

**MINUTES – UNOFFICIAL UNTIL APPROVED**  
**KENDALL COUNTY**  
**ZONING BOARD OF APPEALS MEETING**  
110 WEST MADISON STREET (109 WEST RIDGE STREET), EAST WING CONFERENCE ROOM  
YORKVILLE, IL 60560  
**NOVEMBER 2, 2020 – 7:00 p.m.**

**CALL TO ORDER**

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:01 p.m.

**ROLL CALL:**

Members Present: Scott Cherry, Cliff Fox, Randy Mohr, Dick Thompson, and Dick Whitfield

Members Absent: Karen Clementi and Tom LeCuyer

Staff Present: Matthew Asselmeier, AICP, CFM, Senior Planner

Others Present: Paul Martin

Chairman Mohr swore in Paul Martin for both Petitions.

**PETITIONS**

The Zoning Board of Appeals started their review of Petition 20-25 at 7:12 p.m.

**Petition 20-25 – Grainco FS, Inc.**

**Request:** Map Amendment Rezoning the Subject Property from A-1 with a Special Use Permit to M-1 Limited Manufacturing

**PIN:** 09-36-400-002

**Location:** 17854 N. Wabena Avenue, Minooka, Seward Township

**Purpose:** Petitioner Wants to Lease the Property to a Company that Performs Construction and Maintenance Work for Gas Utilities.

Mr. Asselmeier summarized the request.

Grainco FS, Inc. leased the subject property to Pipe Strong, LLC, a company that performs construction and maintenance for gas utilities. This use is not a permitted or special use on A-1 zoned property, but is a permitted use on M-1 Limited Manufacturing zoned property. The main previous use at the property, a fertilizer plant, is a special use on M-1 Limited Manufacturing zoned property. Accordingly, the Petitioner would like to rezone the property to the M-1 Limited Manufacturing District.

The Petitioner is also pursuing an amendment to the Future Land Use Map reclassifying the subject property as Mixed Use Business.

The application materials and aerial of the property are provided.

The property is approximately three (3) acres in size.

The existing land use is classified as Commercial. The future land use is classified as Agricultural.

Wabena Avenue is a Township maintained local road. There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad/public utility and agricultural. The adjacent zoning districts are A-1 in the County and M-1 in the Village of Minooka. The Land Resource Management Plan calls for the area to be Mixed Use Business in the County and Light Industrial in the Village of Minooka. Zoning districts within a half mile in the County include A-1 and B-3 and M-1 and R-2 inside the Village of Minooka.

Pictures of the property were provided.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit was provided. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on September 17, 2020. The LESA Score was 178 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Seward Township on September 23, 2020. To date, no response has been received.

Petition information was sent to the Village of Minooka on September 23, 2020. To date, no response has been received.

Petition information was sent to the Minooka Fire Protection on September 23, 2020. To date, no response has been received.

ZPAC reviewed this proposal at their meeting on October 6, 2020. Mr. Klaas asked why the property was not proposed for annexation into Minooka. Mr. Asselmeier responded that the Village of Minooka had not provided any comments on the proposal and the proposed change in the Future Land Use Map and map amendment would make the property compliant with County zoning. Mr. Klaas noted that jurisdiction of N. Wabena Avenue changes frequently in that area. Ms. Belville noted that the septic system would need to be evaluated if the uses change. Ms. Olson noted the limitations on development at the site caused by the soils. Mr. Asselmeier asked about the location of utilities from the Village of Minooka. The attorney for the Petitioner responded that Minooka had not offered to extend municipal services to the property. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition. Three (3) members were absent. The minutes of this meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on October 28, 2020. Discussion occurred regarding the differences between this Petition and the requests related to 3485 Route 126. Several Commissioners expressed their dismay that the Petitioner allowed the company to start operations at the property before securing necessary zoning approvals. Several Commissioners also noted that the proposed use would fit the surrounding neighborhood. Other than the Petitioner, nobody else from the public was in attendance. The Kendall County Regional Planning Commission recommended approval of the request by a vote of five (5) in favor and zero (0) in opposition. Four (4) Commissioners were absent. The minutes of this meeting were provided.

Per State law, map amendments cannot be conditioned. However, Section 13:10 of the Kendall County Zoning Ordinance requires that manufacturing site plans be approved by the Kendall County ZPAC.

The Petitioner desires the map amendment in order to lease the property to a construction and maintenance company for gas utilities.

According to the application materials, Pipe Strong, LLC uses the subject property as a show-up yard for pre-job safety checks and re-tooling of supplies. The site is also used to store pipe fittings and safety supplies.

The Petitioner also indicated that a long-term use of the property has not been identified.

Any new structures would require applicable building permits. No new structures are planned at this time.

The property accesses North Wabena Avenue. North Wabena Avenue has an eight (8) ton weight restriction.

No new odors are foreseen, but the site plan for future commercial/industrial activities on the site should be examined to address odors.

Security lights are located on several of the structures. The site plan for future commercial/industrial establishments should be evaluated to address lighting.

Any fencing or buffering should be evaluated as part of the site plan review process.

Future development on the site could require stormwater management permits, depending on the nature of development.

Electricity is onsite. New well and septic information would have to be evaluated as part of a building permit process, if new construction is planned.

The proposed Findings of Fact are as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used agricultural for agricultural purposes. Some of the adjacent properties already possess manufacturing zoning and almost all of the adjoining properties are planned to have manufacturing uses in applicable Future Land Use Maps.

The Zoning classification of property within the general area of the property in question. The surrounding properties in the unincorporated area are zoned A-1. The surrounding properties inside the Village of Minooka are M-1.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1 with a special use permit for fertilizer related operations. Fertilizer related operations are special uses in the M-1 Limited Manufacturing District. The existing use as a company performing construction and maintenance for gas utilities is a permitted use in the M-1 Limited Manufacturing District.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. Per the existing Future Land Use Maps of Kendall County and the Village of Minooka, the trend of development in the area is manufacturing and light industrial uses.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. If the Petitioner's request for a reclassification of their property from Agricultural to Mixed Use Business is approved, the requested map amendment would be consistent with the purposes and objectives of the Land Resource Management Plan.

If the proposed change to the Future Land Use Map in the Land Resource Management Plan is approved, Staff recommends approval of the requested map amendment.

Chairman Mohr opened the public hearing at 7:14 p.m.

Paul Martin, Attorney for the Petitioner, did not have any additional comments.

Chairman Mohr closed the public hearing at 7:14 p.m.

Member Whitfield made a motion, seconded by Member Cherry, to approve the Findings of Fact as presented.

The votes were as follows:

Ayes (5): Cherry, Fox, Mohr, Thompson, and Whitfield

Nays (0): None

Absent (2): Clementi and LeCuyer

The motion passed.

Member Cherry made a motion, seconded by Member Thompson, to recommend approval of the requested map amendment.

The votes were as follows:

Ayes (5): Cherry, Fox, Mohr, Thompson, and Whitfield

Nays (0): None

Absent (2): Clementi and LeCuyer

The motion passed.

This proposal will go to the Kendall County Planning, Building and Zoning Committee on November 9, 2020.

The Zoning Board of Appeals completed their review of Amended Petition 20-25 at 7:16 p.m.

**PUBLIC COMMENTS**

None

**ADJOURNMENT OF THE ZONING BOARD OF APPEALS**

Member Fox made a motion, seconded by Member Thompson, to adjourn. With a voice vote of five (5) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 7:17 p.m.

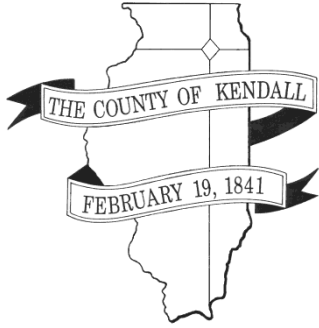
The next hearing/meeting will be on December 14, 2020.

Respectfully submitted by,  
Matthew H. Asselmeier, AICP, CFM  
Senior Planner

Exhibits

1. Memo on Petition 20-25 Dated October 29, 2020
2. Certificate of Publication and Mailings for Petition 20-25 (Not Included with Report but on file in Planning, Building and Zoning Office).





