RPD-2 (Residential Planned Development – Two) to R-2 (Single-Family Residential) is consistent with the County's Land Use Plan as well as the Village of Plattville and City of Joliet. The density of the proposed four lot residential subdivision will be under the maximum requirements and less than what was proposed in the original 48 lot development. The Preliminary and Final Plat has been revised per staff direction for conformance with the County's Subdivision Ordinance.

### **RECOMMENDATION**

Staff recommends approval of the zoning map amendment from RPD-2 to R-2. Staff also recommends approval of the proposed preliminary and final plat with one caveat – that the issues raised by WBK shall be addressed prior to final County Board action.

### **ATTACHMENTS**

1. Findings of Fact
2. Zoning Plat
3. Preliminary and Final Plat
4. ZPAC Minutes 8.2.16
5. KCRPC Minutes 8.24.16
6. ZBA Minutes 8.29.16
7. Grove Road Park Plan
8. Road Agreement

9. Review letter from WBK



## ZBA FINDINGS of FACT

§ 13.07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant a **map amendment**. Staff have answered as follows:

*Existing uses of property within the general area of the property in question.* **The existing uses of property within the area of this property are agricultural and residential.**

*The Zoning classification of property within the general area of the property in question.* **The zoning classifications within the general area consist of A-1 Agricultural with 97 acres to the north and west zoned as RPD-2.**

*The suitability of the property in question for the uses permitted under the existing zoning classification.* **The property will be developed per the restrictions of the county's subdivision control ordinance and a preliminary and final plat of subdivision have been recommended for approval by the County's regional plan commission.**

*The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification.* **The trend of development in the area has residential zoning that would allow for a denser development. The requested zoning, however, will have less density and allow for more open space.**

*Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.* **The rezoning to R-2 is consistent with the County's Land Use Plan in the area as rural residential with a maximum density of 0.65 dwelling units per acre.**



October 6, 2016

Mr. Brian Holdiman  
Kendall County Planning, Building, & Zoning  
111 West Fox Street  
Yorkville, IL 60560-1498

Subject: Review of High Grove Subdivision  
Kendall County (WBK Project 16-100F)

Dear Mr. Holdiman:

Wills Burke Kelsey Associates, Ltd. has completed a review of the Grove Road Site Access for the Joliet Park District in Kendall County. The following material was provided to us for review:

- High Grove subdivision Civil Site Grading Plan prepared by Tebrugge Engineering dated October 6, 2016 and received October 6, 2016
- Preliminary and Final Plat of Highgrove prepared by Phillip D. Young and Associates, Inc. dated October 6, 2016 and received October 6, 2016.

These documents have been reviewed for conformance with the Kendall County Stormwater Ordinance. The following comments require resolution prior to our recommendation for final approval:

1. These plans need to be coordinated with the Joliet Park District Grove Road Access plans.
  - a. Clarify who is constructing the roadway; Joliet Park District or petitioner. If elements of the plan are constructed by others or depicted on other plan sets make reference to those plans sets and construction by others. Indicate these elements with a different line style / type. This also includes drainage culverts and field tile replacement.
  - b. The roadway drainage ditch at the west end does not match the JPD plans. Currently they do not anticipate roadway drainage as part of their plans. Please resolve.
  - c. Existing topography between the JPD plans and this plan does not match.
  - d. It appears the roadway is anticipated to be crowned but the JPD plans do not indicate a crowned section.
2. The pavement centerline profile should be at 0.5% minimum to facilitate drainage.

WBK Engineering, LLC  
WBKEngineering.com

(618) 298-2245

St. Charles Office  
116 West Main Street, Suite 201  
St. Charles, IL 60174  
630.443.7755

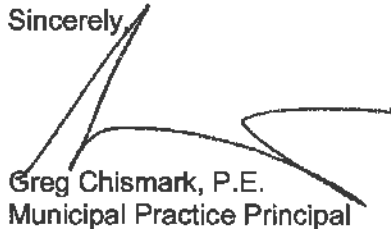
Aurora Office  
8 East Galena Boulevard, Suite 402  
Aurora, IL 60506  
630.701.2245

3. Indicate removal of the existing field tile on Lot 4.
4. Indicate re-routing of the existing field tile which transects Lots 1 & 2. It is preferred that replacement tile be constructed with the roadway / initial construction activities. Coordinate with the JPD plans.
5. Provide calculations to justify the proposed 15" diameter driveway culverts for Lots 3 & 4.

The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details, and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve applicant's design professionals of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications.

If you have any questions or comments, please contact us at (630) 443-7755.

Sincerely,



Greg Chismark, P.E.  
Municipal Practice Principal

CC: Joe Tebrugge – Tebrugge Engineering

STATE OF ILLINOIS        )  
  ) SS.  
COUNTY OF KENDALL    )

**DRIVEWAY AND ROADWAY,  
INGRESS AND EGRESS EASEMENT**

NOW COMES BEANE HOMESTEAD, LLC of the Township of Seward, County of Kendall, State of Illinois, who in consideration of the mutual Covenants and Conditions contained herein, and in consideration of the vacation voluntarily by Joliet Park District of the easement previously granted under Document #201400001107 filed in the office of the Recorder of Deeds in Kendall County, Illinois on January 23, 2014 mutually agrees as follows with the Joliet Park District:

WHEREAS, BEANE HOMESTEAD, LLC is the owner of record of the following described real estate attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, JOLIET PARK DISTRICT and BEANE HOMESTEAD, LLC previously agreed in a Driveway and Roadway Ingress and Egress Easement recorded as Document #201400001107 recorded on January 23, 2014 to create an access driveway and roadway ingress and egress easement permitting the BEANE HOMESTEAD, LLC and its successors and assigns and the JOLIET PARK DISTRICT the use of a driveway or private roadway to be constructed on the southerly sixty-six feet (66') of the real property described in Exhibit "B"; and

WHEREAS, both parties hereto agree to vacate the driveway and roadway ingress and egress easement set out in Document #201400001107; and

WHEREAS, each party has deemed it to be in their mutual best interest to relocate said driveway and roadway ingress and egress easement as depicted on Exhibit "C" which is attached hereto and incorporated herein by reference which is a Joliet Park District Concept Plan for the improvement of a park district facility to the west and adjoining of the access easement said drawing being dated April 28, 2016; and

WHEREAS, the parties hereto are entering into this new Easement Agreement to provide mutual and reciprocal access for a driveway and roadway ingress and egress easement between them and to apportion the installation costs and maintenance obligations therefore and ensure proper access for both parties to their respective parcels of real property; and

WHEREAS, it is the intent of this easement to become effective immediately upon execution by the proper representatives of BEANE HOMESTEAD, LLC on September 26, 2016 and approval of the JOLIET PARK DISTRICT and execution thereof:

NOW THEREFORE the parties hereto agree as follows:

- 1) RECITALS: The parties hereto agree that the recitals stated above are sufficient consideration to support the mutual execution of this Driveway and Roadway, Ingress and Egress Easement; the vacation of the earlier Driveway and Roadway, Ingress and Egress Easement recorded as Document #201400001107 recorded in the office of the Kendall County Recorder of Deeds on January 23, 2014; and to support the future dedication and conveyance of the private roadway of what will become Lot 5 of a Resubdivision of High Grove Subdivision from BEANE HOMESTEAD, LLC to the JOLIET PARK DISTRICT.

All of the covenants and conditions contained above shall be binding conditions and contract obligations of all parties hereto.

- 2) GRANT OF EASEMENT: Now comes BEANE HOMESTEAD, LLC of the Township of Seward, County of Kendall, State of Illinois who in consideration of the above described Covenants, Conditions, and Recitals hereby grants a sixty foot (60') driveway and roadway ingress and egress easement to JOLIET PARK DISTRICT for the construction of what ultimately will become a private roadway on said easement between the parties hereto.
- a) The JOLIET PARK DISTRICT shall have the right to immediately accept bids for the construction of the roadway to be installed as a driveway and roadway on said private ingress and egress easement, and shall construct the actual roadway surface of twenty-four foot (24') in width pursuant to the Kendall County Private Road Standards, and applicable engineering drawings that have been prepared by JOLIET PARK DISTRICT.
  - b) BEANE HOMESTEAD, LLC of the Township of Seward, County of Kendall, State of Illinois reserves to and for itself and its successors and assigns an easement for ingress and egress purposes and for extension of utilities such as gas, electric, cable tv, or otherwise necessary for the construction of four (4) residences to on each side of said private roadway easement which will connect their driveways to the hard surface roadway/driveway being constructed by JOLIET PARK DISTRICT.
  - c) JOLIET PARK DISTRICT shall be solely responsible for the cost of the improvement of said ingress and egress easement which will consist of a

twenty-four foot (24') wide hard surface drive, ditches on each side of the hard surface drive for drainage; and culverts or other conveyances under the roadway to permit the drainage that generally flows from the south and both off and on-site to the north to the creek area on land owned by JOLIET PARK DISTRICT adjacent to the easement area.

- 3) FUTURE CONVEYANCE BY BEANE HOMESTEAD, LLC: Immediately upon approval of a Final Plat of Subdivision for the Resubdivision of High Grove Subdivision by the County of Kendall and the recording of the Final Plat by representatives of BEANE HOMESTEAD, LLC with the Kendall County Recorder of Deeds, it shall be the irrevocable obligation of BEANE HOMESTEAD, LLC as Grantor to convey by General Warranty Deed to JOLIET PARK DISTRICT what is being designated as Lot 5 of High Grove Subdivision, in the attached Exhibit "D". The Deed shall be transferred free of any mortgages, liens and unpermitted exceptions.
- 4) MAINTENANCE OF EASEMENT: The exclusive obligation of maintenance of said easement will be by the JOLIET PARK DISTRICT. All parties hereto have acknowledged both for themselves and their successors, heirs, and assigns that neither the County of Kendall nor Seward Township shall have any obligation to assume ownership or maintenance of the easement or ultimate private road.
- 5) BINDING EFFECT: This easement shall be binding upon the successors, heirs, and assigns of all parties hereto. The easement shall further be considered as a covenant running with the land.

- 6) SEVERABILITY: In the event any portion of this Easement Agreement becomes unenforceable or violates any statute or ordinance, the remaining terms thereof shall remain in full force and effect.
- 7) TERMINATION OF EASEMENT: Upon approval and recording of a Final Plat of Subdivision creating Lot 5 of High Grove Subdivision, and a recording of a Deed from BEANE HOMESTEAD, LLC as Grantor to JOLIET PARK DISTRICT as Grantee of Lot 5 of High Grove Subdivision, this Easement Agreement shall automatically terminate as an easement, but the specific terms thereof providing for utility access, ingress and egress to the four (4) lots, cost of installation of the easement and all improvements including hard surface roadway and drainage ditches, maintenance in the future, and the obligation to convey shall survive this Agreement and shall be the binding obligation of the parties hereto and their successors and assigns.
- 8) UTILITY ACCESS: It is the intention of all parties hereto that the granting of the easement not only shall provide for the private roadway/hard surface drive but also shall allow for the extension of normal utilities for the four (4) lots anticipated to be developed as single family residential lots in high grove subdivision and for utility extension purposes by JOLIET PARK DISTRICT to serve their park district property and any improvements thereon.

