

KANE COUNTY DEVELOPMENT DEPARTMENT
 Zoning Division, Kane County Government Center
 719 Batavia Avenue
 Geneva, Illinois 60134
 Office (630) 444-1236 Fax: (630) 232-3411

Received Date

MAR 20 2019
 Kane Co. Dev. Dept.
 Zoning Division

**APPLICATION FOR ZONING MAP AMENDMENT
 AND/OR SPECIAL USE**

Instructions:

To request a map amendment (rezoning) for a property, complete this application and submit it with all required attachments to the Subdivision and Zoning Division.

When the application is complete, we will begin the review process.

The information you provide must be complete and accurate. If you have a question please call the subdivision and zoning division, and we will be happy to assist you.

1. Property Information:	Parcel Number (s): 03-35-226-004
	Street Address (or common location if no address is assigned): 14 N 630 RT 25 EAST DUNDEE, IL 60118

2. Applicant Information:	Name BRUCE OEHLERKING	Phone 847-337-2702
	Address 14 N 630 RT 25	Fax
	EAST DUNDEE, IL 60118	Email BRUCEOEHLERKING@AOL.COM

3. Owner of record information:	Name TIANQUIS L.L.C	Phone
	Address 704 OAK ST.	Fax
	Roselle IL 60172	Email

Zoning and Use Information:

2040 Plan Land Use Designation of the property: _____

Current zoning of the property: B-3

Current use of the property: WEDDINGS, PARTIES, PICNICS FLEA MARKET

Proposed zoning of the property: B-4

Proposed use of the property: WEDDINGS, PARTIES, PICNICS WITH LIQUOR

If the proposed Map Amendment is approved, what improvements or construction is planned? (An accurate site plan may be required)

NONE

Attachment Checklist

- Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal description
- Completed Land Use Opinion application (Available in pdf form at www.kanedupageswed.org/luo.pdf), as required by state law, mailed to: The Kane Dupage Soil and Water Conservation District, 545 S. Randall Road, St. Charles, IL 60174.
- Endangered Species Consultation Agency Action Report (available in pdf form at www.dnr.state.il.us/orep/nrrc/aar.htm) to be filed with the Illinois Department of Natural Resources.
- List of record owners of all property adjacent & adjoining to subject property
- Trust Disclosure (If applicable)
- Findings of Fact Sheet
- Application fee (make check payable to Kane County Development Department)

I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.

X Ed Roman
Record Owner

3-10-19
Date

ED ROMERO / Bruce Dehlerking
Applicant or Authorized Agent

3-10-19
Date

Findings of Fact Sheet – Map Amendment and/or Special Use

- The Kane County Zoning Board is required to make findings of fact when considering a rezoning. (map amendment)
- You should "make your case" by explaining specifically how your proposed rezoning relates to each of the following factors.

MILK PAIL COMPLEX
Name of Development/Applicant

MARCH 20, 2019
Date

1. How does your proposed use relate to the existing uses of property within the general area of the property in question?

SAME - THIS WILL ALLOW US TO SERVE LIQUOR
IN ALL OUR BUILDINGS AND GARDEN AREA.

2. What are the zoning classifications of properties in the general area of the property in question?

B-3 AND B-4

3. How does the suitability of the property in question relate to the uses permitted under the existing zoning classification?

THE PROPERTY IS VERY SUITABLE FOR WEDDINGS,
PARTIES, AND PICNICS

4. What is the trend of development, if any, in the general area of the property in question?

THE USE OF THE CHANGED ZONING PROPERTY (B-3 TO B-4)
WILL WORK WELL WITH THE BEST OF OUR PROPERTY.

5. How does the projected use of the property, relate to the Kane County 2040 Land Use Plan?

COMPIMENT

August 6, 2019

Tianguis, LLC

Rezoning a portion of the property from B-3 Business District to B-4 Business District to expand event space

Special Information: This property is known locally as the “Milk Pail” property. Due to changing market conditions the original uses of the property are no longer profitable. In order to best utilize the property the petitioner is requesting an expansion of the existing B-4 Business District zoning to increase the opportunity of social events, such as weddings, parties, and picnics (all with the possibility of liquor sale and consumption on-site) as well as a regular flea market with food being served by vendors on-site.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Commerce/Employment. This new combined category reflects the need for non-residential land uses to be centers for commerce and to generate local employment opportunities. The suitability of various uses within this category for specific locations depend on the trend and character of the adjacent land uses, availability of infrastructure and the economic development needs of the local community.

