

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
March 3, 2020 – Approved Meeting Minutes**

Senior Planner Matt Asselmeier called the meeting to order at 9:02 a.m.

Present:

Matt Asselmeier – PBZ Department
Meagan Briganti – GIS
David Guritz – Forest Preserve
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Commander Jason Langston – Sheriff’s Department
Aaron Rybski – Health Department

Absent:

Megan Andrews – Soil and Water Conservation District
Greg Chismark – WBK Engineering, LLC
Matthew Prochaska – PBZ Committee Chair

Audience:

Gregg Ingemunson and Tia Dady

AGENDA

Mr. Guritz made a motion, seconded by Mr. Rybski, to approve the agenda as presented. With a voice vote of seven (7) ayes, the motion carried.

MINUTES

Mr. Rybski made a motion, seconded by Ms. Briganti, to approve the February 4, 2020, meeting minutes. With a voice vote of seven (7) ayes, the motion carried.

PETITIONS

Petitions 20-02, -03, and -05 Greg Dady on Behalf of DTG Investments, LLC

Mr. Asselmeier summarized the request.

Mr. Asselmeier noted that the Petitioner requested guidance from the Kendall County Planning, Building and Zoning Committee regarding options. The Kendall County Planning, Building and Zoning Committee reviewed the list of possible uses at the property under A-1 zoning and suggested that the Petitioner pursue the map amendment.

The three (3) petitions before ZPAC are necessary in order for the Petitioner to change the zoning on the property.

Petition 20-02 adds truck parking area or yard to the list of permitted uses in the M-1 and M-2 Districts. Truck parking area or yard is defined as follows:

“TRUCK PARKING AREA OR YARD. Any land used or intended to be used for the storage or parking of trucks, trailers, tractors, and including commercial vehicle, while not loading or unloading, and which exceeds one and one-half tons in capacity.”

This use is not listed as a permitted or special use in any zoning district.

Pursuant to Section 10:02.B.1 of the Kendall County Zoning Ordinance, any use that is a permitted use in the M-1 Limited Manufacturing District is also a permitted use in the M-2 Heavy Industrial District. A map showing M-1 and M-2 zoned properties was provided.

Staff is agreeable to the requested text amendment provided that the proposed use occurs on roads that were constructed to handle heavy truck traffic.

Accordingly, Staff recommends that the following language be added to Section 10:01.B in the appropriate place alphabetically in the list of permitted uses in the M-1 and M-2 Zoning Districts:

“Truck Parking Area or Yards provided that the use has direct access to a road designated as a major collector or higher in the County Land Resource Management Plan.”

Petition 20-03 changes the classification of the subject property on the Future Land Use Map in the Land Resource Management from Rural Residential to Mixed Use Business. Petition 20-05 changes the zoning of the subject property from A-1 to M-1.

Mr. Asselmeier noted that the subject property is approximately five point five (5.5) acres in size and previously housed ServPro.

Route 126 is a State maintained arterial; there is a trail planned along Route 126.

There is a floodplain on the north end of the property (Zone A-no base flood elevation determined).

The adjacent uses are agricultural or agricultural related.

The adjacent zonings are A-1. The zonings in the area are A-1, R-1, and A-1 with special use permits.

The Future Land Use Map calls for the area to be Rural Residential and Public Institutional.

The A-1 SU to the east is for a farm market, garden shop, winery, corn maze, and fall festival. The A-1 SU to the west is for a farm equipment sales and service business.

Oswego School District 308 owns the property southwest of the subject property.

Ten (10) existing houses are within one half (1/2) mile of the subject property.

Pictures of the property and area were provided.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on January 3, 2020.

Na-Au-Say Township was sent information on February 20, 2020, and they will review the Petition on March 16, 2020.

The Village of Oswego and the Village of Plainfield were sent information on February 20, 2020.

The Oswego Fire Protection District was sent information on February 20, 2020 and they had no objection to the proposal.

Since the early 2000s, the subject property has housed a landscaping business and a cleanup and restoration business. Because of the configuration of the building, very few uses allowed as either permitted or special uses in the A-1 Agricultural District could be placed at the subject property.

