CALL TO ORDER

ROLL CALL: Bill Ashton (Chair), Roger Bledsoe, Tom Casey, Bill Davis, Larry Nelson (Secretary), Ruben Rodriguez (Vice-Chairman), John Shaw, Claire Wilson, and Two Vacancies

APPROVAL OF AGENDA

APPROVAL OF MINUTES Approval of Minutes from April 24, 2019 Meeting (Pages 2-12)

PETITIONS
1. 19 – 11 – Mark Caldwell on Behalf of Dickson Valley Ministries (Pages 13-97)
Requests: Major Amendment to a Special Use Permit Granted by Ordinance 2014-05 Permitting a Youth Camp and Retreat Center at Subject Property by Amending the Approved Site Plan
PINs: 04-17-100-002, 04-17-300-002, and 04-17-300-007
Location: 8250 Finnie Road, Fox Township
Purpose: Petitioner Desire to Amend the Approved Site Plan; Property is Zoned A-1

2. 19 – 12 – Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Thes (Pages 98-173)
Request: Request for a Special Use Permit for a Banquet Center
PIN: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-32-100-006, and 04-32-100-008
Location: 10978 Crimmin Road (Approximately 0.54 Miles South of the Intersection of Fox River Drive and Crimmin Road on the East Side of Crimmin Road), Fox Township
Purpose: Petitioners Wish to Operate a Banquet Center at the Subject Property. Property is Zoned A-1.

CITIZENS TO BE HEARD/PUBLIC COMMENT

NEW BUSINESS

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

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
Petition 17-28 Kendall County Gun Range Zoning Regulations (Pages 174-186)
Petition 19-07 Parking and Storage of RVs, Trailers, and Mobile Homes Text Amendment
Petition 19-08 Map Amendment Rezoning Property East of 8225 Galena Road

OTHER BUSINESS/ANNOUNCEMENTS

ADJOURNMENT Next Meeting on Wednesday, June 26, 2019

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time.
Chairman Ashton called the meeting to order at 7:00 p.m.

ROLL CALL
Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Bill Davis, Larry Nelson, Ruben Rodriguez, Benjamin Schroeder, and Claire Wilson
Members Absent: John Shaw
Staff Present: Matthew H. Asselmeier, Senior Planner, and Ruth Ann Sikes, Part Time Office Assistant (Zoning)
In the Audience: Mark Caldwell, Todd Milliron, Ron Mund, and Chris Paluch

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

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

PETITIONS
19-11 Mark Caldwell on Behalf of Dickson Valley Ministries
Mark Caldwell, on behalf of Dickson Valley Ministries, is requesting a major amendment to their special use permit to repeal the site plan adopted by Ordinance 2014-05 and replace the site plan with the proposed site plan. The Petitioner desires the amendment in order to have a long-range plan for their facilities.

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

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

The Petitioner submitted an application for NRI. The LESA Score was 173 indicating a low level of protection.

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

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

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

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

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

ZPAC met on this proposal on April 2, 2019. The Petitioner stated that the project number of people onsite will not change from the 2014 projection which was an increase of forty percent (40%). Discussion occurred regarding a right-of-way dedication for Finnie Road. The suggestion was made to have right-of-way dedication within ten (10) years. The sign would encroach into the setback if a dedication occurred. If the plan was developed fully, the investment would be Four Point Five Million Dollars ($4.5 Million). Development will not occur onsite near any protected area as identified in the EcoCat Report. ZPAC unanimously recommended approval of the proposal.

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

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

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

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

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) “overnight campers.” This number is inclusive of as many as one hundred (100) day-only campers during the summer.

2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).

3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.

4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house with no more than a total of twelve thousand square feet (12,000 sq. ft.) under roof. The capacity for meetings and activities for up to two hundred fifty (250) campers year-round with some sections for open air activities. The plan also calls for various freestanding decks for small groups or activities, two (2) open air camper pavilion areas with maximum capacity of fifty (50) people each at two thousand square feet (2,000 sq. ft.) in size. The area will also host day camp activities, including water activities (i.e. splash pad, or wading fountain). The fifty thousand square feet (50,000 sq. ft.) of combined septic field serving all new restrooms will also be located in this area.

5. Development B, Resident Camp Area, shall consist of four (4) year-round camper cabins of no more than two thousand five hundred square feet (2,500 sq. ft.) each for total housing of twenty (20) persons per cabin. There will be one (1) additional summer staff cabin at two thousand square feet (2,000 sq. ft.).

6. Development C, Activity Area shall consist of an outdoor high ropes course, by sky-tracks or similar, mini golf course, ice rink pavilion, free standing decks for small groups and one (1) summer staff cabin of no more than two thousand square feet (2,000 sq. ft.).

7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods with seating up to three hundred fifty (350), camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area.

8. Development E, Entrance Drive, shall consist of a gatehouse for a controlled entrance and a six (6) bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated.

9. Development F, Maintenance Area, shall consist of a new shop not to exceed eight thousand square feet (8,000 sq. ft.) and removal of the old shop or remodel the old shop into storage.

10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building.

11. Development H, North Activity Area, shall consist of primitive campsites, no permanent structures, a parking area off of Finnie Road, high climbing tower, zip lines, miscellaneous team activities and a pedestrian walkway over/under/across Finnie Road.
12. The Retreat Development Zone shall consist of a water filtration station, including possible new structures or addition to the existing well. A new building for recreation room, snack shop, and host offices are also planned for this zone.

13. Addition 1, Director’s Lodge, shall consist of a fourteen foot by eighteen foot (14’ x 18’) dining room addition. The current structure is one hundred twenty-six feet (126’) offset from the road. The site plan shall be amended to delete the additional three foot (3’) encroachment.

14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west, which will increase seating from two hundred (200) to two hundred fifty (250). A lower level of addition could include offices or meeting space and the kitchen will be upgraded as needed.

15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces to accommodate eighty to one hundred (80-100) people, an addition of two (2) separate “leaders” rooms with restrooms, and remodel and add-on to program office for camp store.

16. Addition 4, Oulund Chalet, shall consist of remodeling of the upper level to improve housing space and remodeling of restrooms.

17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition for four (4) separate “leaders” rooms with restrooms.

18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar.

19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing and Additions to lodge for possible staff housing and extra space.

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

Any new buildings would have to meet applicable building codes.

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

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

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

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

The proposed Findings of Fact were:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The existing special use has been in existence since the 1970s with no known complaints to the Planning, Building and Zoning Department. Provided the site is developed as proposed, the proposed use of the site will not be detrimental or endanger the public health, safety, morals, comfort or general welfare.
That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The proposed use has been in existence at the subject property since the 1970s and no known issues exist which might cause injury to neighboring property owners or diminished property values.

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

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

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. This statement is true.

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

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.

2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan. In the event that a revised site plan is not submitted, the additional three foot (3') encroachment mentioned in Addition 1 shall be removed from the approved Site Plan. (Added per Fox Township).

3. When requested by either Fox Township or the Kendall County Highway Department, the Petitioner shall dedicate thirty-five feet (35') of right-of-way as measured from the centerline of Finnie Road for Finnie Road right-of-way. The sign shown on the attached Site Plan may remain at its current locations if the right-of-way dedication occurs.

4. Any crossings over, on, or below the Finnie Road right-of-way shall be approved by Fox Township (Added per Fox Township)

5. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use. (Though not mentioned specifically, the Kendall County Stormwater Management Ordinance is one (1) of the local laws that must be followed; this should address Fox Township’s concerns about stormwater regulations.)

6. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the
7. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

8. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

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

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

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

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

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

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

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

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

19-13 Kendall County Regional Planning Commission
Mr. Asselmeier summarized the request.

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

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

KCRPC Meeting Minutes 4.24.19
HOME OCCUPATION Any occupation or profession engaged in by an occupant of a dwelling unit as a use which is clearly incidental and secondary to the use of the dwelling as a residence.

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

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

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

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

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

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

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

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

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

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

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

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

Member Nelson made a motion, seconded by Member Davis, to move this proposal on to the Zoning Board of Appeals for a hearing.
Ayes (8): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, Schroeder, and Wilson
Nays (0): None
Absent (1): Shaw

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

OLD BUSINESS
None

CITIZENS TO BE HEARD/ PUBLIC COMMENT
Ronald Munz expressed concerns about Petition 19-11. The first concern was traffic. The other concern was aesthetics.

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

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

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

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

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

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

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

The motion carried. The proposal is withdrawn.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
None

OTHER BUSINESS/ANNOUNCEMENTS
The next meeting will be May 22nd with Petitions 19-11 and 19-12 probably on the agenda.
ADJOURNMENT
Member Wilson made a motion, seconded by Member Davis, to adjourn. With a voice vote of eight (8) ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 8:45 p.m.

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

Enc.
KENDALL COUNTY
REGIONAL PLANNING COMMISSION
APRIL 24, 2019

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

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS (OPTIONAL)</th>
<th>EMAIL ADDRESS (OPTIONAL)</th>
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<tbody>
<tr>
<td>Mark K Caldwell</td>
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<td>Todd Milliron</td>
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<td>Ron Mund</td>
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INTRODUCTION
Mark Caldwell, on behalf of Dickson Valley Ministries, is requesting a major amendment to their special use permit to repeal the site plan adopted by Ordinance 2014-05 and replace the site plan with the proposed revised site plan (See Attachment 2A). The Petitioner desires the amendment in order to have a long-range plan for their facilities and to provide more clarity to the site plan that was submitted in 2014.

SITE INFORMATION
PETITIONER: Mark Caldwell on Behalf of Dickson Valley Ministries
ADDRESS: 8250 Finnie Road, Newark
LOCATION: North and South Sides of Finnie Road Approximately 0.8 Miles South of the Intersection of Finnie and Rogers Roads

TOWNSHIP: Fox
PARCEL #s: 04-17-100-002, 04-17-300-002, and 04-17-300-007
LOT SIZE: 160 +/- Acres
EXISTING LAND USE: Youth Camp
ZONING: A-1 with a Special Use Permit for Youth Camp and Retreat Center
LRMP:

<table>
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<tr>
<th>Land Use</th>
<th>Zoning</th>
<th>Land Resource Management Plan</th>
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<tbody>
<tr>
<td>Future 04-17-100-002: Agricultural</td>
<td>A-1 Agricultural</td>
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<td>04-17-300-002: Open Space</td>
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<tr>
<td>04-17-300-007: Country Res. (Max. Density 0.33 du/acre)</td>
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<td>Roads</td>
<td>None</td>
<td></td>
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<td>Trails</td>
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<tr>
<td>Floodplain/ Wetlands</td>
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<td>There are floodplains and wetlands on the property. None of the proposed development is occurring in the floodplain or wetlands.</td>
</tr>
</tbody>
</table>

REQUESTED ACTION: Approval of a major amendment to an existing special use permit by repealing and replacing the approved site plan.

APPLICABLE REGULATIONS:

§7.01.C (A-1 Agricultural Special Uses)
§13.08.O (Special Uses and Planned Developments; Major Amendments)

SURROUNDING LAND USE

<table>
<thead>
<tr>
<th>Location</th>
<th>Adjacent Land Use</th>
<th>Adjacent Zoning</th>
<th>Land Resource Management Plan</th>
<th>Zoning within ½ Mile</th>
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<tbody>
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<td>North</td>
<td>Millbrook Hunting Club</td>
<td>A-1 Agricultural</td>
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<td>South</td>
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<td>West</td>
<td>Agricultural</td>
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</table>

An aerial of the property is included as Attachment 3.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

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

Dixon Valley Sedge Meadow INAI Site
Fox River INAI Site
Dickson Sedge Meadow Natural Heritage Landmark
River Redhorse (Moxostoma carinatum)

Negative impacts to the above are considered unlikely and consultation was terminated. EcoCat related materials are included as Attachment 1, Pages 20-23.

NATURAL RESOURCES INVENTORY

The Petitioner submitted an application for NRI. The related documents are included as Attachment 1, Page 19. The LESA Score was 173 indicating a low level of protection. The NRI Report is included as Attachment 20.

ACTION SUMMARY

FOX TOWNSHIP

Fox Township submitted comments on April 16, 2019. The Township requested the following:
1. Any encroachment onto the Finnie Road right-of-way closer than one hundred and twenty-six feet (126’) be required to obtain a traditional variance.

2. Any permits required for storm water management must be procured prior to the issuance of any building permit.

3. Fox Township Board and the Fox Township Highway Department reserve the right to approve or disapprove any overhead walkway on Finnie Road.

The Township’s comments are included as Attachment 19.

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

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

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

ZPAC
ZPAC met on this proposal on April 2, 2019. The Petitioner stated that the projected number of people onsite will not change from the 2014 projection which was an increase of forty percent (40%). Discussion occurred regarding a right-of-way dedication for Finnie Road. The suggestion was made to have right-of-way dedication within ten (10) years. The sign would encroach into the setback if a dedication occurred. If the plan was developed fully, the investment would be Four Point Five Million Dollars ($4.5 Million). Development will not occur onsite near any protected area as identified in the EcoCat Report. ZPAC unanimously recommended approval of the proposal. The minutes of this meeting are included as Attachment 18.

KCRPC
The Kendall Regional Planning Commission initially reviewed this proposal at their meeting on April 24, 2019. Commissioners expressed concerns that the proposed site plan was too detailed and the Petitioner could be limiting their options if slight changes were required based on future development needs. Commissioners also expressed concerns regarding the Finnie Road right-of-way dedication requirement and the requirement that the Petitioner obtain Fox Township approval to cross Finnie Road. The Petitioner requested a layover of the request until a new site plan can be submitted. The minutes of the April 24, 2019 meeting are included as Attachment 21.

RELATION TO EXISTING SPECIAL USE PERMIT
The use at the subject property was originally established in 1971. The subject property was zoned A-1 with a special use permit for a youth camp and retreat center following the 1974 Countywide rezoning.

The existing zoning regulations on the property were established by Ordinance 2014-05 which is included as Attachment 4. This ordinance repealed several pre-existing ordinances and combined the conditions and restrictions placed upon Dickson Valley Ministries into one (1) ordinance. The restrictions placed on the special use permit were:

1. The property can be utilized all year long.

2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.

3. The number of over-night campers shall be limited to no more than 350 at any one time.

4. No more than 8 hook-ups for RV’s.
5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

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

GENERAL INFORMATION
The Petitioner desires the update to their existing site plan in order to meet their needs. The long-range plan will take no less than ten (10) years and will occur as funding allows. This proposal is intended to add more clarity to the site plan submitted in 2014.

Dickson Valley Ministries has been operating a year-round youth camp and retreat center in Kendall County, Fox Township, for nearly 40 years.

In 1988, Dickson Valley served two thousand three hundred (2,300) people per year and, by 2014, had grown over three hundred percent (300%) to where it served seven thousand one hundred (7,100) people that year with retreats, summer resident camps, and day camps.

The current number of staff living onsite includes five (5) full-time long-term families. Also, two-three (2-3) full-time, short-term staff, and twenty-five (25) seasonal summer live onsite. Future ministry growth will increase staff to one (1) additional full-time long-term family, an additional twenty-five to thirty (25-30) full time short-term staff, and an additional forty (40) seasonal summer staff.

The original proposed site plan is included as Attachment 2. The revised site plan is included as Attachment 2A. Based on the revised site plan, the proposed changes are as follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) "overnight campers." This number is inclusive of as many as one hundred (100) day-only campers during the summer.

2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).

3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.

4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house, various free standing decks for small group activities, at least two (2) open air camper pavilions, day camp specific activities, water activities (i.e. splash pad, or wading fountain), and combined septic field serving all new restrooms will also be located in this area. A picture of the Development A is included as Attachment 5.

5. Development B, Resident Camp Area, shall consist of five (5) year-round camper cabins; four (4) of which are new. A picture of Development B is included as Attachment 6.

6. Development C, Activity Area, shall consist of an outdoor high ropes course, mini-golf course, ice rink pavilion, free standing decks for small groups and one (1) year-round camper cabin. A picture of Development C is included as Attachment 7.

7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods, camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area. A picture of Development D is included as Attachment 8.

8. Development E, Entrance Drive, shall consist of a new gatehouse for a controlled entrance and a multi-bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated. A picture of Development E is included as Attachment 9.

9. Development F, Maintenance Area, shall consist of a new shop and removal or remodel of the old shop.
10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building. A picture of Development G is included as Attachment 10.

11. Development H, North Activity Area, shall consist of primitive non-public campsites, no permanent structures, and a parking area off of Finnie Road. Experiential activities similar to, but not limited to, climbing tower(s), zip line(s), team activities, a high ropes course, and a pedestrian walkway over/under/across Finnie Road are planned for this area.

12. The Retreat Development Zone shall consist of a water filtration building or addition to the existing well and well house. A new building for recreation room, snack shop, and host offices. Within this zone, several buildings will have additions and/or remodels.

13. Addition 1, Director’s Lodge, shall consist of an addition to the north end of the building. The current structure is one hundred twenty-six feet (126’) offset from the road. A picture of Addition 1 is included as Attachment 11.

14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west. A picture of Addition 2 is included as Attachment 12.

15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces, an addition of at least two (2) separate "leaders" rooms with restrooms, and remodel and add-on to program office for camp store. A picture of Addition 3 is included as Attachment 13.

16. Addition 4, Oulund Chalet, shall consist of remodeling to improve housing space and remodeling of restrooms. A picture of Addition 4 is included as Attachment 14.

17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition of added housing. A picture of Addition 5 is included as Attachment 15.

18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar. A picture of Addition 6 is included as Attachment 16.

19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing. A picture of Addition 7 is included as Attachment 17.

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

BUILDING CODES
Any new buildings would have to meet applicable building codes.

ACCESS
The Petitioner owns property on both sides of Finnie Road.

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

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

STORMWATER
Stormwater permits will be required in certain cases as the proposal is implemented.

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

FINDINGS OF FACT
§ 13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant a special use permit. Staff’s proposed findings are in bold:

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

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insures that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The proposed use has been in existence at the subject property since the 1970s and no known issues exist which might cause injury to neighboring property owners or diminished property values.

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

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

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. This statement is true.

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

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.

2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan. (Revised Site Plan-Attachment 2A)

3. Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road. (Added per Fox Township)

4. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use. (Though not mentioned specifically, the Kendall County Stormwater Management Ordinance is one (1) of the local laws that must be followed; this should address Fox Township’s concerns about stormwater regulations.)

5. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.
6. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

7. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

ATTACHMENTS
1. Application Materials (Including EcoCat, and NRI Application)
2. Original Site Plan
2A. Revised Site Plan
3. Aerial
4. Ordinance 2014-05
5. Development A
6. Development B
7. Development C
8. Development D
9. Development E
10. Development G
11. Addition 1
12. Addition 2
13. Addition 3
14. Addition 4
15. Addition 5
16. Addition 6
17. Addition 7
18. April 2, 2019 ZPAC Minutes
19. April 16, 2019 Fox Township Comments
20. NRI Report
21. April 24, 2019 KCRPC Minutes
DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Yorkville, IL • 60560
(630) 553-4141 • Fax (630) 553-4179

APPLICATION

PROJECT NAME  Dickson Valley Site Plan

NAME OF APPLICANT
Dickson Valley Ministries

CURRENT LANDOWNER/NAME(s)
Dickson Valley Ministries

SITE INFORMATION
ACRES  160
SITE ADDRESS OR LOCATION  8250 Finnie Rd Newark 60541
ASSESSOR’S ID NUMBER (PIN)  04-17-300-002, 04-17-100-002, 04-17-300-007
EXISTING LAND USE  Youth Camp
CURRENT ZONING  A1-SU
LAND CLASSIFICATION ON LRMP  Private Recreation

REQUESTED ACTION (Check All That Apply):
___ SPECIAL USE
___ MAP AMENDMENT (Rezone to ____)
___ VARIANCE
___ ADMINISTRATIVE VARIANCE
___ A-1 CONDITIONAL USE for_______
___ SITE PLAN REVIEW
___ TEXT AMENDMENT
___ RPD (____Concept; ____ Preliminary; ____ Final)
___ ADMINISTRATIVE APPEAL
___ PRELIMINARY PLAT
___ FINAL PLAT
___ OTHER PLAT (Vacation, Dedication, etc.)
X AMENDMENT TO A SPECIAL USE (X Major: ____ Minor)

1 PRIMARY CONTACT
Mark Caldwell
8250 Finnie Rd Newark 60541
630-553-6233
mark@dicksonvalley.com

2 PRIMARY CONTACT MAILING ADDRESS
630-553-6240
630-542-0590 cell

2 PRIMARY CONTACT PHONE #
630-553-6233
630-553-6240

ENGINEER CONTACT
ENGINEER MAILING ADDRESS
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
DATE 3/17/19

FEE PAID: $75.50
CHECK # 15441

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

RECEIVED
MAR 19 2019
KENDALL COUNTY
PLANNING, BUILDING
& ZONING

Last Revised: 1.8.13
Major Amendment to a Special Use
CORPORATION QUIT CLAIM DEED

FORM 883 - PRELATION LEGAL FORMS & PRINTING CO., ROCKFORD, IL 61102

THIS INDENTURE WITNESSETH, That the Grantee

ACORN YOKEFELLO CENTER, INC.

not-for-profit corporation

duly organized and existing under and by virtue

of the laws of the State of Illinois

and duly authorized to transact business in the State where the

following described real estate is located, for and in consider-

ation of the sum of One Dollar and other good and valuable consid-

erations, the receipt of which is hereby acknowledged, and

pursuant to authority given by the Board of Directors of said

corporation, CONVEYS AND QUIT CLAIMS to DICKSON VALLEY CORPORATION, an Illinois

not-for-profit corporation

whose address is 2012 N. Summit Street, Wheaton, Illinois 60187

the following described real estate to-wit:

That part of the East half of the Northeast quarter of Section 17, Township 36 North, Range 6 East of the Third Principal Meridian, described as follows: Beginning at the Northeast corner of said Northeast quarter; thence West along the North line of said Northeast quarter 1319 feet to the Northeast corner of the East half of said Northwest quarter; thence South along the West line of the East half of said Northwest quarter 1316.78 feet to the center line of a road running Northeasterly and Southwesterly through said Northwest quarter; thence Northeasterly along said center line to the East line of said Northwest quarter; thence North along said East line 7 7feet to the point of beginning, in the Township of Fox, Kendall County, Illinois; ALSO that part of the Northeast quarter of Section 17, Township 36 North, Range 6 East of the Third Principal Meridian, described as follows: Beginning at the Northeast corner of said Northeast quarter; thence South along the West line of said Northwest quarter 11.70 chains to the center line of a road; thence Northeasterly along said center

(Continue legal description on reverse side)

situated in the County of Kendall

in the State of Illinois

IN WITNESS WHEREOF, said Grantee has caused its corporate seal to be hereto affixed, and has

caused the name to be signed to these presents by its

President, and

Secretary, this ___ day of ___ 1989

[Signature]

ACORN YOKEFELLO CENTER, INC.

[Signature]

Attorney (Affix corporate seal here)

[Signature]

Secretary.

Virgil Sancken

President.

STATE OF ILLINOIS

County

Kane

IN the name and on behalf of the said corporation, and personally known to me to be the

Secretary of said corporation, and personally known to me to

be the

person whose names are subscribed to the foregoing instrument, appeared before me this day in person and

personally acknowledged that as such.

Secretary of said corporation, and

caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of

said corporation, as their free and voluntary act, and as the free and voluntary act of said corporation, for the purposes

therein set forth.

Given under my hand and Notary Seal this ___ day of ___ 1989.

Notary Public

[Signature]

FRED H. DICKSON

GOLDSMITH, THIEL, SCHILLER & DICKSON, P. O. Box 40

Aurora, IL 60507

Whose address is: 104 E. Downer Place, Aurora, IL 60507

22
LEGAL DESCRIPTION (Continued)

to the North line of said Northeast quarter; thence West along said North line 12.61 chains to the point of beginning, in the Township of Fox, Kendall County, Illinois.

SUBJECT TO: the terms of the Charitable Trust impressed upon the foregoing land by ALICE H. DICKSON, a/k/a ALICE I. DICKSON, and the Testamentary Trust of HOMER C. DICKSON, which provides as follows:

That the property shall be maintained and used "...for the purpose of maintaining a Christian retreat center, and in the event that said property is no longer used as a Christian retreat center or for Christian purposes, then this property shall be conveyed to such church or other religious organization as may be able to use the said property for Christian purposes and for no other purposes, to be determined by my donees, FRED H. DICKSON of Aurora, Illinois, and ELMER G. DICKSON of Chico, California, or the survivor of them, and in the event that neither survives, then by the Board of Trustees of the Yorkville Congregational Church, Yorkville, Illinois."

The above referred to grant is made for the purpose and with the intent that said acreage and any improvements thereon shall always be used as a gift to the Lord, and anyone receiving this property, by virtue of this grant and conveyance impressed with this trust, is entrusted with carrying out this purpose. Further, it is the purpose of this grant, and with trust and faith in the people of the Acorn Yokefellow Center, Inc. and the Yokefellow Movement and principles, that it will be countless generations everlasting spiritual good."
AFFIDAVIT

FILE WITH JEAN P. BARDY, RECORDER OF DEEDS OF KENDALL COUNTY

STATE OF ILLINOIS
COUNTY OF Kane

DOCUMENT 1

Virgil Sander
being duly sworn on oath, states that he resides at Rt. 44, Box 282, Kankakee, IL 60901.

That the attached deed represents:

1. A distinct separate parcel on record prior to July 17, 1959.
2. A distinct separate parcel qualifying for a Kendall County building permit prior to August 30, 1971.
3. The division or subdivision of land is into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access.
4. The division is of lots or blocks of less than 1 acre in any recorded subdivision which does not involve any new streets or easements of access.
5. The sale or exchange of parcels of land is between owners of adjoining and contiguous land.
6. The conveyance is of parcels of land or interests therein for use as right-of-way for railroads or other public utility facilities which does not involve any new streets or easements of access.
7. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
8. The conveyance is of land for highway or other public purpose or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
9. The conveyance is made to correct description in prior conveyances.
10. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access.
11. The sale is of a single lot of less than 5 acres from a larger tract evidenced by a survey made by a registered surveyor which single lot is the first sale from said larger tract as determined by the dimensions and configuration thereof on October 1, 1973 and which sale does not violate any local requirements applicable to the subdivision of land.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

AFFIDANT further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

Virgil Sander

Subscribed and sworn to before me.

Notary Public

[Signature]

Filed in Kendall
County, Illinois
Jury 1980
Kendall County
Notary Public

[Signature]

THE GRANTOR, Christian Camping and Conference Association International, not for profit corporation, created and existing under and by virtue of the laws of the State of California, and fully authorized to transact business in the State of Illinois, for and in consideration of Ten ($10.00) DOLLARS, in hand paid, and pursuant to authority given by the Board of Trustees of said corporation CONVEY and WARRANT the following described Real Estate situated in the County of Kendall and State of Illinois, to-wit:

See legal description attached

Subject to the following restrictions:

If at any time after the date of the deed the grantee, or any party claiming by, through or under grantee, ceases to use the Real Estate for the purpose of bringing Christ to the young people and adults of Fox Valley and other communities, title to the Real Estate and all improvements thereto shall revert, without compensation, to grantor or its successors and assigns.

In Witness Whereof, said Grantor has caused its corporate seal to be hereon affixed, and has caused its name to be signed to these presents by its

George H. Williams, Jr.
President, and attested by its

Secretary, this 11th day of April, 1987.

Christian Camping and Conference Assoc. International

[Seal]

In the presence of the undersigned, a Notary Public, in and for the State of Illinois, County of Cook, personally known to me to be

Samuel E. Johnson

Secretary of said corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, and to have executed the same, I, the undersigned, a Notary Public, do hereby certify that the foregoing instrument was executed before me this day in person and severally acknowledged that as such Secretary, they signed and delivered the said instrument in the presence of

[Seal]

Given under my hand and official seal this 11th day of April, 1987.


[Seal]
That part of the West half of Section 17, Township 36 North, Range 6 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of the Southwest quarter of Section 18, Township 36 North, Range 6 East along the West line of said Section 18, 380.17 feet; thence South 76° 20' 58" East 4010.24 feet; thence South 66° 02' 55" East 33.6 feet to the center line of Finnie Road; thence South 66° 02' 56" East 1377.07 feet for the point of beginning; thence North 38° 58' 51" East 2280.95 feet; thence North 71° 00' 24" West 331.99 feet to the Southwest corner of the Southeast quarter of the Northwest quarter of said Section 17; thence North 3° 18' 05" West along the West line of said quarter quarter section 1264.52 feet to the center line of Finnie Road; thence North 63° 32' 25" East along said center line 51.94 feet; thence North 73° 54' 02" East along said center line 785.94 feet; thence North 57° 52' 02" East along said center line 455.76 feet; thence North 46° 37' 32" East along said center line 156.96 feet to the East line of the Northwest quarter of said Section 17; thence South 1° 36' East along said East line 1864.30 feet to the Southeast corner of the Northwest quarter of said Section 17; thence South 1° 12' 58" East along the East line of the Southwest quarter of said Section 17, 513.64 feet to the Westerly bank of the Fox River; thence South 36° 20' 02" West along said Westerly bank 227.11 feet; thence South 34° 34' 02" West along said Westerly bank 224.11 feet; thence South 40° 48' 02" West along said Westerly bank 346.69 feet; thence South 35° 57' 02" West along said Westerly bank 257.65 feet; thence South 47° 35' 02" West along said Westerly bank 201.11 feet; thence South 46° 16' 02" West along said Westerly bank 256.45 feet; thence South 44° 58' 02" West along said Westerly bank 415.78 feet; thence South 39° 20' 02" West along said Westerly bank 424.92 feet to a point on a line drawn South 66° 02' 58" West from the point of beginning; thence North 66° 02' 58" West 1001.65 feet to the point of beginning; in the Township of Fox, Kendall County, Illinois.
WARRANTY DEED

MAIL TO:
Attorney John S. Talley
12525 Helmar Road West
Newark, IL 60541

SEND SUBSEQUENT TAX BILLS TO:
Dickson Valley Corporation
8250 Finney Road
Newark, IL 60541

DEED PREPARED BY:
Attorney John S. Talley
12525 Helmar Road West
Newark, IL 60541

THE GRANTOR, Dickson Valley Farm, LLC, for and in consideration of Ten and 00/100 Dollars
and other good and valuable consideration in hand paid

CONVEYS AND WARRANTS TO: Dickson Valley Corporation, Newark, Illinois all interest in
the following described Real Estate situated in the County of Kendall in the State of Illinois, to wit:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 36 NORTH, RANGE
6 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING DESCRIBED BY COMMENCING AT THE
NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 90 DEGREES 00
MINUTES EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF
1320.0 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID
SOUTHWEST QUARTER FOR THE POINT OF BEGINNING; THENCE NORTH 90 DEGREES 00
MINUTES WEST ALONG SAID NORTH LINE, 346.63 FEET; THENCE SOUTH 44 DEGREES 10
MINUTES 58 SECONDS WEST, 455.16 FEET; THENCE SOUTH 60 DEGREES 38 MINUTES 12
SECONDS WEST, 98.54 FEET; THENCE SOUTH 48 DEGREES 46 MINUTES 57 SECONDS EAST,
659.61 FEET; THENCE NORTH 38 DEGREES 58 MINUTES 47 SECONDS EAST, 776.48 FEET TO
A LINE BEARING SOUTH 48 DEGREES 46 MINUTES 57 SECONDS EAST FROM THE POINT OF
BEGINNING; THENCE NORTH 48 DEGREES 46 MINUTES 57 SECONDS WEST ALONG SAID
LINE, 312.24 FEET TO THE POINT OF BEGINNING BEING ALL LOCATED IN THE TOWNSHIP
OF FOX, KENDALL COUNTY, ILLINOIS.

Subject to general real estate taxes for the year 2009 and subsequent years, covenants, conditions,
restrictions and easements of record; rights of way for drainage ditches, drain tiles, feeders, laterals and
underground pipes, if any, hereby releasing and waiving all rights under and by virtue of the Homestead
Exemption Laws of the State of Illinois.

Underlying PIN: 04-17-300-001

Property Address: 10 acres along Finney Road
DATED this October 27, 2009.

DICKSON VALLEY FARM, LLC

By: ________________

Jane A. Strobeck

Its: Member-Manager

By: Charles L. Strobeck Family Trust

Its: Member-Manager

By: ________________

Jane A. Strobeck, Co-Trustee

State of Illinois  
County of DuPage

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Jane A. Strobeck known to me to be the same persons whose names are subscribed to the foregoing instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

GIVEN under my hand and Notarial Seal, this October 27, 2009

[Notary Public Seal]

[Official Seal]

[Notary Public Signature]
PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS  )
COUNTY OF KENDALL  )
Mark A. Caldwell, being duly sworn on oath, states that affiant resides at 8250 Finney Road, Newark, IL 60541-9573

And further states that: (please check the appropriate box)

A. [ ] That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being a part of a larger tract of land; or
B. [XX ] That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

1. The sale or exchange of an entire tract of land not being a part of a larger tract of land
2. A distinct, separate parcel qualifying for a Kendall County building permit prior to August 10, 1971.
3. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
4. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
5. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
6. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
7. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
8. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
9. Conveyances made to correct descriptions in prior conveyances;
10. The sale or exchange of parcels or tracts of land following the division into no more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access;
11. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor, provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
12. This conveyance is of land described in the same manner as title was taken by grantor(s).

AFFIANT further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

Signature of Affiant

SUBSCRIBED AND SWORN TO BEFORE ME

This 27th day of October 2009

Signature of Notary Public
ARTICLES OF AMENDMENT
RESTATED ARTICLES
OF INCORPORATION
General Not For Profit Corporation Act

Jesse White: Secretary of State
Department of Business Services
Springfield, IL 62756
Telephone (217) 782-1632
www.cyberdriveillinois.com

File # Filing Fee: $100.00 Approved
3Y9 790357
Submit in duplicate Type or Print clearly in black ink Do not write above this line

1. Corporate Name (Note 1): Dickson Valley Corporation

2. Manner of adoption of amendment:
The following amendment to the Articles of Incorporation was adopted on February 20, 2010 in the manner indicated below (Check one only):

✓ By affirmative vote of a majority of the directors in office, at a meeting of the board of directors, in accordance with Section 110.15. (Note 2)

___ By written consent, signed by all the directors in office, in compliance with Sections 110.15 and 108.45 (Note 3)

___ By members at a meeting of members entitled to vote by the affirmative vote of the members having not less than the minimum number of votes necessary to adopt such amendment, as provided by this Act, the articles of incorporation or the bylaws, in accordance with Section 110.20. (Note 4)

___ By written consent signed by members entitled to vote having not less than the minimum number of votes necessary to adopt such amendment, as provided by this Act, the articles of incorporation, or the bylaws, in compliance with Sections 107.10 and 110.20. (Note 5)

3(a). List all provisions of the restated articles of incorporation that amend the existing articles of incorporation. (Attach additional pages if extra space is needed.)

By resolution of the Board of Directors on February 20, 2010, it was resolved that the original Articles of Incorporation of Dickson Valley Corporation dated February 18, 1988 and amended January 23, 1989 be replaced with the attached Exhibit A

3(b). Text of the Restated Articles of Incorporation (Note 6) (Attach additional pages if extra space is needed.)

See attached Exhibit A
WHEREAS: Dickson Valley Corporation was incorporated February 18th, 1988 together with amendments adopted by the Board on January 1st, 1989 and filed with the Illinois Secretary of State on January 23rd, 1989; and

WHEREAS: The Corporation's purpose was to manage the property known as Dickson Valley Camp and Retreat Center under an agreement with Metro Chicago Youth For Christ to operate the camp on a day-by-day basis; and

WHEREAS: After Metro Chicago Youth For Christ terminated a long-term lease, the Board of Directors of Dickson Valley Corporation continued to develop and manage the property and provide ministry to hundreds of churches each year through its own staff and multifaceted programs; and

WHEREAS: The Board of Directors desired to update the Articles as amended to better reflect the ever-growing and strengthening ministry that is taking place with churches and other organizations and to better represent to the public our desire to see youth and adults come to a strong and personal relationship with Jesus Christ; and

WHEREAS: The Board wanted to include in the Articles statements that form and explain the biblical beliefs held by its members and staff.

NOW THEREFORE, BE IT RESOLVED: That the Articles of Incorporation be amended and restated as attached in Exhibit A.

AND FURTHER RESOLVED: That such Amended and Restated Articles of Incorporation are to be duly filed with the Illinois Secretary of State and placed in the Records of the Corporation.

Dated: February 20, 2010
Location: Dickson Valley Camp and Retreat Center
EXHIBIT A

RESTATED ARTICLES OF INCORPORATION
OF
DICKSON VALLEY MINISTRIES

The following Restated Articles of Incorporation replace in their entirety the Articles of Incorporation of the Illinois Not for Profit Corporation originally named Dickson Valley Corporation dated February 18th 1988 together with amendments adopted by the Board on January 1st, 1989 and filed with the Illinois Secretary of State on January 23rd 1989.

ARTICLE 1. The name of the Corporation is:
Dickson Valley Ministries

ARTICLE 2. Name and Address of Registered Agent and Registered Office in Illinois:
Registered agent: John Sessions Talley
Registered Office: [Redacted]

ARTICLE 3. The Board of Directors shall be 10 in number, their Names and Addresses being as follows:
George H. Williams, Jr.
Bill Seitz
Howard Duncan
Todd Walker
Vic Graham
Ed Brouch
Dr. Linda Duncan
Ward Kreigbaum
Jennifer King Soderquist
Jack Vandiver

ARTICLE 4. The purposes for which the Corporation is organized are:
Dickson Valley Ministries is the successor in name to Dickson Valley Corporation. Dickson Valley Corporation was, and its successor is, organized exclusively for charitable, educational and religious purposes within the meaning of section 501(c)(3) of the U.S. Internal Revenue Code of 1986. More specifically the Corporation seeks to bring individuals to a strong and personal relationship with Jesus Christ and His Word, through unique programs, services and partnerships that joyfully support and encourage the ongoing work of Christ in and through His Church.

Furthermore: This corporation is not a Condominium Association under the Condominium Property Act. This corporation is not a Cooperative Housing Corporation

1
4. The undersigned corporation has caused these articles to be signed by a duly authorized officer, who affirms, under penalties of perjury, that the facts stated herein are true. (All signatures must be in black ink.)

Dated ___________________________ 2010

[Signature]

Dickson Valley Ministries
(Exact Name of Corporation)

5. If there are no duly authorized officers, then the persons designated under Section 101.10(b)(2) must sign below and print name and title. The undersigned affirms, under penalties of perjury, that the facts stated herein are true.

Dated ___________________________ (Month, Day & Year)

Signature

Print Name and Title

NOTES

Note 1: State the true and exact corporate name as it appears on the records of the Secretary of State, BEFORE any amendment herein reported.

Note 2: Directors may adopt amendments without member approval only when the corporation has no members, or no members entitled to vote pursuant to §110.15.

Note 3: Director approval may be (1) by vote at a director’s meeting (either annual or special) or (2) by consent, in writing, without a meeting.

Note 4: All amendments not adopted under Sec. 110.15 require (1) that the board of directors adopt a resolution setting forth the proposed amendment and (2) that the members approve the amendment.

Member approval may be (1) by vote at a members meeting (either annual or special) or (2) by consent, in writing, without a meeting.

To be adopted, the amendment must receive the affirmative vote or consent of the holders of at least 2/3 of the outstanding members entitled to vote on the amendment, (but if class voting applies, then also at least a 2/3 vote within each class is required).

The articles of incorporation may supersede the 2/3 vote requirement by specifying any smaller or larger vote requirement not less than a majority of the outstanding votes of such members entitled to vote and not less than a majority within each when class voting applies. (Sec. 110.20)

Note 5: When member approval is by written consent, all members must be given notice of the proposed amendment at least 5 days before the consent is signed. If the amendment is adopted, members who have not signed the consent must be promptly notified of the passage of the amendment. (Sec. 107.10 & 110.20)

Note 6: The text of the restated articles of incorporation must set forth the following:

(i) The date of incorporation, the name under which the corporation was incorporated, subsequent names, if any, that the corporation adopted pursuant to amendment of its articles of incorporation, and the effective date of any such amendments;

(ii) the address of the registered office and the name of the registered agent on the date of filing the restated articles of incorporation.