Staff recommended stipulations:

1. A traffic control plan including channelization be submitted to KDOT for internal traffic control
2. The owner must contract with the Sheriff or licensed third party company for legal traffic control on State Route 25.
3. Owner must have a third party food specialist on site to work with food vendors for food safety.
4. That a severe weather plan be submitted to the Kane County Sheriff and the Fire District
5. Amplified sound must be directed to the east and be in compliance with the Kane County Code in respect to noise and amplified sound.
6. Owner to enforce proper disposal of refuse and garbage on the site.
7. Water Resources will require documentation on all impervious surfaces and improved surfaces on the site since January 1, 2002. All improvements must demonstrate that the Stormwater Ordinance criteria for BMP's and Detention have been met. The applicant is currently working through the permitting process for proposed impervious areas on site.
8. A Maintenance Plan be submitted to Water Resources that addresses all sources of erosion and sedimentation on-site, and addresses cleanup of litter and debris that may pose issues with stormwater runoff on the site and leaving the site.

Staff recommended Findings of Fact:

1. The expanded rezoning will allow for additional area for social events where alcohol can be served under a valid liquor license.
2. Violations of stipulations, conditions and/or violations of the Kane County Code may lead to suspension or revocation of any Kane County liquor licenses.

Attachments: Location Map
 Township Map
 Petitioner's finding of fact sheet

El Gran Paseo LLC

March 20, 2019

Kane County
Development and Resource Management Department
719 S. Batavia Ave.
Geneva IL 60136

Re: Milk Pail Property Rezoning

To Whom It May Concern:

Our redevelopment goals for the Milk Pail Complex are to make it an economically viable destination entertainment facility. We plan to have not only the Milk Pail restaurant and Banquet facility functioning, but also additional permanent restaurants. The Tianguis/Flea Market where vendors prepare authentic Mexican food and wares for sale will continued. In addition to our group activities of weddings, parties, picnics and raffle/gaming, we will have an outdoor area to accommodate various entertainment venues. Visitors and customers will come from as far as 50 miles around (Wisconsin, Rockford and Greater Chicago).

The Milk Pail Property is surrounded by and located approximately in the center of Mac McGraw Wildlife Foundation properties for 1 mile to the North, South, East and West of us.

B-4 zoning allows liquor to be served in addition to B-3 zoning uses. Our property (22 acres) is currently all zoned B-3 and B-4. Some of our property we want to use under our current redevelopment plan has split zoning on them and therefore limit their use. Current market conditions require us to have the ability to serve liquor at these planned events in order for them to be successful. Therefore, we request to rezone about 3.5 acres of our B-3 zoned property to B-4 zoning, then all our events will be held on B-4 zoned property.

Sincerely,


Bruce Oehlerking

B-4 ZONING PARCEL DESCRIBED AS:

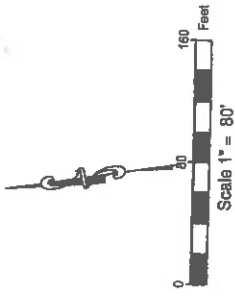
THAT PART OF THE NORTH 1/2 OF SECTION 35, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION, AS MONUMENTED, OF THE EASTERLY RIGHT OF WAY LINE OF PARKSIDE AVENUE (NOW VACATED) WITH THE SOUTH LINE, EXTENDED EASTERLY OF LOT 32, AS PLATTED IN FOX RIVER BLUFFS UNIT NO. 5, BEING A SUBDIVISION OF PART OF SECTIONS 26 AND 35, TOWNSHIP AND RANGE AFORESAID, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 20, 1929 AS DOCUMENT 326521; THENCE SOUTH 83 DEGREES 04 MINUTES, 00 SECONDS EAST, ALONG A LINE THAT WOULD INTERSECT THE SOUTHWEST CORNER OF LOT 83, AS MONUMENTED, OF FOX RIVER BLUFFS UNIT NO. 3, BEING A SUBDIVISION OF PART OF SECTIONS 35 AND 36, TOWNSHIP AND RANGE AFORESAID, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 3, 1928 AS DOCUMENT 303348, A DISTANCE OF 122.51 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 83 DEGREES, 04 MINUTES 00 SECONDS EAST, ALONG SAID LINE, A DISTANCE OF 640.00 FEET; THENCE SOUTH 07 DEGREES 01 MINUTES 55 SECONDS WEST, FOR A DISTANCE OF 210.00 FEET; THENCE NORTH 82 DEGREES 58 MINUTES 05 SECONDS WEST, FOR A DISTANCE OF 40.00 FEET; THENCE SOUTH 07 DEGREES 01 MINUTES 55 SECONDS WEST, FOR A DISTANCE OF 282.23 FEET; THENCE NORTH 82 DEGREES 58 MINUTES 05 SECONDS WEST, FOR A DISTANCE OF 70.00 FEET; THENCE SOUTH 07 DEGREES 01 MINUTES 55 SECONDS WEST, FOR A DISTANCE OF 180.00 FEET; THENCE SOUTH 82 DEGREES 58 MINUTES 05 SECONDS EAST, FOR A DISTANCE OF 75.00 FEET; THENCE SOUTH 07 DEGREES 01 MINUTES 55 SECONDS WEST, FOR A DISTANCE OF 170.00 FEET; THENCE SOUTH 82 DEGREES 58 MINUTES 05 SECONDS EAST, FOR A DISTANCE OF 30.00 FEET; THENCE SOUTH 07 DEGREES 01 MINUTES 55 SECONDS WEST, FOR A DISTANCE OF 217.00 FEET; THENCE NORTH 82 DEGREES 58 MINUTES 05 SECONDS WEST, FOR A DISTANCE OF 390.00 FEET; THENCE SOUTH 07 DEGREES 01 MINUTES 55 SECONDS WEST, FOR A DISTANCE OF 55.00 FEET; THENCE NORTH 82 DEGREES 58 MINUTES 05 SECONDS WEST, FOR A DISTANCE OF 71.00 FEET; THENCE NORTH 07 DEGREES 01 MINUTES 55 SECONDS EAST, FOR A DISTANCE OF 162.00 FEET; THENCE SOUTH 82 DEGREES 58 MINUTES 05 SECONDS EAST, FOR A DISTANCE OF 50.00 FEET; THENCE NORTH 07 DEGREES 01 MINUTES 55 SECONDS EAST, FOR A DISTANCE OF 124.66 FEET; THENCE NORTH 82 DEGREES 58 MINUTES 05 SECONDS WEST, FOR A DISTANCE OF 175.00 FEET; THENCE NORTH 07 DEGREES 01 MINUTES 55 SECONDS EAST, FOR A DISTANCE OF 110.00 FEET; THENCE SOUTH 82 DEGREES 58 MINUTES 05 SECONDS EAST, FOR A DISTANCE OF 255.00 FEET; THENCE NORTH 07 DEGREES 01 MINUTES 55 SECONDS EAST, FOR A DISTANCE OF 80.00 FEET; THENCE NORTH 83 DEGREES 05 MINUTES 37 SECONDS WEST, FOR A DISTANCE OF 75.00 FEET; THENCE NORTH 48 DEGREES 37 MINUTES 24 SECONDS WEST, FOR A DISTANCE OF 277.64 FEET TO A POINT ON A MONUMENTED LINE; THENCE NORTH 07 DEGREES 03 MINUTES 35 SECONDS EAST, ALONG SAID MONUMENTED LINE, A DISTANCE OF 480.00 FEET TO THE POINT OF BEGINNING, SITUATED IN DUNDEE TOWNSHIP, KANE COUNTY, ILLINOIS.

PROPERTY PARCEL DESCRIBED AS:

THAT PART OF THE NORTH 1/2 OF SECTION 35, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION, AS MONUMENTED, OF THE EASTERLY RIGHT OF WAY LINE OF PARKSIDE AVENUE (NOW VACATED) WITH THE SOUTH LINE, EXTENDED EASTERLY OF LOT 32, AS PLATTED IN FOX RIVER BLUFFS UNIT NO. 5, BEING A SUBDIVISION OF PART OF SECTIONS 26 AND 35, TOWNSHIP AND RANGE AFORESAID, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 20, 1929 AS DOCUMENT 326521; THENCE SOUTH 83 DEGREES 04 MINUTES 00 SECONDS EAST, ALONG A LINE THAT WOULD INTERSECT THE SOUTHWEST CORNER OF LOT 83, AS MONUMENTED, OF FOX RIVER BLUFFS UNIT NO. 3, BEING A SUBDIVISION OF PART OF SECTIONS 35 AND 36, TOWNSHIP AND RANGE AFORESAID, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 3, 1928 AS DOCUMENT 303348, A DISTANCE OF 122.51 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 83 DEGREES 04 MINUTES 00 SECONDS EAST, ALONG SAID LINE, A DISTANCE OF 779.39 FEET TO THE CENTERLINE, AS MONUMENTED, OF A PUBLIC HIGHWAY KNOWN AS STATE ROUTE NO. 25; THENCE SOUTH 07 DEGREES 01 MINUTES 55 SECONDS WEST, ALONG SAID CENTERLINE, AS MONUMENTED, A DISTANCE OF 1262.34 FEET TO A MONUMENTED LINE; THENCE NORTH 83 DEGREES 01 MINUTES 00 SECONDS WEST, ALONG SAID MONUMENTED LINE, A DISTANCE OF 780.00 FEET TO AN EXISTING IRON STAKE; THENCE NORTH 07 DEGREES 03 MINUTES 35 SECONDS EAST, ALONG A MONUMENTED LINE, A DISTANCE OF 1261.66 FEET TO THE POINT OF BEGINNING, SITUATED IN DUNDEE TOWNSHIP, KANE COUNTY, ILLINOIS.

