Chairman Bill Ashton called the meeting to order at 7:04 pm.

**ROLL CALL**
Members Present: Chair Bill Ashton, Tom Casey, Larry Nelson, Walter Werderich, Claire Wilson, Budd Wormley and 1 vacancy
Others present: Senior Planner Angela Zubko
Members Absent: Bill Lavine, Tom Martin and Tim Sidles
In the Audience: Maria Silvia Gonzalez, Christian Gonzalez & Norma (all for Petition 12-39), Kevin Nelson, Jim Argoudelis, Pam Wynne (NaAuSay Township Plan Commission), Mary Ludemann (Plainfield Fire Protection District) and County Board Member Dan Koukal

**APPROVAL OF AGENDA**
We will move the petition to when the petitioner is in attendance. Larry Nelson made a motion to approve the agenda as amended. Walter Werderich seconded the motion. All were in favor and the agenda was approved.

**APPROVAL OF BILLS:** No Bills

**APPROVAL OF MINUTES**
Claire Wilson made a motion to approve the minutes from January 23, 2013 and February 2, 2013. Budd Wormley seconded the motion. All were in favor and the minutes were approved.

**REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**
13-01 Kendall County Governmental Agency and other law enforcement Shooting Range- Ms. Zubko stated nothing changed since Plan Commission
13-02 Rezoning and Special Use for a Shooting Range- Ms. Zubko stated one of the conditions was modified to include testing of guns which is condition number 12. They do not need to notify the residents if they will be testing a fixed gun or just getting used to a new gun.
13-04 Micro-batch Distillery- Ms. Zubko stated ZBA added a condition about a waste plan.
13-05 Three Angels Brewing LLC & Angels Share Distilling LLC- Ms. Zubko stated that Three Angels Brewing is having their public hearing on February 25th and then hopefully will be approved at the March 5th County Board meeting.

13-03 Other Plat Process (Vacation, Dedication, etc.) - Ms. Zubko stated there were no changes after the Plan Commission meeting.

CITIZENS TO BE HEARD- No audience members spoke

NEW BUSINESS

Discussion on larger lots and smaller open space requirements- Planner Zubko stated that in the packet is a letter from the NaAuSay Township Plan Commission and Board with regards to larger lots. They concur with Andy Meyer that larger lots are better. Planner Zubko stated she did have a meeting with Andy Meyer and Fran Klaas from the highway department and Andy suggested having a minimum of 1 acre lots after all the density bonus credits and have less open space. Planner Zubko stated that she plans on going to each township this year to see if the LRMP meets their needs or if they feel anything needs to be changed. The main purposes to attend the meetings are to introduce herself and have open communication with the townships. She also wants to go over the process with them to make sure they understand how we currently handle petitions. Mr. Nelson talked about previously how some of the townships wanted smaller lots and more open space but we could change each township to reflect what they would like to see now.

PETITIONS

#12-39 Maria Silvia Gonzales- A-1 Special Use for a private club

Planner Zubko stated since we last discussed this petition she has talked to the Village of Plainfield and they are looking to file a legal objection to the petition which would create a supermajority vote at the full County Board. The petitions have also submitted to us a new site plan, a topographic survey and some preliminary engineering. Staff has looked over the drawings and have provided comments to the petitioner tonight. Planner Zubko stated the petitioners have addressed some of staff’s concerns with regards to being too close to the lot line and also stated some items were not shown on the plan like a fence on the east side of the property. The petitioners and staff previously talked about getting variances for parking lot lighting and now the plan calls for lighting again. We have some technicalities to work out before the public hearing. We did hear from the township which there are 2 letters in the packet. The township Plan Commission made a motion that failed by 4-0. Planner Zubko read the minutes from the township Plan Commission meeting (attached to these minutes) and addressed the townships comments in the minutes. Planner Zubko stated the Township Board voted 4-0 to deny the project and Planner Zubko read the letter received from their Board. Planner Zubko gave the updated plans to the township and other jurisdictions.