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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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**Petition 20-25**

**Grainco FS, Inc.**

**Map Amendment Rezoning the Subject Property from A-1 with a  
Special Use Permit to M-1 Limited Manufacturing**

**INTRODUCTION**

Grainco FS, Inc. leased the subject property to Pipe Strong, LLC, a company that performs construction and maintenance for gas utilities. This use is not a permitted or special use on A-1 zoned property, but is a permitted use on M-1 Limited Manufacturing zoned property. The main previous use at the property, a fertilizer plant, is a special use on M-1 Limited Manufacturing zoned property. Accordingly, the Petitioner would like to rezone the property to the M-1 Limited Manufacturing District.

The Petitioner is also pursuing an amendment to the Future Land Use Map reclassifying the subject property as Mixed Use Business.

The application materials are included as Attachment 1. An aerial of the property is included as Attachment 2.

**SITE INFORMATION**

PETITIONER: Grainco FS, Inc.

ADDRESS: 17854 N. Wabena Avenue, Minooka

LOCATION: East Side of Wabena Avenue Approximately 500 Feet North of Interstate 80



TOWNSHIP: Seward

PARCEL #: 09-36-400-002

LOT SIZE: 3.2 +/- Acres

EXISTING LAND USE: Commercial

ZONING: A-1 Agricultural District With a Special Use Permit for Mixing, Blending, and Manufacturing of Fertilizers

LRMP:	Future Land Use	Agricultural (Petitioner is Requesting a Change to Mixed Use Business)
	Roads	Wabena Avenue is a Township Maintained Local Road.
	Trails	None
	Floodplain/Wetlands	None

REQUESTED ACTION: Map Amendment Rezoning Property from A-1 Agricultural to M-1 Limited Manufacturing

APPLICABLE REGULATIONS: Section 13.07 – Map Amendment Procedures

**SURROUNDING LAND USE**

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Railroad/Public Utility	A-1	Mixed Use Business and ComEd (Kendall County) Light Industrial (Minooka)	A-1 (Kendall County) M-1 (Minooka)
South	Agricultural	M-1 (Minooka)	Light Industrial (Minooka)	R-2 and M-1 (Minooka)
East	Agricultural	M-1 (Minooka)	Mixed Use Business (Kendall County) Light Industrial Minooka	A-1 (Kendall County) A-1 (Will County) M-1 (Minooka)
West	Agricultural	A-1	Mixed Use Business and ComEd	A-1 and B-3

Pictures of the property are included as Attachments 3-7.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit is included as Attachment 8. This special use permit is the second oldest active special use permit in unincorporated Kendall County.



## **PHYSICAL DATA**

### **ENDANGERED SPECIES REPORT**

EcoCAT Report submitted and consultation was terminated, see Attachment 1, Pages 7-9.

### **NATURAL RESOURCES INVENTORY**

The application for NRI was submitted on September 17, 2020, see Attachment 1, Page 6. The LESA Score was 178 indicating a low level of protection. The NRI Report is included as Attachment 10.

## **ACTION SUMMARY**

### **SEWARD TOWNSHIP**

Petition information was sent to Seward Township on September 23, 2020. To date, no comments have been received.

### **VILLAGE OF MINOOKA**

Petition information was sent to the Village of Minooka on September 23, 2020. To date, no comments have been received.

### **MINOOKA FIRE PROTECTION DISTRICT**

Petition information was sent to the Minooka Fire Protection on September 23, 2020. To date, no comments have been received.

### **ZPAC**

ZPAC reviewed this proposal at their meeting on October 6, 2020. Mr. Klaas asked why the property was not proposed for annexation into Minooka. Mr. Asselmeier responded that the Village of Minooka had not provided any comments on the proposal and the proposed change in the Future Land Use Map and map amendment would make the property compliant with County zoning. Mr. Klaas noted that jurisdiction of N. Wabena Avenue changes frequently in that area. Ms. Belville noted that the septic system would need to be evaluated if the uses change. Ms. Olson noted the limitations on development at the site caused by the soils. Mr. Asselmeier asked about the location of utilities from the Village of Minooka. The attorney for the Petitioner responded that Minooka had not offered to extend municipal services to the property. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition. Three (3) members were absent. The minutes of this meeting are included as Attachment 9.

### **RPC**

The Kendall County Regional Planning Commission reviewed this proposal on October 28, 2020. Discussion occurred regarding the differences between this Petition and the requests related to 3485 Route 126. Several Commissioners expressed their dismay that the Petitioner allowed the company to start operations at the property before securing necessary zoning approvals. Several Commissioners also noted that the proposed use would fit the surrounding neighborhood. Other than the Petitioner, nobody else from the public was in attendance. The Kendall County Regional Planning Commission recommended approval of the request by a vote of five (5) in favor and zero (0) in opposition. Four (4) Commissioners were absent. The minutes of this meeting are included as Attachment 11.

## **GENERAL INFORMATION**

Per State law, map amendments cannot be conditioned. However, Section 13:10 of the Kendall County Zoning Ordinance requires that manufacturing site plans be approved by the Kendall County ZPAC.

The Petitioner desires the map amendment in order to lease the property to a construction and maintenance company for gas utilities.

According to Attachment 1, Page 3, Pipe Strong, LLC uses the subject property as a show-up yard for pre-job safety checks and re-tooling of supplies. The site is also used to store pipe fittings and safety supplies.

The Petitioner also indicated on Attachment 1, Page 3 that a long-term use of the property has not been identified.

## **BUILDING CODES**

Any new structures would require applicable building permits. No new structures are planned at this time.

## **ACCESS**

The property accesses North Wabena Avenue. North Wabena Avenue has an eight (8) ton weight restriction.

## **ODORS**

No new odors are foreseen, but the site plan for future commercial/industrial activities on the site should be examined to address odors.

## **LIGHTING**

Security lights are located on several of the structures. The site plan for future commercial/industrial establishments should be evaluated to address lighting.

## **SCREENING**

Any fencing or buffering should be evaluated as part of the site plan review process.

## **STORMWATER**

Future development on the site could require stormwater management permits, depending on the nature of development.

## **UTILITIES**

Electricity is onsite. New well and septic information would have to be evaluated as part of a building permit process, if new construction is planned.

## **FINDINGS OF FACT**

§ 13.07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on map amendment applications. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

*Existing uses of property within the general area of the property in question. **The surrounding properties are used agricultural for agricultural purposes. Some of the adjacent properties already possess manufacturing zoning and almost all of the adjoining properties are planned to have manufacturing uses in applicable Future Land Use Maps.***

*The Zoning classification of property within the general area of the property in question. **The surrounding properties in the unincorporated area are zoned A-1. The surrounding properties inside the Village of Minooka are M-1.***

*The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1 with a special use permit for fertilizer related operations. Fertilizer related operations are special uses in the M-1 Limited Manufacturing District. The existing use as a company performing construction and maintenance for gas utilities is a permitted use in the M-1 Limited Manufacturing District.***

*The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. **The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. Per the existing Future Land Use Maps of Kendall County and the Village of Minooka, the trend of development in the area is manufacturing and light industrial uses.***

*Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **If the Petitioner's request for a reclassification of their property from Agricultural to Mixed Use Business is approved, the requested map amendment would***

ZBA Memo – Prepared by Matt Asselmeier – October 29, 2020 Page 4 of 5

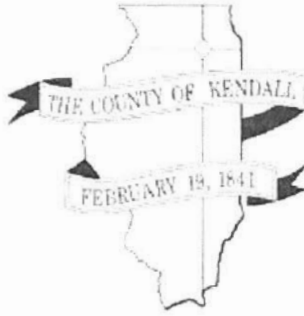
**be consistent with the purposes and objectives of the Land Resource Management Plan.**

**RECOMMENDATION**

If the proposed change to the Future Land Use Map in the Land Resource Management Plan is approved, Staff recommends approval of the requested map amendment.