If the registered agent and/or registered office have changed, it will be necessary to accompany this document with form NFP 105-10.
To: Kendall County Planning, Building & Zoning Committee  
Yorkville, Illinois 60560

Petitioner: Dickson Valley Ministries, DBA Dickson Valley Camp & Retreat Center  
8250 Finnie Rd. Newark, IL 60541-9573  630-553-6233

Dickson Valley Ministries would like to request the adoption of a new long-range site plan. Since the last version of the site plan, which was approved in 2014, there has been a request to have a more detailed plan on record. The purpose and ministry of Dickson Valley has not changed since its inception, and the maximum capacity and overall scale of the camp has not increased since 2014.

This new site plan is an attempt to be more detailed in location of needs, and has included a few additional structures that were not considered in the previous version. The facility needs for certain programs is an always evolving consideration so this plan has tried to include even ideas which may not be needed as we attempt to use our current facility in the wisest possible ways.

Dickson Valley Camp & Retreat Center has served churches, ministries and public and private schools for almost 40 years. In 1988 the number of groups using Dickson Valley was 75 with about 2,000 people in attendance. In 2018 we were excited to serve around 140 groups and had almost 400 kids attend one of our 10 weeks of summer camp. Just over 7,000 people attended various programs at the camp during all months of the year. We continually give thanks for all the blessings God has provided and, as with any business, know that our location is one of those key provisions we are blessed with. Our setting in Kendall County, along the Fox River, has been key to our growth which has far outpace most other Christian camps our size. It was a generous gift from Homer and Alice Dickson of Yorkville that made this ministry possible and the ongoing relationships with the family that have helped it grow.
OVERVIEW OF OPERATION:
Dickson Valley Camp & Retreat Center is a twelve month, 365 day a year ministry. We partner with churches, ministries and public and private schools to help them run youth retreats, summer camps, outdoor education and other programs that can benefit from being in a remote natural setting. Our own Dickson Valley run day and resident camps have grown over the past few years and have provided great new relationships with kids and families in Kendall County. All individuals who attend Dickson Valley are a part of a programmed event and we are always making sure that each program supports our ministry purpose. More details of the ministries are available at www.dicksonvalley.com

HISTORY OF OWNERSHIP:
In 1983 the original Special Use Zoning was setup with Christian Camping International, US Division. That not-for-profit corporation worked with Metro Chicago Youth For Christ to develop the early stages of the camp and start it on its ministry growth.
In 1988 those organizations transferred ownership to the newly formed not-for-profit Dickson Valley Corporation formed from members of both previous organizations.
In 2011 an update to Dickson Valley Corporations founding documents included the name change to Dickson Valley Ministries with the DBA of Dickson Valley Camp & Retreat Center

DEVELOPMENT PLANNING DESIGN CRITERIA:
The board and staff of Dickson Valley have sought many professionals in the Christian camping field for input. We have used various methods to determine the maximum capacity of our property both physically and mainly programmatically. The natural setting is one of our primary assets; we desire to care for, and protect it.
- Locations for future development has been defined into “Development Zones” with no significant development planned for outside these areas.
- Youth ministry needs are continually changing, and long-term planning is at best just setting the framework for what will be needed. This site plan incorporates all possible ideas that can be dreamed of; all projects may not need to be completed.
- Final locations, sizes, and designs will be approved at the time of permitting seeking the appropriate approvals from the Illinois Department of Public Health, the Sandwich Fire Protection District, and the Kendall County Planning Building and Zoning Department.
- The design of all new buildings and structures is to fit into the natural setting, limiting the impact and the need for any extra landscaping.
- Lighting around camp is intentionally left low to reduce the impact on observing the night features. Most additional light is provided by individuals and eliminates intrusion on any neighbors.
SCOPE OF NEW LONG RANGE PLANS:
- Dickson Valley Camp & Retreat Center is not changing its stated purpose or programs but is submitting a more detailed site plan in an attempt to document future needs more completely.
- This site plan represents a long-range plan, no less than 10 years, and will be driven by available funds from donors who give financially to the ministry. Dickson Valley does not enter into long term debt to develop its property.
- The ministry desires to retain conditions stated in the previous special use major amendment, Ordinance #2014-05 dated 3/31/2014
  1. The property can be utilized all year long.
  2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
  3. The number of over-night campers shall be limited to no more than 350 at any one time.
  4. No more than 8 hook-ups for RV’s.
  5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.
- One note of clarification on the conditional statement that total capacity is 350 “over-night campers.” This number is inclusive of as many as 100 day-only campers during the summer.
- Additionally, the live-on-site staff needed in supporting the ministry is composed of:
  - as many as 6 full time, long-term families (currently 5),
  - as many as 24 single short-term (12-month program) staff,
  - and 64 seasonal (summer) staff
DICKSON VALLEY CAMP OVERALL LEGAL DESCRIPTION

THAT PART OF THE SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18 OF AFORESAID TOWNSHIP AND RANGE; THENCE SOUTH 1 DEGREE 07 MINUTES 54 SECONDS EAST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18, A DISTANCE OF 380.17 FEET; THENCE SOUTH 76 DEGREES 29 MINUTES 58 SECONDS EAST ALONG THE SOUTHERLY LINE OF THE PREMISES CONVEYED TO HARLEY B. HOBBS BY DEED DATED JANUARY 25, 1958 AND RECORDED JANUARY 29, 1958 IN DEED RECORD 118, PAGE 143 AS DOCUMENT #120930 A DISTANCE OF 3973.65 FEET FOR A POINT OF BEND IN SAID LINE; THENCE SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST ALONG SAID SOUTHERLY LINE A DISTANCE OF 33.60 FEET TO A POINT IN THE CENTER LINE OF FINNIE ROAD; THENCE CONTINUING SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 1377.07 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS EAST, A DISTANCE OF 1378.96 FEET; THENCE NORTH 48 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 659.61 FEET; THENCE NORTH 60 DEGREES 38 MINUTES 12 SECONDS EAST, A DISTANCE OF 98.54 FEET; THENCE NORTH 44 DEGREES 10 MINUTES 58 SECONDS EAST, A DISTANCE OF 455.16 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17 THAT IS LOCATED 346.63 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID NORTHWEST QUARTER OF SECTION 17; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID SOUTH LINE OF THE NORTHWEST QUARTER, A DISTANCE OF 346.63 FEET TO SAID SOUTHEAST CORNER; THENCE NORTH 01 DEGREES 32 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 1269.25 FEET TO THE CENTER LINE OF FINNIE ROAD; THENCE CONTINUING NORTH 01 DEGREE 32 MINUTES 37 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 1374.32 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 89 DEGREES 51 MINUTES 52 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1317.98 FEET TO A FOUND STONE MONUMENT; THENCE NORTH 89 DEGREES 38 MINUTES 22 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 840.82 FEET TO THE POINT OF INTERSECTION WITH THE CENTER LINE OF FINNIE ROAD; THENCE SOUTH 00 DEGREES 11 MINUTES 42 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 3.05 FEET TO THE POINT OF BEND IN SAID FINNIE ROAD AS PLATTED IN THE SUBDIVISION OF WEST MILLBROOK PHASE 2 RECORDED AS DOCUMENT NUMBER 883172 IN PLAT CABINET 3 OF PLATS AT SLOT 410B; THENCE SOUTH 46 DEGREES 26 MINUTES 12 SECONDS WEST, A DISTANCE OF 1130.89 FEET TO THE NORTHWEST CORNER OF SAID WEST MILLBROOK PHASE 2, SAID POINT BEING LOCATED ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE SOUTH 01 DEGREES 34 MINUTES 26 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 1862.29 FEET TO THE CENTER OF SAID SECTION 17; THENCE SOUTH 01 DEGREES 12 MINUTES 58 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17 AND THE WEST LINE OF SAID WEST MILLBROOK PHASE 2, A DISTANCE OF 514.33 FEET TO THE NORTHERLY BANK OF THE FOX RIVER; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY BANK OF THE FOX RIVER, A DISTANCE OF 2346.73 FEET MORE OR LESS TO A LINE DRAWN SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 66 DEGREES 02 MINUTES 58 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 1001.65 FEET TO THE POINT OF BEGINNING ALL IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.
NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Dickson Valley Ministries
Address: 8250 Finnie Rd
City, State, Zip: Newark, IL 60541
Phone Number: (630) 553-6233
Email: 

Contact Person: Mark Caldwell
Address: 8250 Finnie Rd
City, State, Zip: Newark, IL 60541
Email: mark@ dicksonval ley.com

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

Site Location & Proposed Use
Township Name Fox Township 36N N, Range 6E E, Section(s) 17
Parcel Index Number(s) 04-17-100-002, 04-17-300-002, 04-17-300-007
Project or Subdivision Name
Current Use of Site Year-Round Youth Camp
Proposed Use Same, no changes
Proposed Number of Lots
Proposed Number of Structures 20+
Proposed Water Supply Well
Proposed type of Wastewater Treatment Covered septic field
Proposed type of Storm Water Management Natural

Type of Request
☐ Change in Zoning from to
☐ Variance (Please describe fully on separate page)
☐ Special Use Permit (Please describe fully on separate page)

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

In addition to this completed application form, please including the following to ensure proper processing:
☐ Plat of Survey/Site Plan – showing location, legal description and property measurements
☐ Concept Plan – showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies
☐ NRI fee (Please make checks payable to Kendall County SWCD)

The NRI fees, as of July 1, 2010, are as follows:
- Full Report: $375.00 for five acres and under, plus $18.00 per acre for each additional acre or any fraction thereof over five.
- Executive Summary Report: $300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under $ 375.00
Additional Acres at $18.00 each $ 
Total NRI Fee $ 375.00 Review letter

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

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

Petitioner or Authorized Agent ___________________________ Date 3/18/19

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

FOR OFFICE USE ONLY
NRI# Date initially rec’d Date all rec’d Board Meeting April 8, 2019
Fee Due $ 75.00 Fee Paid $ 75.00 Check # 428 99 Over/Under Payment Refund Due
Applicant: Dickson Valley Ministries  
Contact: Mark Caldwell  
Address: 8250 Finnie Rd.  
Newark, IL 60541  
Project: 2019 Long Range Plan  
Address: 8250 Finnie Rd, Newark

Description: Updated site plan to include development of day and resident camp activities and facilities.

**Natural Resource Review Results**

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

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

- Dixon Valley Sedge Meadow INAI Site
- Fox River INAI Site
- Dickson Sedge Meadow Natural Heritage Landmark
- River Redhorse (*Moxostoma carinatum*)

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

**Location**

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

- **County:** Kendall  
- **Township, Range, Section:**  
  36N, 6E, 8  
  36N, 6E, 17

**IL Department of Natural Resources**  
**Contact**  
Justin Dillard  
217-785-5500  
Division of Ecosystems & Environment

**Government Jurisdiction**  
Kendall County Dept. of Planning, Building & Zoning  
Matt Asselmeier  
111 West Fox Street  
Yorkville, Illinois 60560 -9999

**Disclaimer**

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.
Terms of Use
By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

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

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

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

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

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

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

Project Code 1908785

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TOTAL PAID $127.94

Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov
March 18, 2019

Mark Caldwell  
Dickson Valley Ministries  
8250 Finnie Rd.  
Newark, IL 60541 9573

RE: 2019 Long Range Plan  
Project Number(s): 1908785  
County: Kendall

Dear Applicant:

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

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

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

Please contact me if you have questions regarding this review.

Justin Dillard  
Division of Ecosystems and Environment  
217-785-5500
Please fill out the following findings to the best of your capabilities. §13.08.J of the Zoning Ordinance outlines findings that the Hearing Officer shall consider in rendering a decision, but is not required to make an affirmative finding on all items in order to grant a **special use**. They are as follows:

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

Dickson Valley Ministries is formed only for the purpose to benefit the community, and has proved to be a very safe and people focused organization.

*That the special use will not be substantially injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole.*

Dickson Valley has had great relationships with all neighbors, never causing any negative situations and quit often benefiting neighbors with the use of the land and resources.

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

Of the 160 acres of mostly wooded land, only about 25% has been developed, leaving a lot of great natural resources. The township road has been updated and has always proved adequate for our traffic and still is a seldom traveled road.

*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.*

Dickson Valley has had 30+ years in the county with no problems in following regulations.

*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.*

Dickson Valley has worked with many local agencies on resource management and other plans and continues to follow through and work within them.
This updated site plan has been produced to add more clarity to the site plan that was submitted in 2014.

This plan has all existing structures (in black), plus the additional projects (in red) needed to grow to an anticipated capacity of only 21%, or 1,500 people, above the 2014 usage of 7,100 people per year.

Only a few of these projects where not included in the 2014 overall plan, noted as [New] in this description.

CURRENT MINISTRY STATUS:
- Dickson Valley Ministries has been operating a year-round youth camp and retreat center in Kendall County, Fox Township, for nearly 40 years.
- In 1988 Dickson Valley served 2,100 people per year and by 2014 had grown over 300% to where it served 7,100 people that year with retreats, summer resident camps, and day camps.
- The current number of staff, living on site, includes 5 full-time long-term families. Also 2-3 full-time short-term staff, and 25 seasonal summer staff.

SCOPE OF FUTURE DEVELOPMENT:
- Dickson Valley Camp & Retreat Center is not changing its stated purpose or programs but is submitting a more detailed site plan in an attempt to document future needs for more clarity.
- This site plan represents a long-range plan of no more than 10 years, and will be driven by available funds from donors who give financially to the camp. Without funding, Dickson Valley does not enter into any long-term plan to develop its property.
- Future ministry growth will increase staff to 1 additional full-time long-term family, an additional 20-30 full-time short-term staff, and an additional 40 seasonal summer staff.
- The ministry desires to relax conditions stated in the previous special use major amendment, Ordinance 0414-09 dated 7/7/2009 and Ordinance amend dated in the preceding amended site plan.
- The property line is set off at year 2014.

This plan has all existing structures (in black), plus the additional projects (in red) needed to grow to an anticipated capacity of only 21%, or 1,500 people, above the 2014 usage of 7,100 people per year.

DEVELOPMENT ZONE D: ENTRANCE PARKING
- Welcome pavilion for day camp
- Chapel in the Woods
- Entrance drive
- Ultramare RV hook-up
- Possible new office building site

DEVELOPMENT ZONE E: ENTRANCE DRIVE
- [New] Gatehouse for a controlled entrance
- Mulched-staff lodge garden, near Whitehall Lodge, just outside the zone
- Upgrade driveway and entrance
- Keep lighted sign, upgrade landscaping

DEVELOPMENT ZONE F: MAINTENANCE AREA
- New shop
- Removal or remodel of existing shop

DEVELOPMENT ZONE G: ACORN LODGE SITE
- Separate activities parking lot
- Separate program/meeting building

DEVELOPMENT ZONE H: NORTH ACTIVITY AREAS
- Additional semi-public campsites, no permanent structures, parking area off of Finnie Rd
- Experiential activities similar but not limited to, climbing towers, zip lines, team activities, high ropes course
- A pedestrian walkway was reviewed/finished Finnie Rd

RETRIEVE DEVELOPMENT ZONE
- Water filtration building or addition to existing well and well house
- Add-on to program or rest room, staff shop, host offices
- Additions and remodels noted for each building below:

#1 ADDITIONS, DIRECTOR’S LODGE
- Addition to north end of building
- The current structure is 126’ off the road from the road

#2 ADDITIONS, CHOIRLOUS LODGE
- Addition for dining space increase to the North or West

#3 ADDITIONS, DICKSON LODGE
- Addition of meeting space
- Addition of an additional two ‘breakout’ rooms with restrooms
- Remodel and add on to program office for camp store

#4 ADDITIONS, OULLIND CHALET
- Remodeling improve housing spaces
- Remodeling of restrooms

#5 ADDITIONS, SILVER FOX LODGE
- Addition for new restrooms
- Addition for added housing

#6 ADDITIONS, SPORTS CENTER
- Sport facility
- Add-on for new activities
- Remodel to restrooms
- Extension of high ropes course or similar

#7 ADDITIONS, ACORN LODGE
- Remodel of the current lodge for updated plumbing and additional housing

NEW DEVELOPMENT:

DEVELOPMENT ZONE A: DAY CAMP AREA
- Multipurpose Field-house
- Various tee-totdressing decks for small groups or activities
- All at least 2 open site camper parking
- Day camp specific activities
- Water activity similar to a small sailboat, or small center
- Combined soccer field serving all new restrooms

DEVELOPMENT ZONE B: RESIDENT CAMP AREA
- [New] 5 year-round camper cabins

DEVELOPMENT ZONE C: ACTIVITY AREA
- [New] Outdoor high rope course
- Airmark course
- Zip line
- Free-standing decks for small groups
- In season, year-round camper cabins

DEVELOPMENT ZONE D: ENTRANCE PARKING
- Welcome pavilion for day camp
- Chapel in the Woods
- Entrance drive
- Ultramare RV hook-up
- Possible new office building site

DEVELOPMENT ZONE E: ENTRANCE DRIVE
- [New] Gatehouse for a controlled entrance
- Mulched-staff lodge garden, near Whitehall Lodge, just outside the zone
- Upgrade driveway and entrance
- Keep lighted sign, upgrade landscaping

DEVELOPMENT ZONE F: MAINTENANCE AREA
- New shop
- Removal or remodel of existing shop

DEVELOPMENT ZONE G: ACORN LODGE SITE
- Separate activities parking lot
- Separate program/meeting building

DEVELOPMENT ZONE H: NORTH ACTIVITY AREAS
- Additional semi-public campsites, no permanent structures, parking area off of Finnie Rd
- Experiential activities similar but not limited to, climbing towers, zip lines, team activities, high ropes course
- A pedestrian walkway was reviewed/finished Finnie Rd

RETRIEVE DEVELOPMENT ZONE
- Water filtration building or addition to existing well and well house
- Add-on to program or rest room, staff shop, host offices
- Additions and remodels noted for each building below:

#1 ADDITIONS, DIRECTOR’S LODGE
- Addition to north end of building
- The current structure is 126’ off the road from the road

#2 ADDITIONS, CHOIRLOUS LODGE
- Addition for dining space increase to the North or West

#3 ADDITIONS, DICKSON LODGE
- Addition of meeting space
- Addition of an additional two ‘breakout’ rooms with restrooms
- Remodel and add on to program office for camp store

#4 ADDITIONS, OULLIND CHALET
- Remodeling improve housing spaces
- Remodeling of restrooms

#5 ADDITIONS, SILVER FOX LODGE
- Addition for new restrooms
- Addition for added housing

#6 ADDITIONS, SPORTS CENTER
- Sport facility
- Add-on for new activities
- Remodel to restrooms
- Extension of high ropes course or similar

#7 ADDITIONS, ACORN LODGE
- Remodel of the current lodge for updated plumbing and additional housing
State of Illinois
County of Kendall

ORDINANCE # 2014 - 05

GRANTING A MAJOR AMENDMENT TO A SPECIAL USE FOR
DICKSON VALLEY MINISTRIES AT 8250 FINNIE ROAD

Mailed to and Prepared by:
Angela Zubko
111 West Fox Street Rm. 203
Yorkville, IL 60543

Subscribed and sworn to before me
This 31st day of March, 2014

Angela Zubko
Kendall County Planning & Zoning Manager

Susan K. Smith
Notary Public
ORDINANCE NUMBER 2014-65

GRANTING A MAJOR AMENDMENT TO A SPECIAL USE FOR
DICKSON VALLEY MINISTRIES AT 8250 FINNIE ROAD

WHEREAS, Dickson Valley Ministries dba of Dickson Valley Camp and Retreat Center has filed a petition for a major amendment to their Special Use within the A-1 Agricultural Zoning District for a 161 acre property located on the north & south side of Finnie Road, 0.8 miles south of Finnie & Rogers Road, commonly known as 8250 Finnie Road, (PIN# 04-17-100-002, 04-17-300-002 & 04-17-300-007), in Fox Township; and

WHEREAS, said property is currently zoned A-1 Agricultural with an existing Special Use for operation for a camp and retreat center; and

