

KANE COUNTY DEVELOPMENT DEPARTMENT
Subdivision and Zoning Division, Kane County Government Center
719 Batavia Avenue
Geneva, Illinois 60134
Office (630) 232-3492 Fax: (630) 232-3411

4553

ZONING MAP AMENDMENT APPLICATION

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): 10-04-300-005 – West Watson, LLC and 10-04-300-006 – Wade & Kimberly Kuipers
	Street Address (or common location if no address is assigned): West and north of 1N318 Watson Road, Maple Park, IL 60151

2. Applicant Information:	Name Development Properties, Inc. John A. Thornhill, President	Phone 630-584-3303
	Address 44 White Oak Circle, St. Charles, IL 60174-4165	Fax 630-584-3303
		Email JATLDC@sbcglobal.net

3. Owner of record information:	Name West Watson, LLC, 1N318 Watson, Maple Park, Illinois 60151, an Illinois Limited Liability Company and Wade & Kimberly Kuipers	Phone 815-791-1752
	Address 1N318 Watson Road, Maple Park, IL 60151	Fax
		Email kuiperspf@aol.com

Zoning and Use Information:

2040 Plan Land Use Designation of the property:

Agriculture

Current zoning of the property:

F2 District-Agricultural related sales, service, processing, research, warehouse and marketing:
Special Uses.

Current use of the property:

Venue for agri-entertainment with related buildings and infrastructure appropriate for Special Use.

Proposed special use of the property:

Within the existing F2 District, a liquor license is being requested as allowed under Section
8.1-2bb of the Kane County Zoning Ordinance for those areas depicted on the attached Site
Development Plan, and as described in the attached revised stipulation.

**If the proposed Special Use/Map Amendment is approved, what improvements or
construction is planned?**

No additional infrastructure is planned except those improvements already permitted by earlier
approvals of the County Board intending to accommodate the Special Use.

Attachment Checklist

- Site Development Plan drawn to scale depicting buildings, walkways, required parking to demonstrate property can meet requirements, etc. = **Exhibit C.**
- Legal descriptions = **Exhibit A.**
- Completed Land Use Opinion application (Available in pdf form at www.kanedupageswed.org/luo.pdf), as required by state law, mailed to: Kane-DuPage Soil and Water Conservation District, 2315 Dean Street, Suite 100, St. Charles, IL 60175.
- 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
- Aerial (air photo) with property clearly highlighted ~~contact: The Sidwell Co., 675 Sidwell Dr., St. Charles, IL (630) 549-1000~~ ; See KC GIS Aerial Photo = **Exhibit B.**
- Trust or LLC Manager Disclosure (If applicable)
- Findings of Fact Sheet
- Application fee (make check payable to Kane County Development Department) **\$750.00**

We certify that this application and the documents submitted with it are true and correct to the best of our knowledge and belief.

Record Owner of westerly parcel: West Watson, LLC, 1N318 Watson, Maple Park, Illinois

By: [Signature]
Kim Kuipers, Manager

[Signature]
Wade Kuipers, Manager

4/23/2020
Date

Record Owner of easterly parcel: Wade Kuipers and Kimberly Kuipers

By: [Signature]
Wade M. Kuipers

[Signature]
Kimberly A. Kuipers

4/23/2020
Date:

Applicant/Authorized Agent:

Development Properties, Inc.

Date:

By: [Signature]
John A. Thornhill, President

4/23/2020

Findings of Fact Sheet – Special Use

Kuipers Amendment to Special Use
Special Use Request

April 23, 2020
Date

- *The Kane County Zoning Board is required to make findings of fact when considering a special use.*
- *Special Uses shall be considered at a public hearing before the Zoning Board of Appeals. In its report of findings of facts, recommendations shall be made to the County Board following the public hearing. The Zoning Board **will not** recommend a special use **unless** the following items are addressed:*

1. Explain how 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 Special Uses previously granted within the F2 District for Agriculturally-related research and facilities advocates placement of a new agricultural education building and nature trails in addition to the existing infrastructure consisting of buildings, agriculturally-themed, family-friendly recreational attractions, with walkways and vehicular parking areas. All of the activities presently allowed are conducted as an adjunct to the petitioners' underlying apple growing enterprise, one by-product of which is the production of hard cider. Hard cider is alcoholic and the sale and consumption of it and other alcoholic beverages is already allowed on other parts of the petitioners' property east of Watson Road. The ability to sell and consume such apple by-products including wine and hard cider, and other alcoholic beverages on the petitioners' property west of Watson Road is the subject of this request. None of the 3 areas of the existing Special Use west of Watson Road where liquor would be served are located less than 1200 feet away from the nearest neighbor's residence. The popularity of the existing rural-themed activities and entertainment destination has steadily increased and, together with the apple production from the petitioners' orchards, makes the availability of hard cider and other alcoholic beverages to adults compatible and appropriate to the area and should have no detrimental effect on surrounding properties.

2. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity. The proposed use, expanded to include the sale and consumption of hard cider or alcoholic beverages to the existing Special Uses described in the attached stipulation will take place within 800 feet of other public-accessed facilities where alcoholic beverages are already allowed, and will not prevent anyone in the vicinity of the subject property from the full enjoyment and use of their property. Such proposed activities will have no deleterious effect on surrounding properties.

3. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property. The introduction of hard cider or alcoholic beverages to the existing Special Uses is not related to the development of any adjoining properties. Surrounding properties will remain completely free to develop pursuant to prevailing land use regulations.

4. Will adequate utility, access roads, drainage and other necessary facilities be provided?
Please explain:

Yes; all required infrastructure will be, or already has been, provided on property owned by the petitioners to accommodate the proposed expansion of use.

5. Will adequate measures be provided for ingress and egress and so designed to minimize the traffic and congestion? Please explain:

Yes, such matters have already been addressed satisfactorily.

6. Will the special use conform to the regulations of the district in which it is located? Please explain:

Yes. The success of the proposed use depends on an agricultural theme being maintained and promoted.

Stipulation

Kuipers F2 District west of Watson Road

(Amended 4-23-2020)

The proposed changes to the scope of use of the properties would allow the business (Kuipers Family Farm) to capture the additional business of hosting private parties such as corporate events, family celebrations, charitable fundraising events and similar venue rental opportunities with proper license and zoning requirements being addressed in the area designated on the Site Development Plan as Site "B" (**PARTY BARN RENTAL AREA**). It would also allow them to sell at retail for immediate consumption their private labeled wines and hard ciders.

Kuipers Family Farm is being approached more and more frequently to rent the structures described and activity area immediately surrounding them for such events both during the September and October season when the pumpkin farm activities are operating and in the summer months. Currently the inquiries for the months of September and October are covered under the current description of the business but those outside of those months we believe are not.

The current description states the times the business operates is 9AM-6PM Monday through Sunday. The proposed changes would expand the times to Sunday-Thursday 9AM-10PM, Friday and Saturday 9AM-12AM to address these events if booked.

We will also be applying for an additional Liquor License so that we will be able to provide such events with bar packages that would include service by our in-house certified bartenders so that liquor consumption can be controlled by us.

We also plan to begin to offer our private labeled wines and hard ciders to the paying fall Pumpkin Farm customers within the confines of the paid fenced admission area just as we currently do on the east side of our property at the orchard retail building. These locations would be at the front area of the center building designated Site "A" (**KUIPERS HARD CIDER/WINE BAR AREA**) and also at the future building once constructed and designated Site "C" (**FUTURE HARD CIDER/WINE BAR AREA**) on the Site Development Plan.

June 29, 2019

West Watson, LLC (*Wade Kuiper's, et ux*)
Amendment to existing F-2 zoned property to allow for areas for the sale and consumption of
alcoholic beverages

Special Information: The petitioner is requesting an Amendment to the F-2's on the west side of Watson Road to allow for three areas for the sale and consumption of alcoholic beverages.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Agricultural. The Plan states that the Agricultural use category also provides for agribusinesses, farm support services, and other related uses that are dependent upon, or closely allied to, modern agricultural practices. Kane County recognizes that prime farmland can be best utilized as agricultural land when supported by a full range of agribusiness and farm services in the immediate area. In 2013, The Kane County Board adopted the "Growing for Kane" Program, which supports and encourages local food propagation, consumption, and the production of value added products.

Staff recommended Findings of Fact:

1. The Amendment would allow for three areas for the sale and consumption of alcoholic beverages.

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

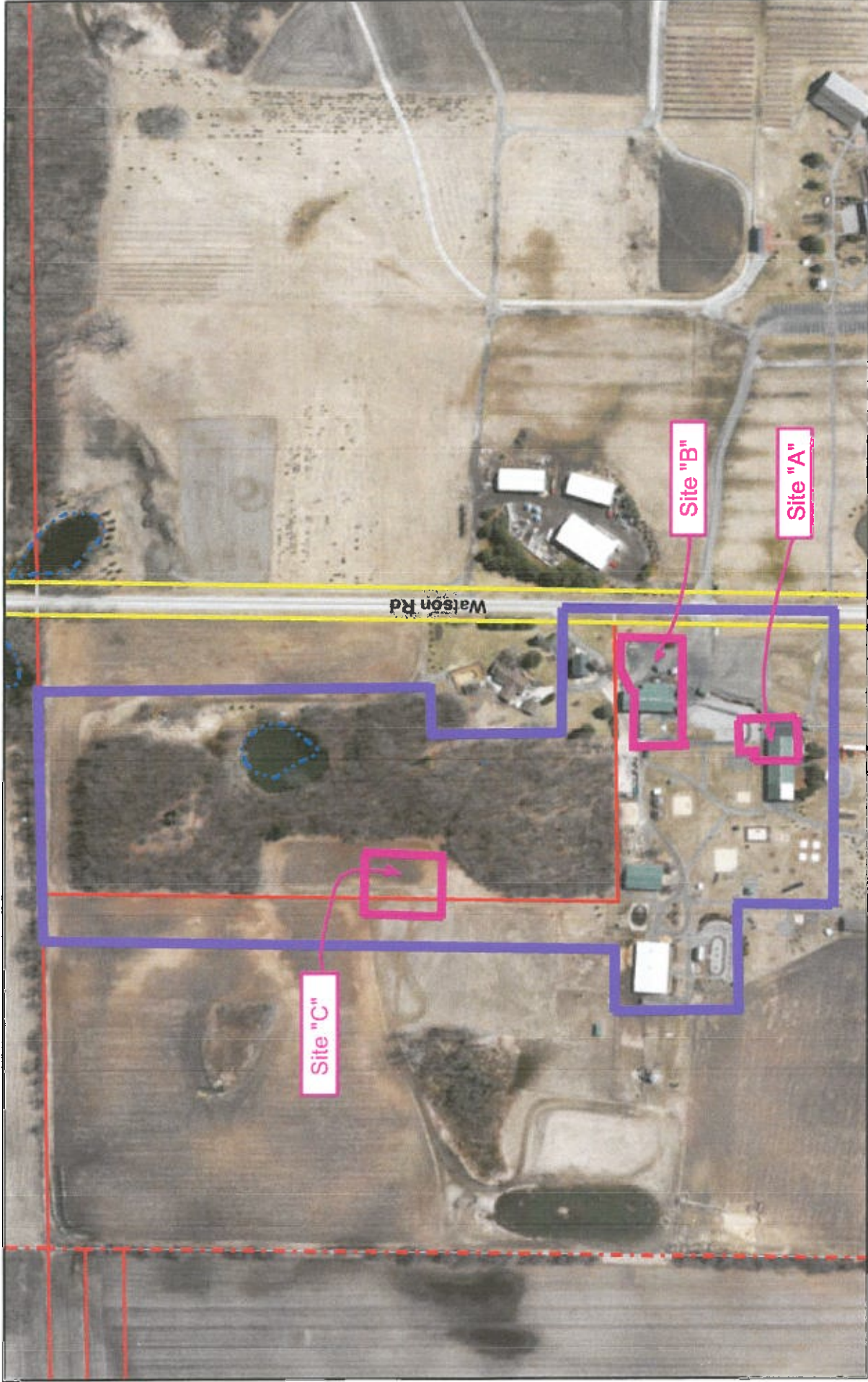
EXHIBIT "A"

Kuipers Existing F2 District West of Watson Road

That part of the West Half of the Southwest Quarter of Section 4, Township 39 North, Range 6 East of the Third Principal Meridian described as follows:

Commencing at the southeast corner of said West Half; thence northerly along the east line of said West Half 1480.0 feet for a point of beginning; thence continuing northerly along said east line 73.38 feet to a point that is 1079.0 feet southerly of the northeast corner of said West Half; thence westerly at right angles to said east line 255.0 feet; thence northerly parallel with said east line 285.0 feet; thence easterly at right angles to said east line 105.08 feet to a line drawn parallel with said east line from a point on the north line of said Half that is 150.0 feet westerly of said northeast corner; thence northerly parallel with said east line 788.98 feet to said north line; thence westerly along said north line forming an angle of 88°04'54" with the last described course (measured clockwise therefrom) 548.53 feet to a point that is 620.0 easterly of the northwest corner of said West Half; thence southerly parallel with said east line 1152.38 feet to a line drawn parallel with said north line from the point of beginning; thence westerly parallel with said north line 121.47 feet to a point that is 820.0 feet westerly of the point of beginning; thence southerly parallel with said east line 234.0 feet; thence easterly parallel with said north line 233.0 feet to a line drawn parallel with said east line that is 587.0 feet westerly of said east line (measured along said north line); thence southerly parallel with said east line 210.0 feet; thence easterly parallel with said north line forming an angle of 88°04'54" with the last described course (measured clockwise therefrom) 587.0 feet to said east line; thence northerly along said east line 444.0 feet to the point of beginning in Kaneville Township, Kane County, Illinois containing 21.308 acres.