**ATTACHMENTS**

1. Application Materials
2. Aerial
3. Main Building
4. Parking Lot
5. Looking North
6. Looking South
7. Looking West
8. 1966 Special Use Permit
9. October 6, 2020 ZPAC Minutes
10. NRI Report
11. October 28, 2020 Kendall County Regional Planning Commission Minutes



**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Yorkville, IL • 60560  
 (630) 553-4141 Fax (630) 553-4179

**APPLICATION**

PROJECT NAME \_\_\_\_\_ FILE #: \_\_\_\_\_

<b>NAME OF APPLICANT</b> Grainco FS, Inc.		
<b>CURRENT LANDOWNER/NAME(s)</b> Grainco FS, Inc.		
<b>SITE INFORMATION</b>		
ACRES 3.2	SITE ADDRESS OR LOCATION 17854 N. Wabena Ave., Minooka, IL	ASSESSOR'S ID NUMBER (PIN) 09-36-400-002
EXISTING LAND USE Operation center for utility construction service company. / Agricultural /	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
<b>REQUESTED ACTION (Check All That Apply):</b>		
<input type="checkbox"/> SPECIAL USE	<input checked="" type="checkbox"/> MAP AMENDMENT (Rezone to <b>M-1</b> )	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD ( <input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
<input type="checkbox"/> AMENDMENT TO A SPECIAL USE ( <input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
<sup>1</sup> PRIMARY CONTACT Paul V. Martin	PRIMARY CONTACT MAILING ADDRESS [REDACTED]	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE # [REDACTED]	PRIMARY CONTACT FAX # [REDACTED]	PRIMARY CONTACT OTHER #(Cell, etc.) [REDACTED]
<sup>2</sup> ENGINEER CONTACT N/A	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
SIGNATURE OF APPLICANT [REDACTED]		DATE 9/17/2020

FEE PAID: \$ 500.00  
 CHECK #: \_\_\_\_\_

<sup>1</sup>Primary Contact will receive all correspondence from County  
<sup>2</sup>Engineering Contact will receive all correspondence from the County's Engineering Consultants

Please fill out the following findings of fact to the best of your capabilities. § 13.07.F of the Zoning Ordinance lists the Finding of Fact criteria the Zoning Board of Appeals must answer in order to make a recommendation to the County Board on any **map amendment** request. They are as follows:

*Existing uses of property within the general area of the property in question.*

Bordered on the North side by a railroad, and surrounding property is farm ground with row crops; although shown as M-1 on the Minooka 2019 Zoning map.

*The Zoning classification of property within the general area of the property in question.*

The Zoning classification of property within the general area of the property East of Wabena Avenue is M-1 Manufacturing pursuant to the 2019 Minooka Zoning Map, other than the railroad which runs parallel to one side of the property.

*The suitability of the property in question for the uses permitted under the existing zoning classification.*

The current use of the subject property is not suitable for the current agricultural zoning classification. The property is now leased by Pipe Strong, LLC of Schaumburg, Illinois, and the use is an operations center for utility construction.

See more detailed explanation of current use of property on "Justifications of Reasons for Requested Re-Zoning from Agricultural to M-1".

*The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification.*

The Village of Minooka 2019 Zoning Map for this area is all M-1 Manufacturing on the East side of Wabena Avenue. The M-1 classification for this property would be compatible with that. This area of Minooka apparently anticipates further growth on this map, and is on the North side of Interstate Route 80. It would be in the public interest to allow the property to be zoned consistently with the M-1 Manufacturing that the Minooka Zoning Map has adopted for that area within the village limits.

*Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.*

The prior usage and current remain similar, and does not conflict with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.

**“Justification of Reasons for Requested Re-Zoning from Agricultural to M1”**


This property has belonged to Grainco FS, Inc., or its predecessors, Kendall Grundy FS, Kendall Farmers Oil Company, and F.S. Services, Inc. acquired it in 1970. It was used for a number of years as a fertilizer plant, and when that use ceased, nothing further was done regarding the zoning classification. Beginning about two years ago, a tenant Pipe Strong LLC of Schaumburg, Illinois entered into a one year renewable lease to use the property as an “operations center for utility construction service company”.

Pipe Strong LLC performs construction and maintenance for gas utilities. Pipe Strong established a partnership with Nicor Gas for ongoing construction and maintenance work. Union led workforce uses show-up yards for pre-job safety checks and re-tooling of supplies. The property in Minooka on Wabena Road is being used as their southern show-up yard on the Nicor system. The warehouse is used to inventory all sorts of pipe fittings and safety supplies. The typical vehicle utilized from the yard is a Ford F-450.

No configuration to the property has been changed or contemplated, and they continue to use it as is on a day-to-day basis. Upon notification by the Kendall County Zoning administrator that the agricultural zoning was no longer appropriate, the property owner has filed this application. The long term usage of the property has not been identified further as either agricultural or this current usage, but the current tenant is expected to remain for at least an additional year.

On a going forward basis, the M1 classification appears most appropriate to this property which is bordered by Wabena Avenue, the Elgin Joliet and Eastern railroad, and farmland. The Minooka Zoning Map (2019) projects the property on the North and South of the subject property as M-1 Manufacturing as per the attachment. Petitioner, Grainco FS, Inc. respectfully requests that this property be re-zoned as M-1 to conform to the Kendall County zoning ordinance, and the adjoining properties zoned uses pursuant to the Minooka Zoning Map as identified on the map of 2019.

Grainco FS, Inc.,

  
By: Paul V. Martin, Its Attorney

That part of the Southeast Quarter of Section 36, Township 35 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at the intersection of the Southeasterly right-of-way line of the Elgin, Joliet, and Eastern Railroad, and the East right-of-way line of a township road, said point being 705 feet North of the transit line at Station 1736+09, and said point being the POINT OF BEGINNING; thence Southeasterly along the said East right-of-way line for a distance of 91.19 feet; thence East for a distance of 20.00 feet; thence Southeasterly along a line which is parallel to the said East right-of-way line for a distance of 81.00 feet; thence East for a distance of 289.14 feet; thence North for a distance of 703.48 feet to a point which falls on the said Southeasterly right-of-way line of the Elgin, Joliet, and Eastern Railroad; thence Southwesterly along the said Southeasterly right-of-way line for a distance of 622.64 feet to the Point of Beginning, in the Township of Seward, Kendall County, Illinois.

And being the same property conveyed to Grainco FS, Inc. successor by virtue of merger with Kendall-Grundy FS, Inc., an Illinois corporation, successor by virtue of name change from Kendall Farmers Oil Company who acquired the title from FS Services, Inc. by Warranty Deed dated November 09, 1970 and recorded November 10, 1970 in Instrument No. 70-3205.

Tax Parcel No. 09-36-400-006

70-320 NOV 16 1970

STATE OF ILLINOIS  
NOV 16 1970  
FILED FOR RECORD  
NOV 16 1970

RECORDED  
INDEXED  
TRACTED

THE GRANTOR FS SERVICES, INC.

A corporation organized and existing under and by virtue of the laws of the State of Illinois, having its principal office in the City of Kendallville, County of Kendall, Illinois, and State of Illinois, to wit:

In hand paid, and pursuant to authority given by the Board of Directors of said corporation CONVEY and WARRANT to KENDALL FARMERS OIL COMPANY, of said corporation

That part of the Southeast quarter of Section 36, Township 35 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at the intersection of the Southeastly right of way line of the Elgin, Joliet and Eastern Railroad and the East right of way line of a township road, said point being 705 feet North of the center of a township road, said point and said point being the point of beginning; thence Southeastly along the said East right of way line a distance of 91.19 feet; thence East for a distance of 20.00 feet; thence Southeastly along a line which is parallel to the said East right of way line for a distance of 81.00 feet; thence East for a distance of 289.14 feet; thence North for a distance of 201.48 feet to a point which falls on the said Southeastly right of way line of the Elgin Joliet and Eastern Railroad; thence Southeastly along the said Southeastly right of way line for a distance of 622.64 feet to the point of beginning, in the Township of Seward, Kendall County, Illinois.

In Witness Whereof, said Grantor has caused its corporate seal to be hereunto affixed, and has caused its name to be signed to these presents by its Executive Vice President, and attested by its Secretary, this 9th day of November, 1970.

IN WITNESS WHEREOF, I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that E. V. STEVENSON, President of the FS SERVICES, INC., personally known to me to be the Exec. Vice President of the FS SERVICES, INC.

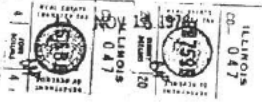
Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that E. V. STEVENSON, President of the FS SERVICES, INC., personally known to me to be the Exec. Vice President of the FS SERVICES, INC.

Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that E. V. STEVENSON, President of the FS SERVICES, INC., personally known to me to be the Exec. Vice President of the FS SERVICES, INC.