WHEREAS, said petition is to amend their existing special use permit to continue operation of their camp and retreat center and add 51.74 acres and modify their site plan; and

WHEREAS, during the 1974 Countywide rezoning the County Board of Kendall County, Illinois rezoned this property to A-ISU for non-profit camping uses; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request for a special use for a Christian Youth Camp for 108 acres as Ordinance 1983-17 on December 13, 1983; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request to amend the site plan to include a dining and meeting hall north of the original site plan and expand the bath house and chapel as Ordinance 2000-17A & 2000-24 on June 20, 2000; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request for a lighted sign at the camp entrance with conditions as Ordinance 2002-12 on May 21, 2002; and

WHEREAS, said property is legally described as:

PARCEL 1:
THAT PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER, THENCE WEST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER 1319 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF SAID NORTHWEST QUARTER, THENCE SOUTH ALONG THE WEST LINE OF THE EAST HALF OF SAID NORTHWEST QUARTER 1376.78 FEET TO THE CENTER LINE OF A ROAD RUNNING NORTHEASTERLY AND SOUTHWESTERLY THROUGH SAID NORTHWEST QUARTER, THENCE NORTHEASTERLY ALONG SAID CENTER LINE TO THE EAST LINE OF SAID NORTHWEST QUARTER, THENCE NORTH ALONG SAID EAST LINE 778 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF FOX, KENDALL COUNTY,
ILLINOIS, ALSO THAT PART OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH ALONG THE WEST LINE OF SAID NORTHEAST QUARTER 11.70 CHAINS (772.2 FEET) TO THE CENTER LINE OF A ROAD; THENCE NORTHEASTERLY ALONG SAID CENTER LINE TO THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE WEST ALONG SAID NORTH LINE 12.63 CHAINS (833.58 FEET) TO THE POINT OF BEGINNING, CONTAINING 42.59 ACRES MORE OR LESS, IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE WEST HALF OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH 01 DEGREES 07 SECONDS 54 MINUTES EAST ALONG THE WEST LINE OF SAID SECTION 18, A DISTANCE OF 380.17 FEET; THENCE SOUTH 76 DEGREES 29 MINUTES 58 SECONDS EAST, A DISTANCE OF 4010.24 FEET; THENCE SOUTH 66 DEGREES 02 MINUTES 58 MINUTES EAST, A DISTANCE OF 33.6 FEET TO THE CENTER LINE OF FINNIE ROAD; THENCE SOUTH 66 DEGREES 02 MINUTES 58 MINUTES EAST, A DISTANCE OF 1377.07 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS EAST, A DISTANCE OF 1378.96 FEET; THENCE NORTH 48 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 659.61 FEET; THENCE NORTH 60 DEGREES 38 MINUTES 12 SECONDS EAST, A DISTANCE OF 98.54 FEET; THENCE NORTH 44 DEGREES 10 MINUTES 58 MINUTES EAST, A DISTANCE OF 455.16 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 90 DEGREES EAST, A DISTANCE OF 346.63 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, THENCE NORTH 01 DEGREES 14 MINUTES 05 SECONDS WEST ALONG THE WEST LINE OF SAID QUARTER/QUARTER SECTION A DISTANCE OF 1269.52 FEET TO THE CENTER LINE OF FINNIE ROAD; THENCE NORTH 63 DEGREES 32 MINUTES 29 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 51.54 FEET; THENCE NORTH 73 DEGREES 54 MINUTES 02 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 785.94 FEET; THENCE NORTH 57 DEGREES 52 MINUTES 02 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 459.76 FEET; THENCE NORTH 46 DEGREES 37 MINUTES 32 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 158.96 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17, THENCE SOUTH 01 DEGREES 16 MINUTES 00 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 1864.30 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE SOUTH 12 MINUTES 58 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 513.64 FEET TO THE WESTERLY BANK OF THE FOX RIVER; THENCE SOUTH 36 DEGREES 20 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 227.1 FEET; THENCE SOUTH 34 DEGREES 34 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 224.1 FEET; THENCE SOUTH 40 DEGREES 48 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 345.69 FEET; THENCE SOUTH 35 DEGREES 57 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 257.65 FEET; THENCE SOUTH 47 DEGREES 35 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 201.1 FEET; THENCE SOUTH 46 DEGREES 16 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 415.78 FEET; THENCE SOUTH 39 DEGREES 20 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 424.92 FEET TO A POINT ON A LINE DRAWN SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 66 DEGREES 02 MINUTES 58 SECONDS WEST 1001.65 FEET TO THE POINT OF BEGINNING CONTAINING 118.00 ACRES
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 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on March 3, 2014; and

WHEREAS, the findings of fact 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. Dickson Valley Ministries is formed only for the purpose to benefit the community, and has proved to be a very safe and people focused organization.

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 ensure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. Dickson Valley has had great relationships with all neighbors, never causing any negative situations and quite often benefiting neighbors with the use of the land and resources.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Of the 160 acres of mostly wooded land, only about 25% has been developed, leaving a lot of great natural resources. The township road has been updated and has always proved adequate for our traffic and still is a seldom traveled road.

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. Dickson Valley has had 30+ years in the county with no problems in following regulations.

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. Dickson Valley has worked with many local agencies on resource management and other plans and continues to follow through and work within them.

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

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

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby repeals Kendall
State of Illinois  
County of Kendall  

Zoning Petition  
#14-02

County Ordinances #02-12, #00-24, #00-17A & #83-17 in their entirety and grants approval of a major amendment to their existing special use zoning permit to continue operation of their camp and retreat center at 8250 Finnie Road in accordance to the submitted Site Plan included as “Exhibit A” attached hereto and incorporated herein subject to the following conditions:

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

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 on March 19th, 2014.

Attest:

Debbie Gillette  
Kendall County Clerk

John Shaw  
Kendall County Board Chairman
EXISTING STRUCTURES:
1. Acorn Lodge
2. Director's Lodge
3. Whitaker Lodge
4. Maintenance 1
5. Maintenance 2
6. Chruser Dining Hall
7. Oulund Chalet
8. Silver Fox Lodge
9. Dickson Dorm
10. Picnic Pavilion
11. 2 Camper Cabins
12. Sports Center

DEVELOPMENT PLANS:
A. Remote Rustic Camp (no structures)
B. Remote Camp Parking
C. 2 Year-Round Lodges
D. Chapel Pavilion
E. New Road
F. Day Camp Parking
G. 4 Camper Cabins
H. Day Camp Restrooms & Pavilion

* Also Various Remodels and Small Additions to Upgrade Existing Structures
AGENDA

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

MINUTES

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

PETITIONS

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

Mr. Asselmeier summarized the request.

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

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

Ordinance 2014-05 also included a site plan, which the Petitioner wishes to amend.
The Petitioner desires the update to their existing site plan in order to meet their needs. The long-range plan will take no less than ten (10) years and will occur as funding allows.

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

The proposed changes are as follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) "overnight campers." This number is inclusive of as many as one hundred (100) day-only campers during the summer.

2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).

3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.

4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house with no more than a total of twelve thousand square feet (12,000 sq. ft.) under roof. The capacity for meetings and activities for up to two hundred fifty (250) campers year-round with some sections for open air activities. The plan also calls for various freestanding decks for small groups or activities, two (2) open air camper pavilion areas with maximum capacity of fifty (50) people each at two thousand square feet (2,000 sq. ft.) in size. The area will also host day camp activities, including water activities (i.e. splash pad, or wading fountain). The fifty thousand square feet (50,000 sq. ft.) of combined septic field serving all new restrooms will also be located in this area. A picture of the Development A is included as Attachment 5.

5. Development B, Resident Camp Area, shall consist of four (4) year-round camper cabins of no more than two thousand five hundred square feet (2,500 sq. ft.) each for total house of twenty (20) persons per cabin. There will be one (1) additional summer staff cabin at two thousand square feet (2,000 sq. ft.). A picture of Development B is included as Attachment 6.

6. Development C, Activity Area shall consist of an outdoor high ropes course, by sky-tracks or similar, mini golf course, ice rink pavilion, free standing decks for small groups and one (1) summer staff cabin of no more than two thousand square feet (2,000 sq. ft.) A picture of Development C is included as Attachment 7.

7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods with seating up to three hundred fifty (350), camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area. A picture of Development D is included as Attachment 8.

8. Development E, Entrance Drive, shall consist of a gatehouse for a controlled entrance and a six (6) bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated. A picture of Development E is included as Attachment 9.

9. Development F, Maintenance Area, shall consist of a new shop not to exceed eight thousand square feet (8,000 sq. ft.) and removal of the old shop or remodel the old shop into storage.

10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building. A picture of Development G is included as Attachment 10.

11. Development H, North Activity Area, shall consist of primitive campsites, no permanent structures, a parking area off of Finnie Road, high climbing tower, zip lines, miscellaneous team activities and a pedestrian walkway over/under/across Finnie Road.

12. The Retreat Development Zone shall consist of a water filtration station, including possible new structures or addition to the existing well. A new building for recreation room, snack shop, and host offices are also planned for this zone.
13. Addition 1, Director’s Lodge, shall consist of a fourteen foot by eighteen foot (14’ x 18’) dining room addition. The current structure is one hundred twenty-six feet (126’) offset from the road and the addition may encroach no more than an additional three feet (3’). A picture of Addition 1 is included as Attachment 11.

14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west, which will increase seating from two hundred (200) to two hundred fifty (250). A lower level of addition could include offices or meeting space and the kitchen will be upgraded as needed. A picture of Addition 2 is included as Attachment 12.

15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces to accommodate eighty to one hundred (80-100) people, an addition of two (2) separate “leaders” rooms with restrooms, and remodel and add-on to program office for camp store. A picture of Addition 3 is included as Attachment 13.

16. Addition 4, Oulund Chalet, shall consist of remodeling of the upper level to improve housing space and remodeling of restrooms. A picture of Addition 4 is included as Attachment 14.

17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition for four (4) separate “leaders” rooms with restrooms. A picture of Addition 5 is included as Attachment 15.

18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar. A picture of Addition 6 is included as Attachment 16.

19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing and Additions to lodge for possible staff housing and extra space. A picture of Addition 7 is included as Attachment 17.

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

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

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

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

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

The Petitioner submitted an application for NRI.

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

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

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

Any new buildings would have to meet applicable building codes.

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

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

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

The Petitioner proposes to make adjustments to their wells and septic systems. These changes will be evaluated as the proposal is implemented. Electricity is already onsite.
Before issuing a recommendation, Staff would like consultation with ZPAC members, the Fox Township Highway Commissioner, and the Sandwich Fire Protection District regarding any concerns to the public health and safety they may possess.

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

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

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

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

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

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

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

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.

2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the proposed Site Plan. The site shall be developed substantially in conformance with the attached Site Plan.

3. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.

4. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.

5. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

6. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

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

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

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

Mr. Asselmeier summarized the request.

JoAnn Bright-Theis would like to establish the BrighterDaze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.
No variances were requested and the Petitioner will operate the banquet center in compliance with the regulations currently stated in the Zoning Ordinance.

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

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

An existing pond is located east of the horse barn.

The hours of operation will be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st.

The proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

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

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

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

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

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

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

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

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

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

The NRI application was submitted on March 14, 2019.

Fox Township was emailed information on March 27, 2019.

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

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

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

Portable bathrooms will be used for events.
The property fronts Crimmin Road.

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

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

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

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

All music and noise shall originate inside the venue except for processions and recessions at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face east and the barn doors will remain closed after 7:00 p.m.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Asselmeier summarized the request.

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

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

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

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

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

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

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

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

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

County regulations cannot supersede federal or state regulations.

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

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

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on April 24, 2019.
REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OLD BUSINESS/NEW BUSINESS

None

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

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

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner
KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
APRIL 2, 2019

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

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS (OPTIONAL)</th>
<th>EMAIL ADDRESS (OPTIONAL)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mark Caldwell</td>
<td></td>
<td></td>
</tr>
<tr>
<td>John Smith</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mary Brown</td>
<td>110 Elm St</td>
<td><a href="mailto:admin@newark.il.us">admin@newark.il.us</a></td>
</tr>
<tr>
<td>Mike Fox</td>
<td>Newark IL 60541</td>
<td></td>
</tr>
</tbody>
</table>

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Matt Asselmeier

From: Fox Township <foxtownshipsupervisor@gmail.com>
Sent: Tuesday, April 16, 2019 3:59 PM
To: Matt Asselmeier
Subject: [External] Re: Kendall County Petition 19-11 (Dickson Valley Ministries)

Matt,

Please accept this email as comment on Petition 19-11. Fox Township Board of Trustees, acting as the Planning Commission for Fox Township, discussed this petition at our April Board meeting on April 8th, 2019. Here is a summary of our position:

1) Conceptually, the Board approves of the major amendment to the Special Use Permit at this location with the following stipulations.

   a. The current property set back line is 126', which is already less than the mandated set back of 150'. Therefore, Fox Township Board does not grant relief from the current set back. Relief may be granted if the petitioner applies for variance through the standard variance process, including noticing adjoining property owners of any variance request prior to construction involving said variance.

   b. Currently, the amendment states that storm water management "permits may be required as the proposal is implemented". It is the position of the Fox Township Board that any permits required for storm water management must be procured prior to the issuance of any building permit, ensuring proper storm water management is designed into any portion of the amendment developed.

   c. Lastly, under item 12 on page 4 of the amendment, a possible pedestrian walkway over Finnie Road was proposed. Fox Township Board and Fox Township Highway Department reserve the right to approve or disapprove any design presented for an overhead walkway on Finnie Road.

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

Jeff Spang, Supervisor
Fox Township

On Tue, Mar 26, 2019 at 8:31 AM Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

ZPAC Members:

The Kendall County ZPAC will meet on Tuesday, April 2, at 9:00 a.m., at 111 W. Fox Street in Yorkville, to discuss a request by Dickson Valley Ministries to amend their special use permit by repealing and replacing their existing site plan.
Matt Asselmeier

From: Andrews, Megan - NRCS-CD, Yorkville, IL <Megan.Andrews@il.nacdnet.net>
Sent: Monday, April 22, 2019 2:37 PM
To: Matt Asselmeier
Subject: [External] Dickson Valley Ministries NRI Report
Attachments: NRI_1401_ExecutiveSummary_Report.pdf

Matt,

After reviewing the Natural Resources Application for the Dickson Valley Ministries Special Use Petition, I wanted to provide a copy of the previously completed NRI Executive Summary Report. A review of the site, site conditions based on office resources along with the soils indicate that the information contained within the report is still accurate and current. The soils information utilized to develop the LESA score remains the same as it was in 2014 as the report was completed after the last update to the Kendall County Soil Survey by USDA. As such, I wanted to provide a copy of the previously completed report as a reference for this petition; the LESA score remains the same to date:

- Land Evaluation: 70
- Site Assessment: 103
- Full LESA Score: 173

If you have any questions or would like more information on any of the report items, please let me know.

Thanks,
Megan

Megan Andrews
Resource Conservationist

Kendall County Soil & Water Conservation District
7775A Route 47
Yorkville, IL 60560
Office: (630)553-5821 x3
www.kendallswcd.org

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NATURAL RESOURCE INFORMATION (NRI) EXECUTIVE SUMMARY REPORT: 1401

Petitioner: Dickson Valley Ministries
Contact: Mark Caldwell

March 2014

Prepared by:

Kendall County Soil & Water Conservation District
7775A Route 47 • Yorkville, Illinois 60560
Phone: (630)553-5821 x3 • Fax: (630)553-7442
www.kendallswcd.org
**Executive Summary**

**Petitioner:** Dickson Valley Ministries DBA Dickson Valley Camp & Retreat Center  
**Contact Person:** Mark Caldwell  
**County or Municipality the petition is filed with:** Kendall County  
**Location of Parcel:** W1/2 Section 17, T.36N.-R.6E. (Fox Township) of the 3rd Principal Meridian in Kendall County, IL  
**Project or Subdivision Name:** Dickson Valley Ministries – Site & Development Plan  
**Existing Zoning & Land Use:** A-1 Special Use, Camp & Retreat Center (Lodges, Dining Hall, Cabins, Activity Fields, Restroom Facilities, Pavilion, Trails, Access Roads), Wooded, Grassed  
**Proposed Zoning & Land Use:** Update to A-1 Special Use; Expansion of facilities to include: Cabins, Lodges, Lighted sign, additions to existing buildings onsite, Pavilion, Restroom Facilities, New access road, rustic campsite, storage areas, reforestation of floodplain areas.  
**Proposed Water Source:** Private Well  
**Proposed Type of Sewage Disposal System:** Private, individual septic tanks  
**Proposed Type of Storm Water Management:** Natural  
**Size of Site:** 160.59  
**Land Evaluation Site Assessment Score:** 173

**Natural Resource Concerns**

**Soil Map:**

![Soil Map Image](image)

**SOIL INFORMATION:**

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2007 Kendall County Soil Survey, this parcel contains the following soil types:
Table 1:

<table>
<thead>
<tr>
<th>Map Unit</th>
<th>Soil Name</th>
<th>Hydrologic Group</th>
<th>Hydric Designation</th>
<th>Farmland Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>134C2</td>
<td>Camden silt loam, 5-10% slopes, eroded</td>
<td>B</td>
<td>Non-hydric</td>
<td>Farmland of Statewide Importance</td>
</tr>
<tr>
<td>193B</td>
<td>Mayville silt loam, 2-5% slopes</td>
<td>C</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>193C2</td>
<td>Mayville silt loam, 5-10% slopes, eroded</td>
<td>C</td>
<td>Non-hydric</td>
<td>Farmland of Statewide Importance</td>
</tr>
<tr>
<td>199A</td>
<td>Plano silt loam, 0-2% slopes</td>
<td>B</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>210A</td>
<td>Lena muck, 0-2% slopes</td>
<td>A/D</td>
<td>Hydric</td>
<td>Farmland of Statewide Importance</td>
</tr>
<tr>
<td>224F2</td>
<td>Strawn silt loam, 18-35% slopes, eroded</td>
<td>C</td>
<td>Non-hydric</td>
<td>Not Prime or Important</td>
</tr>
<tr>
<td>318C2</td>
<td>Lorenzo silt loam, 4-6% slopes, eroded</td>
<td>B</td>
<td>Non-hydric</td>
<td>Farmland of Statewide Importance</td>
</tr>
<tr>
<td>318D2</td>
<td>Lorenzo loam, 6-12% slopes, eroded</td>
<td>B</td>
<td>Non-hydric</td>
<td>Farmland of Statewide Importance</td>
</tr>
<tr>
<td>327B</td>
<td>Fox silt loam, 2-4% slopes</td>
<td>B</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>667A</td>
<td>Kaneville silt loam, 0-2% slopes</td>
<td>B</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>667B</td>
<td>Kaneville silt loam, 2-5% slopes</td>
<td>B</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>680B</td>
<td>Campton silt loam, 2-5% slopes</td>
<td>B</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>791B</td>
<td>Rush silt loam, 2-4% slopes</td>
<td>B</td>
<td>Non-hydric</td>
<td>Prime Farmland</td>
</tr>
<tr>
<td>820E</td>
<td>Hennepin-Casco complex, 12-30% slopes</td>
<td>Hennepin: B</td>
<td>Non-hydric</td>
<td>Not Prime or Important</td>
</tr>
<tr>
<td>865</td>
<td>Pits, gravel</td>
<td>N/A</td>
<td>Non-hydric</td>
<td>Not Prime or Important</td>
</tr>
<tr>
<td>969E2</td>
<td>Casco-Rodman complex, 12-20% slopes, eroded</td>
<td>Casco: B</td>
<td>Non-hydric</td>
<td>Not Prime or Important</td>
</tr>
<tr>
<td>969F</td>
<td>Casco-Rodman complex, 20-30% slopes</td>
<td>Casco: B</td>
<td>Non-hydric</td>
<td>Not Prime or Important</td>
</tr>
<tr>
<td>3082A</td>
<td>Millington silt loam, 0-2% slopes, frequently flooded</td>
<td>B/D</td>
<td>Hydric</td>
<td>Prime Farmland (if drained and either protected from flooding or not frequently flooded during the growing season)</td>
</tr>
<tr>
<td>3107A</td>
<td>Sawmill silty clay loam, 0-2% slopes, frequently flooded</td>
<td>B/D</td>
<td>Hydric</td>
<td>Prime Farmland (if drained and either protected from flooding or not frequently flooded during the growing season)</td>
</tr>
</tbody>
</table>

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

- **Hydrologic group A:** Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

- **Hydrologic group B:** Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.