IN WITNESS WHEREOF, the parties have executed this Agreement the dates indicated below their signatures.



BEANE HOMESTEAD, LLC

By:

[Signature]  
SUZANNE CASEY, Authorized Manager

[Signature]  
THOMAS CASEY, Authorized Manager

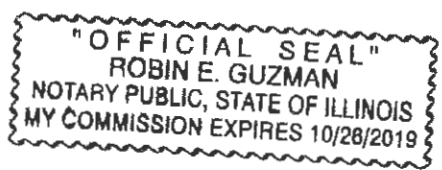
Dated: Oct 4, 2016

STATE OF ILLINOIS        )  
  ) ss.  
COUNTY OF KENDALL    )

I, the undersigned, a Notary Public in and for and residing in said County, in the State of Illinois, DO HEREBY CERTIFY THAT SUZANNE CASEY and THOMAS CASEY, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed, and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 4<sup>th</sup> day of October, 2016, 2016.

[Signature]  
Notary Public



JOLIET PARK DISTRICT

By:

Tom Carstens

Authorized Representative

Dated: 10-3-2016

STATE OF ILLINOIS )  
Kendall and ) ss.  
COUNTY OF Will )

I, the undersigned, a Notary Public in and for and residing in said County, in the State of Illinois, DO HEREBY CERTIFY THAT Tom Carstens, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed, and delivered the said instrument as he free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 3<sup>rd</sup> day of October, 2016.

Theresa L. Talarico  
Notary Public



Prepared by and return to:  
Law Offices of Daniel J. Kramer  
1107A S. Bridge St.  
Yorkville, IL 60560  
630-553-9500

**ORDINANCE NUMBER 2016 - \_\_\_\_**

**GRANTING A SPECIAL USE AND VARIANCES FOR  
THE BLUFFS, INC., D/B/A CIDER CREEK LOCATED AT  
15888 FRAIZER ROAD IN LITTLE ROCK TOWNSHIP**

WHEREAS, THE L&P Nelson Trust 103 has filed a petition for a Special Use within the A-1 Agricultural District for a 45.8-acre property located at the southwest corner of Creek Road and Frazier Road. The street address is 15888 Frazier Road (PIN# 01-20-400-006 and 005), in Little Rock Township; and

WHEREAS, said property is legally described as:

That Part of the East Half of Section 20 and that Part of the West Half of Section 21, Township 37 North, Range 6 East of the Third Principal Meridian described as follows: Beginning at the intersection of the centerlines of Frazier Road and Creek Road; thence South 55°49'05" West, along said centerline of Frazier Road, 1980.0 feet; thence South 37°40'55" East, 537.0 feet; thence North 68°19'05" East, 1250.0 feet; thence South 51°40'55" East, 616.0 feet; thence North 72°41'29" East, 607.87 feet to the centerline of Little Rock Creek; thence North 38°00'00" East, along said centerline, 106.0 feet; thence North 29°00'00" East, along said centerline, 104.0 feet to said centerline of Creek Road; thence North 44°01'24" West, along said centerline, 745.32 feet; thence North 44°54'15" West, along said centerline, 514.15 feet; thence Northwesterly, along said centerline being a tangential curve to the right with a radius of 875.40 feet, an arc distance of 252.71 feet to the point of beginning in Little Rock Township, Kendall County, Illinois.

WHEREAS, said property is zoned A-1 Agricultural and shown primarily as commercial on the Kendall County Future Land Use Plan; and

WHEREAS, said petition is to obtain an A-1 Special Use Permit to operate a banquet hall, nano-brewery, a micro-distillery, a year around seasonal festival, a petting zoo, and production and sale of sweet cider. The petition also includes a request for variances from the following zoning code requirements:

- A. That a Banquet Hall, Micro-Distillery, Nano-Brewery shall have direct access to a road designated as a major collector (or higher) – neither Creek Road or Frazier Road are collectors
- B. The retail sales areas on site within any building or combination of buildings shall not exceed one thousand (1,000) square feet.
- C. That parking be allowed within the 100' agricultural setback and;

WHEREAS, all special use and variance procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer and the Zoning Board of Appeals, both on October 3<sup>rd</sup>, 2016; and

WHEREAS, the findings of fact for the Special Use were approved as follows:

*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. **True. The petitioner has submitted a concept plan indicating that measures will be taken to ensure that the use will not have a negative impact on public health, safety, morals, comfort, or general welfare including landscape screening and a one-way traffic flow.***

*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. **True. Adequate landscaping screening has been planted along Frazier Road and Creek Road. Conditions have been included that will regulate noise, lighting, and sanitation provisions.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **The project will have a one-way circulation system, with vehicles entering from Creek Road and exiting onto Frazier Road as illustrated on the attached Concept Plan. A site plan, storm water management plans, and appropriate Health Department regulations will be reviewed and approved prior to construction for all commercial improvements (banquet hall, bakery/restaurant/store. The Little Rock/Fox Fire Protection District has approved the proposed one-way road network.***

*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 Hearing Officer. **The petitioners have provided a concept plan that complies with the requirements for the proposed use including parking. Modifications to code requirements include:***

- a) That a Banquet Hall, Micro-Distillery, Nano-Brewery shall have direct access to Creek Road and Frazier Road (neither of which is designated as a collector or higher on the County's Transportation Plan)
- b) The retail sales areas may exceed one thousand (1,000) square feet, but shall not exceed 10,000 square feet per building.
- c) That parking be allowed within 30' of the Frazier Road right-of-way (reduced from the 100' agricultural setback).

*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 special use is consistent with the commercial use illustrated on the Future Land Use Plan within the County's LRMP. The agricultural nature of this facility is consistent with the overall character of the area.***

WHEREAS, the findings of fact for the Variances were approved as follows:

*That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. **While the subject property is not on an existing collector road, both***

**Frazer Road and Creek Road are well maintained Township Roads which frequently accommodate truck traffic from the nearby Hillside Nursery. The subject property is planned for commercial use on the County's Future Land Use Plan. The property owner has already installed a significant landscape buffer along both Frazier Road and Creek Road. This dense planting will help maintain the agricultural character of the area while allowing parking within the required 100' agricultural setback.**

*That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. **True. This is a unique combination of uses, and is not likely to be replicated in other areas of the County.***

*That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. **The code requirements for a location on a collector road, a 100' parking setback, and maximum 1,000 square foot retail store were not created by the applicant.***

*That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. **The surrounding area is primarily agricultural, and many of the proposed uses (apple orchard, cider mill) are also agricultural in nature. Appropriate conditions have been included to ensure limits to noise and lighting to protect the public welfare. The nearest home is approximately one-half mile from the proposed buildings.***

*That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. **The Little Rock/Fox Township Fire Protection District has reviewed and approved the proposed special use, as has the Little Rock Township Road Commissioner.***

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Special Use Hearing Officer and the Zoning Board of Appeals and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use permit for the operation of a banquet hall, nano-brewery, a micro-distillery, a year around seasonal festival, a petting zoo, and production and sale of sweet cider in accordance to the submitted Concept Plan included as "Exhibit A" attached hereto and incorporated herein subject to the following conditions:

1. The property shall be developed in substantial compliance with the submitted concept plan.
2. The maximum number of patrons for banquets shall be limited to 225, including any vendors working on the property for a banquet.
3. No event activity shall start earlier than 7:00 A.M. any day of the week, and shall end no later than 10:00pm, Monday thru Wednesday and no later than 11:30pm Thursday thru Sunday. Banquets may end no later than midnight.

4. Lighting shall comply with Section 11 02.F.12 of the Zoning Ordinance.
5. Parking reserved for ADA accessibility shall be marked and constructed with a hard surface adjacent to the proposed retail store/bakery.
6. Any food prepared or sold on site, shall conform to the regulations of the Kendall County Health Department.
7. Retail sales are permitted provided that the retail sales will be ancillary to the main operation. Such sales may occur year around.
8. Noise generated by non-agricultural activities on-site shall comply with the following:
  - a. 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 residential property line of the complainant.
  - b. 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 residential property line of the complainant.
  - c. EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M
9. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.
10. A waste management plan shall be submitted to and approved by the Kendall County Health Department prior to operation of the micro-distillery.
11. The petting zoo shall provide adequate hand sanitation devices as determined by the Department of Health.
12. There shall be a maximum of three new buildings, with a maximum size of 10,000 square feet each, for the banquet hall, bakery/retail store, and other commercial uses. This maximum number of buildings excludes agricultural buildings such as barns or sheds.
13. Signs shall comply with sign standards for Business Districts in the Kendall County Zoning Ordinance (Section 12.10), and may only be externally illuminated.
14. Adequate parking on site shall be provided in such a way that no on-street parking is necessary. Parking shall be setback a minimum of 30' from the right-of-way of Frazier Road.
15. Accessory uses including but not limited to temporary vendors engaged in the sale of ancillary items not produced on site but which are related to products produced on site or associated with the season shall be permitted.

Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

*IN WITNESS OF*, this Ordinance has been enacted by the Kendall County Board this 18<sup>th</sup> day of October, 2016.