Mr. Ashton asked if the petitioner had anything else to add. At this time the petitioner did not have anything to add. Mr. Ashton asked if there were any audience members.
that wished to speak. Planner Zubko asked if Mary from the Plainfield Fire Protection District was going to meet at the property tomorrow and she stated yes and also got up and talked about her concerns which she wrote in a letter that was provided to the petitioner (letter attached to these minutes). She stated that due to the assembly use it becomes commercial which requires a sprinkler system and fire alarm system. Also since there is a kitchen it would require a fire suppression system like a restaurant. She also had some concerns on the exiting and requested more details on that. Claire Wilson asked Ms. Ludemann if there is a difference between this use and a church kitchen? Ms. Ludemann stated churches in their jurisdiction has to do the same thing with fire suppression and sprinkler systems. There was a brief discussion on what is grandfathered in and who they require to have sprinkler systems. Ms. Ludemann stated anything new would need sprinkler systems, they were unaware this location was being used as a restaurant otherwise they would have approached these issues before they opened. Mr. Nelson asked when these codes took effect. Ms. Ludemann stated back in 2007 when all the new ordinances kicked in. Mr. Nelson asked how long the petitions have been running this ‘restaurant.’ Planner Zubko said they stated at the last meeting about 1½ to 2 years.

There was discussion about the Facebook page and how it categorized this as a restaurant but does not limit it to only members or hours of operation. Mr. Nelson asked the petitioner if they marked it as a restaurant or if Facebook made them choose from different categories? Norma, a friend of the petitioners stated someone that went there created the Facebook page, not the petitioners.

Ms. Wilson stated she is trying to figure out what is lacking from the petition. Mr. Ashton and Mr. Nelson talked about stormwater calculations and making sure everything will fit properly on this lot. They all interact with each other and help show if this is something feasible to do on the property. Ms. Wilson asked if the petitioners are getting an engineer to try to resolve these issues. Planner Zubko stated the petitioners have an engineer and our consulting engineer has stated there is preliminary engineering but they need actual numbers and calculations but the plans show they plan on diverting the water and then restricting it through a pipe into the ditch along Wheeler Road. There was some discussion on how the Plan Commission is not very comfortable moving this petition along with engineering approval as it just might not all fit on this property. Mr. Nelson wanted to make sure the petitioners understand what the legal objection done to the petition. Planner Zubko stated they have discussed this but they have no other location currently to do this at.

Planner Zubko stated that Mr. Bill Lavine, who could not attend the meeting tonight, stated in an email that “the petitioners seem to have been dragging their feet and have shown a lack of consideration for the Township and the County during the whole process. In spite of that and trying to remain objective I have to say, I find it odd that a 1.4 acre site would be adequate to host up to 156 "guests/members" with two lavatory facilities especially one with what appears to be an undersized septic field. With 110 "members" 39 parking spaces seems to be pushing the outer limit. Coupled the
parking spaces with potentially an undersized septic field, a proposed building of 1536 sq. ft., an existing 2025 sq. ft. building and the proposed selling or providing liquor in a dry Township, this is seemingly and undesirable use for the property. All this and the disapproval of the Township Board would indicate the KCRPC should recommend that County Board not grant permission to move this project forward. I've only touched on the objective observations. The fact this petitioner appears to have ignored signs of discontentment by the neighbors after numerous visits from law enforcement further exacerbates the issue. You can probably surmise if I were present I would cast a negative vote for approval.”

Kevin Nelson came up to the podium and stated he farms around this property and there are water issues. He asked if they are going to use a restrictor to release water into the ditch the water would still go west towards his property. He stated in the rear of the property the water overflows onto their property, not just water but also manure. He also stated chicken parts have been thrown or washed in their field. Mr. Nelson they did add some brickwork so the cattle can get out of the mud but that creates more of the water issue. There was some brief discussion about a new septic system was put in the house recently and they have added a few buildings on the property which is causing the water issues. Mr. Wormley asked how many acres he cannot farm due to the water issues. Mr. Nelson stated it’s not that many; it’s the fact that there is water running off the property currently.

