

**VILLAGE OF OSWEGO
MINUTES OF THE PLANNING & ZONING COMMISSION MEETING
100 PARKERS MILL
OSWEGO, ILLINOIS**

February 4, 2021

A quorum of Commission Members was present in person or by electronic means at this meeting and the Commission complied with all requirements of the Illinois Open Meetings Act with electronic participation as authorized by the Open Meetings Act during a declared disaster.

1. CALL TO ORDER

Chairman Pajor called the Oswego Planning & Zoning Commission Meeting to order at 7:08 p.m.

2. ROLL CALL

Present: Dominick Cirone, Tom Guist, Brook Henschen, Jason Kapus, Andrew McCallum, Charlie Pajor
Absent: Rick Kuhn

There was a quorum.

Oswego community representatives in attendance were:

Present: Rod Zenner, Community Development Director; Natalie Zine, Planner; Judy Sollinger, Village Trustee; Chad Feldotto, Park District; Mary Ellen Bliss, Recording Secretary

3. MINUTES

Motion: Commissioner McCallum, second Commissioner Guist to accept the minutes of the December 10, 2020 Planning & Zoning Commission Special Meeting
Ayes: Commissioners Cirone, Guist, Henschen, Kapus, McCallum, Pajor
Nays: None
Absent: Commissioner Kuhn
Motion carried

4. PUBLIC HEARINGS

Text Amendment

PUD Amendments

Applicant: Village of Oswego

Project #1081.20

Project Manager: Rod Zenner

The Public Hearing for the Text Amendment was opened at the October 1, 2020 Planning and Zoning Commission Special meeting and continued to the November 5, 2020 Planning and Zoning Commission meeting. At the November 5, 2020 and December 10, 2020 Planning and Zoning Commission meetings, the public hearing for the Text Amendment was continued to the next Planning and Zoning Commission meeting. Director Zenner stated staff is exploring potential changes and would recommend closing the public hearing.

Recommendation:

Motion: Commissioner Guist, second Commissioner Kapus to close the Public Hearing at 7:12 p.m.
Ayes: Commissioners Cirone, Guist, Henschen, Kapus, McCallum, Pajor
Nays: None
Absent: Commissioner Kuhn
Motion carried

Special Use Permit

72 Stonehill Road, Units E and F
Applicant: David Kiest
Project #1092.20
Project Manager: Rod Zenner

Motion: Commissioner Cirone, second Commissioner Guist to open the Public Hearing at 7:12 p.m.
Ayes: Commissioners Cirone, Guist, Henschen, Kapus, McCallum, Pajor
Nays: None
Absent: Commissioner Kuhn
Motion carried

Director Zenner stated the petitioner is requesting a Special Use Permit to allow for a school/training facility with retail sales on a M-1 zoned property located at 72 Stonehill Road. Director Zenner stated the business, Urban Ops Training Facility LLC, will conduct training in the areas of home defense, weapons handling, concealed carry courses, self-defense, fitness, and nutrition. Director Zenner stated they will also provide retail sales of personal gear. Director Zenner stated no live ammunition will be allowed in the facility.

Director Zenner stated classes will be limited to six with courses being held in early morning hours or after work. Director Zenner stated retail uses require five parking spaces per 1,000 square feet of area. Director Zenner stated the two units combined are approximately 4,000 square feet, for a total requirement of 20 spaces. Director Zenner stated there are 10 parking spaces located in front of Units E and F and an equal number of spaces located behind the units for additional parking. Director Zenner stated staff believes that the number of parking spaces provided will exceed the number required for the proposed use.

Director Zenner stated staff recommends the Planning and Zoning Commission accept the findings of fact for the Standards for a Special Use Permit and recommends approval of the Special Use Permit for a school and retail uses for Urban Ops Training Facility located at 72 Stonehill Units E and F.

Timothy Gburek was sworn in
Oswego, IL

Mr. Gburek stated he is in favor of this business at the proposed location.

No additional audience members wished to speak at the public hearing.

Motion: Commissioner McCallum, second Commissioner Kapus to close the Public Hearing at 7:15 p.m.
Ayes: Commissioners Cirone, Guist, Henschen, Kapus, McCallum, Pajor
Nays: None
Absent: Commissioner Kuhn
Motion carried

Commissioner comments:

David Kiest, the petitioner, stated safety measures, such as searching bags, will be in place to ensure no live ammunition is brought into the business. Mr. Kiest stated the size of the building does not make it conducive for future expansion to include a shooting range.