The Petitioner does not wish to seek special use permits and text amendments every time a tenant moves. The Petitioner requested guidance from the Planning, Building and Zoning Committee on how to proceed. At their meeting on February 10, 2020, the consensus of the Planning, Building and Zoning Committee was to rezone the subject property; a change to the Future Land Use Map would also be required.

Per State law, map amendments cannot be conditioned. However, Section 13.10 of the Kendall County Zoning Ordinance requires that commercial site plans be approved by the Kendall County ZPAC.

The Petitioner desires the map amendment in order to operate a truck parking area or yard business.

As noted on the information provided to Committee, United Group Logistics plans to operate a trucking company hauling freight throughout the state and will be using the subject property for office space, minor truck repair/maintenance, and a truck terminal. Office use will be used for accounting and dispatch and the bays will be used as a terminal for trucks and for minor repairs and maintenance. The business consists of eight (8) employees and hours of operation will be Monday through Friday from 8:00 a.m. until 5:00 p.m. United Group Logistics is leasing the property from the Petitioner.

The subject property has been used as a landscaping business and repair and restoration business. The order and special use permit that allowed these businesses were provided.

Any new structures would require applicable building permits.

The property will access Route 126. The Illinois Department of Transportation requested additional information about the proposed use.

No new odors are foreseen by the proposed use. Additional uses allowed in the M-1 District could produce odors.

No additional lighting beyond the existing lighting is planned at this time. If any new freestanding lights were installed, review by ZPAC would be required.

Existing trees and a berm are located on the property. The property owner would be required to follow the use and screening requirements contained in Section 10 of the Zoning Ordinance, if they made any changes.

Depending on the nature of new construction, which is not planned as part of this amendment, stormwater management permits could be required.

Electricity is onsite. The property is served by a well and septic system.

Staff understands the Petitioner's concerns regarding having to seek special use permits each time a tenant moves. Staff suggests that, if this amendment is approved, further study occurs regarding future land uses along the Route 126 corridor.

Before issuing a recommendation on the map amendment, Staff would like comments from Na-Au-Say Township, the Village of Oswego, the Village of Plainfield, and ZPAC members. Staff has concerns about some businesses permitted in the M-1 District locating at this property given the rural nature of the area and availability of public utilities.

Commander Langston asked about the volume of trucks. Gregg Ingemunson, Attorney for the Petitioner, responded the only trucks would be company vehicles; nobody would pay to park. The exact number of trucks was unknown, but the volume would not be high.

Mr. Rybski asked if employees would be onsite. Mr. Ingemunson responded administrative staff would be at the property. An office is currently inside the building. Mr. Rybski advised the Petitioner to be mindful that, if the use of the site changes, the septic system needs to be assessed. If too many people are using the septic system, the septic system might not have been designed for an increase in the number of people and problems could occur. Mr. Ingemunson stated that he anticipates a maximum of three (3) people onsite. Mr. Rybski cautioned regarding the number of people using the septic system. Tia Daddy, wife of the Petitioner, stated that ServPro had more employees at the site than the current tenant. She believed that the septic system was adequate.

Mr. Guritz asked about the relationship between the court order and the current petitions. Mr. Asselmeier provided a history of the order and uses at the property.

Mr. Asselmeier explained the formal objection process for the map amendment. Mr. Ingemunson indicated that, if Na-Au-Say Township objects, the Petitioner would change their request.

Discussion occurred regarding future non-residential uses along the Route 126 corridor between Plainfield and Yorkville.

Mr. Klaas made a motion, seconded by Mr. Guritz, to forward the proposals to the Kendall County Regional Planning Commission.

Ayes (7): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, and Rybski
Nays (0): None
Present (0): None
Absent (3): Andrews, Chismark, and Prochaska

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on March 25, 2020, pending comments from Na-Au-Say Township.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petition 19-47 pertaining to a special use permit for a kennel and veterinary at the northeast corner of Ridge and Bell Roads was approved by the County Board.

OLD BUSINESS/NEW BUSINESS

None

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Guritz made a motion, seconded by Mr. Klaas, to adjourn. With a voice vote of seven (7) ayes, the motion carried. The ZPAC, at 9:23 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

Enc.

**KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
MARCH 3, 2020**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Gregg Engstrom	759 John St	
Tia Dady		