Planner Zubko asked that Christian Gonzalez, the petitioner come up and tell the Plan Commission how many animals they currently have on the property. Mr. Gonzalez stated he wasn’t sure if the Commission remember but Kevin’s dad came to the last meeting and stated he did not have any problem with the water or manure, but there have been problems with Kevin ever since they moved in. They have spent about $15,000 on the brick so the cows do not get muddy and they have a dumpster where they put the manure and get it removed often. Mr. Gonzalez stated the water is maybe in a 10’x10’ section and he has asked Mr. Nelson (Kevin’s dad) if he would like Mr. Gonzalez to pay him some money for the damage and he stated don’t worry about it, it’s minimal. They have 8 cows, 2 cattle (inside the barn), 5-10 chickens (more in the summer), 2 ponies inside the barn, dogs and cats. Ms. Wilson asked if they are going to get the engineering done and Mr. Gonzalez stated he was going to do whatever he needs to do or is requested of him. Ms. Wilson wondered if the petitioner should table this till the engineering is complete instead of voting tonight? Mr. Casey asked what the engineering is going to tell the Commission. Mr. Ashton and Ms. Wilson stated whether it is feasible and will fit on the property. If the septic system will work, the drainage plan and help determine if this is a feasible plan. Mr. Casey stated he appreciates wanted to have a place for the kids to hang out and socialize but only have an acre and a quarter and spending money so the cattle will stay out of the mud you are increasing the impervious surface by whatever size the pad is, added some buildings and now going to bring in the membership of your club and add toilet facilities and expand the septic, he doesn’t feel they have enough land. Mr. Gonzalez stated he understands that and has tried to rent or buy another location but does not have enough money so he has to start
with something. Ms. Wilson stated maybe the petitioner needs to limit the number of people. Mr. Gonzalez stated on the blueprints if he cannot add onto the existing building it’s not a problem, he will add a pergola and maybe in a couple years he can move to a larger property. Mr. Nelson stated he appreciates the comments on the engineering but philosophically the size of the land and the amount the petitioner wants to do on the property he feels he still might have a problem even if the engineer says it will work. It’s a bit too intensive for the size of this lot. He does not want to give the petitioners a false hope that if he comes back with engineer that they qualify and doesn’t want to give a false sense that he would vote for the project, he doesn’t want the petitioner to go through that type of expense. Mr. Wormley also has a real concern about the parking and parking on Wheeler Road. Norma got up and stated it is not like 200 people come and stay there at one time. They come and go throughout the day at about 2 hour increments. Mr. Larry Nelson that’s why he would be against tabling the petitioner because he’s afraid they’d be holding a false premise to the petitioners. Ms. Wilson understood.

Jim Argoudelis was wondering what the use of the property is as they stated they were a soccer club but now the fire department is talking about a restaurant. He wanted some clarification. Mr. Nelson stated in their plan they call for a kitchen and their building is over 2,000 square feet which for the fire code calls for sprinklers. Mr. Argoudelis’s concerns are the activities going on the site and cars parking on Wheeler Road. He’s afraid of the intensity on such a small property.

Mr. Ashton asked the petitioners what they would like to do: would they like to table the petition or have the Plan Commission vote on the project tonight? They stated they would like to move ahead with the process. Mr. Nelson made a motion to approve the petition subject to staff’s conditions including hours of operation, Mr. Wormley seconded the motion. A roll call vote was taken 0-ayes 6 nays, the petition was denied. We went around the room if anyone wanted to explain their ‘no’ vote. Mr. Larry Nelson stated he supported Mr. Lavine’s emailed comments. Mr. Casey stated he lives on an acre of land and 2 people live there and sometimes that’s not enough property. (Audience chuckled) He applauds the concept but can’t see it fitting on such a small piece of property. Mr. Werderich stated the petition comes before us under a guise of a club but we’ve heard testimony about how it has been used in the past and that’s what makes him uneasy and why he voted no. He also agrees the property might be used to intensively and also listening to the NaAuSay township comments. Mr. Wormley stated the intensive use of the property, the past history issues and drainage is why he voted no to this petition. Mr. Ashton agreed with what everyone else has said previously and it’s no fault to the petitioner but if something happens on the road it’s the Plainfield Police department but if something happens on the lot it’s the County and not sure how well the two work together, the site is too intense and not sure the engineering is going to work. Ms. Wilson wanted to commend them but she’s afraid it’s too much for the space, but maybe if the plan was scaled back and not as many people that might make a difference. She’s concerned about safety of people on the site, access for the fire department, and don’t think there will be enough room for the septic and drainage, just
too much on such a small site but hope they can change the plan or scale it back or find another location.

Ms. Zubko stated in the packet of information given to the petitioner is another public notice and the surrounding owners and she would like them to notify the public and newspaper again since it’s been 3 months and would like proper notification before the public hearing on April 1st. If they have any questions please contact Planner Zubko.

Norma made some comments to the township and Mr. Gonzalez stated he’s hoping to find a larger lot.

OLD BUSINESS
Discussion on Annual Meeting- Planner Zubko stated there were 3 topics that were brought up at the annual meeting to possibly talk about further. The first was about the septic failures in Rosehill and Todd from the Health Department put a memo in the packet about that issue and if we wanted to invite them to our next meeting they would gladly join. Between 2012 and 2013 there was 1 complaint, but Rosehill was approved in the 1990s so a lot has changed since this was approved. There was a small discussion on septic. The Commission wanted the Health Department to put together a spreadsheet of complaints within the last 10 years with regards to the lot sizes and failures and possible causes.