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AFFIX "RIDERS OR REVENUE STAMPS HERE

DOCUMENT NUMBER





Kendall County Soil & Water Conservation District

7775A Route 47, Yorkville, Illinois 60560 • (630)553-5821 extension 3

www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Grainco FS, Inc. Contact Person: Paul V. Martin
Address: 3107 N. State Route 23
City, State, Zip: Ottawa, IL 61350
Phone Number: (815) 434-0131
Email: aldrake@graincofs.com

Please select: How would you like to receive a copy of the NRI Report? [X] Email [ ] Mail

Site Location & Proposed Use

Township Name Seward Township 35 N, Range 8 E, Section(s) 36
Parcel Index Number(s) 09-36-400-002
Project or Subdivision Name Number of Acres 3.2
Current Use of Site Proposed Use M-1, light industrial/freight yard
Proposed Number of Lots 1 Proposed Number of Structures 4
Proposed Water Supply Existing private well Proposed type of Wastewater Treatment Existing septic
Proposed type of Storm Water Management Existing configurations

Type of Request

- [X] Change in Zoning from Agricultural to M-1
[ ] Variance (Please describe fully on separate page)
[ ] Special Use Permit (Please describe fully on separate page)

Name of County or Municipality the request is being filed with: Kendall County

In addition to this completed application form, please including the following to ensure proper processing:

- [X] Plat of Survey/Site Plan - showing location, legal description and property measurements
[ ] Concept Plan - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
[ ] If available: topography map, field tile map, copy of soil boring and/or wetland studies
[X] NRI fee (Please make checks payable to Kendall County SWCD)

The NRI fees, as of July 1, 2010, are as follows:

Full Report: \$375.00 for five acres and under, plus \$18.00 per acre for each additional acre or any fraction thereof over five.
Executive Summary Report: \$300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Table with 2 columns: Description, Amount. Row 1: Fee for first five acres and under, \$ 375.00. Row 2: Additional Acres at \$18.00 each, \$. Row 3: Total NRI Fee, \$ 375.00.

NOTE: Applications are due by the 1st of each month to be on that month's SWCD Board Meeting Agenda. Once a completed application is submitted, please allow 30 days for inspection, evaluation and processing of this report.

I (We) understand the filing of this application allows the authorized representative of the Kendall County Soil and Water Conservation District (SWCD) to visit and conduct an evaluation of the site described above. The completed NRI report expiration date will be 3 y

Petitioner or Authorized Agent

Date

9/17/2020

This report will be issued on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, handicap or marital status.

FOR OFFICE USE ONLY

NRI# Date initially rec'd Date all rec'd Board Meeting
Fee Due \$ Fee Paid \$ Check # Over/Under Payment Refund Due



*Applicant:* Grainco FS, Inc.

*IDNR Project Number:* 2105561

*Contact:* Paul Martin

*Date:* 09/17/2020

*Address:* [REDACTED]

*Project:* Re-Zoning of Property from Agricultural to M-1 Manufacturing

*Address:* 17854 N. Wabena Ave., Minooka

*Description:* This property was used for a number of years as a fertilizer plant, and when that use ceased, nothing further was done regarding the zoning classification. Beginning about two years ago, a tenant entered into a one year renewable lease to use the property as an "operations center for utility construction service company". No configuration to the property has been changed or contemplated, and they continue to use it as is on a day-to-day basis. Upon notification by the Kendall County Zoning administrator that the agricultural zoning was no longer appropriate, the property owner has filed this application. The long term usage of the property has not been identified further as either agricultural or this current usage, but the current tenant is expected to remain for at least an additional year.

### 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:* Kendall

*Township, Range, Section:*

35N, 8E, 36



#### **IL Department of Natural Resources**

##### **Contact**

Adam Rawe

217-785-5500

Division of Ecosystems & Environment

#### **Government Jurisdiction**

Kendall Co. Department Planning, Building & Zoning

Matthew Asselmeier

111 West Fox Street

Yorkville, Illinois 60560 -1498

---

## **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.

## **Terms of Use**

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.
2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.
3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

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EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

## **Privacy**

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

IDNR Project Number: 2105561



<b>EcoCAT Receipt</b>	<b>Project Code</b> 2105561
-----------------------	-----------------------------

<b>APPLICANT</b>	<b>DATE</b>
------------------	-------------

Grainco FS, Inc. Paul Martin [REDACTED]	9/17/2020
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DESCRIPTION	FEE	CONVENIENCE FEE	TOTAL PAID
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EcoCAT Consultation	\$ 125.00	\$ 2.81	\$ 127.81
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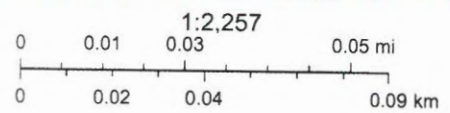
TOTAL PAID	\$ 127.81
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Illinois Department of Natural Resources  
One Natural Resources Way  
Springfield, IL 62702  
217-785-5500  
[dnr.ecocat@illinois.gov](mailto:dnr.ecocat@illinois.gov)

# ArcGIS Web Map



9/9/2020, 10:54:26 AM



- Current Parcels
- Municipalities
  - UNINCORPORATED
  - VILLAGE OF MINOOKA

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Attachment 3, Main Building



09/21/2020 08:26

Attachment 4 North Parking Area



09/21/2020 08:26



17854  
WABENA

09/21/2020 08:26



Attachment 6 Looking South



09/21/2020 08:26

Attachment 7 Looking West



09/21/2020 08:26

KENDALL COUNTY ZONING  
BOARD OF APPEALS

Pursuant to a notice published in the Kendall County Record and herewith attached the Kendall County Zoning Board of Appeals met on the site therein described to consider the petition of Cora Kay for a "Special Use Permit" under "A" Agriculture for the Monsanto Co. Said permit to allow for the mixing, blending and manufacture of fertilizers.

The meeting was called to order on February 28 at 10 A.M. by chairman Larson with members Langeland, Thurow, Kennedy and Scheidecker answering present at roll call.

Orville Norman of 202 Forest Park Place, Ottawa, Illinois (DS) testified as to the dimensions of the property containing 3.202 A. and described the buildings (office, and warehouse) they proposed for the site. He said the plant will be owned by the Monsanto Co. with a local operator.

There were no objectors present and the board recessed to consider and discuss the petition.

On reconvening Scheidecker made a motion seconded by Langeland that the board recommend the granting of the petition. On roll call the members voted as follows: Langeland, yes; Scheidecker, yes; Thurow, yes; Kennedy, yes; and Larson, yes.

On a motion by Kennedy the board adjourned.

172.19 feet; thence East for a distance of 306.84 feet; thence north for a distance of 699.73 feet to a point which falls on the said southeasterly right-of-way line of the E. J. & E. Railroad; thence Southwesterly along the said southeasterly right-of-way line for a distance of 618.24 feet to the point of beginning, containing 3.202 acres, more or less, all located in Kendall County, Illinois.

Further Notice is Hereby Given that a hearing has been set thereon for Monday, February 28, 1966 at 10:00 a. m. at the above described premises in the Township of Seward, Kendall County, Illinois, said Board of Appeals and be heard.

Dated at Yorkville, Illinois, the 25th day of January, A. D., 1966.

R. N. YOUNG  
Secretary of the Zoning Board of Appeals of Kendall County

(Legal Publication)  
**PUBLIC NOTICE**

Notice is Hereby Given that the Monsanto Company has filed a petition with the Zoning Board of Appeals of Kendall county, Illinois, to rezone and reclassify from "A," Agriculture District to a "Special Use" permit the following described real estate, to wit:

That part of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Thirty-six (36), Township Thirty-(8) East of the Third Principal Meridian, Kendall County, Illinois, more particularly described as follows:

Beginning at the intersection of the southeasterly right-of-way line of the Elgin, Joliet and Eastern Railroad and the East right-of-way line of a township road, said point being 705 feet north of the transit line Station 1736+09, said point being the point of beginning; thence Southeasterly along the said east right-of-way line for a distance of

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)  
October 6, 2020 – Unapproved Meeting Minutes**

PBZ Chairman Matthew Prochaska called the meeting to order at 9:01 a.m.

Present:

Matt Asselmeier – PBZ Department  
Lauren Belville – Health Department  
Brian Holdiman – PBZ Department  
Fran Klaas – Highway Department  
Commander Jason Langston – Sheriff's Department  
Alyse Olson – Soil and Water Conservation District  
Matthew Prochaska – PBZ Committee Chair

Absent:

Meagan Briganti – GIS  
Greg Chismark – WBK Engineering, LLC  
David Guritz – Forest Preserve

Audience:

Michele Morris, John Seheffer, and Paul Martin

**AGENDA**

Mr. Klaas made a motion, seconded by Commander Langston, to approve the agenda as presented. With a voice vote of seven (7) ayes, the motion passed.