- **Hydrologic group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

- **Hydrologic group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.
**Hydric Soils:** A soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile. Of the soils found onsite, three are classified as a hydric soil.

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

**Table 2:**

<table>
<thead>
<tr>
<th>Map Unit</th>
<th>Surface Runoff</th>
<th>Ponding</th>
<th>Flooding</th>
</tr>
</thead>
<tbody>
<tr>
<td>134C2</td>
<td>Medium</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>193B</td>
<td>Low</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>193C2</td>
<td>Medium</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>199A</td>
<td>Low</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>210A</td>
<td>Negligible</td>
<td>Brief, Frequent</td>
<td>None</td>
</tr>
<tr>
<td>224F2</td>
<td>Very High</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>318C2</td>
<td>Medium</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>318D2</td>
<td>Medium</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>327B</td>
<td>Low</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>667A</td>
<td>Low</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>667B</td>
<td>Low</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>680B</td>
<td>Low</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>791B</td>
<td>Low</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>
| 820E     | Hennepin: Very High  
Casco: High | None             | None              |
| 865      | N/A            | None             | None              |
| 969E2    | Casco: Medium  
Rodman: Low | None             | None              |
| 969F     | Casco: High    
Rodman: Medium | None             | None              |
| 3082A    | Negligible     | January-May: Brief, Frequent  
June-December: None | January-December: Brief, Frequent |
| 3107A    | Negligible     | January-May: Brief, Frequent  
June-December: None | January-December: Brief, Frequent |

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

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

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

**SOILS LIMITATIONS:** Limitations for camp areas, small commercial building and conventional sewage disposal systems. Please note this information is based on information compiled as part of the USDA-NRCS 2007 Soil Survey of Kendall County, IL and does not replace site specific soil testing.
Table 2a:

<table>
<thead>
<tr>
<th>Soil Type</th>
<th>Small Commercial Building</th>
<th>Camp Areas</th>
<th>Conventional Sewage Disposal System</th>
</tr>
</thead>
<tbody>
<tr>
<td>134C2</td>
<td>Somewhat Limited: Slope, Shrink-swell</td>
<td>Not Limited</td>
<td>Not Limited</td>
</tr>
<tr>
<td>193B</td>
<td>Somewhat Limited: Shrink-swell, Depth to saturated zone</td>
<td>Somewhat Limited: Slow water movement, Depth to saturated zone</td>
<td>Not Limited</td>
</tr>
<tr>
<td>193C2</td>
<td>Somewhat Limited: Slope, Shrink-swell</td>
<td>Somewhat Limited: Slow water movement</td>
<td>Not Limited</td>
</tr>
<tr>
<td>199A</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Not Limited</td>
<td>Not Limited</td>
</tr>
<tr>
<td>210A</td>
<td>Very Limited: Subsidence, Depth to saturated zone, Organic matter content</td>
<td>Not Rated</td>
<td>Limited Reason: Wet, organic</td>
</tr>
<tr>
<td>224F2</td>
<td>Very Limited: Slope, depth to saturated zone</td>
<td>Very Limited: Slope, Slow water movement, Depth to saturated zone</td>
<td>Not Limited</td>
</tr>
<tr>
<td>318C2</td>
<td>Somewhat Limited: Slope</td>
<td>Not Limited</td>
<td>Limited Reason: Gravel</td>
</tr>
<tr>
<td>318D2</td>
<td>Very Limited: Slope</td>
<td>Somewhat Limited: Slope</td>
<td>Limited Reason: Gravel</td>
</tr>
<tr>
<td>327B</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Not Limited</td>
<td>Limited Reason: Gravel</td>
</tr>
<tr>
<td>667A</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Not Limited</td>
<td>Not Limited</td>
</tr>
<tr>
<td>667B</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Not Limited</td>
<td>Not Limited</td>
</tr>
<tr>
<td>680B</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Not Limited</td>
<td>Not Limited</td>
</tr>
<tr>
<td>791B</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Not Limited</td>
<td>Not Limited</td>
</tr>
<tr>
<td>86S</td>
<td>Not Rated</td>
<td>Not Rated</td>
<td>Limited: Reason: Gravel</td>
</tr>
<tr>
<td>3082A</td>
<td>Very Limited: Flooding, Depth to saturated zone</td>
<td>Very Limited: Depth to saturated zone, Flooding</td>
<td>Limited: Reason: Frequently flooded</td>
</tr>
<tr>
<td>3107A</td>
<td>Very Limited: Flooding, Depth to saturated zone, Shrink-swell</td>
<td>Very Limited: Depth to saturated zone, Flooding</td>
<td>Limited: Reason: Frequently flooded</td>
</tr>
</tbody>
</table>

**Septic Systems:** The factors considered for determining suitability are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. The major features considered are soil permeability, percolation rate, groundwater level, depth to bedrock, flooding hazards, and slope. Soils are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Installation of an on-site sewage disposal system in soils designated as unsuitable may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact the Kendall County Health Department (811 W. John Street, Yorkville, IL; (630)553-9100 ext. 8026).
Kendall County Land Evaluation and Site Assessment (LESA):
Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **LAND EVALUATION (LE)** – The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

- **SITE ASSESSMENT (SA)** – The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.

Table 4a: Land Evaluation Computation

<table>
<thead>
<tr>
<th>Soil Type</th>
<th>Value Group</th>
<th>Relative Value</th>
<th>Acres</th>
<th>Product (Relative Value x Acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>134C2</td>
<td>5</td>
<td>82</td>
<td>6.7</td>
<td>549.4</td>
</tr>
<tr>
<td>193B</td>
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LE Score

LE = 11281/161

LE = 70
The Land Evaluation score for this site is 70, indicating that this site is not well suited for agricultural uses.

<table>
<thead>
<tr>
<th>Table 4b: Site Assessment Computation</th>
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<tbody>
<tr>
<td>A. <strong>Agricultural Land Uses</strong></td>
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<tr>
<td>1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)</td>
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<tr>
<td>2. Current land use adjacent to site. (30-20-15-10-0)</td>
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<td>3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)</td>
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<td>4. Size of site. (30-15-10-0)</td>
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<td>B. <strong>Compatibility / Impact on Uses</strong></td>
</tr>
<tr>
<td>1. Distance from city or village limits. (20-10-0)</td>
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<td>2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)</td>
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<td>3. Compatibility of agricultural and non-agricultural uses. (15-7-0)</td>
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<td>C. <strong>Existence of Infrastructure</strong></td>
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<td>1. Availability of public sewage system. (10-8-6-0)</td>
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<td>2. Availability of public water system. (10-8-6-0)</td>
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<td>3. Transportation systems. (15-7-0)</td>
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<td>4. Distance from fire protection service. (10-8-6-2-0)</td>
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<td><strong>Site Assessment Score:</strong></td>
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Land Evaluation Value: 70 + Site Assessment Value: 103 = LESA Score: 173

The LESA Score for this site is 173 which indicates a low level of protection for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

**Wetlands:** The U.S. Fish & Wildlife Service's National Wetland Inventory map does indicate the presence of a wetland. If a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

**Floodplain:** The parcel is located within the floodplain.

**Sediment and Erosion Control:** Development on this site should include an erosion and sediment control plan in accordance with local, state and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the Illinois Urban Manual (http://aiswcd.org/ium/) for appropriate best management practices.
Project Site Map: c/o Dickson Valley Ministries
LAND USE OPINION:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Dickson Valley Ministries for the proposed expansion of their Camp & Retreat Center. This parcel is located in the W3/4 of Section 17 in Fox Township (T.36N.- R.6E. of the 3rd Principal Meridian) in Kendall County. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board has the following opinions and recommendations.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. A land evaluation, which is a part of the Land Evaluation and Site Assessment (LESA) was conducted on this parcel. The soils on this parcel scored a 70 out of a possible 100 points indicating the soils are not well suited for agricultural uses.

In addition, soils can have potential limitations for development. This report indicates that for soils located on the parcel: 81.4% of the soils are limited for conventional sewage disposal systems; 70.8% are very limited for small commercial building and 56.5% are very limited for camp areas. This information is based on the soil in an undisturbed state. Some soil reclamation, special design, or maintenance may be required to obtain suitable soil conditions to support these types of development. Please note that the original soil profile has been altered due to past development and in some areas where previous building/development has occurred. As a result, this site contains disturbed soils and the material found on site may not correspond to the soil type indicated within these areas within the Soil Survey of Kendall County. Additionally, since the scope of the project includes the use of onsite septic systems, please consult with the Kendall County Health Department.

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

For intense use it is recommended that the drainage tile survey completed on the parcel to locate the subsurface drainage tile be taken into consideration during the land use planning process. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

The information that is included in this Natural Resources Information Report is to assure the Land Developers take into full consideration the limitations of that land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Complied Statutes, Ch. 70, Par 405/22.02a).
Chairman Ashton called the meeting to order at 7:00 p.m.

ROLL CALL
Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Bill Davis, Larry Nelson, Ruben Rodriguez, Benjamin Schroeder, and Claire Wilson
Members Absent: John Shaw
Staff Present: Matthew H. Asselmeier, Senior Planner, and Ruth Ann Sikes, Part Time Office Assistant (Zoning)
In the Audience: Mark Caldwell, Todd Milliron, Ron Mund, and Chris Paluch

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

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

PETITIONS
19-11 Mark Caldwell on Behalf of Dickson Valley Ministries
Mark Caldwell, on behalf of Dickson Valley Ministries, is requesting a major amendment to their special use permit to repeal the site plan adopted by Ordinance 2014-05 and replace the site plan with the proposed site plan. The Petitioner desires the amendment in order to have a long-range plan for their facilities.

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

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

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

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

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

The Petitioner submitted an application for NRI. The LESA Score was 173 indicating a low level of protection.

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

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

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

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

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

ZPAC met on this proposal on April 2, 2019. The Petitioner stated that the project number of people onsite will not change from the 2014 projection which was an increase of forty percent (40%). Discussion occurred regarding a right-of-way dedication for Finnie Road. The suggestion was made to have right-of-way dedication within ten (10) years. The sign would encroach into the setback if a dedication occurred. If the plan was developed fully, the investment would be Four Point Five Million Dollars ($4.5 Million). Development will not occur onsite near any protected area as identified in the EcoCat Report. ZPAC unanimously recommended approval of the proposal.

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

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

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

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

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) “overnight campers.” This number is inclusive of as many as one hundred (100) day-only campers during the summer.

2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).

3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.

4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house with no more than a total of twelve thousand square feet (12,000 sq. ft.) under roof. The capacity for meetings and activities for up to two hundred fifty (250) campers year-round with some sections for open air activities. The plan also calls for various freestanding decks for small groups or activities, two (2) open air camper pavilion areas with maximum capacity of fifty (50) people each at two thousand square feet (2,000 sq. ft.) in size. The area will also host day camp activities, including water activities (i.e. splash pad, or wading fountain). The fifty thousand square feet (50,000 sq. ft.) of combined septic field serving all new restrooms will also be located in this area.

5. Development B, Resident Camp Area, shall consist of four (4) year-round camper cabins of no more than two thousand five hundred square feet (2,500 sq. ft.) each for total housing of twenty (20) persons per cabin. There will be one (1) additional summer staff cabin at two thousand square feet (2,000 sq. ft.).

6. Development C, Activity Area shall consist of an outdoor high ropes course, by sky-tracks or similar, mini golf course, ice rink pavilion, free standing decks for small groups and one (1) summer staff cabin of no more than two thousand square feet (2,000 sq. ft.).

7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods with seating up to three hundred fifty (350), camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area.

8. Development E, Entrance Drive, shall consist of a gatehouse for a controlled entrance and a six (6) bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated.

9. Development F, Maintenance Area, shall consist of a new shop not to exceed eight thousand square feet (8,000 sq. ft.) and removal of the old shop or remodel the old shop into storage.

10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building.

11. Development H, North Activity Area, shall consist of primitive campsites, no permanent structures, a parking area off of Finnie Road, high climbing tower, zip lines, miscellaneous team activities and a pedestrian walkway over/under/across Finnie Road.
12. The Retreat Development Zone shall consist of a water filtration station, including possible new structures or addition to the existing well. A new building for recreation room, snack shop, and host offices are also planned for this zone.

13. Addition 1, Director’s Lodge, shall consist of a fourteen foot by eighteen foot (14’ x 18’) dining room addition. The current structure is one hundred twenty-six feet (126’) offset from the road. The site plan shall be amended to delete the additional three foot (3’) encroachment.

14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west, which will increase seating from two hundred (200) to two hundred fifty (250). A lower level of addition could include offices or meeting space and the kitchen will be upgraded as needed.

15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces to accommodate eighty to one hundred (80-100) people, an addition of two (2) separate “leaders” rooms with restrooms, and remodel and add-on to program office for camp store.

16. Addition 4, Oulund Chalet, shall consist of remodeling of the upper level to improve housing space and remodeling of restrooms.

17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition for four (4) separate “leaders” rooms with restrooms.

18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodeled to restrooms, and development of an exterior high ropes courses or similar.

19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing and Additions to lodge for possible staff housing and extra space.

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

Any new buildings would have to meet applicable building codes.

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

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

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

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

The proposed Findings of Fact were:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The existing special use has been in existence since the 1970s with no known complaints to the Planning, Building and Zoning Department. Provided the site is developed as proposed, the proposed use of the site will not be detrimental or endanger the public health, safety, morals, comfort or general welfare.
That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The proposed use has been in existence at the subject property since the 1970s and no known issues exist which might cause injury to neighboring property owners or diminished property values.

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

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

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. This statement is true.

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

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.

2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan. In the event that a revised site plan is not submitted, the additional three foot (3') encroachment mentioned in Addition 1 shall be removed from the approved Site Plan. (Added per Fox Township).

3. When requested by either Fox Township or the Kendall County Highway Department, the Petitioner shall dedicate thirty-five feet (35') of right-of-way as measured from the centerline of Finnie Road for Finnie Road right-of-way. The sign shown on the attached Site Plan may remain at its current locations if the right-of-way dedication occurs.

4. Any crossings over, on, or below the Finnie Road right-of-way shall be approved by Fox Township (Added per Fox Township)

5. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use. (Though not mentioned specifically, the Kendall County Stormwater Management Ordinance is one (1) of the local laws that must be followed; this should address Fox Township’s concerns about stormwater regulations.)

6. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the proposal.
special use permit.

7. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

8. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

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

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

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

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

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

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

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

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

19-13 Kendall County Regional Planning Commission
Mr. Asselmeier summarized the request.

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

For reference, “Home Occupation” related terms are defined as follows:
HOME OCCUPATION Any occupation or profession engaged in by an occupant of a dwelling unit as a use which is clearly incidental and secondary to the use of the dwelling as a residence.

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

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

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

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

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

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

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

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

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

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

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

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

Member Nelson made a motion, seconded by Member Davis, to move this proposal on to the Zoning Board of Appeals for a hearing.
Ayes (8): Ashton, Bledsoe, Casey, Davis, Nelson, Rodriguez, Schroeder, and Wilson
Nays (0): None
Absent (1): Shaw

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

OLD BUSINESS
None

CITIZENS TO BE HEARD/ PUBLIC COMMENT
Ronald Munz expressed concerns about Petition 19-11. The first concern was traffic. The other concern was aesthetics.

NEW BUSINESS
Consideration and Action to Amend or Withdraw Petition 19-09 Regarding a Request from Kendall County Regional Planning Commission Pertaining to a Text Amendment Making Sheriff’s Office Shooting Ranges a Permitted Use in Oswego township.
Member Nelson made a motion, seconded by Member Casey, to withdraw Petition 19-09.

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

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

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

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

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

The motion carried. The proposal is withdrawn.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
None

OTHER BUSINESS/ANNOUNCEMENTS
The next meeting will be May 22nd with Petitions 19-11 and 19-12 probably on the agenda.
ADJOURNMENT
Member Wilson made a motion, seconded by Member Davis, to adjourn. With a voice vote of eight (8) ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 8:45 p.m.

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

Enc.
KENDALL COUNTY
REGIONAL PLANNING COMMISSION
APRIL 24, 2019

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

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

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

ADDRESS
10978 Crimmin Road, Newark

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

TOWNSHIP
Fox

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

LOT SIZE
38.34 +/- Acres

EXISTING LAND USE
Agricultural/Farmstead
ZONING
A-1 Agricultural District

LRMP

Future Land Use
Agricultural

Roads
Crimmin Road is a Major Collector Road and is also classified as a Scenic Route.

Trails
None

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

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

APPLICABLE REGULATIONS
§ 7.01 D.10 – A-1 Special Uses – Permits Banquet Facilities to be Located in the A-1 District with Approval of a Special Use Provided that the Facility Meets Certain Criteria

§ 13.08 – Special Use Procedures

SURROUNDING LAND USE

<table>
<thead>
<tr>
<th>Location</th>
<th>Adjacent Land Use</th>
<th>Adjacent Zoning</th>
<th>Land Resource Management Plan</th>
<th>Zoning within ½ Mile</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Agricultural/Wooded/ Millington Forest Preserve</td>
<td>A-1</td>
<td>Rural Residential (Max 0.60 DU/Acre) and Forest Preserve</td>
<td>A-1</td>
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<tr>
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<td>A-1</td>
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<tr>
<td>East</td>
<td>Millington Forest Preserve</td>
<td>A-1</td>
<td>Forest Preserve</td>
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<tr>
<td>West</td>
<td>Agricultural/Farmstead</td>
<td>A-1</td>
<td>Rural Residential (Max 0.60 DU/Acre)</td>
<td>A-1, A-1 SU, R-2, and R-3</td>
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</tbody>
</table>

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

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

An aerial of the property is included as Attachment 7.

PHYSICAL DATA

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

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

Negative impacts to the above are considered unlikely and consultation was terminated. EcoCat
related materials are included as Attachment 1, Pages 26-29.

**NATURAL RESOURCES INVENTORY**

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

**ACTION SUMMARY**

**FOX TOWNSHIP**

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

**NEWARK FIRE PROTECTION DISTRICT**

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

**VILLAGE OF NEWARK**

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

**ZPAC**

ZPAC reviewed this proposal at their meeting on April 2, 2019. The Health Department provided information about well monitoring. A site survey will be completed defining the location of the existing septic system. The equestrian business will continue at the property as a separate business. Discussion occurred regarding the planned the realignment of Crimmin Road. ZPAC recommended approval with all but (1) member voting yes. One (1) member voted present. The minutes of the meeting are included as Attachment 16.

**GENERAL**

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

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

a. The facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan.

b. The subject parcel must be a minimum of 5 acres.

c. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)

d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance.

e. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.

f. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
g. The noise regulations are as follows:

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

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

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

The subject property and proposed business meets the above requirements.

**BUSINESS OPERATION**

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

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

An existing pond is located east of the horse barn.

The hours of operation will be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st.

The proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

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

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

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

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

**BUILDING CODES**

An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.
ENVIRONMENTAL HEALTH
Portable bathrooms will be used for events. Staff would like comments from the Health Department regarding the proposal.

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

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

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

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

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

NOISE CONTROL
All music and noise shall originate inside the venue except for processionals and recessional at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face east and the barn doors will remain closed after 7:00 p.m.

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

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

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

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

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

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

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

RECOMMENDATION

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

1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and parking illumination plan.
2. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.
3. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
4. The subject parcel must maintain a minimum of five (5) acres.
5. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
6. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.
7. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property. (Last sentence added after discussion with Fox Township).
8. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
9. The noise regulations are as follows:
   Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.
   Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.
   **EXEMPTION:** Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o’clock (7:00) A.M. and ten o’clock (10:00) P.M.
10. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. Barn doors shall close by 7:00 p.m.

11. The hours of operation shall be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st.

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

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

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

15. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.

16. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.

