CALL TO ORDER

ROLL CALL: County Board: PBZ Committee Member Gilmour; County Highway: Fran Klaas; Engineering Consultant: Greg Chismark; County Health: Aaron Rybski; Forest Preserve: David Guritz; SWCD: Megan Andrews; Sheriff: Mike Peters; PBZ: Angela Zubko. Building Department: Brian Holdiman

APPROVAL OF AGENDA

MINUTES: Approval of minutes from the February 3, 2015 ZPAC meeting.

PETITIONS:
1. 15-02 Peter & Laurie Pasteris
Request A-1 Special Use
Location 1998 Johnson Road, Oswego
Purpose Request an A-1 Special Use to hold special events/banquet hall on their property

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD-
15-01 Nancy Austin - On the Plan Commission agenda on 3.25.15
14-42 Sybert Landscaping - Passed by County Board on 2.17.15, new site plan and conditions
14-40 Subdivision Control Regulations - Letters of Credit - On the ZBA agenda for 3.30.15
14-39 River’s Edge Fellowship – Passed by County Board on 2.17.15
14-37 Home Occupations - Landscape Businesses - On the ZBA agenda for 3.30.15

PUBLIC COMMENT

OLD BUSINESS
Yorkville outdoor music venue - withdrew

NEW BUSINESS

ADJOURNMENT - Next meeting on April 7, 2015
Planner Angela Zubko called the meeting to order at 9:00 a.m.

Present:
Scott Gryder – PBZ Member
Fran Klaas- County Highway Department
Aaron Rybski – Health Department
Megan Andrews – Soil & Water Conservation District
Brian Holdiman - Building Inspector
Angela Zubko – PBZ Planning & Zoning Manager

Absent:
Greg Chismark – Wills Burke Kelsey
Forest Preserve- David Guritz
Brian Jahp – Sheriff’s Office

Also present: None

AGENDA
A motion was made by Megan Andrews to approve the agenda as written, Scott Gryder seconded the motion. All were in favor and the motion carried.

MINUTES
Fran Klaas made a motion, seconded by Aaron Rybski, to approve the January 6, 2015 meeting minutes as written. All were in favor and the motion carried.

PETITIONS

#15-01 Nancy Austin
Planner Zubko stated Nancy Austin is requesting to rezone 3.2 acres of the 6.4 acre property located on the east side of Ashley Road, about 300 feet south of Plattville Road in order to build a house. Currently 1.82 acres on the west side is unincorporated and 4.63 acres on the east side is incorporated into Plattville. Staff is waiting to hear if Plattville would like to annex to Ashley Road or de-annex 62,720 square feet of property so the whole parcel is located in un-incorporated Kendall County. If Plattville de-annexes the property that section of the comprehensive plan shows this property to be agricultural so staff cannot even approve rezoning unless the Lisbon Township approves the rezoning. Planner Zubko would not like to split the zoning since it’s between unincorporated and corporate property. There are no endangered species on the site. Staff would recommend approval no matter which way Plattville or the township decides to handle this property. She also stated they’re looking to build 1 house at this time but could in the future rezone the eastern portion to R-1 in the Village of Plattville and have access off Plattville Road.

Brian Holdiman stated a building permit will be required.

Aaron Rybski stated a well and septic permit will be required and if they plan to have horses on the property that care is given to make sure the horses are placed away from the well and septic.

Megan Andrews stated an executive summary will be needed which is a reduced fee. Their meeting is Monday, February 9th so if the application can be submitted ASAP that would be great.

Scott Gryder- Mr. Gryder asked if the neighbor had any concerns. Planner Zubko stated they have not been notified yet but thinks they sold them the property.

Fran Klaas wanted to discuss the corporate and unincorporated issue; he asked if there is any other property like that in the County? No one remembers this happening in the past. We discussed the setback in the R-1 if
that will affect the property. His concern is developing the flag lot as they would need an access variance for the driveway.