**MINUTES**

Mr. Holdiman made a motion, seconded by Ms. Belville, to approve the September 1, 2020, meeting minutes. With a voice vote of seven (7) ayes, the motion passed.

**PETITIONS**

**Petition 20-23 Patrick and Michele Morris**

Mr. Asselmeier summarized the request.

A five foot (5') public utility and drainage easement exists on the north and south lot lines of Lots 35, 36, and 37 in the Grove Estates Subdivision.

Patrick and Michele Morris would like to merge the three (3) lots and construct a new house over the easements.

The application materials and plat of vacation were provided.

The property is addressed as 7229, 7251, and 7287 Joyce Court.

The property is approximately two (2) acres in size and is zoned RPD-2.

The current land use is Single-Family Residential. The future land use is Rural Residential.

Joyce Court is a local road maintained by Na-Au-Say Township. No trails are planned for the property.

There are no floodplains or wetlands on the property.

The adjacent land uses are Single-Family Residential. The adjacent zoning is RPD-2. The Land Resource Management Plan calls for the area to Rural Residential. The zoning districts within a half mile are A-1 and RPD-2.

Na-Au-Say Township was emailed information on September 22, 2020.

The Village of Oswego was emailed information on September 22, 2020.

The Oswego Fire Protection District was emailed information on September 22, 2020.

The total area proposed for vacation is approximately one tenth (0.1) of an acre.

The Petitioners provided information stating that none of the utilities or the homeowners' association were in opposition to this request.

Staff recommends that the requested vacation with the following conditions:

1. Lots 35, 36, and 37 of Grove Estates Subdivision shall not be sold as individual lots upon the successful recording of the plat of vacation (Attachment 2). Within ninety (90) days of the effective date of this ordinance, the Petitioner shall submit a parcel consolidation request to Kendall County.
2. This vacation shall become effective upon the successful recording of the plat of vacation in the timeframe outlined in Section 7.06.H of the Kendall County Subdivision Control Ordinance unless an extension is granted by the Kendall County Board.

Mr. Klaas asked if any utilities were located in the easements. Mr. Asselmeier said no utilities were located in the easements, per JULIE.

Mr. Klaas asked about access. Ms. Morris responded that two (2) driveways would be installed.

Mr. Asselmeier made a motion, seconded by Mr. Klaas, to recommend approval of the requested vacation. With a voice vote of seven (7) ayes, the motion passed.

The proposal goes to the Kendall County Planning, Building and Zoning Committee on October 14, 2020.

**Petition 20-24 Grainco FS, Inc.**

Mr. Asselmeier summarized the request.

Grainco FS, Inc. would like an amendment to the Future Land Use Map contained in the Land Resource Management Plan for approximately three point two more or less (3.2 +/-) acres located 17854 N. Wabena Avenue. If approved, the Petitioner would like to rezone the property to allow the operation of a company that performs construction and maintenance work for gas utilities. This use is not allowed on property zoned A-1 Agricultural. This use and the previous uses at the property (i.e. fertilizer plant) are either permitted or special uses on M-1 Limited Manufacturing zoned property.

The application materials and aerial were provided.

The property is approximately three (3) acres in size.

The existing land use is classified as Commercial. The future land use is classified as Agricultural.

Wabena Avenue is a Township maintained local road. There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad/public utility and agricultural. The adjacent zoning districts are A-1 in the County and M-1 in the Village of Minooka. The Land Resource Management Plan calls for the area to be Mixed Use Business in the County and Light Industrial in the Village of Minooka. Zoning districts within a half mile in the County include A-1 and B-3 and M-1 and R-2 inside the Village of Minooka.

Pictures of the property were provided.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit was provided. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

Petition information was sent to Seward Township on September 23, 2020.

Petition information was sent to the Village of Minooka on September 23, 2020.

Petition information was sent to the Minooka Fire Protection on September 23, 2020.

The Village of Minooka's Future Land Use Map calls for this property to be Light Industrial.

The subject property has been used as a fertilizer plant since at least 1966. The proposed use and previous uses at the property since 1966 would be allowed by either permitted or special use on M-1 zoned property.

The Future Land Use Maps of both Kendall County and the Village of Minooka call for industrial related uses in the vicinity of the subject property.

A railroad is also located adjacent to the subject property.

Upon initial analysis, Staff has no objections to the proposed amendment.

Before issuing a final recommendation, Staff would like comments from Seward Township, the Village of Minooka, the Minooka Fire Protection District and ZPAC members.

Mr. Klaas asked why the property is not proposed for annexation into Minooka. Mr. Asselmeier responded that the Village of Minooka has not provided any comments on the proposal and the proposed change in the Future Land Use Map and map amendment would make the property compliant with County zoning. Mr. Klaas noted that jurisdiction of N. Wabena Avenue changes frequently in that area.

Ms. Belville noted that the septic system would need to be evaluated if the uses change.

Ms. Olson noted the limitations on development caused by the soils.

Mr. Asselmeier asked about the location utilities from the Village of Minooka. Mr. Martin responded that Minooka had not offered to extend municipal services to the property.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to recommend approval of the requested amendment to the Kendall County Land Resource Management Plan. With a voice vote of seven (7) ayes, the motion passed.

The proposal goes to the Kendall County Regional Planning Commission on October 28, 2020.

**Petition 20-05 Grainco FS, Inc.**

Mr. Asselmeier summarized the request.

Grainco FS, Inc. leased the subject property to Pipe Strong, LLC, a company that performs construction and maintenance for gas utilities. This use is not a permitted or special use on A-1 zoned property, but is a permitted use on M-1 Limited Manufacturing zoned property. The main previous use at the property, a fertilizer plant, is a special use on M-1 Limited Manufacturing zoned property. Accordingly, the Petitioner would like to rezone the property to the M-1 Limited Manufacturing District.

The Petitioner is also pursuing an amendment to the Future Land Use Map reclassifying the subject property as Mixed Use Business.

The application materials and aerial of the property are provided.

The property is approximately three (3) acres in size.

The existing land use is classified as Commercial. The future land use is classified as Agricultural.

Wabena Avenue is a Township maintained local road. There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad/public utility and agricultural. The adjacent zoning districts are A-1 in the County and M-1 in the Village of Minooka. The Land Resource Management Plan calls for the area to be Mixed Use Business in the County and Light Industrial in the Village of Minooka. Zoning districts within a half mile in the County include A-1 and B-3 and M-1 and R-2 inside the Village of Minooka.

Pictures of the property were provided.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit was provided. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on September 17, 2020.

Petition information was sent to Seward Township on September 23, 2020.

Petition information was sent to the Village of Minooka on September 23, 2020.

Petition information was sent to the Minooka Fire Protection on September 23, 2020.

Per State law, map amendments cannot be conditioned. However, Section 13:10 of the Kendall County Zoning Ordinance requires that manufacturing site plans be approved by the Kendall County ZPAC.

The Petitioner desires the map amendment in order to lease the property to a construction and maintenance company for gas utilities.

According to the application materials, Pipe Strong, LLC uses the subject property as a show-up yard for pre-job safety checks and re-tooling of supplies. The site is also used to store pipe fittings and safety supplies.

The Petitioner also indicated that a long-term use of the property has not been identified.

Any new structures would require applicable building permits. No new structures are planned at this time.

The property access North Wabena Avenue. North Wabena Avenue has an eight (8) ton weight restriction.

No new odors are foreseen, but the site plan for future commercial/industrial activities on the site should be examined to address odors.

Security lights are located on several of the structures. The site plan for future commercial/industrial establishments should be evaluated to address lighting.

Any fencing or buffering should be evaluated as part of the site plan review process.

Future development on the site could require stormwater management permits, depending on the nature of development.

Electricity is onsite. New well and septic information would have to be evaluated as part of a building permit process, if new construction is planned.

Before issuing a final recommendation, Staff would like comments from Seward Township, the Village of Minooka, the Minooka Fire Protection District, and ZPAC members.

Mr. Holdiman made a motion, seconded by Commander Langston, to recommend approval of the map amendment. With a voice vote of seven (7) ayes, the motion passed.