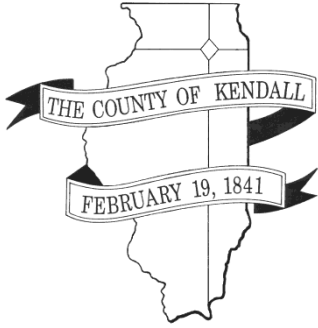
Attest:

---

John A. Shaw  
Kendall County Board Chairman

---

Debbie Gillette  
Kendall County Clerk



**DEPARTMENT OF PLANNING, BUILDING & ZONING**  
 111 West Fox Street • Room 203  
 Yorkville, IL • 60560  
 (630) 553-4141 Fax (630) 553-4179

**Petition 16-25**  
**The Bluffs, Inc. d/b/a Cider Creek**  
**A-1 Special Use – Banquet Hall, Seasonal Festival**

**SITE INFORMATION**

**PETITIONER** L and P Nelson Trust 103  
**ADDRESS** 15888 Frazier Road, Plano  
**LOCATION** South side of Frazier Road, west of Creek Road



**TOWNSHIP** Little Rock  
**PARCEL #** 01-20-400-005 and -006 (the proposed 45.85-acre special use covers only a portion of these PIN's – the submitted Alta Survey shows a total ownership of 165.25 acres)  
**LOT SIZE** 45.85 acres  
**EXITING LAND USE** Agricultural  
**ZONING** A-1 Agricultural District

<b>LRMP</b>	<b>Land Use</b>	Commercial and Countryside Residential
	<b>Roads</b>	Both Creek Road and Frazier Roads are under Little Rock Township Jurisdiction
	<b>Trails</b>	A trail is proposed along Frazier Road



Floodplain/ Wetlands	Most of the site is just outside of the Little Rock Creek Floodplain. However, the far eastern portion of the property is within the 100- year floodplain. A Freshwater Forested Shrub Wetland also exists just south (but outside) of the subject property.
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**REQUESTED ACTION**

A-1 Special Use to allow a banquet hall, a nano-brewery, a micro-distillery, a year-round seasonal festival with petting zoo, and production and sale of sweet cider and variances for:

- A. That a Banquet Hall, Micro-Distillery, Nano-Brewery shall have direct access to a road designated as a major collector (or higher) – neither Creek Road or Frazier Road are collectors
- B. The retail sales areas on site within any building or combination of buildings shall not exceed one thousand (1,000) square feet.
- C. That parking be allowed within the 100’ agricultural setback.

**APPLICABLE REGULATIONS**

Section 7.01 D.10 (Banquet Halls), D.29 (Micro-distillery), D.30 (Nano-brewery) D-42 (Production and sale of sweet cider) – A-1 Special Uses – and Section 7.01E – 1.j.xv (seasonal festivals – requested to treat as special use to allow year around activity – A-1 Conditional Use.

Section 11.02.F.7 – No parking is allowed in required front yard setback (100’ in A-1 District)

Section 13.08 – Special Use Procedures

**SURROUNDING LAND USE**

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural	A-1	Agricultural (and Rural Estate east of Creek Rd.)	A-1
South	Agricultural	A-1	Suburban Residential	A-1
East	Agricultural	A-1	Commercial and Urbanized (in Plano)	A-1 (residential in Plano)
West	Agricultural/Radio Station	A-1	Countryside Residential	A-1 (A-1 SU for radio station)

## **PHYSICAL DATA**

The property generally drains north to south towards Little Rock Creek. The land is fairly gently sloping near Frazier Road, and a significant drop in topography occurs along the heavily wooded creek bluff near the limits of the subject site. A double row of evergreen trees has recently been planted along both Creek Road and Frasier Road which will provide a significant buffer once the trees mature.



## **ENDANGERED SPECIES REPORT**

No Endangered or Threatened Species have been identified in the vicinity of the project area. (EcoCat report attached)

## **NATURAL RESOURCES INVENTORY**

LESA score of 173, suggesting a low level of protection.

## **ACTION SUMMARY**

### **LITTLE ROCK TOWNSHIP**

Little Rock Township reviewed the proposal at both the Zoning Board and Township Board levels, and both voted unanimously to support the petition. The Township Road Commissioner, Richard Wade Jr., was present at both meetings, and was also in favor of the request and was comfortable with the proposed access points and circulation.

### **CITY OF PLANO**

Petition information was sent to the City of Plano 8.24.16, and the City responded that they saw no problem with the proposed development.

### **LITTLE ROCK/FOX FIRE PROTECTION DISTRICT**

LRFFPD has no objections as long as the roadways are 'commercial' in nature and maintain turning radiuses suitable for standard straight trucks.

### **ZPAC**

The project was reviewed at the September 6<sup>th</sup>. The project was recommended to move forward, with a request for submission of a concept plan (which was done and is included in this packet). The Health Department suggested the applicant should work closely with them to address septic system requirements early on to avoid potential problems. The need for a variance from the parking setback requirements was identified, and the application was amended to include that request.

### **RPC**

The Regional Planning Commission (RPC) reviewed the proposed special use at their September 28<sup>th</sup>, 2016 meeting. The project was recommended for approval with a number of conditions (noted latter in this staff report). A number of residents, primarily living along Creek Road. Their concerns were for increased traffic, hours of operation, and lighting.

## **ZBA**

The Zoning Board of Appeals conducted a public hearing and reviewed the requested variances at their October 3<sup>rd</sup>, 2016 meeting and recommend approval.

## **SHO**

The Special Use Hearing Officer conducted a public hearing on the proposed special use on October 3<sup>rd</sup>, 2016 and recommended approval with the conditions outlined in the staff memorandum, with two changes:

1. Condition #8a as outlined in the staff report be changed to comply with the County ordinance relating to noise; and
2. Exclude condition #14 from the staff report entirely.

## **PBZ**

The PBZ Committee reviewed the case at their October 11<sup>th</sup> meeting and voted to favorably move the application on to the County Board. The only concern raised was the potential need for some additional paved parking near the store/restaurant/bakery. The applicant has agreed to pave the required handicap spaces.

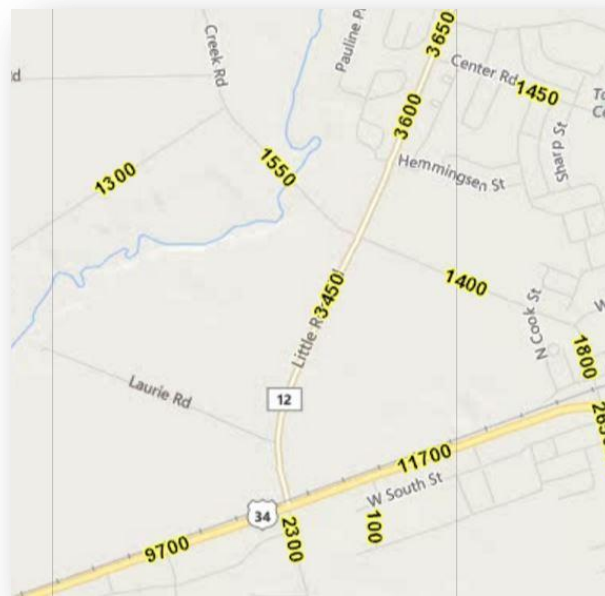


*Oblique View Looking North*

## **GENERAL**

The L&P Nelson Trust #103 is requesting an A-1 Special Use to operate a U-Pick Orchard offering commodities grown on and off the site, food produced from the commodities along with other food and refreshments, entertainment and activities will also be provided. Specific uses will include a banquet hall, a micro distillery, a nano-brewery, production and sale of sweet cider, and a year-round seasonal festival. As these special uses are addressed under different sections of the code, each is listed separately below, along with their conditions.

The Land Resource Management Plan was amended in 2015 to show commercial use along the south side of Creek Road between Little Rock Road and Frazier Road. While the proposed uses clearly have an agricultural theme, they also are clearly commercial in nature and will attract commercial traffic – particularly during seasonal events or for functions at the proposed banquet facility. As illustrated on the right, traffic is relatively light on surrounding roads today, with an Average Daily Traffic (ADT) of 1,550 on Creek Road and 1,300 ADT on Frazier Road. There is clearly capacity on the local roads to accommodate additional traffic. To-date, several barn-like structures have been (re) constructed on the property, as well as an improved access drive from Creek Road. Five-hundred apple trees have been planted to-date, with another 4,500 trees planned to be added in Spring, 2017.



2016 Traffic Counts per IDOT

At our request, the applicant has provided a conceptual plan to show the general layout of proposed activities. The circulation plan is for cars to enter from Creek Road and exit onto Frazier Road. This approach has been reviewed and approved by the Little Rock Township Road commissioner, who has jurisdiction over these roadways. The applicant noted in their ZPAC presentation that what they are planning is similar to the Kuiper’s Family Farm near Maple Park - <http://www.kuipersfamilyfarm.com/>. **Activities planned for Cider Creek include apple picking, a pumpkin patch, a store and bakery, kids activities such as a petting zoo and train, and a cider mill with a nano-brewery and micro-distillery. A banquet facility is also planned in the future.** Build-out is anticipated to take several years, with the orchard and cider mill coming first (Spring, 2017), followed by the store latter in 2017 and the banquet facility in 2018.

The zoning code has a number of conditions outlined for each of the requested special uses, and these are summarized on the following pages.

Banquet Hall

Banquet Halls are permitted subject to the following conditions:

Condition	Comments
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.	Neither Creek or Frazier Roads are arterial or collector roadways – and a variance is requested from this requirement. Both roads are in good condition, are used by semi’s coming from the nearby Hinsdale Nursery, and the Township Road Commissioner has no objections.
b. The subject parcel must be a minimum of 5 acres.	The almost 46-acre site far exceeds the minimum parcel area.
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)	This should be listed as a condition of approval. No details have been provided. The banquet facility is planned for a latter phase.

Condition	Comments
<p><b>d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance.</b></p>	<p>This should be listed as a condition of approval, and can be reviewed when a site plan is submitted for the banquet hall. A significant landscape buffer is already in place around the periphery of the property.</p>
<p><b>e. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.</b></p>	<p>This should be listed as a condition of approval. No details have been provided.</p>
<p><b>f. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.</b></p>	<p>Retail sales are planned (bakery, apples, cider, seasonal gifts, etc.)</p>
<p><b>g. The noise regulations are as follows:</b></p> <p><b>Day Hours:</b> 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.</p> <p><b>Night Hours:</b> 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.</p> <p><b>EXEMPTION: Powered Equipment:</b> 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</p>	<p>This should be listed as a condition of approval. The applicant has stated they will comply with whatever regulations are in place.</p>



### Micro-Distillery

A micro-distillery is permitted subject to the following conditions:

<b>Condition</b>	<b>Comments</b>
<b>a. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.</b>	Neither Creek or Frazier Roads are major collector roads (see notes under Banquet Hall)
<b>b. Locally grown inputs shall be used to the greatest extent possible.</b>	The petitioner will have approximately 5000 trees, and intends to use crops grown on-site. However, some apples will likely be brought in to extend the season and provide variety.
<b>c. The number of hours permitted to operate shall be on the approving ordinance.</b>	The petitioner should identify proposed hours, and if acceptable, should be written into the ordinance.
<b>d. Parking shall be in accordance with Section 11 of the Zoning Ordinance including lighting.</b>	Parking and lighting shall be addressed at the time a site plan is provided.
<b>e. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.</b>	This should be a required condition.
<b>f. Shall contact &amp; meet all requirements of the Kendall County Health Department.</b>	This should be a required condition.
<b>g. A waste management plan should be submitted to the Kendall County Health Department</b>	This should be a required condition.