ZONING EXHIBIT

PROPERTY PARCEL DESCRIBED AS:
 THAT PART OF THE NORTH 1/2 OF SECTION 35, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION, AS MONUMENTED, OF THE EASTERLY RIGHT OF WAY LINE OF PARKSIDE AVENUE (NOW VACATED) WITH THE SOUTH LINE, EXTENDED EASTERLY OF LOT 32, AS PLATTED IN FOX RIVER BLUFFS UNIT NO. 5, BEING A SUBDIVISION OF PART OF SECTIONS 28 AND 35, TOWNSHIP AND RANGE AFORESAID, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 20, 1928 AS DOCUMENT 326524; THENCE SOUTH 83 DEGREES 04 MINUTES 00 SECONDS EAST, ALONG A LINE THAT WOULD INTERSECT THE SOUTHWEST CORNER OF LOT 83, AS MONUMENTED, OF FOX RIVER BLUFFS UNIT NO. 3, BEING A SUBDIVISION OF PART OF SECTIONS 32 AND 36, TOWNSHIP AND RANGE AFORESAID, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 9, 1928 AS DOCUMENT 303348; A DISTANCE OF 122.51 FEET; FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 83 DEGREES 04 MINUTES 00 SECONDS EAST, ALONG SAID LINE, A DISTANCE OF 779.39 FEET TO THE CENTERLINE, AS MONUMENTED, OF A PUBLIC HIGHWAY KNOWN AS STATE ROUTE NO. 26; THENCE SOUTH 07 DEGREES 01 MINUTES 00 SECONDS WEST, ALONG SAID CENTERLINE, AS MONUMENTED, A DISTANCE OF 1262.34 FEET TO A MONUMENTED LINE; THENCE NORTH 83 DEGREES 01 MINUTES 00 SECONDS WEST, ALONG SAID MONUMENTED LINE, A DISTANCE OF 780.00 FEET TO AN EXISTING IRON STAKE; THENCE NORTH 07 DEGREES 03 MINUTES 36 SECONDS EAST, ALONG A MONUMENTED LINE, A DISTANCE OF 1281.68 FEET TO THE POINT OF BEGINNING, SITUATED IN DUNDEE TOWNSHIP, KANE COUNTY, ILLINOIS.



LOT 31	N7° 50' 35"E, 460.00'
LOT 32	VACATED PARKSIDE AVE

POINT OF COMMENCEMENT

POINT OF BEGINNING

S83° 04' 00"E, 779.39'(R)

S83° 04' 00"E, 640.00'

S83° 04' 00"E, 122.51'(R)

S7° 01' 55"W, 210.09'

S7° 01' 55"W, 282.23'

N82° 53' 05"W, 40.00'

N7° 03' 35"E, 460.00'

LOT 83

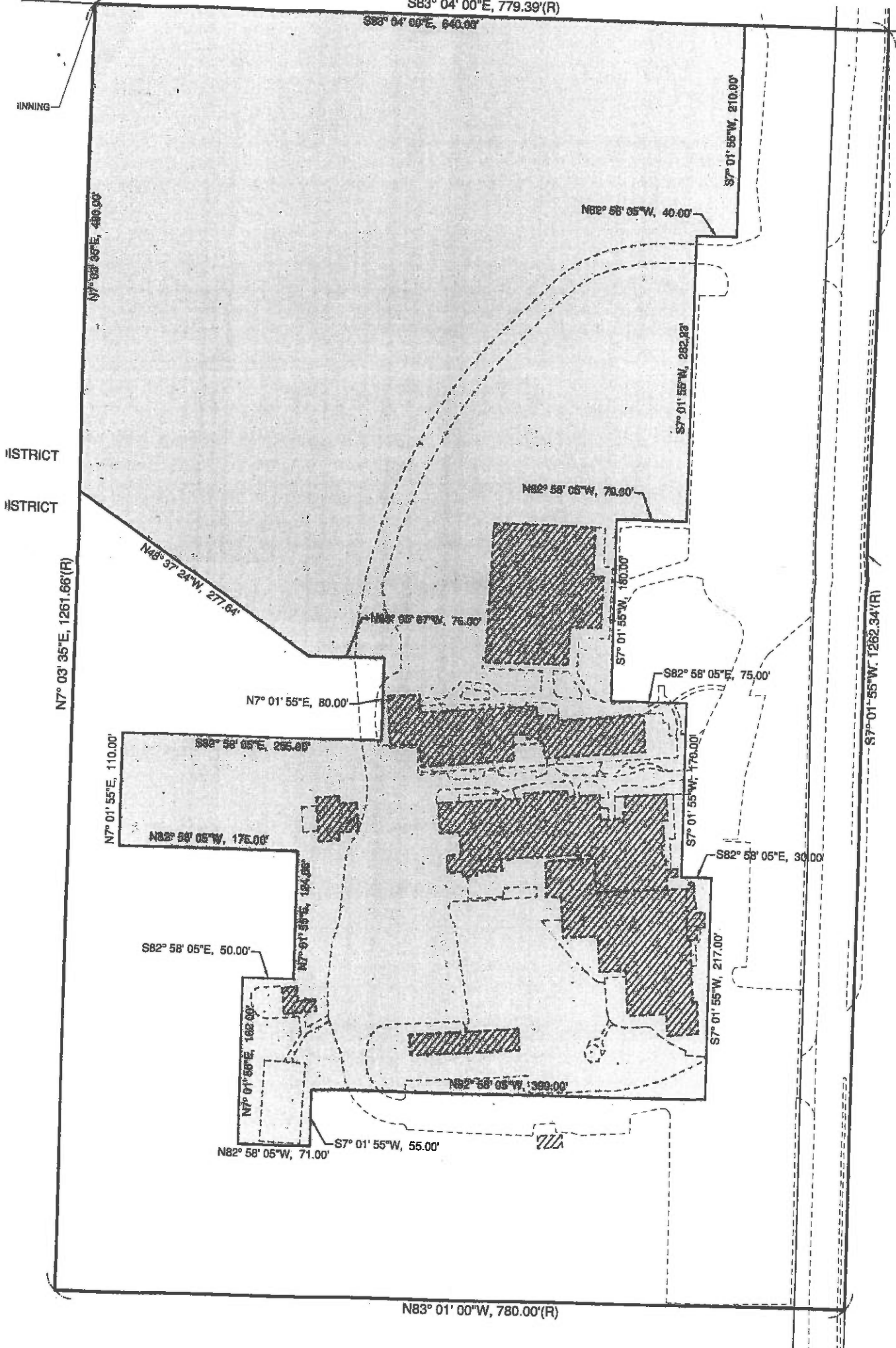
SOUTH WEST CORNER OF LOT 83 OF FOX RIVER BLUFFS UNIT NO. 3