Recommendation:

Motion: Commissioner Kapus, second Commissioner Cirone to accept the findings of fact for the Standards for a Special Use Permit and recommends approval of the Special Use Permit for a school and retail uses for Urban Ops Training Facility located at 72 Stonehill Units E and F.
Ayes: Commissioners Cirone, Guist, Henschen, Kapus, McCallum, Pajor
Nays: None
Absent: Commissioner Kuhn
Motion carried

Special Use Permit

Bauman Family Funeral Home & Cremation Services, Inc.
5600 Route 34
Applicant: Bauman Family Funeral Home & Cremation Services, Inc.
Project #1093.21
Project Manager: Rod Zenner

Motion: Commissioner McCallum, second Commissioner Cirone to open the Public Hearing at 7:21 p.m.
Ayes: Commissioners Cirone, Guist, Henschen, Kapus, McCallum, Pajor
Nays: None
Absent: Commissioner Kuhn
Motion carried

Director Zenner stated the petitioner is requesting a Special Use Permit to allow for an undertaking establishment/funeral home at the current Fox Valley Winery building. Director Zenner stated the winery is looking to relocate from this site and the building will be remodeled internally to accommodate a funeral home and related uses. Director Zenner stated other than signage, no other external changes are proposed.

Director Zenner stated per the business description, the facility will host funeral services, memorial services, and casket visitations. Director Zenner stated there will be a lounge area for attendees to have snack foods and a catered luncheon will be available. Director Zenner stated normal business hours will be from 8:00 a.m. to 9:00 p.m. with one full-time employee and two to three part-time employees as needed.

Director Zenner stated there will be a preparation room in the facility. Director Zenner stated there will be no crematory on this site, and the petitioner has agreed to include a restriction in the ordinance to prohibit a crematory at this location. Director Zenner stated the septic system was built with excess capacity to accommodate the original winery, and that chemicals used

for the funeral processes are not put into the septic system but collected and removed by a specialty waste hauler.

Director Zenner stated Village Code requires 20 parking spaces per chapel and 1 parking space per vehicle kept on the premises. Director Zenner stated there are currently 28 marked parking spaces on this site with additional parking possible in the back of the building. Director Zenner stated the parking facility could be re-striped to accommodate nearly 25 additional spaces or more, and that the petitioner has stated that the parking area provided can accommodate the proposed use.

Director Zenner stated it is staff's opinion that the proposed use is in keeping with current B-2 Zoning Designation of the property. Director Zenner stated staff recommends the Planning and Zoning Commission accept the findings of fact for the Standards for a Special Use Permit and recommends approval of the Special Use Permit for an Undertaking Establishment and Funeral Parlor for the property located at 5600 Route 34.

Daniel Kramer, Attorney was sworn in
Yorkville, IL

Mr. Kramer stated he represents the petitioners, Matthew and Carrie Bauman, who are the sole owners and operators of the business. Mr. Kramer reiterated there will be no cremation services on site and the petitioner has agreed to a restriction in the ordinance that would prohibit them from ever making this request. Mr. Kramer stated if a large funeral was scheduled that could pose traffic concerns, the petitioner could arrange for traffic control, or work with the family to hold the service off-site, such as at a church. Mr. Kramer stated there is a separate captive system already in place that will be utilized to collect the special waste involved with the funeral processes.

Matthew Bauman was sworn in
Montgomery, IL

Mr. Bauman stated they will use the physical footprint of the parking lot, rather than the striping, to line cars up in a row during a funeral. Director Zenner stated the current parking lot is not efficiently striped; restriping would provide additional parking spaces. Mr. Kramer stated there is also room for additional parking in the back of the lot. Mr. Bauman stated the chemicals used for the embalming process must be placed in a separate holding tank and a hauler licensed in medical waste must pump the tank. Mr. Bauman stated the funeral home is a small, family business and this site allows them to serve a limited capacity. Mr. Bauman stated if the business ever outgrows this facility, they would look for a site with more land to build a larger facility. Mr. Kramer stated former businesses at this site had greater traffic impact on the area with more days being open and longer business hours.

Timothy Gburek was sworn in
Oswego, IL

Mr. Gburek stated his concerns regarding the traffic impact and having a funeral home near a residential neighborhood.

Marek Bak was sworn in
Oswego, IL

Mr. Bak stated his concerns regarding the placement of the funeral home across the street from his property and chemicals from the funeral processes getting into the septic system.

Toni Morgan was sworn in
Oswego, IL

Ms. Morgan stated her support of the funeral home at this site. Ms. Morgan stated she believes this will be a family business that will be of service to the community and will involve other local businesses, which will benefit the community.

Robert Cisco was sworn in
Oswego, IL

Mr. Cisco stated his concerns regarding traffic coming through the neighboring subdivision.

Peggy Wilson was sworn in
Oswego, IL

Ms. Wilson stated her concerns regarding traffic into the neighboring subdivision, overflow parking, and ensuring that the police and fire departments can get into the subdivision if needed during a funeral.