### Nano-Brewery

Nano Breweries are permitted subject to the following conditions:

<b>Condition</b>	<b>Comments</b>
<b>a. The facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.</b>	Neither Creek or Frazier Roads are major collector roads. (see notes under Banquet Hall)
<b>b. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.</b>	This should be a required condition.
<b>c. Locally grown inputs shall be used to the greatest extent possible, with production utilizing crops grown on the same property or in combination with crops grown off-site.</b>	The applicant should detail their plans for acquiring brewing crops.
<b>d. Any tasting or sale of beer shall be subject to the Kendall County Liquor Control regulations.</b>	This should be a required condition.

### Production and Sale of Sweet Cider

Production and sale of sweet cider, hard cider, wine, jams, wine jams, jellies, pies, pickles, honey, sauces and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises is permitted as a special use subject to the following conditions:

Condition	Comments
The tasting of and wholesale or retail sale of items produced on site as well as the sales of ancillary items and products related to crops and products produced on site shall be permitted provided all required licenses and permits have been secured.	A condition should require appropriate licenses and permits.
The total retail sales area on site within any building or combination of buildings shall not exceed one thousand (1,000) square feet. Said sales areas shall be set back at least ninety (90) feet from the center line of all adjacent roads with off-street parking for a minimum of five (5) cars.	The applicant has requested the ability to have a larger retail sales area, although a specific size has not yet been provided. The proposed location for the retail sales building far exceeds the setback requirement.

### Year Around Seasonal Festival

Seasonal festivals are generally handled as a conditional use. However, as this facility is proposed to operate year-round, it is required to seek a special use. The following table details the conditions required for seasonal festivals.

Condition	Comment
i. Adequate parking on site shall be provided in such a way that no on-street parking is necessary	Exact parking requirements will be evaluated as specific site plans are submitted. However, the concept plan provided appears to show adequate areas for on-site parking.
ii. Event areas, stands, booths, parking and other uses and facilities appurtenant to the site shall not be located within 150 feet of a residential district, or residential structure located off the subject zoning lot unless written consent from the effected residents is provided to the Planning, Building and Zoning Office	No homes are within 150' of the subject property. In fact, no existing homes are within ½ mile of the proposed operations.
iii. The operator shall have adequate waste receptacles and toilet facilities on site as determined in writing from the Department of Health and Human Services	Specific requirements are unknown at this time, but the applicant has stated they will comply with code requirements.
iv. No alcohol shall be sold on the premises	They do plan to sell alcohol on-site.
v. Petting Zoos shall provide adequate hand sanitation devices as determined by the Department of Health and Human Services	This should be a condition of approval.
vi. All food prepared or sold on site shall comply with the Department of Health and Human Services requirements.	This should be a condition of approval.
vii. Noise levels generated from non-agricultural sources shall not exceed 60 dBA as measured at the nearest occupied residential structure on an adjoining property	This should be a condition of approval.
viii. The operator shall provide adequate crowd control and parking direction as reasonably determined by the Kendall County Sheriff's Office.	This should be a condition of approval.
ix. No event activity shall start earlier than 9:00 A.M. any day of the week, and shall end no later than 10:00pm, Monday thru Wednesday and no later than 11:30pm Thursday thru Sunday	This should be a condition of approval.
x. Events shall be permitted once a year unless otherwise approved	Applicant has

Condition		Comment
	by the PBZ Committee	requested ability to operate events all year.
xi.	Seasonal Festivals shall be permitted up to, but not exceed, ninety (90) consecutive days in length in one calendar year	Applicant has requested ability to operate events all year.
xii.	Accessory uses including but not limited to temporary vendors engaged in the sale of ancillary items not produced on site but which are related to products produced on site or associated with the season shall be permitted during the duration of the Seasonal Festival subject to the review and approval of the Zoning Administrator.	This should be discussed with applicant since activities are planned year-round.
xiii.	All signage shall comply with Section 12.00 of the Zoning Ordinance	This should be a condition of approval.
xiv.	All proposed lighting shall be non-obtrusive onto adjoining properties and should not exceed 0.2 foot-candles at any property line	This should be a condition of approval.

### HEALTH CODES

The petitioner has not provided details for any of the proposed uses. These items must be evaluated and permitted through the Kendall County Health Department prior to construction.

### BUILDING CODES

Any future buildings will need to be evaluated by the Building Department for determination of any required building permits.

### ACCESS

The property is at the corner of Creek Road and Frazier Road. A concept plan has been submitted showing an entrance from Creek Road and an exit onto Frazier Road. The existing access location has been approved by the Township Road Commissioner, and appears well located given topography and sight lines.

### PARKING

As the plans are conceptual at this point, specific parking requirements are difficult to calculate. However, the concept plan shows three sizable areas for parking. The smaller area by the cider mill could potentially accommodate in the range of 50 cars, and the main and overflow lots could – based on their area, accommodate well over 1,000 cars.

### LIGHTING

No information has been provided regarding proposed lighting.

### SIGNAGE

No information has been provided regarding proposed signage.

### PUBLIC COMMENTS

Mr. and Mrs. Scott Francis Cosentino of 2490 Creek Road submitted a letter in opposition to the project on September 13, 2016. They also attend the public hearings and submitted an additional letter on October 4<sup>th</sup>, 2016 (attached). This second letter requested a reduction in the hours of operation. One other resident came into the office to review the application, and stated they may attend the meetings and hearings, but provided no formal comment. Approximately ten residents attending the meeting of the RPC on September 28<sup>th</sup>, and a number of residents also attended the ZBA and SHO Hearings on October 3<sup>rd</sup>. Their comments can be found in the meeting minutes.

### RECOMMENDATION



The proposed uses are consistent with the LRMP, will help to celebrate the agricultural heritage of Kendall County, and is a clear positive from an economic development perspective drawing visitors and tourists from throughout the region. At this time, the nearest neighbors are over a ½ mile away, and the site has a significant landscape buffer planted to provide screening should additional development occur in the area. Given these factors, we recommend approval subject to the following conditions. Numbers 1-11 are as recommended for approval by the Regional Planning Commission. Numbers 12-16 are additional conditions based on further staff review.

1. The property shall be developed in substantial compliance with the submitted concept plan
2. The maximum number of patrons for banquets shall be limited to 225, including any vendors working on the property for a banquet.
3. No event activity shall start earlier than 7:00 A.M. any day of the week, and shall end no later than 10:00pm, Monday thru Wednesday and no later than 11:30pm Thursday thru Sunday. Banquets may end no later than midnight.
4. Lighting shall comply with Section 11 02.F.12 of the Zoning Ordinance
5. Parking reserved for ADA accessibility shall be marked and constructed with a hard surface adjacent to the proposed retail store/bakery
6. Any food prepared or sold on site, shall conform to the regulations of the Kendall County Health
7. Retail sales are permitted provided that the retail sales will be ancillary to the main operation. Such sales may occur year around.
8. Noise generated by non-agricultural activities on-site shall comply with the following:
  - a. 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 residential property line of the complainant.
  - b. 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 residential property line of the complainant.
  - c. 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

**Variations Requested for this Special Use**

1. Facility is located on Township Roads which are note designated as a collector or arterial roadway.
2. The retail store may be larger than 1,000 sq. feet ( current limitation for a facility producing and selling sweat cider) .
3. Alcohol will be sold on the site of a seasonal festival.
4. Parking will be located within the 100' agricultural setback ( existing evergreen buffer of at least 30' already in place)
5. Events may occur year-around, and are not limited to a 90-day window ( seasonal events) .

9. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.
10. A waste management plan should be submitted to and approved by the Kendall County Health Department prior to operation of the micro-distillery
11. The petting zoo shall provide adequate hand sanitation devices as determined by the Department of Health and Human Services.
12. There shall be a maximum of three new buildings, with a maximum size of 10,000 square feet each, for the banquet hall, bakery/retail store, and other commercial uses. This maximum number of buildings excludes agricultural buildings such as barns or sheds.
13. Signs shall comply with sign standards for Business Districts in the Kendall County Zoning Ordinance (Section 12.10), and may only be externally illuminated.
- ~~14. Events may occur throughout the year and not held to any consecutive day standard. However, any outdoor music events or festivals generating sixty five (65) dBA or more at the property line of this special use shall be limited to a total of 10 days within a calendar year. Notice shall be provided to the Kendall County PBZ Department prior to each outdoor music event as described above. Outdoor musical performances shall end by 10pm. (this condition was removed from the Special Use Hearing Officers recommendation. Staff had previously suggested this given past experience with outdoor music events such as those at Hideaway Lakes)~~
15. Adequate parking on site shall be provided in such a way that no on-street parking is necessary. Parking shall be setback a minimum of 30' from the right-of-way of Frazier Road.
16. Accessory uses including but not limited to temporary vendors engaged in the sale of ancillary items not produced on site but which are related to products produced on site or associated with the season shall be permitted.

## **ATTACHMENTS**

1. Draft Findings of Fact
2. Description of proposed use - prepared by the petitioners
3. EcoCat Report
4. Concept Plan
5. Letters of Objection
6. Minutes (ZPAC, RPC, ZBA, SHO)

**Special Use Findings of Fact  
Cider Creek – 16-25**

*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. **True. The petitioner has submitted a concept plan indicating that measures will be taken to ensure that the use will not have a negative impact on public health, safety, morals, comfort, or general welfare including landscape screening and a one-way traffic flow.***

*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. **True. Adequate landscaping screening has been planted along Frazier Road and Creek Road. Conditions have been included that will regulate noise, lighting, and sanitation provisions.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **The project will have a one-way circulation system, with vehicles entering from Creek Road and exiting onto Frazier Road as illustrated on the attached Concept Plan. A site plan, storm water management plans, and appropriate Health Department regulations will be reviewed and approved prior to construction for all commercial improvements (banquet hall, bakery/restaurant/store. The Little Rock/Fox Fire Protection District has approved the proposed one-way road network.***

*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 Hearing Officer. **The petitioners have provided a concept plan that complies with the requirements for the proposed use including parking. Modifications to code requirements include:***

- b) That a Banquet Hall, Micro-Distillery, Nano-Brewery shall have direct access to Creek Road and Frazier Road (neither of which is designated as a collector or higher on the County's Transportation Plan)
- c) The retail sales areas may exceed one thousand (1,000) square feet, but shall not exceed 10,000 square feet per building.
- d) That parking be allowed within 30' of the Frazier Road right-of-way (reduced from the 100' agricultural setback).