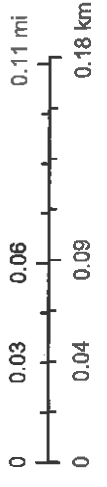
Exhibit "B" - Alcoholic Beverage Sales Areas



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--- Townships --- Cadastral Lines --- Road ROW --- Parcels
--- Road Names --- Parcel Line --- Section Line --- Water Line

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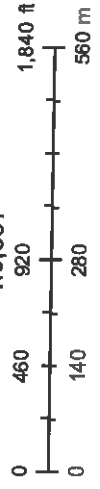
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus
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Map Title



June 29, 2020

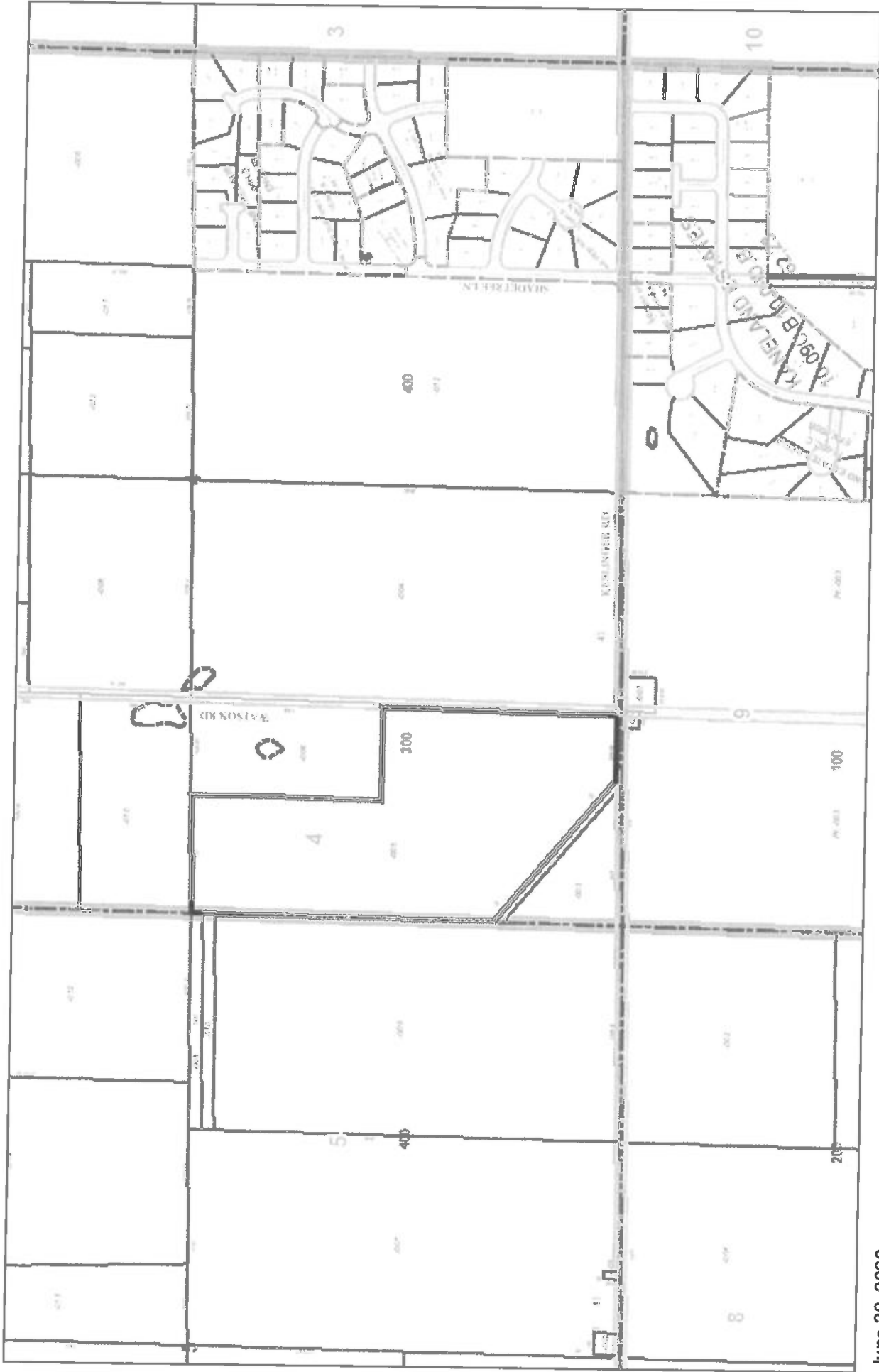
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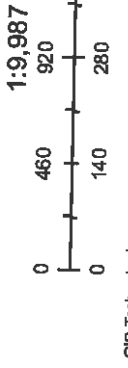
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Kane County Illinois

Map Title



June 29, 2020



GIS-Technologies

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Kane County Illinois