With no further comments Scott Gryder made a motion, seconded by Aaron Rybski to approve the rezoning and forward the petition onto the next Plan Commission meeting. All were in favor and the motion carried.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD-
14-39 River's Edge Fellowship - On the PBZ agenda for 2.9.15
14-42 Sybert Landscaping - On the PBZ agenda for 2.9.15
14-40 Subdivision Control Regulations - Letters of Credit - On the ZBA agenda for 3.2.15

PUBLIC COMMENT- There were no comments.

OLD BUSINESS- None

NEW BUSINESS
Discuss comments on the Yorkville proposed outdoor music venue at 112 Van Emmon- Planner Zubko stated the City of Yorkville has requested if the County has any comments on this special use since the County does own property adjacent to the proposal. The petitioner is looking to have an outdoor music venue in the B-1 district as a special use. The property is located on the north side of Van Emmon across from Cobblestone and between the parking lot and one story building that has music classes. There are some concerns from the city and comments and provided us site plans, topography and impervious plans. Yorkville also states storm water detention will be needed so that will be interesting, there will also be no bathrooms on site. Planner Zubko stated there is a house there that will be demolished. There was discussion that the Groner’s live kiddy corner to this lot and would be affected the most.

The following concerns were brought up:
Noise
Parking Concerns
Liability (walking across County Property or even possibly parking on county property)
Lights
Projected noise down the river and close residents
Food
Liquor
Jaywalking across Van Emmon
Public Safety
Possibly projecting towards the hill would be better and typically how an amphitheater works, using the hill for seating
Not a very well thought out plan
Not handicapped accessible
There is already a location that can be used across Route 47- 0.2 miles (1,000 feet) away at the Yorkville Park
Appreciate being able to comment on the project

Planner Zubko stated this will be discussed at the PBZ Committee meeting on February 9, 2015.

AJOURNMENT- Next meeting on March 3, 2015
With no further business to discuss Aaron Rybski made a motion, seconded by Scott Gryder to adjourn the meeting at 9:35 a.m. The motion carried.

Submitted by,
Angela L. Zubko
Planning & Zoning Manager
DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 203
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

15-02
Peter & Laurie Pasteris
A-1 Special Use

SITE INFORMATION

PETITIONERS  Peter & Laurie Pasteris

LOCATION  1998 Johnson Road, Oswego; on the south side of Johnson Road, 1 mile east of Schlapp Road, 1.45 miles west of Ridge Road

TOWNSHIP  NaAuSay Township

PARCEL #  06-11-100-004 & 06-11-100-008

SIZE  12.5 Acres

EXISTING LAND USE  Farmhouse, pasture & farmland

ZONING  A-1 Agricultural

LRMP

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Suburban Residential; Plainfield: Countryside Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td>Johnson Road is a minor collector roadway</td>
</tr>
<tr>
<td>Trails</td>
<td>There is a trail proposed along the south side of the roadway. Please contact Plainfield for dedication request.</td>
</tr>
<tr>
<td>Floodplain/Wetlands</td>
<td>There is no floodplain or wetland on the property</td>
</tr>
</tbody>
</table>

REQUESTED ACTION  Approval of an A-1 Special Use Permit to operate a banquet hall on their property for special events.

APPLICABLE REGULATIONS

§7.01.D.42 (A-1 Agricultural Special Uses- Veterinary Establishment)
§11.01 (Parking Regulations)
§12.08 (Agricultural Sign Regulations)
§13.08 (Special Uses)
SURROUNDING LAND USE

<table>
<thead>
<tr>
<th>Location</th>
<th>Adjacent Land Use</th>
<th>Adjacent Zoning</th>
<th>LRMP Zoning</th>
<th>Zoning within (\frac{1}{4}) Mile</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Residential</td>
<td>R-2</td>
<td>Rural Residential</td>
<td>R-2</td>
</tr>
<tr>
<td>South</td>
<td>Agricultural</td>
<td>A-1</td>
<td>Suburban Residential</td>
<td>A-1</td>
</tr>
<tr>
<td>East</td>
<td>Agricultural</td>
<td>A-1</td>
<td>Suburban Residential</td>
<td>A-1; Plainfield</td>
</tr>
<tr>
<td>West</td>
<td>Agricultural</td>
<td>A-1</td>
<td>Suburban Residential</td>
<td>A-1; A-1SU</td>
</tr>
</tbody>
</table>

PHYSICAL DATA

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

NATURAL RESOURCES INVENTORY
An executive summary will be provided since there are future buildings proposed.