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

ATTACHMENTS
1. Application Materials (Including Business Plan)
2. Site Plan
3. Building Elevation
4. Landscaping Plan
5. Parking Illumination Plan
6. Interior Plan
7. Aerial
8. Entrance Looking South
9. Entrance Looking East
10. Entrance Looking North
11. Entrance Looking West
12. Exit Looking South
13. Exit Looking East
14. Exit Looking North
15. Exit Looking West
16. April 2, 2019 ZPAC Minutes
17. NRI Report
18. April 16, 2019 Fox Township Comments
DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

APPLICATION

NAME OF APPLICANT
JoAnn Bright-Theis

CURRENT LANDOWNER/NAME(s)
Robert Bright

SITE INFORMATION

ACRES SITE ADDRESS OR LOCATION ASSESSOR'S ID NUMBER (PIN)
.18 10978 Crimmin Rd., Newark IL 60541 04-31-200-13

EXISTING LAND USE CURRENT ZONING LAND CLASSIFICATION ON LRMP
AGR AGR A1

REQUESTED ACTION (Check All That Apply):

X SPECIAL USE _ MAP AMENDMENT (Rezone to ___) _ VARIANCE

ADMINISTRATIVE VARIANCE _ A-1 CONDITIONAL USE for:__________ _ SITE PLAN REVIEW

TEXT AMENDMENT _ RPD (___Concept; ___ Preliminary; ___ Final) _ ADMINISTRATIVE APPEAL

PRELIMINARY PLAT _ FINAL PLAT _ OTHER PLAT (Vacation, Dedication, etc.)

AMENDMENT TO A SPECIAL USE (___Major: ___Minor)

PRIMARY CONTACT PRIMARY CONTACT MAILING ADDRESS PRIMARY CONTACT EMAIL
Adam R Theis 10978 Crimmin Rd., Newark IL 60541

PRIMARY CONTACT PHONE # PRIMARY CONTACT FAX # PRIMARY CONTACT OTHER # (Cell, etc.)

ENGINEER CONTACT ENGINEER MAILING ADDRESS ENGINEER EMAIL
Ray Toth 196 E South St, Elmhurst, IL 60126 sparks9@sbcglobal.net

ENGINEER PHONE # ENGINEER FAX # ENGINEER OTHER # (Cell, etc.)
630-530-3700

I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.

I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.

SIGNATURE OF APPLICANT DATE

FEE PAID: $ __________ CHECK #: __________

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

RECEIVED MAR 26 2013

Last Revised: 11.24.14
Special Use
Mission Statement

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

Business Plan

Hours of Operation:

Monday – Thursday: 9:00 AM – 10:00 PM

Friday – Saturday: 9:00 AM – 12:00 PM

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

Closed for the Winter: Reopen April 1st

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

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

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

# of Employees: 1

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

NO CASH BARS allowed

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

BrighterDaze Farm to provide permanent facilities by 2021

Max Occupancy: 280 people

10978 Crimmins Rd • Newark, IL 60541 • (630) 774-0042 • joannbright91@gmail.com
Venue Information: 60' x 120' (7,200 sq ft) Converted Arena w/ Concrete Flooring

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

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

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

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

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

Distance from Venue to Crimmin Rd = 700'

Setback from Crimmin Rd to neighbors residence = 200'

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

   34 Regular Parking Spaces + 4 Handicapped Spaces (Venue)

   75 Regular Parking Spaces (Remote Parking)

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

Sale of Ancillary Items

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

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

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<th>Header</th>
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<td>H-5755</td>
<td>36 x 12&quot;</td>
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SCHEDULE A

ORDER NO. [Redacted]

Property Ref.: Vacant land, Newark, IL 60541

1. Effective Date: September 20, 2017

2. Policy or Policies to be issued:
   
a. ALTA Owner's Policy 2006
   Proposed Insured: Madison Trust Company, Custodian FBO Robert A. Bright M1507085
   Policy Amount: $250,000.00

   b. ALTA Loan Policy 2006
   Proposed Insured: First National Bank, its successors and/or assigns as their respective interests may appear
   Policy Amount: $390,000.00

3. The estate or interest in the land described or referred to in this Commitment is:
   Fee Simple

4. Title to the estate or interest in the land is at the Effective Date vested in:
   First National Bank of Omaha, DeKalb Illinois, (formerly known as Castle Bank, a division of First National Bank of
   Omaha) as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Nuber 2526, as to
   parcels 1 and 2

   Madison Trust Company, Custodian FBO Robert A. Bright M1507085 as to parcel 3
SCHEDULE A
(continued)

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

PARCEL 1:


COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET FOR A POINT OF BEGINNING; THENCE WEST, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTH-WESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 1058.74 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH IS TANGENT TO THE LAST DESCRIBED CURVE AT THE LAST DESCRIBED POINT, 299.42 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A CURVE TO THE LEFT WITH A RADIUS OF 730.0 FEET, AN ARC DISTANCE OF 8.76 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 29; THENCE SOUTHERLY, ALONG SAID WEST LINE, 22.82 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 53 MINUTES 45 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 1066.40 FEET; THENCE SOUTH SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 16 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 889.54 FEET TO A POINT ON A SOUTHERLY LINE OF A TRACT CONVEYED TO ROBERT A BRIGHT, AS TRUSTEE OF THE ROBERT A BRIGHT DECLARATION OF TRUST, TRUSTEE'S DEED RECORDED AS DOCUMENT 9801248 ON FEBRUARY 4, 1998; THENCE SOUTH-WESTERLY ALONG SAID SOUTHERLY LINE WHICH FORMS AN ANGLE OF 99 DEGREES 59 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 197.0 FEET TO A SOUTHERLY CORNER OF SAID BRIGHT TRACT; THENCE NORTH-WESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 95 DEGREES 37 MINUTES 45 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 359.61 FEET TO A POINT ON A LINE DRAWN EASTERLY, PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 32, FROM THE POINT OF BEGINNING AND WHICH IS 607.20 FEET FROM THE POINT OF BEGINNING; THENCE WESTERLY, ALONG SAID PARALLEL LINE WHICH FORMS AN ANGLE OF 107 DEGREES 48 MINUTES 12 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 607.20 FEET TO THE POINT OF BEGINNING;

SCHEDULE A
(continued)

FOR A POINT OF BEGINNING; THENCE CONTINUING SOUTHERLY, ALONG SAID EAST LINE, 178.96 FEET; THENCE WESTERLY, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 500.21 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 230.00 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 105.22 FEET TO THE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET; THENCE WESTERLY, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 500.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 230.00 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 105.22 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 31, WHICH IS 233.54 FEET SOUTHERLY OF THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHERLY, ALONG SAID EAST LINE, 233.54 FEET TO SAID NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 112 DEGREES 15 MINUTES 30 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 341.46 FEET; THENCE NORTHWesterLY, ALONG A LINE WHICH FORMS AN ANGLE OF 160 DEGREES 32 MINUTES 46 SECONDS WITH THE LAST

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SCHEDULE A
(continued)

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

PARCEL 2:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET; THENCE WEST, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 500.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 230.00 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 105.22 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 31 WHICH IS 233.54 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHERLY, ALONG SAID EAST LINE, 233.54 FEET TO SAID NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 112 DEGREES 15 MINUTES 30 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 341.46 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 160 DEGREES 32 MINUTES 46 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 451.82 FEET TO SAID CENTERLINE OF CRIMMINS ROAD; THENCE SOUTH-WESTERLY, ALONG SAID CENTERLINE, BEING A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF
SCHEDULE A
(continued)

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

PARCEL 3:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET; THENCE WEST, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.00 FEET, AN ARC DISTANCE OF 96.90 FEET; THENCE CONTINUING ALONG SAID CENTERLINE AND THE LAST DESCRIBED COURSE BEING A CURVE TO THE RIGHT WITH A RADIUS OF 2300.00 FEET, AN ARC DISTANCE OF 278.87 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 85 DEGREES 16 MINUTES 45 SECONDS WITH THE CHORD OF THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 336.00 FEET; THENCE SOUTH-WESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 99 DEGREES 38 MINUTES 52 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 64.05 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 92 DEGREES 26 MINUTES 37 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 273.94 FEET; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 79 DEGREES 20 MINUTES 56 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 33.58 FEET; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 79 DEGREES 20 MINUTES 56 SECONDS WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 239.11 FEET; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 92 DEGREES 26 MINUTES 37 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 57.63 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 99 DEGREES 38 MINUTES 52 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 361.78 FEET TO SAID CENTERLINE OF CRIMMINS ROAD; THENCE SOUTHEASTERLY, ALONG SAID CENTERLINE, BEING A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2300.00 FEET, AN ARC DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.
SCHEDULE A
(continued)

IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

END OF SCHEDULE A
SCHEDULE B

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

General Exceptions

1. Rights or claims of parties in possession not shown by Public Records.

2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.

3. Easements, or claims of easements, not shown by the Public Records.

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

5. Taxes or special assessments which are not shown as existing liens by the Public Records.

6. We should be furnished a properly executed ALTA statement and, unless the land insured is a condominium unit, a survey if available. Matters disclosed by the above documentation will be shown specifically.

7. Note for Information: The coverage afforded by this commitment and any policy issued pursuant hereto shall not commence prior to the date on which all charges properly billed by the company have been fully paid.

A 8. Taxes for the years 2017.

B 8. Taxes for the years 2017 are not yet due or payable.

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

Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.(affects part of parcel 1)
SCHEDULE B
(continued)

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

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

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

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


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

Permanent Tax No.: 04-32-100-006-0000 (6 of 12)

Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 1)


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

Permanent Tax No.: 04-32-100-008-0000 (7 of 12)

Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 1)

I  15. Taxes for the years 2017.

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

Permanent Tax No.: 04-30-400-012-0000 (8 of 12)

Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects parts of parcels 2 and 3)


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

Permanent Tax No.: 04-30-400-013-0000 (9 of 12)

Note: Taxes for the year 2016 amounting to $5952.78 are paid of record.
(affects parts of parcels 2 and part of parcel 3)
SCHEDULE B
(continued)

K  17.  Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: 04-30-400-014-0000  (10 of 12)
Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.
(affects part of parcel 2)

L  18.  Taxes for the years 2017.
Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: 04-31-200-013-0000  (11 of 12)
Note: Taxes for the year 2016 amounting to $18,20 are paid of record.
(affects part of parcel 3)

Taxes for the years 2017 are not yet due or payable.
Permanent Tax No.: 04-31-200-014-0000  (12 of 12)
Note: Taxes for the year 2016 amounting to $6,973.78 are paid of record.
(affects part of parcel 2)

N  20.  Mortgage dated December 20, 2011 and recorded January 12, 2012 as Document No. 201200000710 made by Castle Bank, a Division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha to secure an indebtedness in the amount of $900,000.00.
Modification of Mortgage recorded April 25, 2013 as Document No. 201300008721.
(affects parcels 1 and 2)

O  21.  Assignment of Rents recorded January 12, 2012 as Document No. 201200000711 made by Castle Bank, a Division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha.
(affects parcels 1 and 2)
Mortgage dated December 20, 2011 and recorded January 12, 2012 as Document No. 20120000712 made by Castle Bank, a division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha to secure an indebtedness in the amount of $500,000.00.

(affects parcel 2)

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

(affects parcel 2)

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

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

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

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

Any lien, or right to a lien, imposed by law under the provisions of the Commercial Real Estate Broker Lien Act for compensation agreed upon by a broker and the broker's client or customer under the terms of a written agreement entered into for the purposes of buying, selling, leasing, or otherwise conveying any interest in the Land described in Schedule A.

The Company should be furnished a statement that there is no property manager employed to manage the Land, or, in the alternative, a final lien waiver from any such property manager.
SCHEDULE B
(continued)

AF 27. The Company should be furnished the following:
   a) A Certification of Trust executed by the trustee in accordance with 760 ILCS 5/8.5,
      together with excerpts of the trust agreement and amendments thereto relating to the designation
      of trustees and the power of the trustee to act in the current transaction, or
      b) In the alternative, the trustee, in his or her sole discretion, may deliver to the
      Company a full copy of the trust agreement together with all amendments thereto.

   The Company reserves the right to add additional items or make further requirements after review
   of the requested documentation.

S 28. Terms, powers, provisions, and limitations of the Trust under which title to the Land is held.

T 29. The Land described in Schedule A either is unsubdivided property or constitutes part of a subdivided lot.
   As a result, a Plat Act Affidavit should accompany any conveyance to be recorded. In the alternative,
   compliance should be had with the provisions of the Plat Act (765 ILCS 205/1 et seq.)

AD 30. Existing unrecorded leases and all rights thereunder of the lessees and of any person or party claiming by,
       through or under the lessees.

U 31. Rights of the public, the state of Illinois and the municipality in and to that part of the land, if any, taken or
      used for road purposes. Affects part of the land lying in Crimmin Road in survey dated Jan 5, 1998 by
      James M. Olson, surveyor no. 2253.

V 32. Rights of way for drainage tiles, ditches, feeders, laterals and underground pipes, if any.

W 33. Rights of owners of land bordering on the streams in respect to the water and use of the surface of said
      body of water.

X 34. Easement granted June 9, 1964 and recorded July 21, 1964 as document 145640 by Crimmins, et al to
       Illinois Power Company, its successors and assigns, the right and easement for public utilities purposes
       as described therein, together with the right of ingress and egress thereto for said purposes. Said
       easement was assigned to Northern Illinois Gas Company, its successors and
       assigns, by instrument recorded March 3, 1966 as document 151253.

Y 35. Encroachment of the fence located mainly on the land onto the property North and adjoining by
      approximately 3.2 feet and along the West line measuring 255.45 feet by approximately 1.3 feet in section
      30, land onto the property Southerly and adjoining by approximately 16.4 feet and the property
      Southerly and adjoining by Approximately 19.4 feet in section 31 and onto the property South and adjoining
      by approximate 8.5 feet and onto the property East and adjoining by approximate 7.5 feet in section 28;
      onto property North and adjoining by approximate 20.5 feet in section 29; as shown on plat of survey
SCHEDULE B  
(continued)  

Z  36. Easement in favor of Nicor Gas, and its/their respective successors and assigns, to install, operate and maintain all equipment necessary for the purpose of serving the land and other property, together with the right of access to said equipment, and the provisions relating thereto contained in the grant recorded/filed as document no. 2000004172. (see instrument for affects)  

AA  37. Terms and provisions of a Kendall County Health Department Well Variance recorded October 19, 2004 as Document No. 200400029156.  
(For further particulars, see record.)  

AG  38. All endorsement requests should be made prior to closing to allow ample time for the company to examine required documentation. (This note will be waived for policy).  

AH  39. Note for additional information: the "Kendall" county recorder requires that any documents presented for recording contain the following information:  

A. The name and address of the party who prepared the document;  
B. The name and address of the party to whom the document should be mailed after recording;  
C. All permanent real estate tax index numbers of any property legally described in the document;  
D. The address of any property legally described in the document;  
E. All deeds should contain the address of the grantee and should also note the name and address of the party to whom the tax bills should be sent.  
F. Any deeds conveying unsubdivided land, or, portions of subdivided land, may need to be accompanied by a properly executed "plat act affidavit."  

AI  40. For residential property only:  

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

END OF SCHEDULE B
Title Insurance Agent:

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

Authorized Signatory
CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.

2. If the proposed insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed insured shall disclose such knowledge to the Company or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.

3. Liability of the Company under this Commitment shall be only to the named proposed insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.

4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

5. The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is $2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at http://www.alta.org.

END OF CONDITIONS

1031 EXCHANGE SERVICES

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

1. Applicant: Madison Trust Company FBO Robert Bright M1507085

Address: 401 East 8th Street Suite 200P

City: Sioux Falls
State: SD
Zip: 57103

2. Nature of Benefit Sought: Special Use Permit

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

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

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

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>INTEREST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert Bright</td>
<td>10978 Crimmin Rd Newark IL 60541</td>
<td>100%</td>
</tr>
</tbody>
</table>

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

[Redacted]

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

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

(seal)

[Redacted]

CHAYA TOVA SLATER
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SL6348908
Qualified in Rockland County
My Commission Expires 10-03-2020
CORPORATE RESOLUTION

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

I. Organization Information

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

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

III. Authorized Signatories:

The Individuals who sign below are authorized to:

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

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

Name of authorized signatories:
E. Brian Finkelstein, Chairman
Mervyn Klein, CEO
Daniel Gleich, President

Dated: 02/20/2018

Dated: 02/20/2018

Dated: 02/20/2018
Additional Persons who can conduct transactions:

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

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

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

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

The undersigned signatories of Madison Trust Company hereby certify that:

- Each of the authorized signatories listed below is authorized by resolution of the board of directors to act on behalf of the organization in connection with any of the Madison Trust Company accounts.

- Madison Trust Company agrees to indemnify and hold harmless any investment company, its officers, employees and agents from and against all losses, claims and expenses (including attorney's fees) incurred by the investment company for relying in good faith upon the information provided in this resolution and for action on instructions believed by the investment company to have originated from any authorized signatory or additional authorized person listed above.

- This resolution remains in full force and effect until revoked by an authorized signatory of Madison Trust Company. Any revocation will not affect any liability resulting from transactions initiated before the investment company has had a reasonable amount of time to act upon the revocation.

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

**Authorized Signatories:**

E. Brian Finkelstein, Chairman

Dated: 02/20/2018

Mervyn Klein, CEO

Dated: 02/20/2018

Daniel Gleich, President

Dated: 02/20/2018
KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

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

2. Nature of Benefit Sought: Special Use Permit

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

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

   Event Venue

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

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>INTEREST</th>
</tr>
</thead>
<tbody>
<tr>
<td>JoAnn Bright-Theis</td>
<td>10978 Crimmins Rd Newark, IL 60541</td>
<td>25%</td>
</tr>
<tr>
<td>Adan Theis</td>
<td>10978 Crimmins Rd Newark, IL 60541</td>
<td>25%</td>
</tr>
<tr>
<td>Nicola Bright</td>
<td>10978 Crimmins Rd Newark, IL 60541</td>
<td>25%</td>
</tr>
<tr>
<td>Robert Bright</td>
<td>10978 Crimmins Rd Newark, IL 60541</td>
<td>25%</td>
</tr>
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</table>

6. Name, address, and capacity of person making this disclosure on behalf of the applicant:
   JoAnn Bright-Theis 10978 Crimmins Rd Newark, IL 60541

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

Subscribed and sworn to before me this ______ day of ______________________, A.D. __________

(seal)

Notary Public
NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

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

**Contact Person:** JoAnn Bright-Theis  
**Address:** 10978 Crimmin Rd  
**City, State, Zip:** Newark, IL 60541  
**Phone Number:** ( )  
**Email:**

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

**Site Location & Proposed Use**  
**Township Name:** Fox Township  
**Parcel Index Number(s):** 04-31-200-013  
**Project or Subdivision Name:** N/A  
**Number of Acres:** .28

**Current Use of Site: A1**  
**Number of Structures:** n/a

**Proposed Use:** General Public  
**Proposed Number of Lots:** n/a  
**Proposed Number of Structures:** n/a

**Proposed Water Supply:** Well (On-Site)  
**Proposed type of Wastewater Treatment:** n/a

**Proposed type of Storm Water Management:** n/a

**Type of Request**

☐ Change in Zoning from ____________ to ____________  
☐ Variance (Please describe fully on separate page)  
☑ Special Use Permit (Please describe fully on separate page)

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

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

☑ Plat of Survey/Site Plan – showing location, legal description and property measurements  
☑ Concept Plan – showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.

☐ if available: topography map, field tile map, copy of soil boring and/or wetland studies

☐ NRI fee (Please make checks payable to Kendall County SWCD)

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

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

| Fee for first five acres and under | $ 375.00 |
| Additional Acres at $18.00 each | $ ____________ |
| **Total NRI Fee** | $ ____________ |

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

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

_________________________  _________________________
Petitioner or Authorized Agent  Date

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

---

**FOR OFFICE USE ONLY**

NRI#_1907  Date initially rec’d  3/14/19  Date all rec’d  Board Meeting  April 2019

Fee Due $__________ Fee Paid $__________ Check #__________ Over/Under Payment ____________ Refund Due ____________
Applicant: Robert Bright  
Contact: JoAnn Bright-Theis  
Address: 10978 Crimmin Rd  
Newark, IL 60541  

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

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

Natural Resource Review Results

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

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

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

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

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

County: Kendall  
Township, Range, Section:
36N, 6E, 29  
36N, 6E, 30  
36N, 6E, 31  
36N, 6E, 32

IL Department of Natural Resources Contact
Justin Dillard  
217-785-5500  
Division of Ecosystems & Environment

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

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

Page 1 of 3
Terms of Use

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

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

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

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

Security

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

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

Privacy

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

Project Code 1908293

APPLICANT         DATE

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

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TOTAL PAID $127.94

Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov
March 04, 2019

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

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

Dear Applicant:

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

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

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

Please contact me if you have questions regarding this review.