The proposal goes to the Kendall County Regional Planning Commission on October 28, 2020.

#### **REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

Mr. Asselmeier stated that Petition 19-39 Map Amendment and Special Use Permit for Four Seasons Storage and Petition 20-15 Final Plat Approval for the Go Pro Sports Subdivision passed at the County Board.

Mr. Asselmeier stated that Petition 20-14 Zoning Ordinance Project passed at the County Board with an amendment removing the language regarding research related home occupations and an amendment removing the soils requiring non-traditional septic systems from the calculation of open space.

Mr. Asselmeier reported that Petition 20-21 Fee Schedule Amendment passed at the County Board. The fee for conditional use permits for beekeeping would be One Hundred Dollars (\$100), the same as other conditional use permits. The annual permit renewal fee for beekeeping was removed.

**OLD BUSINESS/NEW BUSINESS**

**Recommendation on Fiscal Year 2020-2021 Meeting Calendar**

Mr. Klaas made a motion, seconded by Commander Langston to recommend approval of the meeting calendar as presented. With a voice vote of seven (7) ayes, the motion passed.

**CORRESPONDENCE**

None

**PUBLIC COMMENT**

None

**ADJOURNMENT**

Ms. Olson made a motion, seconded by Commander Langston, to adjourn. With a voice vote of seven (7) ayes, the motion passed.

The ZPAC, at 9:17 a.m., adjourned.

Respectfully Submitted,  
Matthew H. Asselmeier, AICP, CFM  
Senior Planner

Enc.

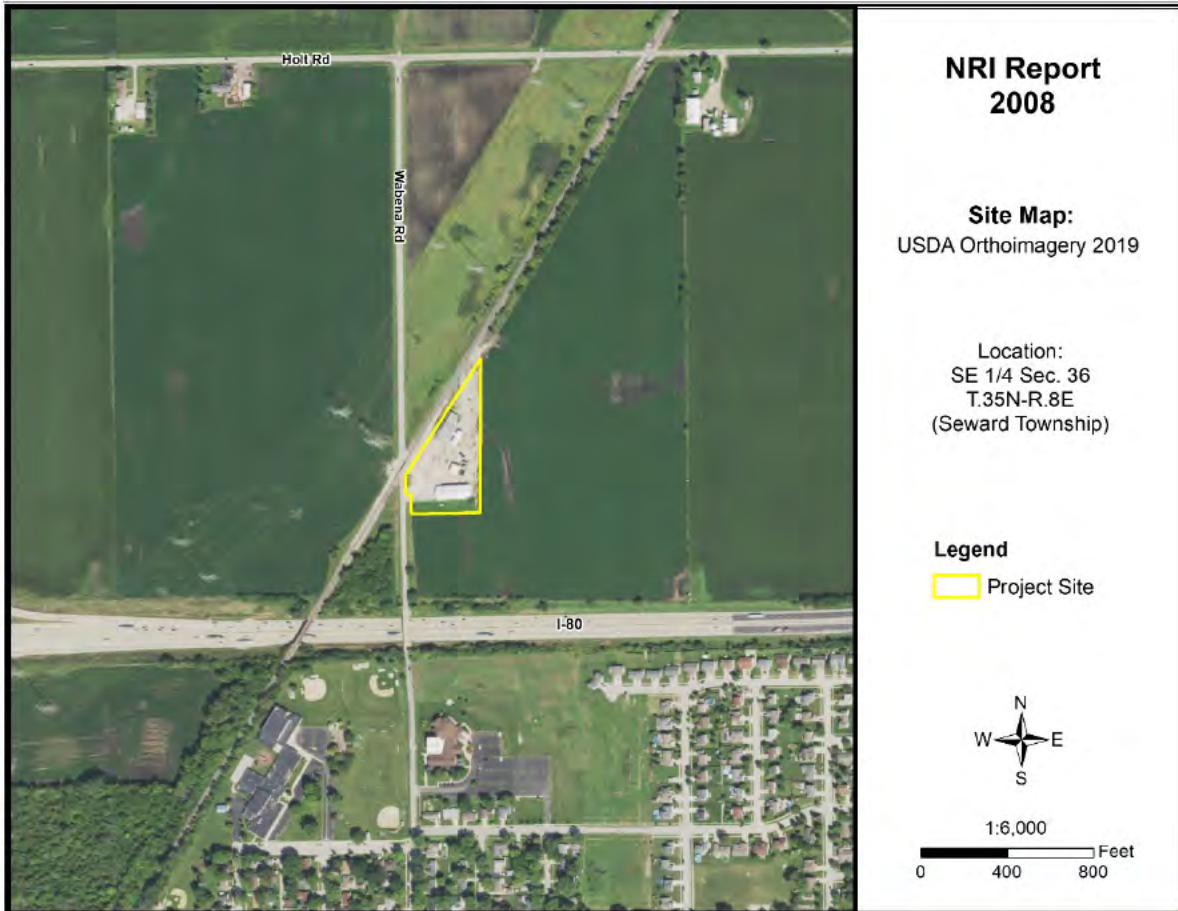


**KENDALL COUNTY  
ZONING & PLATTING ADVISORY COMMITTEE  
OCTOBER 6, 2020**

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)
<i>Paul Martin</i>	<i>For Grainco F.S.</i>	[REDACTED]
<i>John Schepfel</i>	<i>For Grainco F.S.</i>	
<i>Michele Morris</i>		[REDACTED]

# NATURAL RESOURCE INFORMATION (NRI) EXECUTIVE SUMMARY REPORT: #2008



Oct.  
2020

Petitioner: Grainco FS, Inc.  
Contact: Paul V. Martin

Prepared By:



7775A Route 47  
Yorkville, Illinois 60560  
Phone: (630) 553-5821 x3  
Fax: (630) 553-7442  
[www.kendallswcd.org](http://www.kendallswcd.org)

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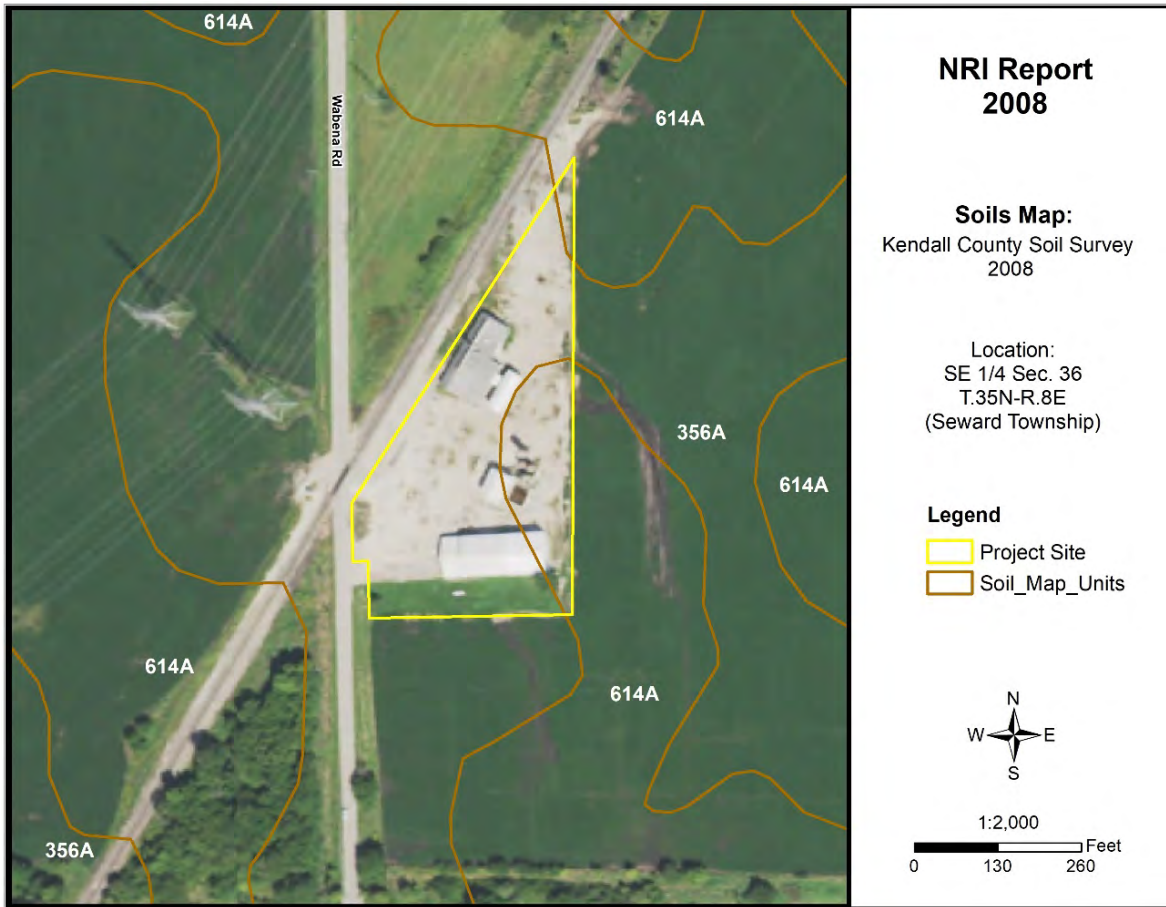
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## **EXECUTIVE SUMMARY**