*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 special use is consistent with the commercial use illustrated on the Future Land Use Plan within the County's LRMP. The agricultural nature of this facility is consistent with the overall character of the area.***

## Variance Findings of Fact Cider Creek – 16-25

§ 13.04.2 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant variations. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

*That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out.* **While the subject property is not on an existing collector road, both Frazer Road and Creek Road are well maintained Township Roads which frequently accommodate truck traffic from the nearby Hillside Nursery. The subject property is planned for commercial use on the County's Future Land Use Plan. The property owner has already installed a significant landscape buffer along both Frazier Road and Creek Road. This dense planting will help maintain the agricultural character of the area while allowing parking within the required 100' agricultural setback.**

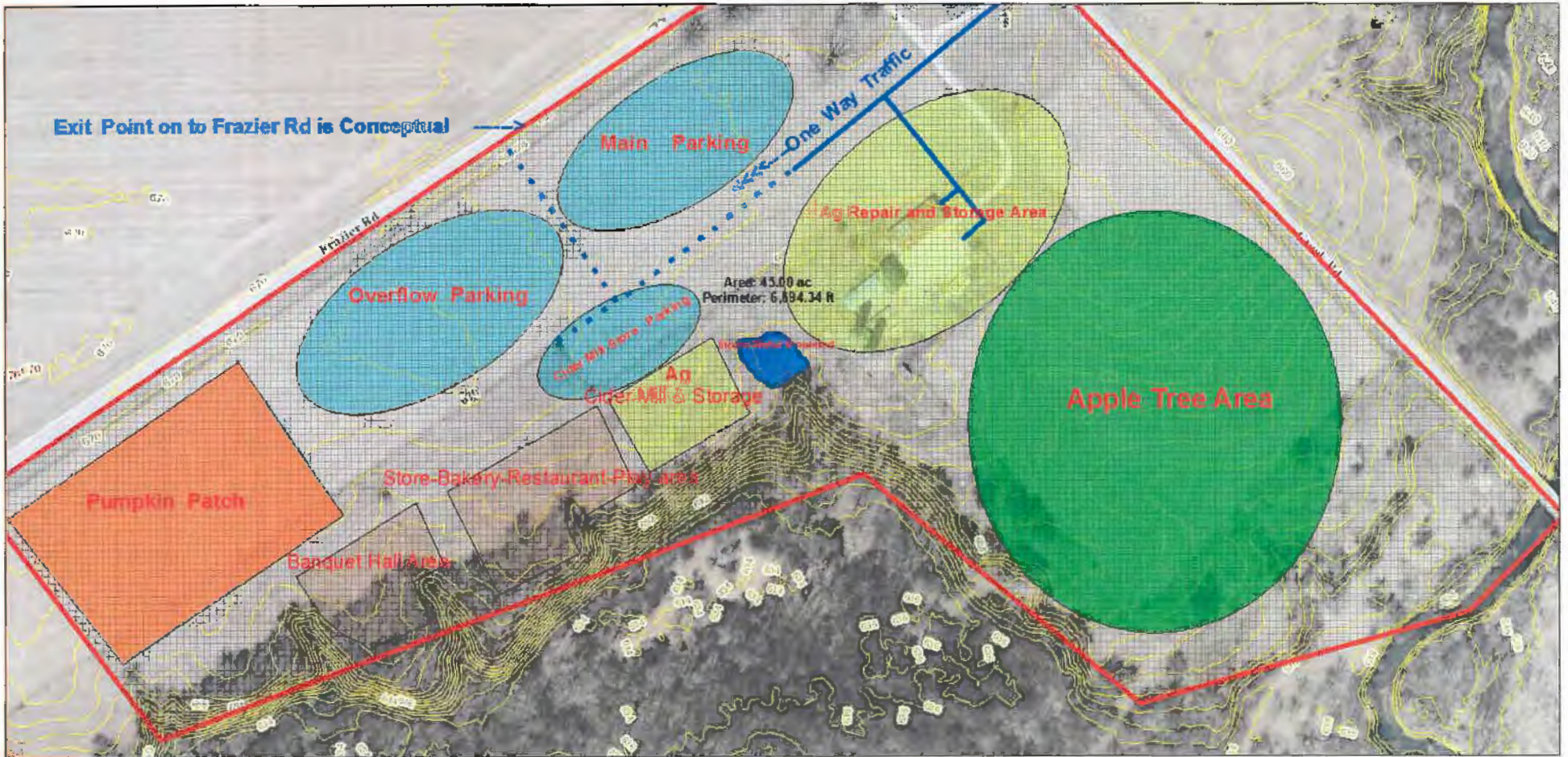
*That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification.* **True. This is a unique combination of uses, and is not likely to be replicated in other areas of the County.**

*That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.* **The code requirements for a location on a collector road, a 100' parking setback, and maximum 1,000 square foot retail store were not created by the applicant.**

*That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located.* **The surrounding area is primarily agricultural, and many of the proposed uses (apple orchard, cider mill) are also agricultural in nature. Appropriate conditions have been included to ensure limits to noise and lighting to protect the public welfare. The nearest home is approximately one-half mile from the proposed buildings.**

*That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood.* **The Little Rock/Fox Township Fire Protection District has reviewed and approved the proposed special use, as has the Little Rock Township Road Commissioner.**

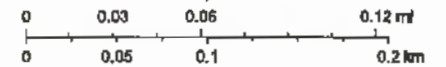
# Concept planning of Cider Creek site



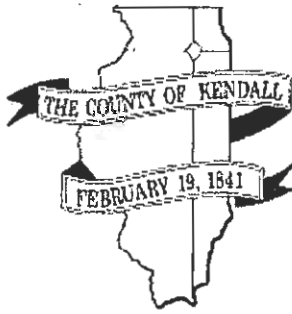
September 6, 2018

Road Names

1:2,623



Kandall County Illinois GIS



**DEPARTMENT OF PLANNING, BUILDING & ZONING**

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

**APPLICATION**

PROJECT NAME Cider Creek FILE #: 16-25

NAME OF APPLICANT <u>L + P Nelson Trust 103</u>		
CURRENT LANDOWNER/NAME(s)		
SITE INFORMATION ACRES <u>45 +/-</u>	SITE ADDRESS OR LOCATION <u>15888 Frazier Rd</u>	ASSESSOR'S ID NUMBER (PIN) <u>Pin 01-20-400-006+005</u>
EXISTING LAND USE <u>A</u>	CURRENT ZONING <u>A</u>	LAND CLASSIFICATION ON LRMP <u>A + Commercial</u>
REQUESTED ACTION (Check All That Apply):		
<input checked="" type="checkbox"/> SPECIAL USE	<input checked="" type="checkbox"/> MAP AMENDMENT (Rezone to <u>A-SU</u> )	<input checked="" type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD ( <input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
AMENDMENT TO A SPECIAL USE ( <input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
<sup>1</sup> PRIMARY CONTACT <u>Larry Nelson</u>	PRIMARY CONTACT MAILING ADDRESS <u>116524 Frazier Rd Plano</u>	PRIMARY CONTACT EMAIL <u>Larry.Nelson.WSPY</u>
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX # <u>60545</u>	PRIMARY CONTACT OTHER #(Cell, etc.) <u>@Gmail.com</u>
<sup>2</sup> ENGINEER CONTACT <u>same</u>	ENGINEER MAILING ADDRESS	ENGINEER EMAIL <u>630-247-9301</u>
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER #(Cell, etc.)
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 <u>[Signature]</u>		DATE <u>8/23/16</u>

FEE PAID: \$ 1255.00  
 CHECK #: 1071

<sup>1</sup>Primary Contact will receive all correspondence from County

<sup>2</sup>Engineering Contact will receive all correspondence from the County's Engineering Consultants



Please fill out the following findings of fact to the best of your capabilities. § 13.07.F of the Zoning Ordinance lists the Finding of Fact criteria the Zoning Board of Appeals must answer in order to make a recommendation to the County Board on any **map amendment** request. They are as follows:

*Existing uses of property within the general area of the property in question.*

Ag - Ag wholesale sales, transportation, commercial, school

*The Zoning classification of property within the general area of the property in question.*

Ag, commercial, residential

*The suitability of the property in question for the uses permitted under the existing zoning classification.*

The requested A-SU is within the existing zoning classification A-1

*The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification.*

The trend of development has been for A to Business and Residential including the Plano high school campus and a Business node just south adjoining the property.

*Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.*

The LRMP of Kendall County shows much of the 45 acres as Commercial/Business.

## Cider Creek

Cider Creek will be developed over a number of years as a hybrid use of agriculture, entertainment, food and family fun. Typically known as a U Pick Orchard, offering commodities grown on and off the site, food produced from the commodities along with other food and refreshments, entertainment and activities will also be provided.

We are requesting A-1 SU of the 45 acre parcel in the application to Permit Section 7.01 D – Ag Special Uses Permitted; D-10 Banquet Halls, D-29 Micro Distillery; D-30 Nano Breweries; and D-42 (which is labeled as 32 (duplicated)) Production and sale of sweet cider (with the restriction of “Total retail area not to exceed 1,000 square feet” removed) and “E Conditional Use” as provided in JXV – to be a year round usage and removing restrictions IV, IX, X, XI.

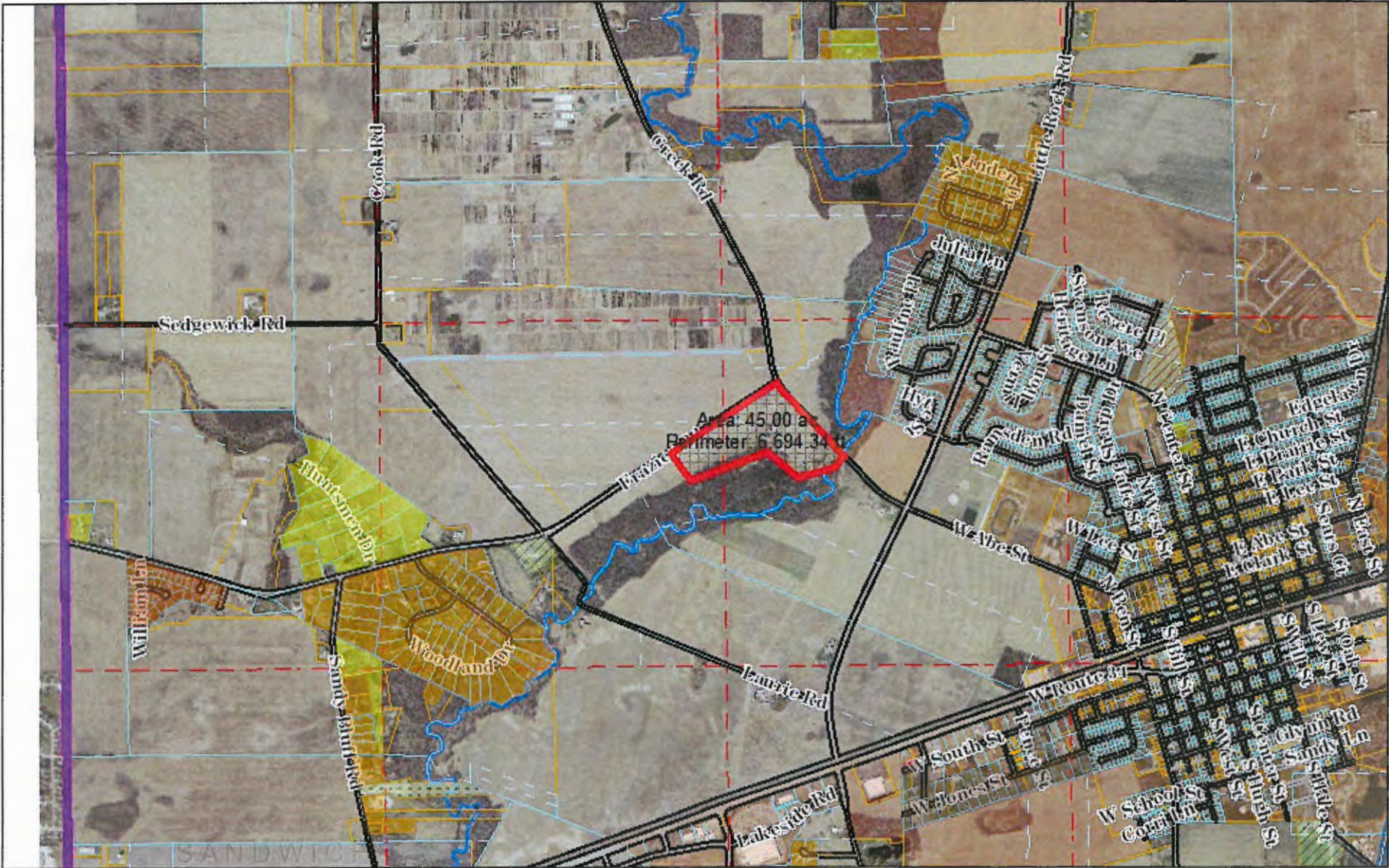
Additionally, we are requesting a variance from the requirement the facility be located on a major collector or arterial roadway and if needed a variance removing restrictions on D-42 “retail area not to exceed 1,000 sq feet”, and the restriction on “E Conditional Use” J to be year round usage and removing restrictions IV, IX, X, XI.