DUTE NO. 25

LEGEND

B-3 ZONING DISTRICT





S83° 04' 00\"E, 779.39'(R)

S82° 04' 00\"E, 640.00'

INNING

N7° 03' 35\"E, 486.00'

S7° 01' 55\"W, 210.00'

N82° 58' 05\"W, 40.00'

S7° 01' 55\"W, 282.83'

DISTRICT

DISTRICT

N82° 58' 05\"W, 70.00'

N7° 03' 35\"E, 1261.66'(R)

N48° 37' 24\"W, 277.64'

N82° 00' 07\"W, 76.00'

S7° 01' 55\"W, 160.00'

N7° 01' 55\"E, 80.00'

S82° 58' 05\"E, 75.00'

N7° 01' 55\"E, 110.00'

S82° 58' 05\"E, 286.00'

N82° 58' 05\"W, 176.00'

N7° 01' 55\"E, 124.55'

S7° 01' 55\"W, 170.00'

S82° 58' 05\"E, 30.00'

S82° 58' 05\"E, 50.00'

S7° 01' 55\"W, 217.00'

N7° 01' 55\"E, 102.00'

N82° 58' 05\"W, 1360.00'

N82° 58' 05\"W, 71.00'

S7° 01' 55\"W, 55.00'

S7° 01' 55\"W, 1262.94'(R)

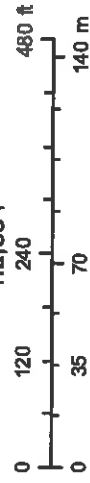
N83° 01' 00\"W, 780.00'(R)