[Signature]

Justin Dillard  
Division of Ecosystems and Environment  
217-785-5500
Please fill out the following findings of fact to the best of your capabilities. §13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals shall consider in rendering a decision, but is not required to make an affirmative finding on all items in order to grant a **special use**. They are as follows:

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

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

*That the special use will not be substantially injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole.*

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

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

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

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

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

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.*

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

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

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

---

### Calculation Values

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### Luminaire Data

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*Scale: 1 inch = 20 ft*
OVERALL PLAN

CALCULATION FOR REQUIRED TOILET FIXTURES PER IL PLUMBING CODE

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<th>OCCUPANTS</th>
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<td>FEMALE</td>
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CALCULATION FOR REQUIRED TOILET FIXTURES:

4.076 SF / 15 SF per 100 (males + females) = 485 occupants

SAI
SPARKS ARCHITECTS INCORPORATED

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

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

A2
03-15-18

FOR REVIEW
**Luminaire Schedule**

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*NOTE: Calculation Summary*

- **Brighter Daze, Workpl.:** Illuminance (Fc) 43.00 22.03 54.26 43.00 122.1 1.9 32.68 13.1 2.1
- **Corridor_Floor:** Illuminance (Fc) 7.72 3.68 6.24 13.1 2.1 3.68 13.1 2.1
- **Exterior_Perimeter:** Illuminance (Fc) 3.81 0.0 0.0 3.81 26.0 0.0 0.0 26.0 0.0
- **Stall_Floor:** Illuminance (Fc) 28.14 35.0 23.2 28.14 35.0 23.2 1.21 1.21

*NOTE: Expanded Luminaire Location Summary*

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*TOTAL QUANTITY: 45*
PBZ Committee Chairman Matthew Prochaska called the meeting to order at 9:00 a.m.

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

Absent:
Greg Chismark – WBK Engineering, LLC

Audience:
Mark Caldwell, Adam Theis, and JoAnn Bright-Theis

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

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

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

Mr. Asselmeier summarized the request.

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

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

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

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

Ordinance 2014-05 also included a site plan, which the Petitioner wishes to amend.
The Petitioner desires the update to their existing site plan in order to meet their needs. The long-range plan will take no less than ten (10) years and will occur as funding allows.

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

The proposed changes are as follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) "overnight campers." This number is inclusive of as many as one hundred (100) day-only campers during the summer.

2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).

3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.

4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house with no more than a total of twelve thousand square feet (12,000 sq. ft.) under roof. The capacity for meetings and activities for up to two hundred fifty (250) campers year-round with some sections for open air activities. The plan also calls for various freestanding decks for small groups or activities, two (2) open air camper pavilion areas with maximum capacity of fifty (50) people each at two thousand square feet (2,000 sq. ft.) in size. The area will also host day camp activities, including water activities (i.e. splash pad, or wading fountain). The fifty thousand square feet (50,000 sq. ft.) of combined septic field serving all new restrooms will also be located in this area. A picture of the Development A is included as Attachment 5.

5. Development B, Resident Camp Area, shall consist of four (4) year-round camper cabins of no more than two thousand five hundred square feet (2,500 sq. ft.) each for total house of twenty (20) persons per cabin. There will be one (1) additional summer staff cabin at two thousand square feet (2,000 sq. ft.). A picture of Development B is included as Attachment 6.

6. Development C, Activity Area shall consist of an outdoor high ropes course, by sky-tracks or similar, mini golf course, ice rink pavilion, free standing decks for small groups and one (1) summer staff cabin of no more than two thousand square feet (2,000 sq. ft.) A picture of Development C is included as Attachment 7.

7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods with seating up to three hundred fifty (350), camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area. A picture of Development D is included as Attachment 8.

8. Development E, Entrance Drive, shall consist of a gatehouse for a controlled entrance and a six (6) bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated. A picture of Development E is included as Attachment 9.

9. Development F, Maintenance Area, shall consist of a new shop not to exceed eight thousand square feet (8,000 sq. ft.) and removal of the old shop or remodel the old shop into storage.

10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building. A picture of Development G is included as Attachment 10.

11. Development H, North Activity Area, shall consist of primitive campsites, no permanent structures, a parking area off of Finnie Road, high climbing tower, zip lines, miscellaneous team activities and a pedestrian walkway over/under/across Finnie Road.

12. The Retreat Development Zone shall consist of a water filtration station, including possible new structures or addition to the existing well. A new building for recreation room, snack shop, and host offices are also planned for this zone.
13. Addition 1, Director’s Lodge, shall consist of a fourteen foot by eighteen foot (14’ x 18’) dining room addition. The current structure is one hundred twenty-six feet (126’) offset from the road and the addition may encroach no more than an additional three feet (3’). A picture of Addition 1 is included as Attachment 11.

14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west, which will increase seating from two hundred (200) to two hundred fifty (250). A lower level of addition could include offices or meeting space and the kitchen will be upgraded as needed. A picture of Addition 2 is included as Attachment 12.

15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces to accommodate eighty to one hundred (80-100) people, an addition of two (2) separate “leaders” rooms with restrooms, and remodel and add-on to program office for camp store. A picture of Addition 3 is included as Attachment 13.

16. Addition 4, Oulund Chalet, shall consist of remodeling of the upper level to improve housing space and remodeling of restrooms. A picture of Addition 4 is included as Attachment 14.

17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition for four (4) separate “leaders” rooms with restrooms. A picture of Addition 5 is included as Attachment 15.

18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar. A picture of Addition 6 is included as Attachment 16.

19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing and Additions to lodge for possible staff housing and extra space. A picture of Addition 7 is included as Attachment 17.

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

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

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

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

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

The Petitioner submitted an application for NRI.

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

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

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

Any new buildings would have to meet applicable building codes.

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

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

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

The Petitioner proposes to make adjustments to their wells and septic systems. These changes will be evaluated as the proposal is implemented. Electricity is already onsite.
Before issuing a recommendation, Staff would like consultation with ZPAC members, the Fox Township Highway Commissioner, and the Sandwich Fire Protection District regarding any concerns to the public health and safety they may possess.

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

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

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

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

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

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

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

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.

2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the proposed Site Plan. The site shall be developed substantially in conformance with the attached Site Plan.

3. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.

4. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.

5. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

6. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

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

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

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

Mr. Asselmeier summarized the request.

JoAnn Bright-Theis would like to establish the BrighterDaze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright.
No variances were requested and the Petitioner will operate the banquet center in compliance with the regulations currently stated in the Zoning Ordinance.

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

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

An existing pond is located east of the horse barn.

The hours of operation will be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st.

The proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

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

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

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

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

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

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

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

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

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

The NRI application was submitted on March 14, 2019.

Fox Township was emailed information on March 27, 2019.

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

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

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

Portable bathrooms will be used for events.
The property fronts Crimmin Road.

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

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

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

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

All music and noise shall originate inside the venue except for processionals and recessionals at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face east and the barn doors will remain closed after 7:00 p.m.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Asselmeier summarized the request.

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

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

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

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

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

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

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

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

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

County regulations cannot supersede federal or state regulations.

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

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

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on April 24, 2019.
REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OLD BUSINESS/NEW BUSINESS

None

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

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

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner
KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
APRIL 2, 2019

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

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NATURAL RESOURCE INFORMATION (NRI)
EXECUTIVE SUMMARY REPORT: 1906

Petitioner: Robert Bright
Contact: JoAnn Bright-Theis

Prepared by:
Kendall County Soil & Water Conservation District
7775A Route 47 • Yorkville, Illinois 60560
Phone: (630)553-5821 x3 • Fax: (630)553-7442
www.kendallswcd.org
Petitioner: Robert Bright  
Contact Person: JoAnn Bright-Theis  
County or Municipality the petition is filled with: Kendall County  
Location of Parcel: SW¼ Section 29, SE ¼ Section 30, NE ¼ Section 31 & NW ¼ Section 32 T.36N.-R.6E. (Fox Township), 3rd Principal Meridian in Kendall Co., IL  
Project or Subdivision Name: Not Provided  
Existing Zoning & Land Use: A-1; Residential, Barn with Paddock areas, Wooded  
Proposed Zoning & Land Use: A-1 Special Use; Banquet Center  
Proposed Water Source: Well  
Proposed Type of Sewage Disposal System: Septic  
Proposed Type of Storm Water Management: N/A  
Size of Site: 38.3 acres  
Land Evaluation Site Assessment Score: 181 (Land Evaluation: 78; Site Assessment: 103)

Natural Resource Considerations

Soil Map:

SOIL INFORMATION:
Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this parcel is shown to contain the following soil types (please note this does not replace the need for or results of onsite soil testing; please refer to onsite soil test results for planning/engineering purposes):
Table 1:

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

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

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

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

**Prime Farmland:** Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, six are designated as prime farmland one is classified as being of statewide importance.
<table>
<thead>
<tr>
<th>Map Unit</th>
<th>Surface Runoff</th>
<th>Water Table</th>
<th>Ponding</th>
<th>Flooding</th>
</tr>
</thead>
<tbody>
<tr>
<td>134C2</td>
<td>Medium</td>
<td>January - Dec</td>
<td>January - Dec</td>
<td>January - Dec</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Upper Limit: --</td>
<td>Surface Water Depth &amp; Duration: --</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lower Limit: --</td>
<td>Frequency: None</td>
<td>None</td>
</tr>
<tr>
<td>145A</td>
<td>Low</td>
<td>February - April</td>
<td>January - Dec</td>
<td>January – Dec</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Upper Limit: 2.0’-3.5’</td>
<td>Surface Water Depth &amp; Duration: --</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lower Limit: 2.2’-3.8’</td>
<td>Frequency: None</td>
<td>None</td>
</tr>
<tr>
<td>145B</td>
<td>Low</td>
<td>January - Dec</td>
<td>January - Dec</td>
<td>January - Dec</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Upper Limit: --</td>
<td>Surface Water Depth &amp; Duration: --</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lower Limit: --</td>
<td>Frequency: None</td>
<td>None</td>
</tr>
<tr>
<td>198A</td>
<td>Low</td>
<td>January - May</td>
<td>January - Dec</td>
<td>January – Dec</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Upper Limit: 1.0’-2.0’</td>
<td>Surface Water Depth &amp; Duration: --</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lower Limit: &gt;6.0’</td>
<td>Frequency: None</td>
<td>None</td>
</tr>
<tr>
<td>327B</td>
<td>Low</td>
<td>January - Dec</td>
<td>January - Dec</td>
<td>January – Dec</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Upper Limit: --</td>
<td>Surface Water Depth &amp; Duration: --</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lower Limit: --</td>
<td>Frequency: None</td>
<td>None</td>
</tr>
<tr>
<td>327C2</td>
<td>Medium</td>
<td>January - Dec</td>
<td>January - Dec</td>
<td>January – Dec</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Upper Limit: --</td>
<td>Surface Water Depth &amp; Duration: --</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lower Limit: --</td>
<td>Frequency: None</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Upper Limit: --</td>
<td>Surface Water Depth &amp; Duration: --</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lower Limit: --</td>
<td>Frequency: None</td>
<td>None</td>
</tr>
<tr>
<td>3082A</td>
<td>Negligible</td>
<td>January - May</td>
<td>January - May</td>
<td>January - May</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Upper Limit: 0.0’-1.0’</td>
<td>Surface Water Depth &amp; Duration: 0.0’-0.5’; Brief</td>
<td>Brief, Frequent</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lower Limit: &gt;6.0’</td>
<td>Frequency: Frequent</td>
<td>June, Nov, Dec</td>
</tr>
<tr>
<td></td>
<td></td>
<td>June, Nov, Dec: Upper Limit: --</td>
<td>Surface Water Depth &amp; Duration: Brief</td>
<td>Brief, Frequent</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lower Limit: --</td>
<td>Frequency: None</td>
<td>None</td>
</tr>
</tbody>
</table>

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

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

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

**SOIL LIMITATIONS:**
According to the USDA-NRCS, soil properties influence the development of building sites, including the selection of the site, the design of the structure, construction, performance after construction and maintenance. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features. Ratings are based on the soil in an undisturbed state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance.
Not Limited: Indicates that the soil has features that are very favorable for the specified use; good performance and low maintenance can be expected.

Somewhat Limited: Indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design or installation; fair performance and moderate maintenance can be expected.

Very Limited: Indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures; poor performance and high maintenance can be expected.

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

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

**Table 3a: Building Limitations**

<table>
<thead>
<tr>
<th>Soil Type</th>
<th>Dwellings without Basements</th>
<th>Dwellings with Basements</th>
<th>Small Commercial Building</th>
<th>Onsite Conventional Sewage Disposal System</th>
</tr>
</thead>
<tbody>
<tr>
<td>134C2</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Not Limited</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Suitable</td>
</tr>
<tr>
<td>145A</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Somewhat Limited: Depth to saturated zone</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Suitable</td>
</tr>
<tr>
<td>145B</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Somewhat Limited: Depth to saturated zone</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Suitable</td>
</tr>
<tr>
<td>198A</td>
<td>Somewhat Limited: Depth to saturated zone; Shrink-swell</td>
<td>Very Limited: Depth to saturated zone; Shrink-swell</td>
<td>Somewhat Limited: Depth to saturated zone; Shrink-swell</td>
<td>Suitable</td>
</tr>
<tr>
<td>327B</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Not Limited</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Unsuitable: Gravel</td>
</tr>
<tr>
<td>327C2</td>
<td>Not Limited</td>
<td>Not Limited</td>
<td>Somewhat Limited: Shrink-swell</td>
<td>Unsuitable: Gravel</td>
</tr>
<tr>
<td>3082A</td>
<td>Very Limited: Ponding; Flooding; Depth to saturated zone</td>
<td>Very Limited: Ponding; Flooding; Depth to saturated zone; Shrink-swell</td>
<td>Very Limited: Ponding; Flooding; Depth to saturated zone</td>
<td>Unsuitable: Frequently Flooded</td>
</tr>
</tbody>
</table>

**Table 3b: Building Limitations**

<table>
<thead>
<tr>
<th>Soil Type</th>
<th>Shallow Excavations</th>
<th>Lawns &amp; Landscaping</th>
</tr>
</thead>
<tbody>
<tr>
<td>134C2</td>
<td>Somewhat Limited: Dusty, Unstable excavation walls</td>
<td>Somewhat Limited: Dusty</td>
</tr>
<tr>
<td>145A</td>
<td>Somewhat Limited: Depth to saturated zone; Dusty, Unstable excavation walls</td>
<td>Somewhat Limited: Dusty</td>
</tr>
<tr>
<td>145B</td>
<td>Somewhat Limited: Depth to saturated zone; Dusty, Unstable excavation walls</td>
<td>Somewhat Limited: Dusty</td>
</tr>
<tr>
<td>198A</td>
<td>Somewhat Limited: Depth to saturated zone; Dusty, Unstable excavation walls</td>
<td>Somewhat Limited: Depth to saturated zone; Dusty</td>
</tr>
<tr>
<td>327B</td>
<td>Somewhat Limited:</td>
<td>Somewhat Limited:</td>
</tr>
</tbody>
</table>
### SOIL LIMITATIONS

<table>
<thead>
<tr>
<th>Soil Limitation</th>
<th>Type of Improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dusty; Unstable excavation walls</td>
<td>Dwellings With Basements</td>
</tr>
<tr>
<td>Dusty</td>
<td>Dwellings Without Basements</td>
</tr>
<tr>
<td>Very Limited: Dusty; Unstable excavation walls</td>
<td>Small Commercial Building</td>
</tr>
<tr>
<td>Very Limited: Slope; Dusty; Unstable excavation walls; Dusty</td>
<td>Conventional Septic Systems</td>
</tr>
<tr>
<td>Hennepin: Very Limited: Slope; Low exchange capacity; Dusty</td>
<td></td>
</tr>
<tr>
<td>Casco: Very Limited: Slope; Dusty; Droughty</td>
<td></td>
</tr>
<tr>
<td>Hennepin: Very Limited: Slope; Dusty; Unstable excavation walls</td>
<td></td>
</tr>
<tr>
<td>Casco: Very Limited: Slope; Dusty; Unstable excavation walls</td>
<td></td>
</tr>
<tr>
<td>ponding; Depth to saturated zone; Flooding; Dusty; Unstable excavation walls</td>
<td></td>
</tr>
</tbody>
</table>

### Building Limitations Maps:

Figure 2a: Dwellings With Basements

---

**NRI Report 1906**

Building Limitations Map: Dwellings With Basements

USDA-NRCS
Kendall County Soil Survey
2008

Legend

- **Soil_Map_Units**
- **Dwellings With Basements**
- Not limited
- Not rated
- Somewhat limited
- Very limited
- NRI 1906 Project Site

Scale: 1:7,920 Feet

0 330 660
Figure 2b: Dwellings Without Basements

Figure 2c: Small Commercial Building
Figure 2d: Shallow Excavations

![Map showing shallow excavations](image1)

Figure 2e: Lawns & Landscaping

![Map showing lawns and landscaping](image2)
Kendall County Land Evaluation and Site Assessment (LESA):
Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **LAND EVALUATION (LE)** – The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

- **SITE ASSESSMENT (SA)** – The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.

### Table 4a: Land Evaluation Computation

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

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

### Table 4b: Site Assessment Computation

<table>
<thead>
<tr>
<th>A. Agricultural Land Uses</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)</td>
<td>20</td>
</tr>
<tr>
<td>2. Current use adjacent to site. (30-20-15-10-0)</td>
<td>20</td>
</tr>
<tr>
<td>3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)</td>
<td>0</td>
</tr>
<tr>
<td>4. Size of site. (30-15-10-0)</td>
<td>10</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>B. Compatibility / Impact on Uses</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Distance from city or village limits. (20-10-0)</td>
<td>10</td>
</tr>
<tr>
<td>2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)</td>
<td>10</td>
</tr>
<tr>
<td>3. Compatibility of agricultural and non-agricultural uses. (15-7-0)</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C. Existence of Infrastructure</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Availability of public sewage system. (10-8-6-0)</td>
<td>10</td>
</tr>
<tr>
<td>2. Availability of public water system. (10-8-6-0)</td>
<td>10</td>
</tr>
<tr>
<td>3. Transportation systems. (15-7-0)</td>
<td>7</td>
</tr>
<tr>
<td>4. Distance from fire protection service. (10-8-6-2-0)</td>
<td>6</td>
</tr>
</tbody>
</table>

**Site Assessment Score:** 103

\[
\text{Land Evaluation Value: 78 + Site Assessment Value: 103} = \text{LESA Score: 181}
\]

<table>
<thead>
<tr>
<th>LESA SCORE</th>
<th>LEVEL OF PROTECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-200</td>
<td>Low</td>
</tr>
<tr>
<td>201-225</td>
<td>Medium</td>
</tr>
<tr>
<td>226-250</td>
<td>High</td>
</tr>
<tr>
<td>251-300</td>
<td>Very High</td>
</tr>
</tbody>
</table>

170
The **LESA Score for this site** is **181 which indicates a low level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

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

![Wetland Inventory Map](image)

**Floodplain:** The parcel is not located within the floodplain.

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

**LAND USE OPINION:**

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

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

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

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

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

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

Chair

Date
Matt Asselmeier

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

Matt,

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

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

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

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

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

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

Jeff Spang, Supervisor
Fox Township

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

ZPAC Members:
MEMORANDUM

To: Kendall County Regional Planning Commission
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: May 15, 2019
Re: Amended Petition 17-28 Proposed Text Amendments to Sections 7.01.D.32, 7.01.D.33 and 10.03.B.4 of the Kendall County Zoning Ordinance Pertaining to Regulations of Outdoor Target Practice or Shooting Ranges (Not Including Private Shooting on Your Own Yard)

At their meeting on May 7, 2019, the Kendall County Board approved Ordinance 2019-09, a text amendment to the Kendall County Zoning Ordinance pertaining to outdoor target practice and shooting ranges (not including private shooting on your own yard).