Note: Cider Creek is a dba of The Bluffs, Inc., an Illinois corporation owned by the Nelson family.




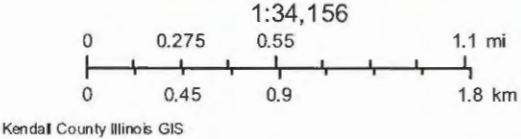


# Area Map Cider Creek

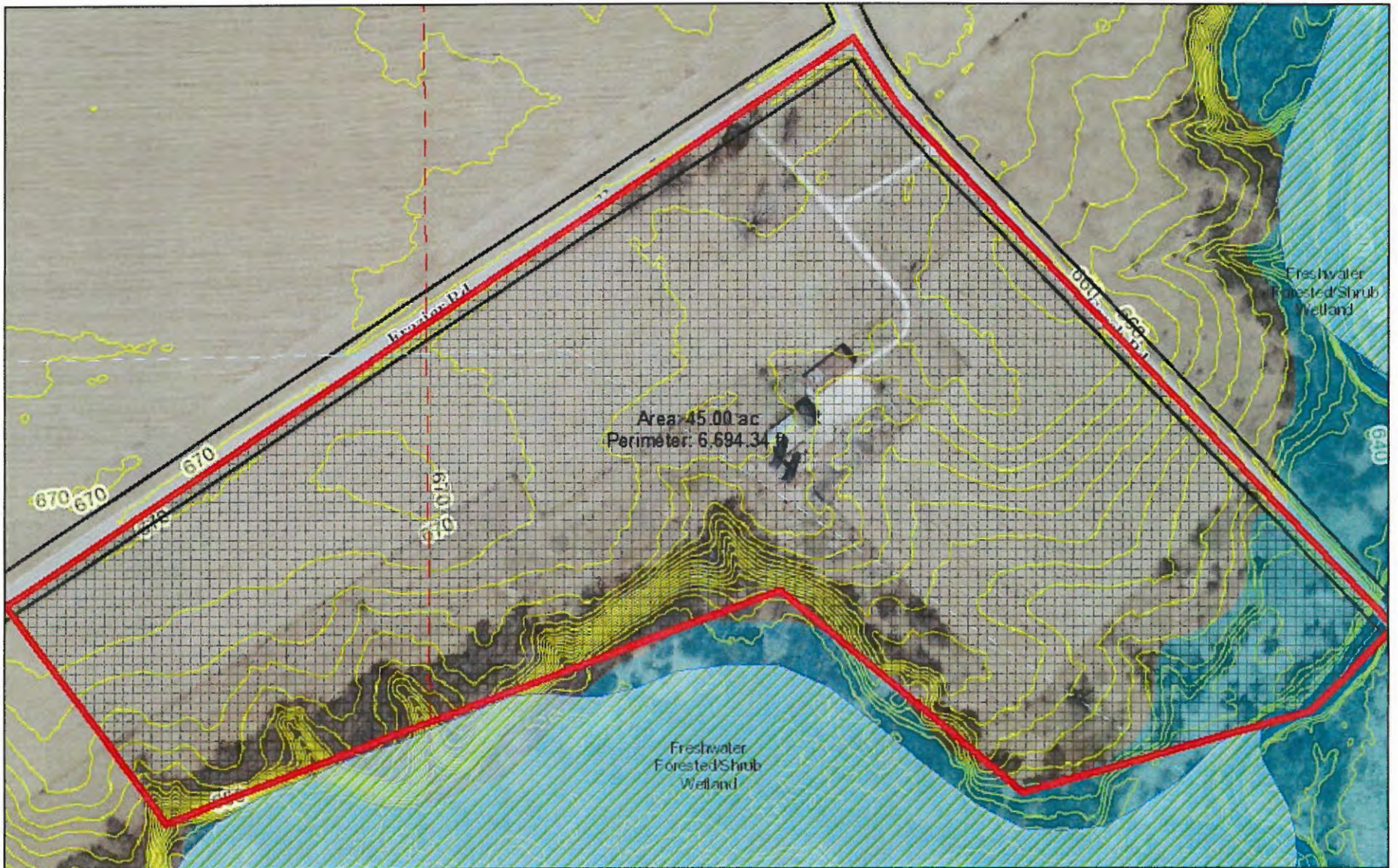


August 23, 2016





- Agricultural
-  Agricultural-Building Permit
-  Agricultural-Special Use
-  Agricultural-Special Use-Planned Unit Development

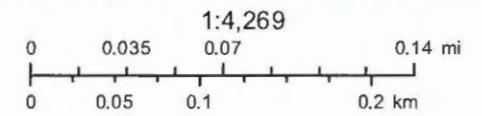


# Cider Creek To Be ReZoned A-SU



August 23, 2016

-  Wetlands
-  1% Annual Chance Flood Hazard
-  1% Annual Chance Flood Hazard
-  Regulatory Floodway

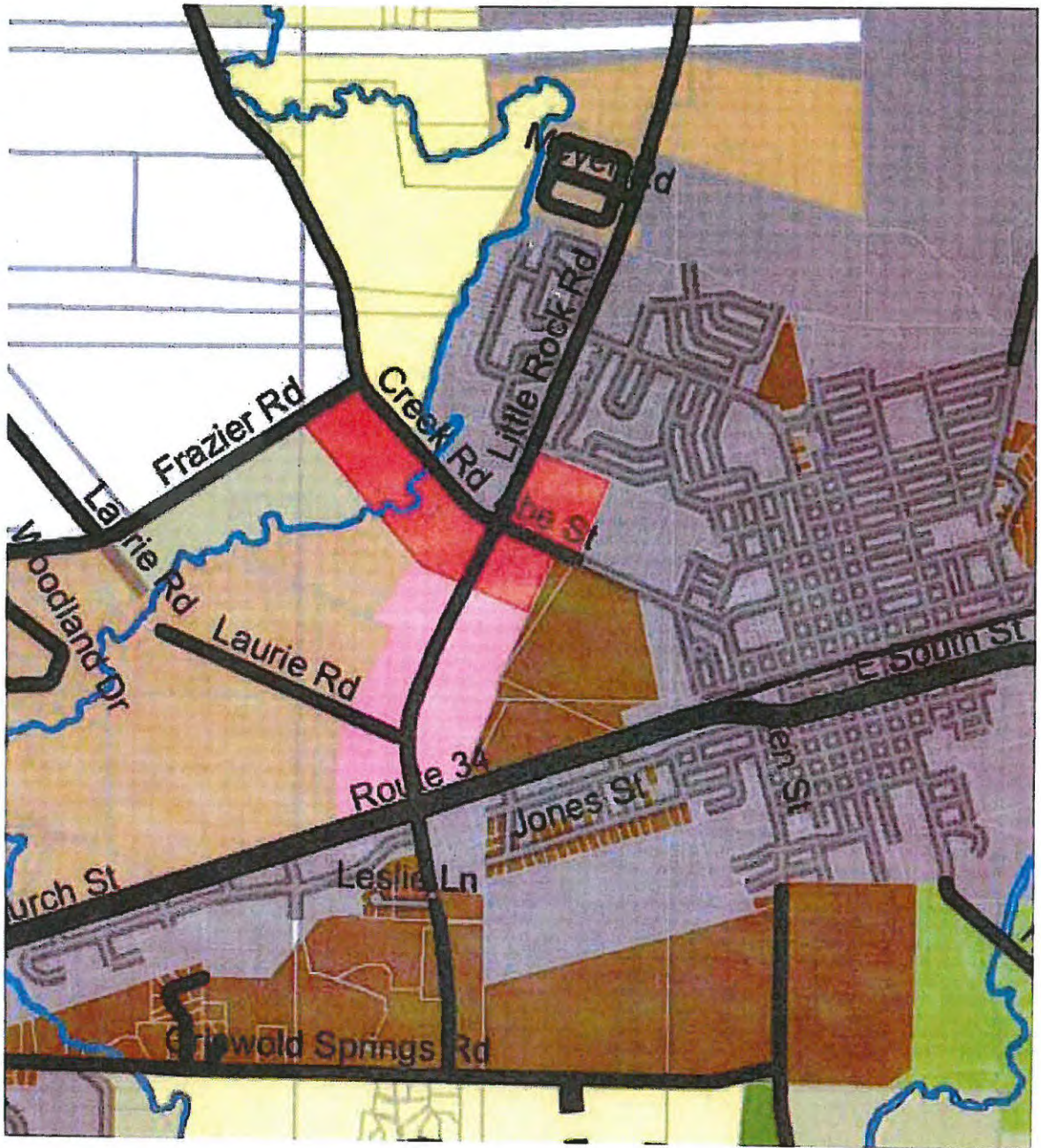


Kendall County Illinois GIS, FEMA  
Kendall County Illinois GIS

August 22, 2016

LEGAL DESCRIPTION OF 45.8486-ACRE TRACT TO BE REZONED:

That Part of the East Half of Section 20 and that Part of the West Half of Section 21, Township 37 North, Range 6 East of the Third Principal Meridian described as follows: Beginning at the intersection of the centerlines of Frazier Road and Creek Road; thence South  $55^{\circ}49'05''$  West, along said centerline of Frazier Road, 1980.0 feet; thence South  $37^{\circ}40'55''$  East, 537.0 feet; thence North  $68^{\circ}19'05''$  East, 1250.0 feet; thence South  $51^{\circ}40'55''$  East, 616.0 feet; thence North  $72^{\circ}41'29''$  East, 607.87 feet to the centerline of Little Rock Creek; thence North  $38^{\circ}00'00''$  East, along said centerline, 106.0 feet; thence North  $29^{\circ}00'00''$  East, along said centerline, 104.0 feet to said centerline of Creek Road; thence North  $44^{\circ}01'24''$  West, along said centerline, 745.32 feet; thence North  $44^{\circ}54'15''$  West, along said centerline, 514.15 feet; thence Northwesterly, along said centerline being a tangential curve to the right with a radius of 875.40 feet, an arc distance of 252.71 feet to the point of beginning in Little Rock Township, Kendall County, Illinois.