Mr. Ashton suggested that each representative from their respective townships attend the township meeting with Planner Zubko if they are available. All agreed to that idea.

In the packet were some township letters with regards to the process and how they are worried they are on the ‘side’ of our flow chart. This issue was already taken care of. There was a long discussion of who we contact, how the process is and the townships.

Another issue brought up at the annual meeting were bio-solids being spread on farms. The EPA regulates this and there is a lot of information at the Health Department including a bio-solids 101 'class.'

The third issue was with regards to Specials Service Areas. The group stated staff does not need to do anything further with any of these issues except the requested spreadsheet from the Health Department.

ADJOURNMENT
The next meeting will be on March 27, 2013. Claire Wilson and Walter Werderich will be absent on March 27, 2013. Walter Werderich made a motion to adjourn the meeting, Budd Wormley seconded the motion. All were in favor and the meeting was adjourned at 8:20 p.m.

Submitted by,
Angela L. Zubko, Senior Planner
TO: Ken Hostert, Supervisor  
The Na Au Say Township Board  
1312 Wheeler Road  
Plainfield, 60544  
Kendall County, IL

FROM: Pam Wynne, Chairperson  
The Na Au Say Township Plan Commission  
Kendall County, IL

RE: Petition # 12-39  
Location: 609 Wheeler Road, Plainfield, IL 70544

DATE:

The Na Au Say Township Plan Commission met in Public Hearing on February 5, 2013 at Na Au Say Township Building, 1312 Wheeler Road, Na Au Say Township, Kendall Co., IL.

Present were commission members Pete Pasteris, Rodney Wheeler, Scott Cherry, Pam Wynne--Chair

The petition was presented by Christian Gonzales

Property location: 609 Wheeler Road, Plainfield, IL 60544

Petition #12-39 for A-1 SPECIAL USES (zoning)

The motion was made by Rodney Wheeler and seconded by Scott Cherry:

“I move this commission approve Petition # 12-39 for property located

609 Wheeler Road for zoning change to A-1 Special Uses: Private Clubs and Lodges.”

Pam Wynne called the vote and the motion failed

by a vote of 4-0.
Notations from Na Au Say Township Plan Commission regarding “Soccer Club” petition

Hearing for Petition# 12-39 requesting A-1 Special Use.

The concerns of the Na Au Say Plan Commission parallel those of the Kendall County Plan Commission. In addition, the new design for the property does not appear to resolve the concerns. The changes may not be feasible and adequate to meet requirements for the size of the lot. Standards should not be compromised.

Neighbors to the property expressed problems they have encountered with activities on the property up to this point, and those problems may not be alleviated by this plan.

These issues and those of the City of Plainfield and Kendall County departments involved need to be thoroughly addressed before the plan is approved.

If and when the plan is approved, it is important to know what government has jurisdiction if activities need to be monitored.

Property size and the plan
• Aesthetics of the buildings and property
• Setback of the buildings and parking from the lot line/neighbors/easement
• Location and adequacy of septic field

“Gathering room”
• Need for cooler, freezer space and service bar
• Activities planned
• Insurance required

Building to be renovated
• Materials, ventilation, etc. to meet safety codes
• Number of people to occupy the building
• Adequacy of toilets
• Fire doors--number and how they function
• Fire sensors and alarms
• Garbage disposal

Animals
• What kind and their purpose and use

Noise
• Activities to be Saturday and Sunday during the day and Friday night from 5 until 10. The latter was not verbally noted at the Na Au Say Plan Commission meeting

Jurisdiction
• City of Plainfield for the roads
• City of Plainfield for fire protection
• Kendall County Sheriff for the property
• Plainfield has to approve site plan when it is within 1 1/2 miles of city
• Liquor--Na Au Say Township is a “dry township” and has no liquor commission, so that responsibility falls back on Kendall County
• Kendall County Health Department must oversee septic, food preparation and service

Kendall County engineer is helping with the plan--unusual

Pam Wynne, Commission Chair
February 5, 2013
February 14, 2013

To: Angela Zubko
   Department of Planning, Building and Zoning
   111 West Fox St. Room 203
   Yorkville, IL 60560

From: Ken Hostert
   Na Au Say Township Supervisor
   1312 Wheeler Rd
   Plainfield IL 60544

RE: Maria Silvia Gonzales Petition #12-39
   Location: 609 Wheeler Road

Dear Ms. Zubko:

   The Na Au Say Township Planning Commission met on February 5th, 2013 to review Petition #12-39 and make recommendations to the Na Au Say Township Board of Trustees. The motion to approve Petition #12-39 for zoning change to A-1 Special Use was denied by the commission. A copy of the Na Au Say Township Planning Commission's meeting minutes is attached.

