

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

September 8, 2022

1. CALL TO ORDER

Chairman Pajor called the Oswego Planning & Zoning Commission Meeting to order at 7:00 p.m.

2. ROLL CALL

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

There was a quorum.

Oswego community representatives in attendance were:

Present: Rod Zenner, Development Services Director; Valeria Tarka, Planner;
Mary Ellen Bliss, Recording Secretary; William Thomas, Village Attorney

3. MINUTES

Motion: Commissioner Sollinger, second Commissioner Cirone to accept the minutes of the August 4, 2022 Planning & Zoning Commission Meeting.
Ayes: Commissioners Cirone, Kapus, Pajor, Sollinger
Nays: None
Absent: Commissioners Henschen, Kuhn, McCallum
Motion carried

4. PUBLIC HEARINGS

**Special Use Permit
Envoy Tobacco Inc dba Vape N Glass**

Applicant: Muhammed M Habib
Project #1147.22
Project Manager: Valeria Tarka

Motion: Commissioner Kapus, second Commissioner Sollinger to open the Public Hearing at 7:00 p.m.
Ayes: Commissioners Cirone, Kapus, Pajor, Sollinger
Nays: None
Absent: Commissioners Henschen, Kuhn, McCallum
Motion carried

Ms. Tarka stated the applicant is requesting approval of a Special Use Permit to allow for the operation of a cigar, cigarette, and tobacco store, Vape N Glass, at 4585 Route 71. Ms. Tarka stated the subject property at 4585 and 4583 Route 71 are currently vacant unsubdivided units between Debbie's Slots Lounge and Piggy's BBQ (vacant). Ms. Tarka stated the Building and Zoning Department has reviewed and approved plans to subdivide the two units and complete a build-out of 4585 Route 71. Ms. Tarka stated the proposed tobacco and vape store is consistent with the surrounding commercial uses in the area. Ms. Tarka stated the proposed

store will include the retail sales of cigars, roll your own tobacco bags, e-cigarettes and accessories, glass products, and Illinois lottery tickets.

Muhammed M Habib was sworn in
Oswego, IL

Mr. Habib is the petitioner and stated the glass products will be glass pipes and glass tobacco rolling trays.

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

Motion: Commissioner Sollinger, second Commissioner Cirone to close the Public Hearing at 7:04 p.m.
Ayes: Commissioners Cirone, Kapus, Pajor, Sollinger
Nays: None
Absent: Commissioners Henschen, Kuhn, McCallum
Motion carried

Recommendation:

Motion: Commissioner Sollinger, second Commissioner Cirone to accept the findings of fact for the Standards for a Special Use Permit and recommend approval of the Special Use Permit for a cigar, cigarette, and tobacco store located at 4585 Route 71.
Ayes: Commissioners Cirone, Kapus, Pajor, Sollinger
Nays: None
Absent: Commissioners Henschen, Kuhn, McCallum
Motion carried

**Rezoning Upon Annexation
1626 Route 31**

Applicant: International University of Vedic Wellness
Project #1149.22
Project Manager: Rod Zenner

Motion: Commissioner Sollinger, second Commissioner Kapus to open the Public Hearing at 7:06 p.m.
Ayes: Commissioners Cirone, Kapus, Pajor, Sollinger
Nays: None
Absent: Commissioners Henschen, Kuhn, McCallum
Motion carried

Director Zenner stated the applicant is requesting approval of Rezoning upon Annexation to the R-1 Single Family Residence District to allow for a spiritual wellness center use of the property. Director Zenner stated the property is currently unincorporated and not contiguous to the Village of Oswego, and properties in Kendall County can enter into Annexation Agreements with the Village without being contiguous to the Village.

Director Zenner stated the property was formally known as Camp Quarry Ledge and received a Special Use permit from Kendall County for a church camp in 1987. Director Zenner stated the camp was in operation for some time but has been vacant for many years.

Director Zenner stated the 14-acre property is located between Route 31 and the Fox River

and contains a 7,500 square foot main building and a shed. Director Zenner stated there is a long asphalt driveway connecting the building to its Route 31 access with limited parking on the property, but cars could be parked along the entrance road or on the existing basketball court. Director Zenner stated future plans call for an expansion of the parking area. Director Zenner stated the remainder of the site is open with some trees and views of the Fox River.

Director Zenner stated the applicant wishes to operate this property as a retreat, cultural center, and school. Director Zenner stated the main building would provide room and board for students who intend to spend an extended period of time on the property to take courses.

Director Zenner stated the structures on the property will be annexed to the Village in an as-is condition and any future development on the site will have to come before the Village for review and approval through a Site Plan or Planned Unit Development process that would require a Planning and Zoning Commission review and Village Board approval.

Director Zenner stated the applicant is requesting rezoning to the R-1 Single-Family Residence District, which is the most appropriate district for the proposed use as it allows parks, schools, and churches including dormitories as a permitted use. Director Zenner stated the R-1 District is also the default district for any property upon annexation to the Village.

Nicholas Petrovski was sworn in
Oakbrook Terrace, IL

Mr. Petrovski, the petitioner's attorney, stated the property was purchased in March, no major changes to the property are planned at this time, approximately 20 to 30 people (students and staff) will be in attendance daily, and they are hoping for future growth.

Harish Doshi was sworn in
Oswego, IL

Mr. Doshi, managing director of International University of Vedic Wellness (IUVW), reviewed their mission statement, objectives, and wellness services.