Map Title



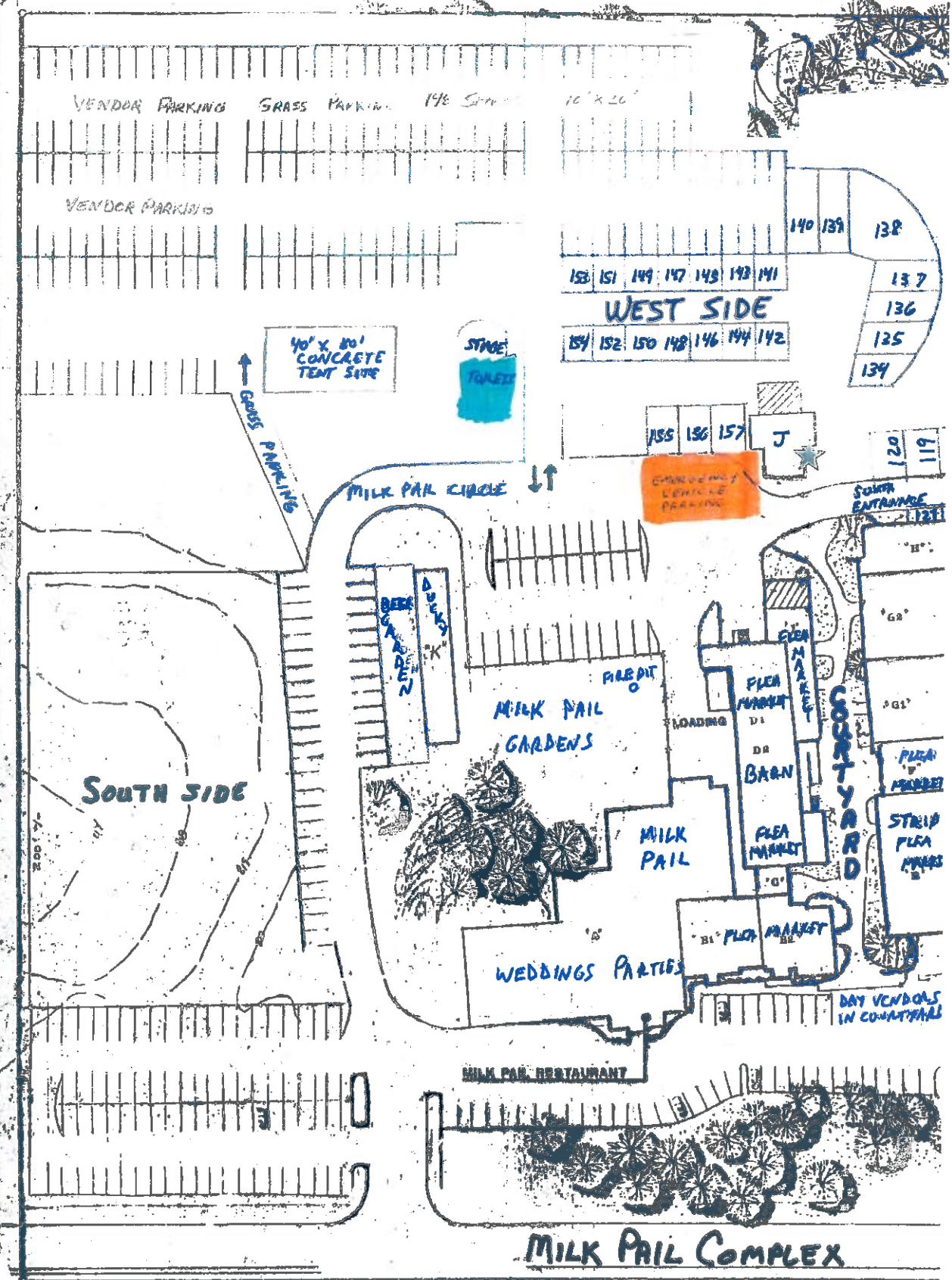
April 2, 2019

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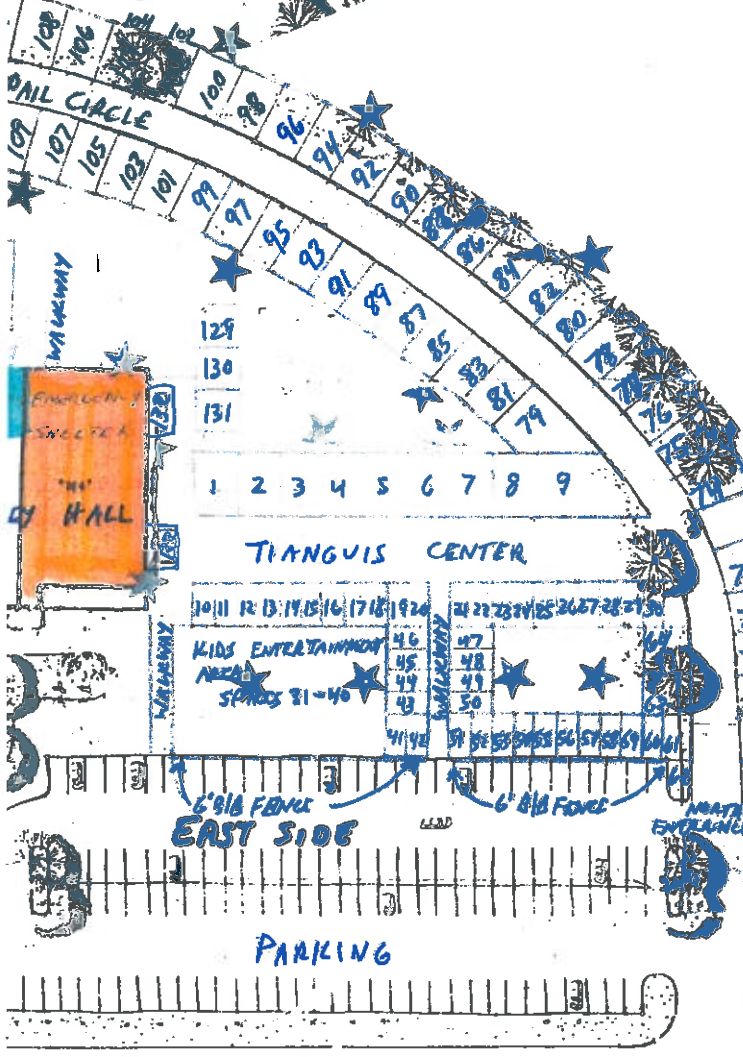
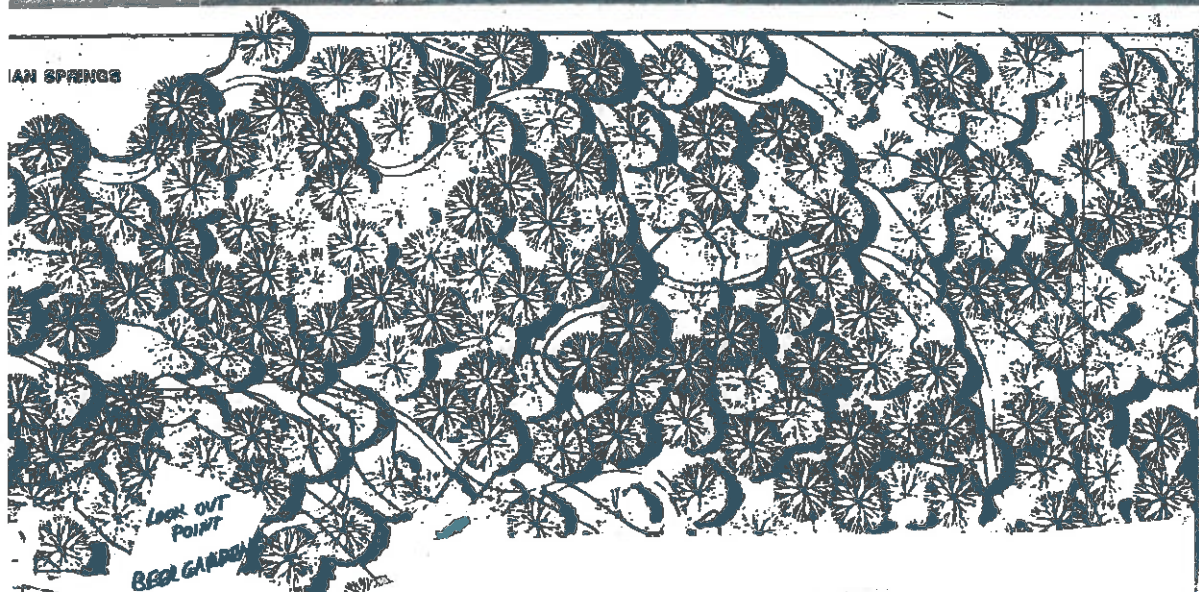
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STATE

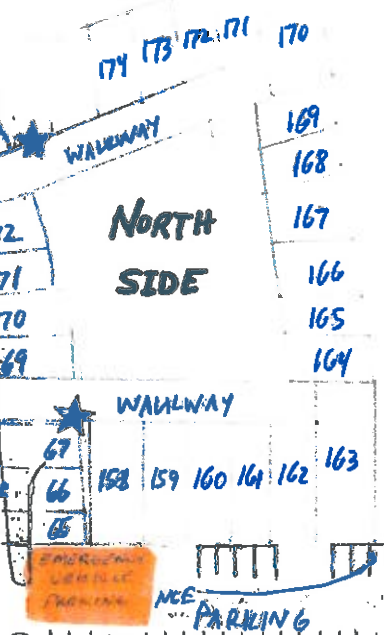
ROUTE

MILK PAIL COMPLEX



2019 TIANGUIS FLEA MARKET

★ ⇒ ELECT.