   The Na Au Say Township Board of Trustees met at their regular monthly meeting on Monday, February 11th, 2013 and a discussion of the Gonzales petition, including the Na Au Say Township Planning Commission's recommendations was held. Let it be noted that the petitioners were not present at this meeting. The following is a list of issues noted by the Board of Trustees:

   1) The current plans appear to be concept plans and have not been stamped by a Professional Engineer (PE).

   2) Confusion by neighbors as to which police department has jurisdiction over road and property (Plainfield Police for road and Kendall County Sheriffs Police for property)

   3) Fire concerns due to proximity of buildings to each other on the property.

   4) Numerous concerns expressed by neighbors (parking situation on Wheeler Road, noise level of music late at night, general exterior housekeeping, proximity of proposed building and parking lot to neighbor's lot line).
5) Na Au Say is a dry township and there are concerns regarding possible liquor sales or the distribution of liquor in a “club” format.

6) Does this property use fit into Kendall County’s and/or the Village of Plainfield’s development plan?

7) It was brought to the board’s attention that the property is currently being advertised on Facebook as a restaurant.

Due to the large number of unanswered and unclear issues regarding this petition, a more complete and comprehensive plan should be prepared and presented by the petitioner. In no way does the resolution of the above issues imply that the Na Au Say Township Board of Trustees approves of this petition.

The following motion was made by the Na Au Say Township Board of Trustees for the above mentioned Petition #12-39:

Approve Petition #12-39 Maria Silvia Gonzales, for A-1 Special Use.

Vote: Aye 0 Nay 4

Motion: Denied

Very truly,

Ken Hostert
Na Au Say Township Supervisor

cc: John Shaw, Kendall County Board President; Scott Gryder, Planning, Building and Zoning Chair
February 26, 2013

Ms. Maria Silvia Gonzales
609 Wheeler Road
Plainfield, IL 60586

Re: Private Soccer Club
Farmers Gathering Room
Rancho El Manzanillo

Dear Ms. Gonzales:

A review of the plans dated February 8, 2013 for the above referenced project has been completed and the following stipulations apply:

1. A fire sprinkler system that complies with NFPA 13, the 2006 International Fire Code and Plainfield Fire Protection District Ordinances is required for this entire building.
   a. Per Plainfield Fire Protection District Ordinance all assembly uses over 2,000 square feet are required to have a fire sprinkler system.
   b. Please have your fire sprinkler contractor submit plans for review and approval prior to beginning their installation.

2. A fire alarm system that complies with NFPA 72, NFPA 70, the 2006 International Fire Code and Plainfield Fire Protection District Ordinances is required for this entire building.
   a. Per Plainfield Fire Protection District Ordinance all new commercial occupancies are required to install a fire alarm system.
   b. Please have your fire alarm contractor submit plans for review and approval prior to beginning their installation.

3. A kitchen hood and fire suppression system that complies with all NFPA and 2006 International Codes is required for the cooking operations within the kitchen. Please have your kitchen fire suppression contractor submit plans for review and approval prior to beginning their installation.

4. A building plan is needed that indicates the following:
   a. Exit and emergency lighting with battery backup that complies with the 2006 International Fire Code is required throughout.
   b. An exit plan showing the size of the exits, the locations of the exits, the direction the exit doors swing and the door hardware.

5. Please check with Kendall County for additional licenses or permits needed from them.

No guarantee is rendered as to the completeness of the plan review, and the responsibility for full compliance with both state and locally adopted codes, standards and regulations rests with the owner or his authorized agent or subcontractor. Subsequent discovery of errors or omissions shall not be construed as authority to violate, cancel or set aside any provision of any applicable codes.
Thank you for the opportunity to review and comment on your drawings. Should you have any questions or concerns, please feel free to contact the Bureau at 815-436-5335.

Respectfully,

Mary Ludemann, Fire Inspector

PLAINFIELD FIRE PROTECTION DISTRICT

C: Ms. Angela Zubko, Senior Planner, Kendall County
   Kendall County Building Department