The following is a summary of the changes:

1. Submittal of plans as outlined in the 2012 NRA Range Source Book.
2. The 2012 NRA Range Source Book shall be the main guide in the design of ranges.
3. A bond shall be required for site remediation.
4. Berming, range length, and downrange safety area are more defined.
5. Firing lines must be 1,000 feet from the property lines of residentially zoned properties.
6. Duties and qualifications of range safety officers are defined.
7. A cone may be used as a warning that the range is active.
8. Hearing protection and safety glasses must be worn on the firing line.
9. Range must provide public restrooms.
10. Minimum acreage requirement raised to 20 acres from 5 acres.
11. Hours and days of operation shall be specified in the special use permit and determined by the County Board. However, between October 1st and March 31st, no firing shall take place prior to 10:00 a.m. or after 5:00 p.m. and between April 1st and September 30th, no firing shall take place prior to 10:00 a.m. or after 8:30 p.m. However, notwithstanding the aforementioned hours of operation, up to twelve (12) night shoots per year shall be allowed ending no later than 10:00 p.m.
12. Signage requirements more defined.
13. Berming as fencing substitute added.
15. Insurance requirement added.
17. Existing ranges are exempt from this regulation.

A copy of Ordinance 2019-09 is attached.

If you have any questions prior to the meeting on this topic, please let me know.

Thanks,

MHA

ENC: Text Amendment
State of Illinois
County of Kendall

ORDINANCE # 2019-09

TEXT AMENDMENT TO SECTIONS 7.01.D.32, 7.01.D.33 AND 10.03.B.4 OF THE
KENDALL COUNTY ZONING ORDINANCE PERTAINING REGULATIONS OF
OUTDOOR COMMERCIAL SPORTING ACTIVITIES AND OUTDOOR TARGET
PRACTICE OR SHOOTING RANGES (NOT INCLUDING PRIVATE SHOOTING
IN YOUR OWN YARD)

WHEREAS, 55 ILCS 5/5-12001 grants Kendall County the authority to regulate and restrict
the location and use of structures and uses for the purpose of promoting the public health,
safety, morals, comfort and general welfare throughout the unincorporated areas of the
County; and

WHEREAS, gun clubs were a permitted use in the A-1 Agricultural District under the
Kendall County Zoning Ordinance adopted January 16, 1940; and

WHEREAS, gun clubs were reclassified as a special use in the A-1 Agricultural District under
the Kendall County Zoning Ordinances adopted in 1959 and July 9, 1974; and

WHEREAS, outdoor shooting ranges were classified as a similar use to gun clubs per the
hearing of the Kendall County Zoning Board of Appeals on September 30, 1982 and were
included as a special use in the A-1 Agricultural District by Ordinance 82-11 adopted
November 9, 1982; and

WHEREAS, the restrictions governing target practice or shooting (not including private
shooting in your own yard) in the A-1 Agricultural District and M-3 Earth Materials
Extraction, Processing and Site Reclamation District were established through Ordinance
2013-14 adopted July 16, 2013; and

WHEREAS, Section 13.07 of the Kendall County Zoning Ordinance permits the Kendall
County Board to approve text amendments and provides the procedure through which text
amendments are granted; and

WHEREAS, on or about September 11, 2017, the Kendall Count Planning, Building and
Zoning Committee, hereinafter be referred to as “Petitioner”, submitted a text amendment to
the Kendall County Zoning Ordinance pertaining to outdoor target practice and shooting
range zoning regulations; and

WHEREAS, on or about June 11, 2018, the Petitioner amended the proposed text amendment;
and

WHEREAS, following due and proper notice by publication in the Kendall County Record on August 9, 2018, the Kendall County Zoning Board of Appeals conducted a public hearing on August 27, 2018, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner and the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested text amendment and four (4) members of the public testified in favor of the request and eleven (11) members of the public testified in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended denial of the text amendment on August 27, 2018; and

WHEREAS, 55 ILCS 5/5-12014 (c) grants certain townships the right to file formal objections to proposed text amendments; and

WHEREAS, the Township of Na-Au-Say did file a formal objection in a manner permissible by State law; and

WHEREAS, 55 ILCS 5/5-12014 (c) requires the approval of at least three-fourths of a County Board to approve a text amendment over the formal objection of certain townships; and

WHEREAS, on or about February 11, 2019, the Petitioner amended the proposed text amendment and referred the proposal to the Kendall County Zoning Board of Appeals for rehearing; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on March 14, 2019, the Kendall County Zoning Board of Appeals conducted a public rehearing on April 1, 2019, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner and the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested text amendment and zero (0) members of the public testified in favor of the request and twelve (12) members of the public testified in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended approval of the text amendment on April 1, 2019; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board the requested text amendment; and

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

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Sections 7.01.D.32, 7.01.D.33 and 10.03.B.4 of the Kendall County Zoning Ordinance as provided:

I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.

II. Amended Text: The existing language of Section 7.01.D.32 is hereby deleted and replaced with the following:

“7.01.D.32 Outdoor Commercial Sporting Activities including but not limited to swimming facilities and motocross sports. Appropriate regulations for lighting, noise, and hours of operation shall be included in the conditions. Outdoor commercial sporting activities shall exclude outdoor target practice or shooting, athletic fields with lights, paintball facilities and riding stables, including but not limited to polo clubs, and similar uses.”

III. Amended Text: The existing language of Section 7.01.D.33 is hereby deleted and replaced with the following:

“7.01.D.33 Outdoor Target Practice or Shooting (not including private shooting on your own yard) with the following conditions:

a. At the time of application for a special use permit, petitioners desiring to operate an outdoor target practice or shooting range shall submit copies of all of the studies and plans suggested in the 2012 NRA Range Source Book including, but not limited to, a safety plan, a business plan, a public relations plan, a maintenance plan, a noise plan, an environmental stewardship plan, and a closure plan. Two (2) copies of the 2012 NRA Range Source Book shall be available for public access in the Kendall County Planning, Building and Zoning Department. One (1) of the copies of the 2012 NRA Range Source Book shall be made available for rent to members of the public.
1. The above-referenced plans shall contain information as suggested by the National Rifle Association.
2. Included in the above documents, the petitioner shall submit a detailed written narrative describing the proposed use. The narrative shall, at a minimum, describe the type of range (i.e. public, private, or government), the type(s) of firearms and targets expected to be used and the proposed days and hours of operation.
3. The safety plan shall describe the duties and qualifications of the range supervisors.
4. In at least one (1) of the required studies or plans, a hazardous waste plan addressing lead management shall be included. The lead management plan shall conform to either the requirements of the National Rifle Association's standards, the standards of the National Shooting Sports Foundation standards, or the United States Environmental Protection Agency's best management practices standards.

5. In addition to the above requirements, the petitioner shall submit a water and drainage plan; this plan must be approved by the Kendall County Planning, Building and Zoning Office.

6. Any changes to the above-required studies and plans shall be promptly forwarded to the Kendall County Planning, Building and Zoning Department.

7. A bond shall be provided for site remediation. The specific dollar amount shall be determined by the County Board.

b. Range layout requires conformity with the 2012 National Rifle Association standards with regard to layout and dimensions. The petitioner shall submit a site capacity calculation and a detailed site plan showing the layout and design of the proposed shooting range, including all required setbacks and landscaping and the existing and proposed structures, their floor areas and impervious surfaces. The scale of the site plan shall be no greater than one inch equals one hundred feet (1"=100').

c. The site plan for the proposed outdoor target practice of shooting range must show either sufficient berm height with sufficient downrange safety area or baffling that prevents projectiles from leaving the site.

1. The safety area shall conform to 2012 NRA Range Source Book for the shape and width. The safety area shall have signs posted at intervals stated in the special use permit warning of the potential danger from stray bullets.

2. For the purposes of this regulation, the term "downrange safety area" shall mean the area away from the launching site towards the target. In case of shooting ranges where targets are not stationary, appropriate baffling shall be provided.

d. Public ranges designed for the use of handguns and rifles shall provide berms at least twenty feet (20') high and six feet (6') thick at the top for ranges three hundred feet (300') in length, made of soft earth or other material that is unlikely to cause ricochets, and containing no large rocks. For every thirty (30') feet of firing line distance over twenty feet (20'), the berm height shall increase by ten feet (10') in height as an example. Berms shall be located as follows:

1. Shotgun ranges – No berming required.
2. Ranges for handguns and rifles
   a. Target placement not to exceed twenty feet (20') from the backstop.
   b. Lateral not closer than thirty feet (30') from the firing line.
3. All required berms shall be constructed prior to the commencement of
   operations and shall be maintained for the duration of the special use
   permit.
4. In addition to berms, appropriate baffling may be installed over the
   firing line creating a “no blue sky” to prevent projectiles from
   overshooting the berm.
5. The range shall be located on site where an uninhabited downrange
   safety area is available. The required length of the safety area shall be
   as follows:
   a. Shotgun ranges – one thousand five hundred feet (1500’),
      provided that shot size is limited to #4 or smaller.
   b. Ranges for handguns and rifles not more powerful than .22
      long rifle – seven thousand feet (7,000’).
   c. Ranges for rifles more powerful than a .22 long rifle – thirteen
      thousand five hundred feet (13,500’).
   d. The downrange safety area requirement for handgun and rifle
      ranges may be waived if the firing line is provided with
      overhead baffling, berming, or a combination thereof, meeting
      the standards of the 2012 National Rifle Association’s Source
      Book or appropriate baffling may be installed over the firing
      line creating a “no blue sky” to prevent projectiles from
      overshooting the berm.

   e. The range, including the safety area, must be under the control of the
      operator of the range, by ownership or lease.

   f. The firing line must be at least one thousand feet (1,000’) from existing
      residential dwellings and property lines of schools, daycares, places of
      worship, airstrips, and residentially zoned property.

   g. The outdoor target practice or shooting range must have a sign that lists
      allowed firearm types based on the special use permit, rules of operation;
      hearing and vision protection required

   h. At least one (1) designated range safety officer must be present during
      operational hours when discharging of firearms is taking place. A “range
      safety officer” means a person who is certified under the National Rifle
      Association’s Range Safety Officer Program or other equivalent state or
      nationally-recognized range safety officer certification program as
      approved by the County Board, for the type of shooting being supervised.
      The range safety officer shall enforce all range rules.
i. At least one (1) range flag flown, a sign, cone, or red light lit at all times that firing is taking place.

j. Everyone on the firing line is required to wear hearing protection and safety glasses.

k. The range shall provide public bathroom facilities.

l. The range shall require a minimum parcel size of twenty (20) acres.

m. Hours and days of operation shall be specified in the special use permit and determined by the County Board. However, between October 1st and March 31st, no firing shall take place prior to 10:00 a.m. or after 5:00 p.m. and between April 1st and September 30th, no firing shall take place prior to 10:00 a.m. or after 8:30 p.m. However, not withstanding the aforementioned hours of operation, up to twelve (12) night shoots per year shall be allowed ending no later than 10:00 p.m.

n. Access must be controlled by a gated entrance. The range proper shall be gated and fenced in a manner so to prohibit entrance on the property by members of the public and shall have signs posted at one hundred foot (100') intervals warning members of the public of the danger. Berming may substitute for fencing.

o. Must meet the existing setbacks of the zoning district.

p. No alcohol, marijuana, or other illicit drugs allowed.

q. No projectiles shall leave the boundaries of the site.

r. The outdoor target practice or shooting range allowed by this special use permit shall provide the Kendall County Planning, Building and Zoning Department proof of accident and liability insurance prior to the commencement of operations; the insurance shall be at a level standard and customary for outdoor target practice or shooting range. An insurance policy meeting the above requirements must be maintained during the duration of the special use permit and the special use permit holder shall supply a copy of the insurance policy to the Kendall County Planning, Building and Zoning Department annually on or before February 1st of each year.
s. All applicable Federal, State and County rules and regulations shall be adhered to.

t. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance (Not more than sixty percent (60%) of the area of the lot may be covered by buildings or structures, including accessory buildings).

u. Not withstanding the hours of operations set in the special use permit, the range shall abide by the following noise regulations, so as not to exceed allowable residential noise in accordance with the following:

1. 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 use which exceeds sixty (60) 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.

2. 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 use 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.

3. 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.

v. Outdoor target practice and public or private shooting ranges in existence prior to the date of the adoption of this ordinance (May 7, 2019) shall be exempt from this sub-section of the Zoning Ordinance, but they shall follow the restrictions on their respective special use permits.

w. Outdoor target practice and shooting ranges open to the public established after the date of this ordinance (May 7, 2019) must comply with the above regulations or secure applicable variance(s).”
IV. Amended Text: The existing language of Section 10.03.B.4 is hereby deleted and replaced with the following:

"10.03.B.4 Outdoor Target Practice or Shooting (not including private shooting on your own yard) with the following conditions:

a. At the time of application for a special use permit, petitioners desiring to operate an outdoor target practice or shooting range shall submit copies of all of the studies and plans suggested in the 2012 NRA Range Source Book including, but not limited to, a safety plan, a business plan, a public relations plan, a maintenance plan, a noise plan, an environmental stewardship plan, and a closure plan. Two (2) copies of the 2012 NRA Range Source Book shall be available for public access in the Kendall County Planning, Building and Zoning Department. One (1) of the copies of the 2012 NRA Range Source Book shall be made available for rent to members of the public.

1. The above-referenced plans shall contain information as suggested by the National Rifle Association.

2. Included in the above documents, the petitioner shall submit a detailed written narrative describing the proposed use. The narrative shall, at a minimum, describe the type of range (i.e. public, private, or government), the type(s) of firearms and targets expected to be used and the proposed days and hours of operation.

3. The safety plan shall describe the duties and qualifications of the range supervisors.

4. In at least one (1) of the required studies or plans, a hazardous waste plan addressing lead management shall be included. The lead management plan shall conform to either the requirements of the National Rifle Association’s standards, the standards of the National Shooting Sports Foundation’s standards, or the United States Environmental Protection Agency’s best management practices standards.

5. In addition to the above requirements, the petitioner shall submit a water and drainage plan; this plan must be approved by the Kendall County Planning, Building and Zoning Office.

6. Any changes to the above-required studies and plans shall be promptly forwarded to the Kendall County Planning, Building and Zoning Department.

7. A bond shall be provided for site remediation. The specific dollar amount of the bond shall be determined by the County Board.

b. Range layout requires conformity with the 2012 National Rifle Association standards with regard to layout and dimensions. The petitioner shall submit a site capacity a calculation and a detailed site plan showing the layout and design of the proposed shooting range, including all required setbacks and
landscaping and the existing and proposed structures, their floor areas and impervious surfaces. The scale of the site plan shall be no greater than one inch equals one hundred feet (1"=100').

c. The site plan for the proposed outdoor target practice of shooting range must show either sufficient berm height with sufficient downrange safety area or baffling that prevents projectiles from leaving the site.
   1. The safety area shall conform to 2012 NRA Range Source Book for the shape and width. The safety area shall have signs posted at intervals stated in the special use permit warning of the potential danger from stray bullets.
   2. For the purposes of this regulation, the term “downrange safety area” shall mean the area away from the launching site towards the target. In case of shooting ranges where targets are not stationary, appropriate baffling shall be provided.

d. Public ranges designed for the use of handguns and rifles shall provide berms at least twenty feet (20') high and six feet (6') thick at the top for ranges three hundred feet (300') in length, made of soft earth or other material that is unlikely to cause ricochets, and containing no large rocks. For every thirty (30') feet of firing line distance over twenty feet (20'), the berm height shall increase by ten feet (10') in height as an example. Berms shall be located as follows:
   1. Shotgun ranges – No berming required.
   2. Ranges for handguns and rifles
      a. Target placement not to exceed twenty feet (20') from the backstop.
      b. Lateral not closer than thirty feet (30') from the firing line.
   3. All required berms shall be constructed prior to the commencement of operations and shall be maintained for the duration of the special use permit.
   4. In addition to berms, appropriate baffling may be installed over the firing line creating a “no blue sky” to prevent projectiles from overshooting the berm.
   5. The range shall be located on site where an uninhabited downrange safety area is available. The required length of the safety area shall be as follows:
      a. Shotgun ranges – one thousand five hundred feet (1500'), provided that shot size is limited to #4 or smaller.
      b. Ranges for handguns and rifles not more powerful than .22 long rifle – seven thousand feet (7,000').
      c. Ranges for rifles more powerful than a .22 long rifle – thirteen thousand five hundred feet (13,500').
d. The downrange safety area requirement for handgun and rifle ranges may be waived if the firing line is provided with overhead baffling, berming, or a combination thereof, meeting the standards of the 2012 National Rifle Association’s Source Book or appropriate baffling may be installed over the firing line creating a “no blue sky” to prevent projectiles from overshooting the berm.

e. The range, including the safety area, must be under the control of the operator of the range, by ownership or lease.

f. The firing line must be at least one thousand feet (1,000’) from existing residential dwellings and property lines of schools, daycares, places of worship, airstrips, and residentially zoned property.

g. The outdoor target practice or shooting range must have a sign that lists allowed firearm types based on the special use permit, rules of operation; hearing and vision protection required

h. At least one (1) designated range safety officer must be present during operational hours when discharging of firearms is taking place. A “range safety officer” means a person who is certified under the National Rifle Association’s Range Safety Officer Program or other equivalent state or nationally-recognized range safety officer certification program as approved by the County Board, for the type of shooting being supervised. The range safety officer shall enforce all range rules.

i. At least one (1) range flag flown, a sign, cone, or red light lit at all times that firing is taking place.

j. Everyone on the firing line is required to wear hearing protection and safety glasses.

k. The range shall provide public bathroom facilities.

l. The range shall require a minimum parcel size of twenty (20) acres.

m. Hours and days of operation shall be specified in the special use permit and determined by the County Board. However, between October 1st and March 31st, no firing shall take place prior to 10:00 a.m. or after 5:00 p.m. and between April 1st and September 30th, no firing shall take place prior to 10:00 a.m. or after 8:30 p.m. However, not withstanding the aforementioned hours
of operation, up to twelve (12) night shoots per year shall be allowed ending no later than 10:00 p.m.

n. Access must be controlled by a gated entrance. The range proper shall be gated and fenced in a manner so to prohibit entrance on the property by members of the public and shall have signs posted at one hundred foot (100') intervals warning members of the public of the danger. Berming may substitute for fencing.

o. Must meet the existing setbacks of the zoning district.

p. No alcohol, marijuana, or other illicit drugs allowed.

q. No projectiles shall leave the boundaries of the site.

r. The outdoor target practice or shooting range allowed by this special use permit shall provide the Kendall County Planning, Building and Zoning Department proof of accident and liability insurance prior to the commencement of operations; the insurance shall be at a level standard and customary for outdoor target practice or shooting range. An insurance policy meeting the above requirements must be maintained during the duration of the special use permit and the special use permit holder shall supply a copy of the insurance policy to the Kendall County Planning, Building and Zoning Department annually on or before February 1st of each year.

s. All applicable Federal, State and County rules and regulations shall be adhered to.

t. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance (Not more than sixty percent (60%) of the area of the lot may be covered by buildings or structures, including accessory buildings).

u. Not withstanding the hours of operations set in the special use permit, the range shall abide by the following noise regulations, so as not to exceed allowable residential noise in accordance with the following:
   1. 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 use which exceeds sixty (60) 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.
   2. 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 use 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.

3. **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.

v. Outdoor target practice and public or private shooting ranges in existence prior to the date of the adoption of this ordinance (May 7, 2019) shall be exempt from this sub-section of the Zoning Ordinance, but they shall follow the restrictions on their respective special use permits.

w. Outdoor target practice and shooting ranges open to the public established after the date of this ordinance (May 7, 2019) must comply with the above regulations or secure applicable variance(s).”

V. Any completed application submitted prior to the date of the adoption of this ordinance shall follow the application procedures, requirements and restrictions in effect on the date that the completed application was submitted.

IN WITNESS OF, this amendment to the Kendall County Zoning Ordinance has been enacted by a supermajority vote of the Kendall County Board this 7th day of May, 2019.

Attest:

Kendall County Clerk          Kendall County Board Chairman  
Debbie Gillette                Scott R. Gryder