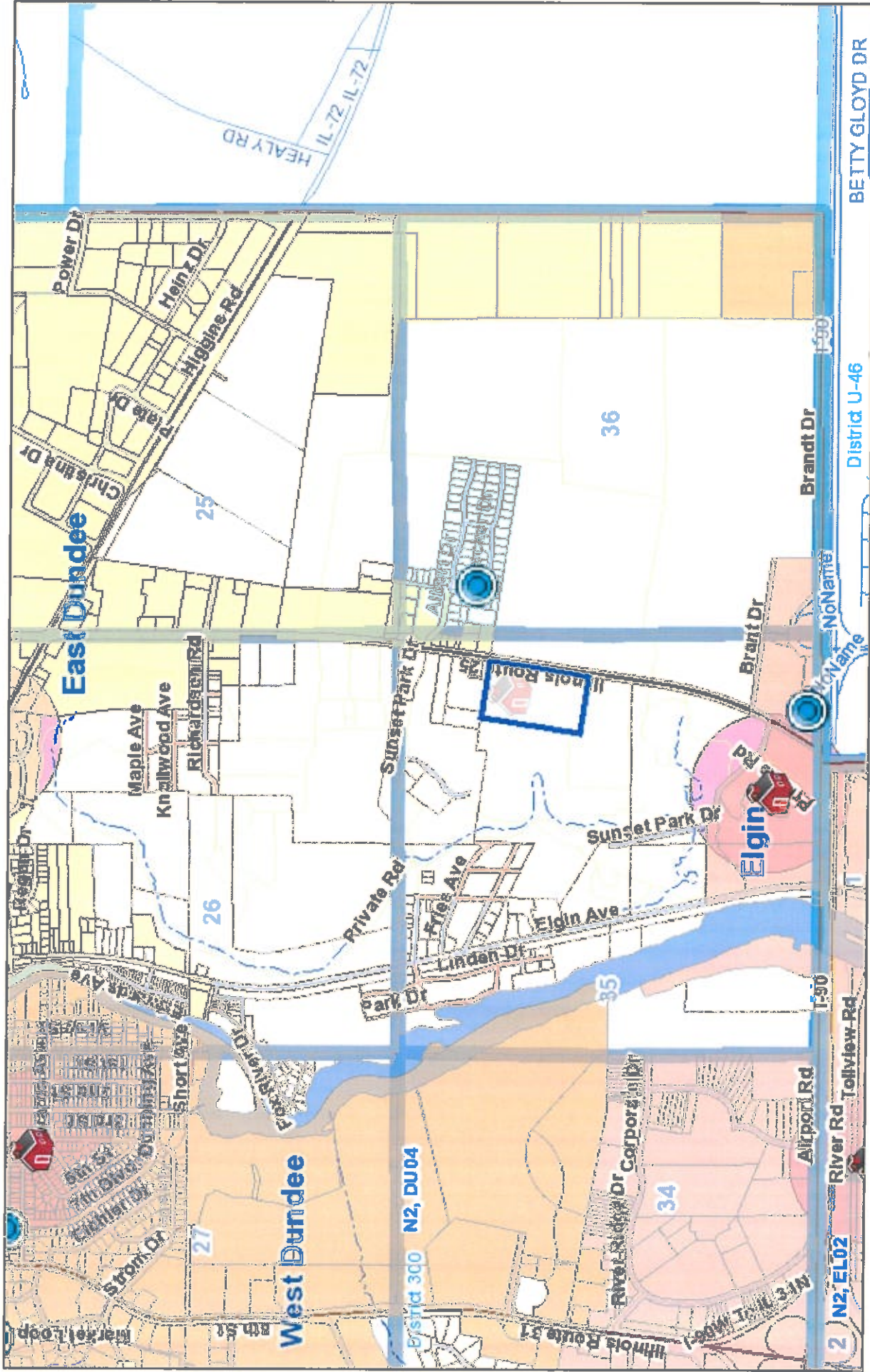


2019 TIANGUIS FLEA MARKET

PARCEL # 03-35-226-004
EL GRAN PASEO
149630 AT 25
EAST DUNDEE, FL 60118

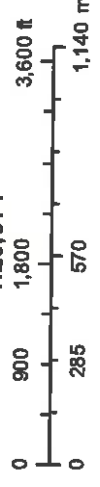
BRUCE@ENLEAKING.COM
847-337-2702

Map Title



April 2, 2019

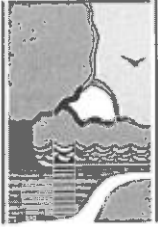
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Kane County Illinois



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

JB Pritzker, Governor

Colleen Callahan, Director

July 26, 2019

Bruce Oehlerking
El Gran Paseo
14N630 Rt. 25
East Dundee, IL 60118

RE: Milk Pail Complex
Project Number(s): 2000954
County: Kane

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.

Kyle Burkwald
Division of Ecosystems and Environment
217-785-5500

Kane – DuPage Soil & Water Conservation District



July 24, 2019

Kane County Development Department
Keith Berkhout
719 S. Batavia Avenue
Geneva, IL 60134

We have assigned number 19-058 to a Land Use Opinion Applications from:

El Gran Paseo
14N630 Route 25
East Dundee, IL 60118

The site location is:

Dundee Township
Section 35, Township 42N, Range 8E

The application was sent to us in compliance with Section 22.02a of the Illinois Soil and Water Conservations Districts Act.

_____ Our review and comments will be sent on or before _____.

According to the information received, a full Land Use Opinion report is not required at this time. Therefore, no further action will be taken by the Soil and Water Conservation District Board.

Sincerely,

Susan Rankin
Office Assistant