ACTION SUMMARY
TOWNSHIP
(SNaAuSay)
Sent to the township on 2.20.15
MUNICIPALITY
(Plainfield)
Sent to Plainfield on 2.20.15

REQUESTED ACTION

GENERAL
Approval of an A-1 Special Use Permit to operate a banquet hall on their property for special events. According to our Zoning Ordinance:

Banquet Halls are permitted subject to the following conditions:

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 proposed site plan shows a temporary tent and temporary bathrooms will be placed about 200' from Johnson Road northwest of the house.

**VARIANCE**

A variance must be requested since Johnson Road is not a major collector or arterial roadway. Also must get approval from the NaAuSay Township highway commissioner.

**LONG TERM PLAN**

The petitioner has shown where they would like to be a concrete pad in the future and keep up a season tent from April to October at the size of 40' x 80' and also a barn with future bathrooms. This also seems to be the same location as the parking.

**EMPLOYEES**

Staff would like to know how many employees the petitioner plans to have or will it all be through a catering business with their employees?

**NUMBER OF PEOPLE**

The petitioner has not suggested a number of people so staff has started with a number of 100 as a condition.

**PARKING**

The petitioner has stated the guest will park in the hayfield but what if it's muddy or if the crop is in? Also there is a fence blocking the hayfield for 350', the guests won't park near the north circular drive?

**R.O.W.**

Staff will defer to the Township if ROW will be requested to be dedicated at this time.

**TRAIL**

Staff will defer to the Village of Plainfield if a trail easement will be requested to be dedicated at this time.
SIGNAGE  No signage is proposed at this time, if they would like to have a sign they would need to comply with Section 12 of the Zoning Ordinance and apply for a building permit.

HOURS OF OPERATION  No hours of operation have been proposed

ACCESS  The property currently has an access point off of Johnson Road which is the same access they propose to use for the special events.

STORMWATER  Since there are no proposed improvements a stormwater permit is not required.

RECOMMENDATION  Staff would recommend approval and the following conditions be placed on the special use, if approved:
   1. The principal use of the property is for residential purposes and/or farming.
   2. A maximum of 100 persons at any one time
   3. All events must be catered unless approved by the Health Department.
   4. Compliance with applicable building codes and Americans with Disabilities Act accessibility provisions and securing of the required permits associated with any proposed remodeling, alteration, construction or expansion of existing and proposed structures on the premises.

ATTACHMENTS
   1. Description of business
   2. Hand drawing of proposed building locations
Petitioners desire to on a short term basis, set up a tent and provide rural weddings, with an open side yard space and portable bathroom trailer.

The long range plan would include pouring a concrete slab on the area indicated in the attached drawing, and creating a more permanent site for a year round tent and possible multi-season wedding events on an intermittent basis.

Attached detailed plan:

1. The Site would be used to hold private weddings.

2. No food would be produced on-site, all events would be catered.

3. The existing well head and septic would be protected in the open field area keeping cars limited to parking on an existing hay field, and having the area cordoned off where the well and septic field are located.

4. If a permanent facility was sought to be constructed and the special use expanded provision for an additional permanent septic field and Health Department approval would be obtained prior to commencing any permanent type site improvements

5. Petitioners have met with the Kendall County Health Department (Aaron Rybski) who has indicated that portable bathrooms for intermittent use would satisfactory under the Kendall County and State of Illinois Health Code as long as permanent improvements were not constructed.
1. The Short Range plan is to set up a tent on the open side yard with a portable toilet and kitchen off to the side between the old storage garage and corn crib. Parking will take place on the Cut Bed along the east side of property.