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Natural Resource Information Report Number	#2008
Petitioner	Grainco FS, Inc.
Contact Person	Paul V. Martin
County or Municipality the Petition is Filed With	Kendall County
Location of Parcel	SE¼ Section 36, T.35N.-R.8E. (Seward Township) of the 3 <sup>rd</sup> Principal Meridian
Project or Subdivision Name	Not Provided
Existing Zoning & Land Use	A-1 Special Use; Mixing, Blending and Manufacturing of Fertilizers
Proposed Zoning & Land Use	M-1 Limited Manufacturing
Proposed Water Source	Well
Proposed Type of Sewage Disposal System	Septic
Proposed Type of Storm Water Management	Existing Configurations
Size of Site	3.2 (+/-) acres
Land Evaluation Site Assessment Score	178 (Land Evaluation: 98; Site Assessment: 80)

**NATURAL RESOURCE CONSIDERATIONS**



**Figure 1: Soil Map**

**SOIL INFORMATION**

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this parcel is shown to contain the following soil types (please note this does not replace the need for or results of onsite soil testing; if completed, please refer to onsite soil test results for planning/engineering purposes):

**Table 1: Soils Information**

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
356A	Elpaso silty clay loam, 0-2% slopes	Poorly Drained	B/D	Hydric	Prime Farmland if drained
614A	Chenoa silty clay loam, 0-2% slopes	Somewhat Poorly Drained	C/D	Non-hydric	Prime Farmland

**Hydrologic Soil Groups** – Soils have been classified into four (A, B, C, D) hydrologic groups based on runoff characteristics due to rainfall. If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D), the first letter is for drained areas and the second letter is for undrained areas.

- **Hydrologic group A:** Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- **Hydrologic group B:** Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.
- **Hydrologic group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- **Hydrologic group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

**Hydric Soils** – A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, Elpaso silty clay loam (356A) is classified as being a hydric soil and Chenoa silty clay loam (614A) is classified as being a non-hydric soil.

**Prime Farmland** – Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, 21.7% are designated as prime farmland and 78.3% are designated as prime farmland if drained.

**Table 2:** Water Features

Map Unit	Surface Runoff	Water Table	Ponding	Flooding
356A	Negligible	January – May Upper Limit: 0.0'-1.0' Lower Limit: 6.0'	January - May Surface Water Depth: 0.0-0.5' above surface Duration: Brief (2-7 days) Frequency: Frequent	January - May Duration: -- Frequency: None
614A	Low	January – May Upper Limit: 1.0'-2.0' Lower Limit: 2.1'-4.3'	January - May Surface Water Depth: -- Duration: -- Frequency: None	January - May Duration: -- Frequency: None

**Surface Runoff** – Refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover and indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal). The surface runoff classes are identified as: negligible, very low, low, medium, high and very high.

**Ponding** – Ponding is standing water in a closed depression. Unless a drainage system is installed, the water is removed only by percolation, transpiration or evaporation. Duration is expressed as very brief (less than 2 days), brief (2 to 7 days), long (7 to 30 days), very long (more than 30 days). Frequency is expressed as none (ponding is not probable), rare (unlikely but possible under unusual weather conditions), occasional (occurs, on average, once or less in 2 years) and frequent (occurs, on average, more than once in 2 years).

**Flooding** – Temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding. Duration is expressed as brief (2 to 7 days) and frequent meaning that it is likely to occur often under normal weather conditions.

### **SOIL LIMITATIONS**

According to the USDA-NRCS, soil properties influence the development of building sites, including the selection of the site, the design of the structure, construction, performance after construction and maintenance. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features. Ratings are based on the soil in an undisturbed state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance.

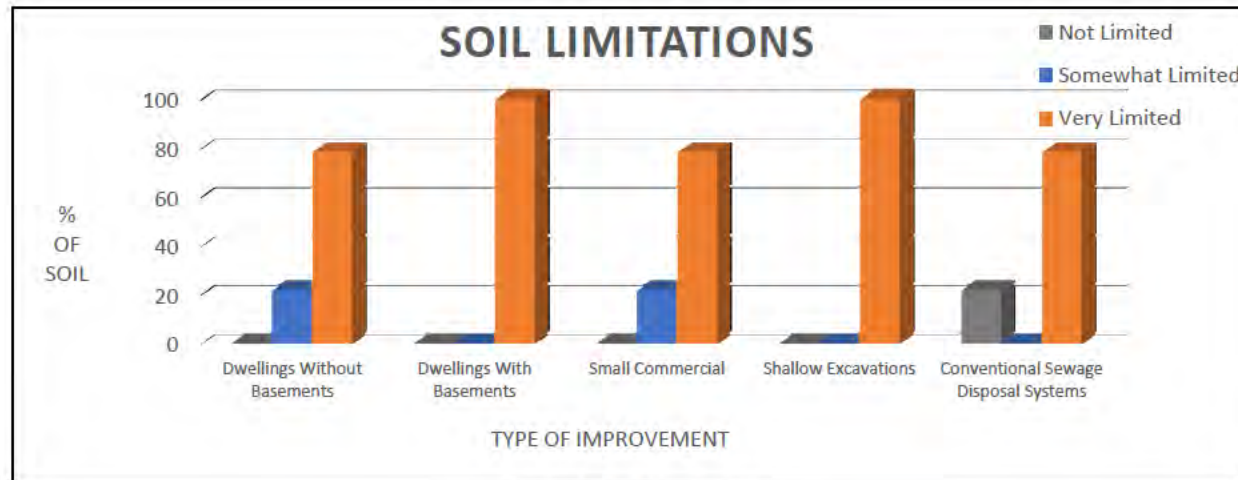
- **Not Limited:** Indicates that the soil has features that are very favorable for the specified use; good performance and low maintenance can be expected.
- **Somewhat Limited:** Indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design or installation; fair performance and moderate maintenance can be expected.
- **Very Limited:** Indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures; poor performance and high maintenance can be expected.

**Conventional Septic System Rating Criteria** – The factors considered are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. Soils that are deemed unsuitable for installation of an on-site sewage disposal system per the Kendall County Subdivision Control Ordinance may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact the Kendall County Health Department located at 811 W. John Street, Yorkville, IL; (630) 553-9100 ext. 8026.

Limitations are listed below for dwellings with basements, dwellings without basements, small commercial buildings, shallow excavations, and onsite conventional sewage disposal systems. Please note this information is based on soils in an undisturbed state as compiled for the USDA-NRCS 2008 Soil Survey of Kendall County, IL and the Kendall County Subdivision Control Ordinance; this does not replace the need for site specific soil testing or results of onsite soil testing.