William Sinn was sworn in
Oswego, IL

Mr. Sinn stated his concerns regarding chemicals from the funeral processes getting into the septic system.

Richard Faltz was sworn in
Oswego, IL

Mr. Faltz stated his family has owned the winery at this site since 2003. Mr. Faltz stated he is impressed with the petitioner's reputation and commitment to the community and believes the Village will be well-served by the petitioner at this site.

Joan Gburek was sworn in
Oswego, IL

Ms. Gburek stated her concerns regarding the traffic impact on the neighboring subdivision and having a funeral home near a residential neighborhood.

Alan Martens was sworn in
Oswego, IL

Mr. Martens stated his concern regarding parking and the impact to the neighborhood.

No additional audience members wished to speak at the public hearing.

Motion: Commissioner Guist, second Commissioner McCallum to close the Public Hearing at 8:27 p.m.
Ayes: Commissioners Cirone, Guist, Henschen, Kapus, McCallum, Pajor
Nays: None
Absent: Commissioner Kuhn
Motion carried

Commissioner comments:

Mr. Kramer and Mr. Bauman addressed the concerns raised during the Public Hearing. Discussion took place regarding chemical containment, on-site parking, overflow parking in neighboring subdivision, and traffic impact on Route 34 and neighboring subdivision. Mr. Bauman stated he anticipates six services per month taking place at this site.

Recommendation:

Motion: Commissioner Guist, second Commissioner McCallum to accept the findings of fact for the Standards for a Special Use Permit and recommends approval of the Special Use Permit for an Undertaking Establishment and Funeral Parlor for the property located at 5600 Route 34, with the following conditions: ordinance restriction to prohibit a crematory at this site; on-street parking restrictions for overflow parking; encouragement of screening/landscaping; right-turn only sign in parking lot to encourage use of Route 34 when exiting facility.
Ayes: Commissioners Cirone, Guist, Henschen, Kapus, McCallum, Pajor
Nays: None
Absent: Commissioner Kuhn
Motion carried

5. OLD BUSINESS

None.

6. NEW BUSINESS

Resubdivision

Estates of Fox Chase, Lot 114
Applicant: Inishowen, LLC
Project #1091.20
Project Manager: Rod Zenner

Director Zenner stated the petitioner is requesting approval of a Resubdivision of Lot 114 of the Estates of Fox Chase into two single-family residential lots. Director Zenner stated the Estates of Fox Chase was annexed in 2001 and as part of the approval process, the petitioner was asked to provide a 0.51-acre parcel (Lot 114) as a future park site. Director Zenner stated once the development was approved, the Oswegoland Park District determined that the District did not want to accept Lot 114 as a Park Site; the petitioner and Village then planned to maintain the lot as a privately maintained park site by the Estates of Fox Chase Homeowner's Association. Director Zenner stated development of the subdivision started then stopped due to the economic downturn of 2008 and the half-completed development had not established a Homeowner's Association.

Director Zenner stated in 2017, a developer approached the Village to restart the subdivision and the Village and the new developer entered into a development agreement which assigned several of the responsibilities of the original developer to the new builder. Director Zenner

stated since an HOA was not established and the fact that the Oswegoland Park District was not interested in the Lot 114 Park Site, the Village and the new developer agreed to allow the parcel to be subdivided into two single-family residential lots.

Director Zenner stated the proposed lots are consistent with the lot sizes in the subdivision and therefore, staff recommends approval of the request to Resubdivide Lot 114 of the Estates of Fox Chase into two single-family residential lots.

Recommendation:

Motion: Commissioner Guist, second Commissioner McCallum to recommend approval of the request to Resubdivide Lot 114 of the Estates of Fox Chase into two single-family residential lots.

Ayes: Commissioners Cirone, Guist, Henschen, Kapus, McCallum, Pajor

Nays: None

Absent: Commissioner Kuhn

Motion carried

7. PUBLIC FORUM

None.

8. CHAIRMAN'S REPORT

Brook Henschen and Jason Kapus introduced themselves as new Planning and Zoning Commissioners.

9. COMMISSIONERS REPORT

None.

10. HISTORIC PRESERVATION COMMISSIONER REPORT

No report.

11. ECO COMMISSION REPORT

No report.

12. COMMUNITY DEVELOPMENT DEPARTMENT REPORT

None.

13. OSWEGOLAND PARK DISTRICT REPORT

No report.

14. NEXT MEETING - March 4, 2021

15. ADJOURNMENT

Motion: Commissioner McCallum, second Commissioner Guist to adjourn the Planning and Zoning Commission Meeting.

Ayes: Commissioners Cirone, Guist, Henschen, Kapus, McCallum, Pajor

Nays: None

Absent: Commissioner Kuhn

Motion carried

Chairman Pajor adjourned the Planning & Zoning Commission Meeting at 9:04 p.m.