

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

4496

Received Date

**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): 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 60151-9033	Fax
		Email kuiperspf@aol.com

Zoning and Use Information:

2040 Plan Land Use Designation of the property: Agriculture

Current zoning of the property: F District-Farming

Current use of the property: Farming

Proposed zoning of the property: F2 District-Agricultural related sales, service, processing, research, warehouse and marketing.

Proposed use of the property: Special Uses: Agriculturally-related research and facilities—to include placement of a building and nature trails as a venue to accommodate educational endeavors about the importance of agriculture and measures taken to maintain environment-friendly farming operations, all as described in attached stipulation.

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

A building, nature trails, well and septic system, and similar infrastructure, as shown on the Site Development Plan, required to accommodate all equipment necessary for the education and promotion of agriculture and its impact on everyone's lifestyle.

Attachment Checklist

- Plat and Site Development Plan drawn by an Illinois Professional Land Surveyor = **Exhibit "C"**
- Legal description = **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. 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) **\$2775.00**

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.

Record Owners of parcels: West Watson, LLC, and Wade Kuipers and Kimberly Kuipers, 1N318 Watson, Maple Park, Illinois

By: [Signature]
Kimberly A. Kuipers, Manager

[Signature]
Wade M. Kuipers, Manager

11/18/2019
Date

By: [Signature]
Wade M. Kuipers

[Signature]
Kimberly A. Kuipers

01/18/2019
Date:

Applicant/Authorized Agent:

Development Properties, Inc.

Date:

By: [Signature]
John A. Thornhill, President

1/18/19

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.

Kuipers Rezoning-F2 District—Agri-Environment/DPI
Name of Development/Applicant

January 11, 2019
Date

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

Except for construction of one frame structure and nature trails, there will be no changes that would be inconsistent with the present or surrounding land uses.

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

The F District-Farming classification predominates the area except for other F2-District classifications that exist on other portions of the petitioners’ property. The nearest significant residential use is ½ mile to the east and ¼ mile to the southeast of the subject property.

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

The subject property with the existing F District classification has been under-utilized due to hilly and wooded conditions. Consequently, it is well-suited for the proposed use as an Agri-Environmental Education Venue, to take advantage of its natural features.

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

Except for the petitioners’ agri-tainment use of various portions of their property during the past 15 years, there has been no perceptible development in the immediate area.

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

The proposed re-classification and use is compatible with the 2040 Plan since it will not take any land out of production but will perpetuate and promote the production and sale of farm products produced on the petitioners’ property and provide a venue to educate the public, in a pleasant interactive setting, on the origin of food and environment-friendly farming practices.

Findings of Fact Sheet – Special Use

Kuipers Special Use
Special Use Request

January 11, 2019
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:*

6. 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 Use (F2), Agriculturally-related research and facilities—to include placement of a building and nature trails to accommodate educational endeavors about the importance of agriculture and measures taken to maintain environment-friendly farming operations, is proposed on a 16-acre parcel. The more active portion of the proposed use will occur more than 1300 feet away from the nearest neighbor's residence. The proposed use, with extension of driveways and trails existing within petitioners' property, will complement existing permitted Agri-tainment uses on the petitioners' adjacent property. Individual water well and waste water treatment systems will be constructed on the subject property. Storm water management will be achieved by extension and modification of drainage swales to detention areas that will be constructed on land owned by the petitioners. The design of the proposed building will be rustic and appropriate to the desired rural ambiance. The hours of operation, head count of personnel and anticipated guests is noted in the attached stipulation. The popularity of the existing rural-themed activities and children's entertainment destination has steadily increased and, together with the apple production from the petitioners' orchards, makes the proposed use compatible, and appropriate to the area and should have no detrimental effect on surrounding properties.

7. 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 will take place within 800 feet of other public-accessed facilities operated by the petitioners, as described in the attached stipulation, 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.

8. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property.

The presence of the proposed use is not related to the development of any adjoining properties. Surrounding properties will remain completely free to develop pursuant to prevailing land use regulations.

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

Yes; all required infrastructure will be provided on property owned by the petitioners to accommodate the proposed use.

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

Yes, as stated in #1 above.

11. 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 agriculture theme being maintained and promoted.