Tracy (Ted) East was sworn in
Oswego, IL

Mr. East stated the following concerns: the project should be processed as a Special Use Permit; daily attendance at the site will be higher than stated; recent removal of landscaping on the site; possible addition of a parking lot with lighting; negative effect on private wells; and the need for fire suppression.

H. John Schramer was sworn in
Oswego, IL

Mr. Schramer stated his private driveway directly connects to the subject property. Mr. Schramer stated his concerns with visitors using his private driveway; daily attendance will be higher than stated; and increased traffic.

Ron Keck was sworn in
Oswego, IL

Mr. Keck stated concerns regarding their septic system and the negative effect on private wells.

Matt Seidelman was sworn in
Oswego, IL

Mr. Seidelman stated his concerns about the removal of landscaping and that daily attendance will be higher than stated.

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

Motion: Commissioner Sollinger, second Commissioner Cirone to close the Public Hearing at 7:32 p.m.
Ayes: Commissioners Cirone, Kapus, Pajor, Sollinger
Nays: None
Absent: Commissioners Henschen, Kuhn, McCallum
Motion carried

Director Zenner responded to the raised concerns, stating parking lot and lighting plans would follow the Zoning Ordinance; fire suppression would not be required; a traffic study would not be required; the existing monument sign could be used for signage; trees that are currently on site are in excess of the code requirement; and the septic and well system is governed by Kendall County, not the Village. Chairman Pajor requested the County be made aware of the septic and well concerns.

Jordan Uditsky, the petitioner's attorney, responded to the raised concerns, stating they could add private driveway signage on Route 31 but IDOT would need to approve; the septic and well systems were tested and found to be in good condition but could be re-tested to verify adequacy for increased use; a landscape plan could be submitted if required. Chairman Pajor asked if there could be a landscape requirement in a Pre-Annexation Agreement. Director Zenner stated it would be unusual but could be done.

The Commission discussed processing the project as a Special Use, which would require continuing the public hearing to the next Planning and Zoning Commission meeting and following the Public Notice requirements.

Recommendation:

Motion: Commissioner Kapus, second Commissioner Sollinger to continue the agenda item to the October 6, 2022 Planning and Zoning Commission meeting.
Ayes: Commissioners Cirone, Kapus, Pajor, Sollinger
Nays: None
Absent: Commissioners Henschen, Kuhn, McCallum
Motion carried

Preliminary/Final PUD/Plat and Rezoning

DeVile Manor

Project #1148.22

Applicant: DeVile Manor – Barry Accountius

Project Manager: Valeria Tarka

Motion: Commissioner Sollinger, second Commissioner Kapus to open the Public Hearing at 8:03 p.m.
Ayes: Commissioners Cirone, Kapus, Pajor, Sollinger
Nays: None
Absent: Commissioners Henschen, Kuhn, McCallum

The Commission discussed increased traffic, stating that the proposed project would generate less traffic than the current commercial zoning of the property. Discussion took place regarding access to the property and the need for additional parking for guests and staff.

Recommendation:

Motion: Commissioner Cirone, second Commissioner Kapus to accept the Findings of Fact and recommend approval of the Rezoning of the subject property to R-4 General Residence District and a Special Use for a Preliminary and Final Planned Unit Development (PUD) to allow for the development of a 42-unit independent living facility subject to the following: final engineering approval; additional parking stalls for guests and staff; the southern access aisle off of Wiesbrook Drive be appropriately configured with the existing Fire Station access aisle; and addressing of pedestrian and sidewalk concerns.

Ayes: Commissioners Cirone, Kapus, Pajor, Sollinger

Nays: None

Absent: Commissioners Henschen, Kuhn, McCallum

Motion carried

5. OLD BUSINESS

None.

6. NEW BUSINESS

Concept Plan

Birchway Oswego

Applicant: Greystar Development Central, LLC

Project #1127.22

Project Manager: Rod Zenner

Christine Kolb and Yale Dieckmann, Greystar Development representatives, gave an overview of the proposed project. Ms. Kolb stated the site, previously known as the Ogden Falls Southwest Subdivision, was annexed into the Village in 2006 and has since been vacant. Ms. Kolb stated the Concept Plan has been revised after working with Village staff, consolidating the development to 306 units in seven buildings and increasing the eastern setback to 245 feet. Ms. Kolb stated there will be 10 acres of free space to serve as a natural buffer for the neighbors to the east. Ms. Kolb stated amenities will include a clubhouse, pool, walking paths, expanded Ogden Falls Park, and a dedicated dog park. Ms. Kolb stated there will be on-site stormwater detention.

The Commission discussed the need for adequate access to the site, school capacity, commercial spaces, location of parking spaces, and the development's density.

Motion: Commissioner Sollinger, second Commissioner Cirone to recommend approval of the Concept Plan for Birchway of Oswego to allow for the development of 306-rental apartments on the 20.69-acre property located south of Route 34 and west of the Ogden Falls development.

Ayes: Commissioners Cirone, Kapus, Sollinger

Nays: Commissioner Pajor

Absent: Commissioners Henschen, Kuhn, McCallum

Motion carried

7. PUBLIC FORUM

None.

8. CHAIRMAN'S REPORT

Chairman Pajor stated he is not able to attend the October Planning & Zoning Commission meeting.

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 - October 6, 2022

15. ADJOURNMENT

Motion: Commissioner Sollinger, second Commissioner Kapus to adjourn the Planning and Zoning Commission Meeting.

Ayes: Commissioners Cirone, Kapus, Pajor, Sollinger

Nays: None

Absent: Commissioners Henschen, Kuhn, McCallum

Motion carried

Chairman Pajor adjourned the Planning & Zoning Commission Meeting at 9:12 p.m.