

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

**May 13, 2021**

**1. CALL TO ORDER**

Chairman Pajor called the Oswego Planning & Zoning Commission Special Meeting to order at 7:02 p.m.

**2. ROLL CALL**

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

There was a quorum.

Oswego community representatives in attendance were:

Present: Rod Zenner, Development Services Director; Natalie Zine, Planner; Susan Quasney, Public Works Project Engineer; Mary Ellen Bliss, Recording Secretary

**3. MINUTES**

Motion: Commissioner Kuhn, second Commissioner Cirone to accept the minutes of the April 8, 2021 Planning & Zoning Commission Meeting  
Ayes: Commissioners Cirone, Kapus, Kuhn, McCallum, Pajor  
Nays: None  
Absent: Commissioner Henschen  
Motion carried

**4. PUBLIC HEARINGS**

**Special Use Permit**

Fox Valley Winery  
59 Main Street  
Applicant: Fox Valley Winery, LLC  
Project #1100.21  
Project Manager: Rod Zenner

Motion: Commissioner Kuhn, second Commissioner Cirone to open the Public Hearing at 7:03 p.m.  
Ayes: Commissioners Cirone, Kapus, Kuhn, McCallum, Pajor  
Nays: None  
Absent: Commissioner Henschen  
Motion carried

Director Zenner stated the applicant is requesting a Special Use Permit to allow for the relocation of the Fox Valley Winery from its current location at 5600 Route 34 to 59 Main Street, the former location of Oswego Cyclery. Director Zenner stated the proposed use will provide for the sale of food on-site for special events such as dinners, banquets, meetings,

and receptions. Director Zenner stated it will also provide taste sampling, sale by the glass or package of wine and specialty micro-brew beers, manufacture of wine and micro-brew beers and cider, and delivery at retail, wholesale, or mail of alcoholic beverages. Director Zenner stated the proposed use is similar to those that take place at their current location and is in-keeping with the type of retail attractions that are often located in downtown areas where they can attract both locals and visitors to the area.

Director Zenner stated staff recommends the Planning and Zoning Commission to accept the findings of fact for the Standards for a Special Use Permit and recommends approval of the Special Use Permit for beverage producing, bottling and distributing for the location at 59 Main Street.

Daniel Kramer                      was sworn in  
Yorkville, IL

Mr. Kramer, representing the petitioner, stated operations in the new facility will be similar to operations in the current location, with the bonus of having a downtown location.

Michael Faltz                      was sworn in  
Oswego, IL

Mr. Faltz, Fox Valley Winery, stated they will produce/sell wine and serve the same type of food utilizing food trucks at the new location as they do at the current location. Mr. Faltz stated the business has large deliveries via a semi only a few times a year, so traffic logistics in the new location will not be an issue.

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

Motion:                      Commissioner Cirone, second Commissioner McCallum to close the Public Hearing at 7:09 p.m.  
Ayes:                          Commissioners Cirone, Kapus, Kuhn, McCallum, Pajor  
Nays:                          None  
Absent:                        Commissioner Henschen  
Motion carried

**Recommendation:**

Motion:                      Commissioner Cirone, 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 beverage producing, bottling and distributing for the location at 59 Main Street.

:                                Ayes:                          Commissioners Cirone, Kapus, Kuhn, McCallum, Pajor  
Nays:                          None  
Absent:                        Commissioner Henschen  
Motion carried

**Text Amendment**

Accessory to Principal Structure Setback

Applicant: Village of Oswego

Project #1102.21

Project Manager: Natalie Zine

Motion: Commissioner McCallum, second Commissioner Cirone to open the Public Hearing at 7:11 p.m.

Ayes: Commissioners Cirone, Kapus, Kuhn, McCallum, Pajor

Nays: None

Absent: Commissioner Henschen

Motion carried

Ms. Zine stated as the Zoning Ordinance is currently written, residents are required to maintain a minimum distance of 10 feet between any accessory structure and their house or principal structure. Ms. Zine stated staff have received several inquiries from residents over the past couple of years regarding the location of pergolas, detached decks, pools, sheds, etc., in relation to their houses and many residents have requested permission to locate their accessory use closer than the required 10 feet. Ms. Zine stated in order to locate an accessory use closer than 10 feet, a resident would currently have to apply for a variance which can be cost and/or time prohibitive, especially in the warmer season when residents want to complete these types of projects quickly.