February 21, 2019

West Watson, LLC (*Wade Kuiper's, et ux*)
Rezoning from F to F-2

Special Information: The petitioner is requesting a rezoning on a west portion of the farm to create an “Agri-Environmental Education Village”. This new addition will be geared towards children. This attraction will be operated from September to October.

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. Expanding existing F2 into this area will help distribute visitors over a larger area so that on peak weekend days they are not concentrated in the existing areas.
2. Providing agricultural and environmental education helps develop knowledgeable consumers as well as encourage future agriculturalists and environmentalists.

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

STIPULATION

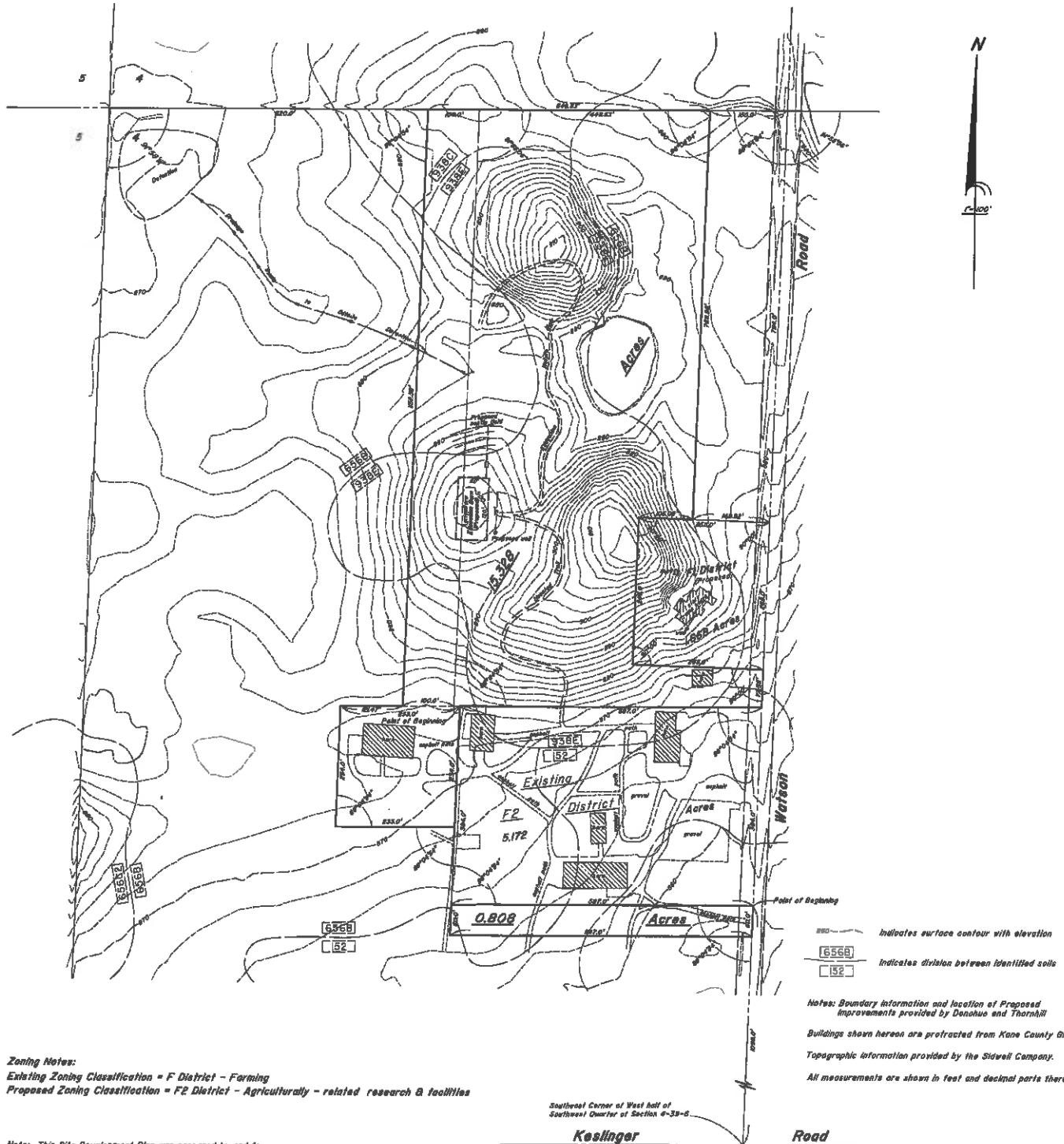
Kuipers Agri-Environmental Education Village