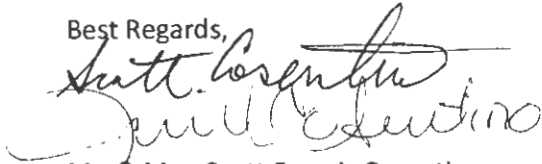
10-04-16

Kendall County Planning Commission  
Kendall County Special Use Hearing Officer  
Kendall County Zoning Board of Appeals

After attending the last two meetings on September 28<sup>th</sup> and most recently on October 3<sup>rd</sup> we now have a full scope of what the Nelson Family is trying to accomplish. As I stated on the record last night, we have no problem with the growing or selling of apples and pumpkins, along with the conditions specified at last night's meeting.

What we do have concerns with if the hours of operation for the banquet and retail facilities selling products. We are formally asking the hours of operation on every Sunday (year round), for the entire facility, be limited to 8:00am-8:00pm. We are also asking that there be no outdoor bands, concerts or DJ's, year round.

Best Regards,

A handwritten signature in black ink, appearing to read "Scott Francis Cosentino". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Mr. & Mrs. Scott Francis Cosentino  
2490 Creek Rd  
Plano, IL 60545

09-13-16



BCH

Kendall County Planning Commission  
Kendall County Special Use Hearing Officer  
Kendall County Zoning Board of Appeals

To whom it concerns:

We are 100% opposed to petition #16-25. We have major concerns and do not want to see the project move forward.

We do not want to see or deal with any additional traffic. There is too much traffic on Creek Rd as it stands now. Furthermore, regarding the banquet hall...we are not interested in having excess noise from the banquet hall facility or any additional traffic. Not to mention the intoxicated people coming and going, which have the potential do damage to our property.

Regarding the retail portion of petition #16-25 we are 100% opposed to that as well.

We do not want the zoning changed to retail. What happens when this facility goes belly up in 3 years? Now we have to deal with the potential of another retailer coming in? Absolutely unacceptable.

As you all know, Creek rd is a historic stagecoach trail with great history and beauty. We would like to keep it that way. Peaceful and quite.

Best Regards,

Mr. & Mrs. Scott Francis Cosentino  
2490 Creek Rd  
Plano, IL 60545

**COUNTY OF KENDALL, ILLINOIS**  
**ADMINISTRATION HUMAN RESOURCES COMMITTEE**  
**Meeting Minutes**  
**Thursday, October 6, 2016**

**CALL TO ORDER**

The meeting was called to order by Admin HR Committee Chair Lynn Cullick at 3:00p.m.

**ROLL CALL**

Committee Members Present: Dan Koukol - here, Judy Gilmour – here, Lynn Cullick – here.  
With three members present, a quorum was established to conduct committee business.

*Member Purcell arrived at 3:13p.m.*

*Member Purcell left the meeting at 4:20p.m.*

Committee Members Absent: John A. Shaw

Others present: Glen Campos, Scott Koeppel, Jeff Wilkins

**APPROVAL OF AGENDA:** Member Gilmour made a motion to approve the agenda, second by Member Koukol. **With all in agreement, the motion carried.**

**APPROVAL OF MINUTES:** Member Koukol made a motion to approve the September 27, 2016 meeting minutes, second by Member Gilmour. **With all in agreement, the motion carried.**

**DEPARTMENT HEAD AND ELECTED OFFICIAL REPORTS**

*Technology* – Scott Koeppel reported that the calendar has been updated and the new version is running much quicker. Mr. Koeppel also reported that he will update the committee when he hears back from KenCom regarding funding of the new hire.

Mr. Koeppel also said the FCC part of the updating of the link between the County Office Building and the KenCom tower to increase internet speed. They are now simply waiting for the arrival of the part.

Mr. Koeppel said that Technology has been researching pricing for Microsoft Surfaces for some of the County Board members, and can get a price break if five are purchased at the same time. He said the Technology can purchase two out of his budget. The pricing includes the computer, the cover and a 3-year warranty. Discussion on how many would be needed, the laptops that they currently have, and sources for funding this year, and next fiscal year. Mr. Koeppel stated that he included the purchase of new laptops in the FY2017 budget. **There was consensus by the committee to purchase four new Surface computers for the County Board and to use funds from the Contingency fund.**



*Administrative Services/HR* – Jeff Wilkins briefly reviewed the monthly reports with the committee.

**PUBLIC COMMENT** - None

### **COMMITTEE BUSINESS**

- *2017 Property Liability Workers Compensation Coverage* – Rich Ryan with Wine Sergi presented the 2017 Property Liability Workers Compensation Coverage Proposal from IPMG. Discussion followed on the various options and coverage. Member Koukol made a motion to forward for approval the 2017 Property Liability Workers Compensation Coverage Proposal from IPMG, second by Member Gilmour. **With four members voting aye, the motion carried.**
- *Approval of the Resolution Authorizing Execution of Section 5311-Downstate Operating Assistance Grant Agreement for Kendall Area Transit Program* – Member Purcell made a motion to forward the item to the County Board for approval, second by Member Koukol. **With four members present voting aye, the motion carried.**
- *Authorize disposal of vehicle formerly used for Kendall Area Transit Program* – Mike Neuenkirchen, Kendall Area Transit briefed the committee on a vehicle used by Kendall Area Transit that is now at 120 thousand miles, and in need of repair. Mr. Neuenkirchen stated that they have already received IDOT approval for disposal of the vehicle. Mr. Neuenkirchen said there are two options for disposal – auction, and bid proposal. Member Purcell made a motion to Authorize disposal of vehicle formerly used for Kendall Area Transit, by bid option, second by Member Gilmour.

Roll Call: Member Gilmour – yes, Member Purcell – yes, Member Koukol – abstained, Member Cullick yes. **With Members Gilmour, Cullick and Purcell voting aye, and Member Koukol abstaining, the motion carried with a a vote of 3-1.**

- *County Employee Picnic* –Discussion on other options for employee appreciation, suggestions other than an annual picnic included Pizza Day and Ice Cream Social. Topic to be discussed further at the October 25, 2016 meeting.

**ITEMS FOR COMMITTEE OF THE WHOLE** - None

### **ACTION ITEMS FOR COUNTY BOARD**

- *Approval of the 2017 Property Liability Workers Compensation Coverage Proposal from IPMG*

- *Approval of the Resolution Authorizing Execution of Section 5311-Downstate Operating Assistance Grant Agreement for Kendall Area Transit Program*

**PUBLIC COMMENT** – None

**EXECUTIVE SESSION** – Not Needed

**ADJOURNMENT** – Member Gilmour moved to adjourn the meeting at 4:21p.m., second by Member Koukol. **The motion was unanimously approved by a voice vote.**

Respectfully Submitted,

Valarie McClain  
Administrative Assistant/Recording Secretary

Kendall County, IL  
Property and Liability Insurance Proposals  
 December 1, 2016 to December 1, 2017

Coverages	Current Program 2015/2016	2016/2017 Renewal Proposal
<i>COMPANY/PROGRAM:</i>	ICRMT	ICRMT
<b>Premium Summary</b>		
<b>Workers' Compensation Total</b>	\$ 131,080	\$139,096
<b>Property, Liability and Excess Total</b>	\$ 613,451	\$545,092
<b>Premium Totals</b>	<b>\$ 744,531</b>	<b>\$ 684,188</b>
Difference/ Savings		<b>\$ (60,343)</b>
		SIR's same as current except Public Official SIR increased to \$50K from \$25K

2016-2017 Kendall County Property and Liability Insurance Renewal Summary

An RFP was conducted to secure competitive proposals for the County including the Kendall County Forest Preserve District with all results reviewed by Admin/HR Committee. The illustration above represents the recommended renewal approved by Admin/HR in the meeting on Oct. 6, 2016. Savings is \$60,343.

**PART TWO ATTACHMENT 2**

**RESOLUTION AUTHORIZING EXECUTION AND AMENDMENT OF DOWNSTATE OPERATING ASSISTANCE GRANT AGREEMENT**

WHEREAS, the provision of public transportation service is essential to the people of Illinois; and

WHEREAS, the Downstate Public Transportation Act (30 ILCS 740/2-1 et seq.) ("Act") authorizes the State of Illinois, acting by and through the Illinois Department of Transportation, to provide grants and make funds available to assist in the development and operation of public transportation systems; and

WHEREAS, grants for said funds will impose certain obligations upon the recipient, including provision by it of the local share of funds necessary to cover costs not covered by funds provided under the Downstate Public Transportation Act.

NOW, THEREFORE, BE IT RESOLVED BY THE County Board OF THE  
County of Kendall :

Section 1. That the County of Kendall enter into a Downstate Public Transportation Operating Assistance Agreement ("Agreement") with the State of Illinois and amend such Agreement, if necessary, for fiscal year 20<sup>17</sup> in order to obtain grant assistance under the provisions of the Act.

Section 2. That the County Board Chairman of the County of Kendall is hereby authorized and directed to execute the Agreement or its amendment(s) on behalf of the County of Kendall for such assistance for fiscal year 20<sup>17</sup>.

Section 3. That the County Administrator of the County of Kendall is hereby authorized to provide such information and file such documents as may be required to perform the Agreement and to request and receive the grant funding for fiscal year 20<sup>17</sup>.

Section 4. That while participating in said operating assistance program the County of Kendall shall provide all required local matching funds.