2. The Long Range plan (possibly happening soon) is to pour a concrete pad for a 40x50 ft. 

* Tent that will stay up from April - October. This will be **seasonal**. A small barn will be constructed next to the pad that will include a very nice women's bathroom, a men's bathroom, and will serve as a mini barn for the winter, with necessary equipment. A septic system separate from the house will be installed for the tent, and will be **fire resistant**.
ORDINANCE NUMBER 2015 - ______
GRANTING SPECIAL USE FOR THE OWNERS AT
655 WOOLLEY ROAD, OSWEGO 60543
SYBERT LANDSCAPING

WHEREAS, Andrew & Audra Sybert have filed a petition for a Special Use within the A-1 Agricultural Zoning District for a 3.14 acre property located on the north side of Woolley Road, 0.15 miles west of Stewart Road, commonly known as 655 Woolley Road, Oswego, (PIN# 03-24-100-019), in Oswego Township; and

WHEREAS, said property is currently zoned A-1 Agricultural; and

WHEREAS, said petition is to obtain an A-1 Special Use Permit to operate a landscape business with outdoor storage of vehicles, equipment and bulk materials associated with a landscape business; and

WHEREAS, said property is legally described as:

THAT PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 37 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE EAST 1/2 OF SAID NORTHWEST 1/4; THENE NORTH 89 DEGREES 39 MINUTES 30 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4, 726 FEET FOR THE POINT OF BEGINNING; THENE NORTH PARALLEL WITH THE EAST LINE OF SAID NORTHWEST 1/4, 895.00 FEET; THENE NORTH 89 DEGREES 39 MINUTES 30 SECONDS WEST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST 1/4, 152.80 FEET; THENE SOUTH 0 DEGREES 02 MINUTES 00 SECONDS WEST 895.00 FEET TO THE SOUTH LINE OF SAID NORTHWEST 1/4; THENE SOUTH 89 DEGREES 39 MINUTES 30 SECONDS EAST ALONG SAID SOUTH LINE, 153.32 FEET TO THE POINT OF BEGINNING; IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTRY, ILLINOIS.

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 February 2, 2015; 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. The current uses of the subject

Page 1 of 3
property include a residence; an amusement rides business and outdoor storage. The special use permit will allow for a landscaping business to operate on the subject property. Considering the existing uses, the special use will be detrimental to and endanger the public health, safety, morals, comfort or general welfare. This is a 3 acre property and in an area that is quasi-residential use and this use will right next to a residential area. The current property does not comply with not being detrimental.

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. The subject property is surrounded by farmland and property used both as a residence and as a commercial business. The petitioners will be using the property as a residence and as a landscaping business which is compatible with agricultural farming. The zoning classification with the general area is still agricultural.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. All the utilities, access roads and drainage already exist for this site.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. The buildings already exist and the petitioner is not requesting any variances.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. This special use permit will not be consistent with the County’s LRMP in that the subject property will be used in a more intense nature with the surrounding properties.

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Special Use 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 run with the owners, Andrew & Audra Sybert at 655 Woolley Road, Oswego; and

WHEREAS, if Andrew & Audra Sybert were to move out of the home the special use would dissolve at that time; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit to operate a landscape business with outdoor storage of vehicles,
equipment and bulk materials associated with a landscape business in accordance to the submitted Site Plan included as “Exhibit A” attached hereto and incorporated herein subject to the following conditions:

1. No landscape waste generated off the property can be burned on this site.
2. No loading or unloading of landscape equipment between the hours of 7pm and 6am.
3. No retail sales/business allowed on site.
4. Restrict the amount of landscape waste that could be stored on site at any one time on the ground (stored in the bins upfront closest to the house) to 15 yards of landscape waste including what is in the bed of the trucks. The 15 yards must be removed within 1 week.
5. The solid fence must be installed within 6 months of the approval date of the special use. Before any outside storage is permitted, the fence also must be erected.
6. A maximum of 9 of employees.

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

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 17th day of February, 2015.

Attest:

Debbie Gillette
Kendall County Clerk

John Shaw
Kendall County Board Chairman