Ms. Zine stated in an effort to work with residents, staff has interpreted the Code and approved a closer distance under certain circumstances where the situation complied with the building and fire code requirements, however, a more defined and permanent change is recommended for consistency and clarity purposes. Ms. Zine stated staff reviewed Oswego's current adopted building codes as well as the setback requirements of two neighboring communities. Ms. Zine stated the Village of Montgomery does not allow detached garages or sheds to be within 10 feet of the principal structure, due mostly to the building code for fire separation purposes. Ms. Zine stated the rule does not apply to pools, attached decks, or pergolas. Ms. Zine stated the City of Aurora's ordinance provides that detached garages and sheds shall not be closer than 6 feet from the nearest principal building wall, however, if the accessory structure is properly fire rated it may be located closer to the principal building per building code requirements.

Ms. Zine stated Oswego's building codes regarding the required distance between an accessory use and a principal structure are comprehensive and vary based on specific circumstances. Ms. Zine stated staff recommends a Text Amendment to Section 10.01 of the Zoning Ordinance to modify item 10.01(F)3 which regulates the distance between an accessory structure and a principal structure, deferring to the building department to determine the appropriate distance on a case-by-case basis, which will provide residents with the most flexibility on their properties while still ensuring their safety and the safety of their neighbors.

Ms. Zine stated staff is recommending that the Planning and Zoning Commission recommend approval of the Text Amendment to Section 10.01(F) of the Zoning Ordinance to amend the requirement pertaining to the required distance between an accessory use and a principal structure.

No audience members wished to speak at the public hearing.

Motion: Commissioner Cirone, second Commissioner McCallum to close the Public Hearing at 7:17 p.m.  
Ayes: Commissioners Cirone, Kapus, Kuhn, McCallum, Pajor  
Nays: None  
Absent: Commissioner Henschen  
Motion carried

**Commissioner comments:**

Commissioner Kuhn asked about the perceived burdens for applicants requesting Variances. Ms. Zine stated it can be a cost and/or time prohibitive process, and applicants may not meet the criteria to qualify for a Variance. Ms. Zine stated the change would provide residents more flexibility on their properties, while ensuring they comply with building and fire code requirements. Commissioner Kapus asked if this Text Amendment only applies to residential properties, and Director Zenner stated that is correct.

**Recommendation:**

Motion: Commissioner Cirone, second Commissioner Kapus to recommend approval of the Text Amendment to Section 10.01(F) of the Zoning Ordinance to amend the requirement pertaining to the required distance between an accessory use and a principal structure.  
Ayes: Commissioners Cirone, Kapus, McCallum, Pajor  
Nays: Commissioner Kuhn  
Absent: Commissioner Henschen  
Motion carried

**5. NEW BUSINESS**

**Concept Plan**

Hudson Pointe  
Wolf's Crossing & Route 30  
Applicant: Lennar Multifamily Communities, LLC  
Project #1101.21  
Project Manager: Natalie Zine

Andrew Mouw, Lennar Homes, gave an overview of Lennar Corporation and reviewed the single-family home component. Mr. Mouw stated the homes will include a variety of elevations and floorplans, ranging in size from 1,650 square feet ranch homes to 3,000 square feet two-story homes, with lots varying in size and dimension, and two or three car garages.

Jeff Woll, LMC, gave an overview of LMC (Lennar Multi-Family Communities) and reviewed the multi-family apartment component. Mr. Woll stated there will be 336 apartments within 14 buildings, all in 3-story format. Mr. Woll stated there will be 1 and 2 bedroom units ranging in size from 730 square feet to 1,200 square feet. Mr. Woll stated there will be a club house, pool, fitness room, social/party lounge, dog park, and a leasing office with full-time staff. Mr. Woll stated the apartments will have surface parking and external enclosed parking garages.

Carrie Hansen, Schoppe Design Associates, gave an overview of the Concept Plan, reviewed the layout, stormwater management detention ponds, and neighborhood park. Ms. Hansen stated walking paths around the detention ponds will be added, as well as a trailway connecting the apartments with the 4-acre park site. Ms. Hansen stated the plan proposes a primary access on Wolf's Crossing Road, which will be a full access point that aligns with the existing access at Devoe Drive to Prescott Mill. Ms. Hansen stated two additional secondary

access points are proposed to be located along Wolf's Crossing Road, both right-in-right-outs, and another full access is proposed south on Harvey Road. Ms. Hansen stated three future roadway connections with the undeveloped property to the south are proposed. Ms. Hansen stated they are providing the ROW dedications for Wolf's Crossing and Harvey Road which means the Village will not need to acquire any property for the future Wolf's Crossing improvements that are adjacent to this property.