PRESENTED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
*John A. Shaw*

\_\_\_\_\_  
*Debbie Gillette, County Clerk and Recorder*

\_\_\_\_\_  
*County Board Chairman*

\_\_\_\_\_  
*(Date)*

## HIGHWAY COMMITTEE MINUTES

**DATE:** October 11, 2016  
**LOCATION:** Kendall County Highway Department  
**MEMBERS PRESENT:** Dan Koukol, Scott Gryder, Judy Gilmour, Jeff Wehrli and Matt Prochaska  
**STAFF PRESENT:** Fran Klaas, Andy Myers and John Burscheid  
**ALSO PRESENT:** P.J. Fitzpatrick, Kelly Farley, John Duggan, Joe Hamman and Dave Hamman

The committee meeting convened at 4:00 P.M. with roll call of committee members. All present. Quorum established.

Motion Gryder; second Prochaska, to approve the agenda as presented. Motion carried unanimously.

Motion Wehrli, second Gilmour to approve the Highway Committee meeting minutes from September 13, 2016. Motion carried unanimously.

John Duggan and the Hamman brothers presented a proposal for access to the east side of Eldamain Road north of U.S. Route 34. They have a prospective buyer who is interested in developing an elderly care facility on roughly 16 acres. Klaas indicated that Eldamain Road is classified as an Access 2 County Highway which requires a spacing for public streets of 1760' and for private accesses of 1320'. Because of the proximity of U.S. Route 34 and Hoffman Street, it is not possible to place a public street in between these two streets without obtaining a variance to the Access Ordinance from the County Board.

Duggan stated that this Kelaka Property is owned by the Hamman's and has been annexed to the City of Yorkville with B-3 zoning. Dover development is desirous of locating in the City of Yorkville. They would like a full access just north of the YMCA, and another full access about 900' north of that. Koukol asked about the access to Route 34, and Duggan stated that they have not yet talked to IDOT about that access. Koukol asked about the number of residents that might be in the proposed facility and Duggan thought it would be roughly 100. Gilmour wondered why there was so much access proposed, and what other developments might be going in this location. There really isn't any other development proposed at this time. Wehrli was uncomfortable with the full access proposed just north of the YMCA because of all the traffic turning movements. Hamman compared the access to Hofmann Street and asked what the total traffic number was on that street. Klaas indicated that the traffic count was not available on IDOT's website. He also stated that there was no current truck count on Eldamain since improvements have been made north of Menards.

Klaas discussed the need to be careful about the access provided on Eldamain Road because the expected future traffic will be very great. If full access is provided at many locations, it could eventually require many traffic signals that would slow traffic down on Eldamain. This was the whole point of developing the Access Regulation Ordinance. He also stated that it would be very important to make sure the proposed access was consistent with development plans for both the

City of Yorkville and City of Plano. The petitioner has not currently coordinated this development with the municipalities.

Wehrli suggested that perhaps if the north access was moved south a little bit, then the southerly access could be eliminated. It then might also serve the west side of the road a little better too. Koukol asked about the timeline for the project. Dave Hamman indicated that Dover development was in a big hurry to locate somewhere quickly. He also said this was kind of their first step in trying to determine how the accesses might look. The consensus of the Committee was to allow for a full access somewhere between Hoffman Street and Route 34. The petitioner would need more due diligence to determine the exact location, and could come back to the Committee with a more definitive plan.

Koukol asked about progress on the Ill. Rte. 126 / Old Ridge Road intersection. No additional information has been provided by IDOT. Klaas said that he would check with them on the status.

Andy Myers provided an update of the Orchard Road / Galena Road / Caterpillar Road project. Significant progress has been made recently, and the project is expected to be completed in about a week.

P.J. Fitzpatrick provided an update on the Collins Road Extension project. A coordination meeting with IDOT and FHWA will be held on October 13, 2016.

Kelly Farley provided an update on the Little Rock Road improvement project.

Gilmour asked about the constitutional amendment regarding highway funding. The Committee discussed the pros and cons of this initiative. Gryder stated that he had spoken with the collar county chairs at CMAP meeting and there were some real concerns about this amendment. Prochaska concurred with that assessment after discussion at a UCCI meeting.

Motion Wehrli; second Prochaska to forward Highway Department bills for the month of October in the amount of \$518,167.22 to the Finance Committee for approval. Motion to approve bills carried unanimously.

Meeting adjourned at 4:43 P.M.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Francis C. Klaas". The signature is fluid and cursive, written over a horizontal line.

Francis C. Klaas, P.E.  
Kendall County Engineer

**COUNTY OF KENDALL, ILLINOIS  
FACILITIES MANAGEMENT COMMITTEE  
MEETING MINUTES  
MONDAY, October 3, 2016**

Committee Chair Bob Davidson called the meeting to order at 3:35p.m.

**Roll Call:** Bob Davidson – yes, Dan Koukol – here, Matthew Prochaska – here, Jeff Wehrli - here. Member Gilmour was on excused absence. **Enough members were present for a quorum.**

Others Present: Technology Director Scott Koepfel, Facilities Management Director Jim Smiley, Jeff Wilkins County Administrator, Debbie Gillette County Clerk Recorder & Jill Ferko Treasurer.

**Approval of September 6, 2016 Meeting Minutes** – Member Prochaska made a motion to approve the September 6, 2016 meeting minutes, second by Member Wehrli. All members voted aye via voice vote. **Motion approved.**

**Public Comment** – None

**New Business/Projects**

Chairman Davidson moved the discussion of Office Security needs from the Chairman’s Report to the forefront of the meeting. Members agreed.

1. *Chairman’s Report*

- a. *Office Security needs* – Debbie Gillette, Kendall County Clerk and Jill Ferko, Kendall County Treasurer/Collector spoke on security needs for the County Building. Director Smiley stated that a glass partition could be installed in both the treasurer’s and the clerk’s office. The cost is approximate \$6,200.00 per office. Ms. Gillette and Ms. Ferko suggested they would rather see us look at a way to further secure the county building of each office within. Chairman Davidson stated he would like this discussion to be continued at the COW meeting on October 14<sup>th</sup>. Member Prochaska suggested talking to the state’s attorney’s office to allow us to discuss this in executive session using the open meetings act exemption 8. Director Smiley will check with the state’s attorney per Member Prochaska’s suggestion.

**Old Business/Projects**

1. *Courthouse & Public Safety Center (PSC) Security Improvement Project* – Mr. Smiley stated that the counter-signed contract was sent to SAS. We are waiting for the countersigned contract to come back. When the contract is received back a kick off meeting will be scheduled to outline preliminary timelines.
2. *Law Enforcement Memorial Project* – Director Smiley reported that the police memorial and ceremony was completed last week.
3. *Leopardo Energy Efficiency & County Facilities Project* – Director Smiley informed the board that the report will be around four hundred pages altogether. Leopardo suggested presenting the report to a smaller group of people first. Then possibly to a committee or to

the entire County Board as an executive summary. Members agreed the summary should be looked at first by a smaller group, and then presented to everyone.

4. *Animal Control Trailer Installation* – Jeff Wilkins, County Administrator informed the board that the delivery date for the trailer is anticipated to be either Wednesday October 12<sup>th</sup> or 19<sup>th</sup>. Director Smiley stated that KCFM staff will build the ADA ramp at the main entrance to the trailer and a staircase will be built at the office manager’s entrance. No sewer or water, just data and power will be installed. The cost estimate for all the work to be done is between \$4,000.00 - \$6,000.00. This cost is for electric, phone, data, partial fence, skirting and ramp/staircase. A transformer also needs to be installed for the main electrical service, which needs to be 240 volts. Animal Control is paying for all the associated costs.

### **New Business/Projects**

1. *Chairman’s Report*
  - b. *Budget Reduction Discussion* – Chairman Davidson stressed the importance of cutting the costs in the budget where possible. It was understood that the main cost in the budget is the utilities. Chairman Davidson asked Director Smiley to provide the committee with suggestions for service reductions if possible. Jim said it is possible if departments are ok with reduction of services. But Jim also cautioned the committee that this would also burden the KCFM staff to fill some of the void, which would cause productivity to go down in the department. Chairman Davidson reiterated that we need to do something to reduce cost everywhere and plans to continue discussion on this subject.
2. *Public Safety Center Parking Lot Construction* – Director Smiley informed the board that the signed contracts have been submitted; a time schedule has been requested, awaiting a response.
3. *Ridge Street Reconstruction* – Mr. Smiley reported to the board that the signed contracts have been submitted; a time schedule has been requested, awaiting a response.
4. *Historic Courthouse (HCH) Window Replacement Project* – Director Smiley stated the 50% down payment invoice has been received and payment has been processed.
5. *Document Destruction Meeting* – Mr. Smiley informed the board that the department will be registered with the state shortly to be able to have old KCFM documents destroyed. Going forward the department will setup an electronic document system as much as possible.
6. *Crisis Management Training* – Director Smiley stated the training was informative and will aid in future safety planning.
7. *Microphone Addition Request for the County Board Room* – Director Smiley stated that to add an additional microphone to the table and to fix the wiring issues, one quote was received at \$7,893.00. The committee directed Mr. Smiley to get additional quotes for just adding the microphones and not the corrections to wiring for audio recording as they are currently working.
8. *Health & Human Services Counter Improvement Pricing Request* – Mr. Smiley reported that two companies were called about obtaining/installing bullet resistance glass and was



informed this is specialized work that local glass companies cannot do. Jim asked the local companies to put together quotes for laminated glass which would not be bullet resistant but would be resistant to breakage.

9. *County Office Building Boiler Failure* – Mr. Smiley informed the committee the boiler installed in 2014 failed. The manufacturer will warranty the defective part on the boiler, however to have the new part installed we will incur these unexpected costs.
10. *2017 Budget Presentation Summary* – Mr. Smiley reported that the 2017 Facilities budget was presented to the board on September 29<sup>th</sup> at 5: 45 pm. Budget is at 99.98% to the current year. This included an increase in the electric costs however there is a decrease in the natural gas costs. Jim is also updating the 5 year parking lot program turned in during the 2013 budget year. The updated plan will be turned into Latreese by October 14, 2106.

### **Staffing/Training/Safety**

- *Reportable Labor Hours* – Available hours are down due to an employee being out on non-job related medical leave.

### **Other Items of Business**

- *CMMS Charts* – Reports were included in the packet for:
  - Reported versus Completed
  - Work Orders Reported by Building Current Month
  - Work Orders by Work Type Current

### **Questions from the Media** - None

### **Executive Session** – Not needed

**Adjournment** – Chairman Davidson asked if there was a motion to adjourn. Member Wehrli made a motion to adjourn the meeting, second by Member Prochaska. **With all members present voting aye, the meeting adjourned at 4:42 p.m.**

Respectfully submitted,

Christina Wald  
Administrative Assistant