Will expand on the agricultural-based activities and exhibits that currently exist at the location on the west side of Watson Road referred to as The Pumpkin Farm at Kuipers Family Farm. We would like to add a structure to this new area that will house additional kid-friendly activities and exhibits that promote and provide information about common Midwest agriculture practices all while engaging in fun activities. We envision this new structure will be themed around grain farming and will house activities like a sandbox-like play area that is filled with corn kernels and a fort made from straw bales along with educational displays that discuss grain farming practices and products. This new facility will overlook the new location for Kuipers Corn Maze giving a fantastic view of the maze paths and people in the maze while being another great tie-in to the grain farming theme.

Another goal of expanding the ag-themed park into this area is to dilute the volume of customers over a larger area so that on particularly busy weekend days they are not as concentrated in one area—making crowd control issues more manageable. In the future, this will also allow for additional ag-themed educational attractions to be added to the area. By redistributing the volume of customers, there will be no increase in head count of personnel.

This new area will operate in conjunction with The Pumpkin Farm at Kuipers Family Farm so it will be open to the public seasonally in September & October during the same hours of the day (generally 9AM to 6PM daily). Access to the new area will be included with a paid admission to The Pumpkin Farm and parking for customers will be our existing parking areas.

Site Development Plan of
 Part of the West Half of Southwest Quarter of Section 4-39-6
 Kaneville Township Kane County Illinois



Zoning Notes:
 Existing Zoning Classification = F District - Farming
 Proposed Zoning Classification = F2 District - Agriculturally - related research & facilities

Note: This Site Development Plan was prepared by and from boundary survey records of Donahue and Thornhill.

Indicates surface contour with elevation
 Indicates division between identified soils

Notes: Boundary information and location of Proposed Improvements provided by Donahue and Thornhill
 Buildings shown hereon are protracted from Kane County GIS
 Topographic information provided by the Sidwell Company.
 All measurements are shown in feet and decimal parts thereof.

Southwest Corner of West half of Southwest Quarter of Section 4-39-6



DONAHUE and THORNHILL
 (Illinois Professional Design Firm No. 6014)
 16 E. Wilson Street Batavia, Illinois 60510
 (630) 878-0200

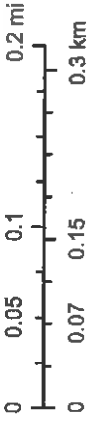
Exhibit "B" - Agri-Environmental Education Venue



F2 District
16.1 acres

1/10/2019, 3:19:54 PM

1:9,028



- 100 Year Flood AE
- Parcel Line
- Parcel Line Leg Desc
- Road Names
- Cadastral Lines
- Road Centerline
- Road ROW
- Section Line
- Sub Line 100
- Water Line
- Parcels

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus
These layers do not represent a survey. No Accuracy is assumed for the data records, including plats, surveys, recorded deeds, and contracts, and only contains information required for local government purposes. See the recorded documents for more detailed legal information.

Applicant: Development Properties, Inc.
Contact: John Thornhill
Address: 44 White Oak Circle
St. Charles, IL 60174

IDNR Project Number: 1907013
Date: 01/22/2019
Alternate Number: 18-022

Project: Kuipers Rezoning
Address: 1N318 Watson Road, Maple Park, IL

Description: Rezoning of portion of Kuipers property to enable separation of residence and agri-environmental education facility from remainder of apple farm.

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Consultation 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. Termination does not imply IDNR's authorization or endorsement.

Location

The applicant is responsible for the accuracy of the location submitted for the project.



County: Kane

Township, Range, Section:
39N, 6E, 4

IL Department of Natural Resources
Contact
Bradley Hayes
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Kane County Development Department
Keith Berkhout
719 Batavia Avenue
Geneva, Illinois 60134

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, 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, compliance with applicable statutes and regulations is required.

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