Ms. Zine reviewed staff recommendations:

- Further analysis of the parking may be warranted at the time of a formal submittal to ensure that sufficient parking is provided.
- Single-family and multi-family areas both have potential connection points to the property to the south, but these connection points should be stubbed to the property line to allow for future development to the south.
- A few of the proposed single-family units may need to be rearranged so that they are a sufficient distance from the subdivision entrances and so that they do not face a street median. If the residents of these lots wanted to travel west to gain access to Harvey Road, they would have to tour east and drive around the landscape island to head west.
- A landscape buffer is recommended along the eastern property line between the multi-family units and the future commercial site.
- A sidewalk or path is recommended around the central six acre stormwater pond.
- The Park District is amenable to the size of the park if nose-in parking spaces (11 regular spaces and 1 accessible space) are provided with the street improvements, ideally along the western edge of the park.
- The Park District requests that the developer provide and install at least a sidewalk if not a bike path between the apartments (Building 9 and 10) and the park to establish an identified pedestrian access. They also request that the lot size of the single-family lot(s) at the northeast corner of the park be reduced to accommodate a wider green space for the pedestrian access. With only +/- 4.0 acres, the neighborhood park shall not be included in the stormwater management for the development; any detention needed for the park must be accommodated off site.

Vince Rosanova, of Rosanova & Whitaker on behalf of the petitioner, stated he anticipates essentially all the staff recommendations will be incorporated into the Preliminary PUD. Mr. Rosanova stated before incorporating the walking path around the retention basin, they would ensure the neighbors to the north are amenable to a path on that side of the pond, and they would also check the topography to ensure the land will allow for paths.

Further discussion took place regarding access points, ROW, entrance location, buffers, drainage issues, and detention pond placement.

Ms. Zine stated if the Concept Plan receives a positive recommendation, the next process would be a review of an Annexation and Annexation Agreement, a Preliminary and Final PUD Plat and Plan, and a Rezoning application with a public hearing at Planning and Zoning Commission and final decision at Village Board. Ms. Zine stated staff recommends approval of the Concept Plan to allow for the development of 149 single family homes and 336 apartment units on the approximately 80 acre property generally located at the southwest corner of Wolf's Crossing Road and US Route 30, east of Harvey Road, commonly referred to as Hudson Pointe, provided the applicant take into consideration the feedback provided by the Planning and Zoning Commission and staff when formally submitting their future development applications.

**Recommendation:**

Motion: Commissioner Cirone, second Commissioner McCallum to recommend approval of the Concept Plan to allow for the development of 149 single family homes and 336 apartment units on the approximately 80 acre property generally located at the southwest corner of Wolf's Crossing Road and US Route 30, east of Harvey Road, commonly referred to as Hudson Pointe, provided the applicant take into consideration the feedback provided by the Planning and Zoning Commission and staff when formally submitting their future development applications.

Ayes: Commissioners Cirone, Kapus, Kuhn, McCallum, Pajor

Nays: None

Absent: Commissioner Henschen

Motion carried

**6. OLD BUSINESS**

None.

**7. PUBLIC FORUM**

Adam Bilter stated his family property is along Wolf Road adjacent to the proposed Lennar project and raised concerns about the proposed Devoe Road access onto Wolf Road since it is on their property. Mr. Bilter requested that the petitioner and Village keep in contact with them during the planning process.

**8. CHAIRMAN'S REPORT**

None.

**9. COMMISSIONERS REPORT**

None.

**10. HISTORIC PRESERVATION COMMISSIONER REPORT**

No report.

**11. ECO COMMISSION REPORT**

No report.

**12. DEVELOPMENT SERVICES DEPARTMENT REPORT**

None.

**13. OSWEGOLAND PARK DISTRICT REPORT**

No report.

**14. NEXT MEETING - June 10, 2021**

**15. ADJOURNMENT**

Motion: Commissioner Kuhn, second Commissioner Cirone to adjourn the Planning and Zoning Commission Meeting.  
Ayes: Commissioners Cirone, Kapus, Kuhn, McCallum, Pajor  
Nays: None  
Absent: Commissioner Henschen  
Motion carried

Chairman Pajor adjourned the Planning & Zoning Commission Meeting at 8:29 p.m.