**Table 3:** Building Limitations

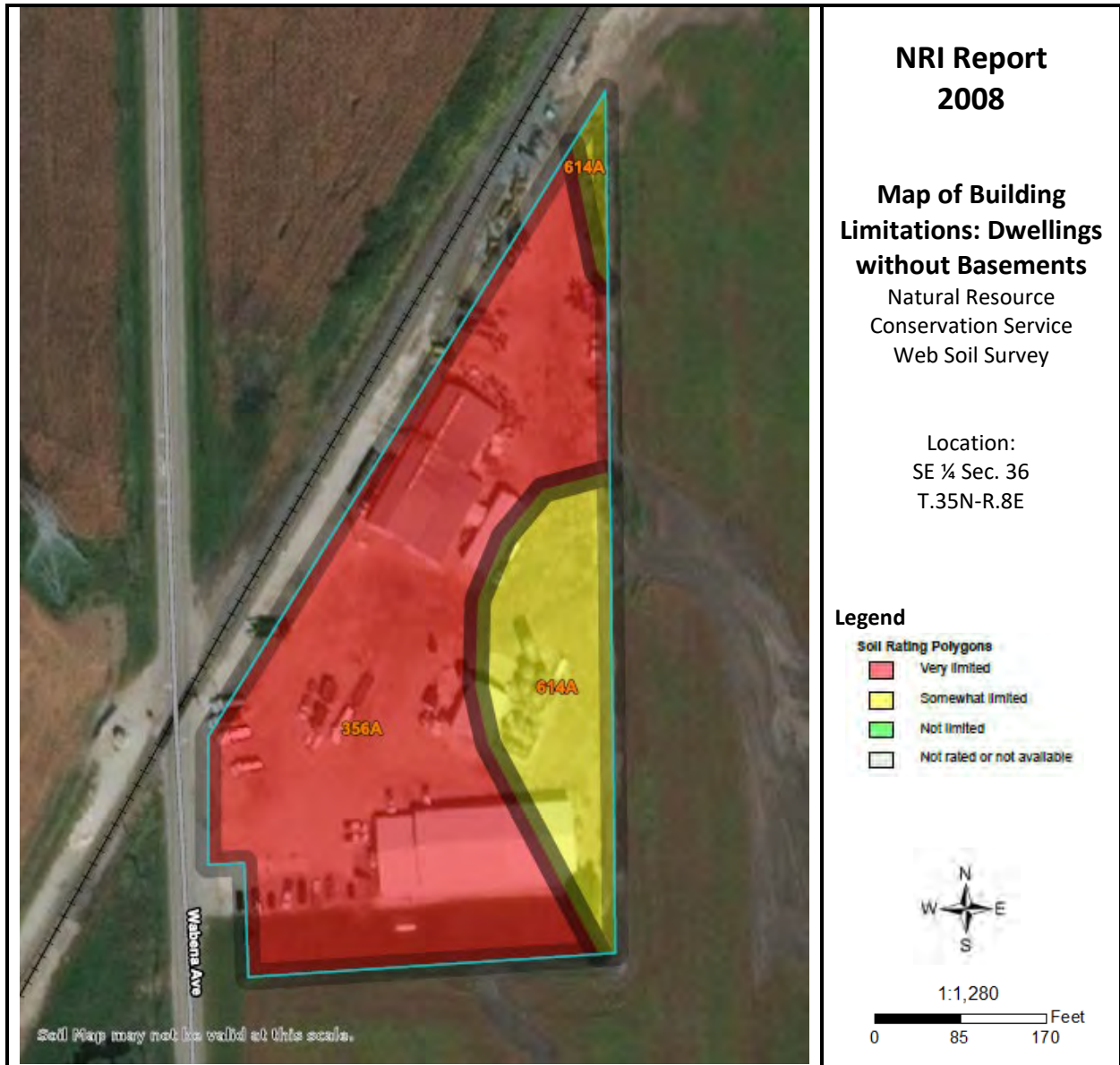
Soil Type	Dwellings Without Basements	Dwellings With Basements	Small Commercial Buildings	Shallow Excavations	Onsite Conventional Sewage Systems	Acres	%
356A	<b>Very Limited:</b> Ponding; Depth to saturated zone; Shrink-swell	<b>Very Limited:</b> Ponding; Depth to saturated zone; Shrink-swell	<b>Very Limited:</b> Ponding; Depth to saturated zone; Shrink-swell	<b>Very Limited:</b> Ponding; Depth to saturated zone; Dusty; Unstable excavation walls	<b>Unsuitable</b>	2.6	78.3%
614A	<b>Somewhat Limited:</b> Depth to saturated zone; Shrink-swell	<b>Very Limited:</b> Depth to saturated zone	<b>Somewhat Limited:</b> Depth to saturated zone; Shrink-swell	<b>Very Limited:</b> Depth to saturated zone; Dusty; Unstable excavation walls	<b>Suitable</b>	0.6	21.7%
<b>% Very Limited</b>	<b>78.3%</b>	<b>100%</b>	<b>78.3%</b>	<b>100%</b>			



**Figure 2:** Soil Limitations



**Building Limitations Maps:**



**Figure 3A:** Map of Building Limitations – Dwellings without Basements

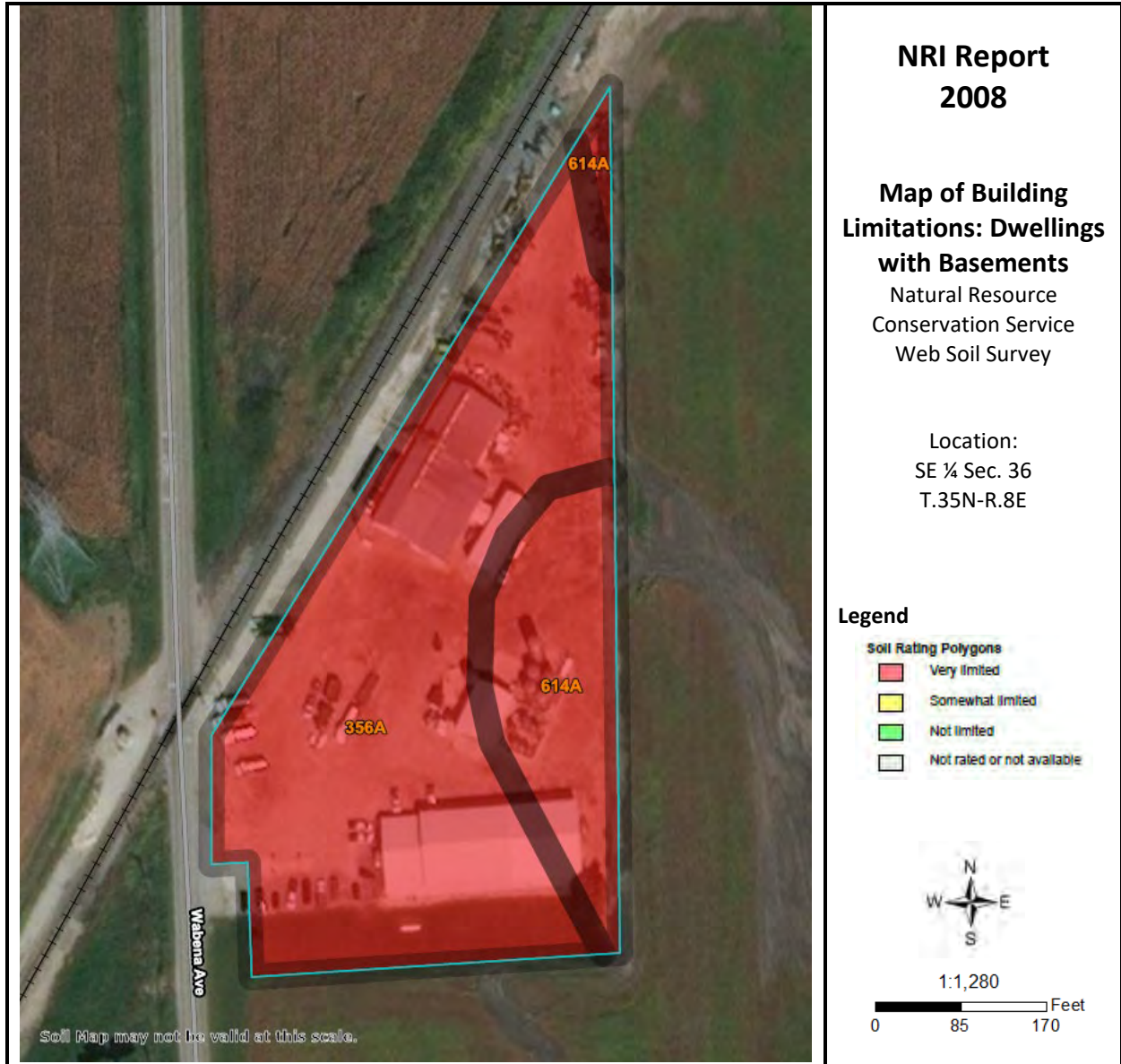


Figure 3B: Map of Building Limitations – Dwellings with Basements

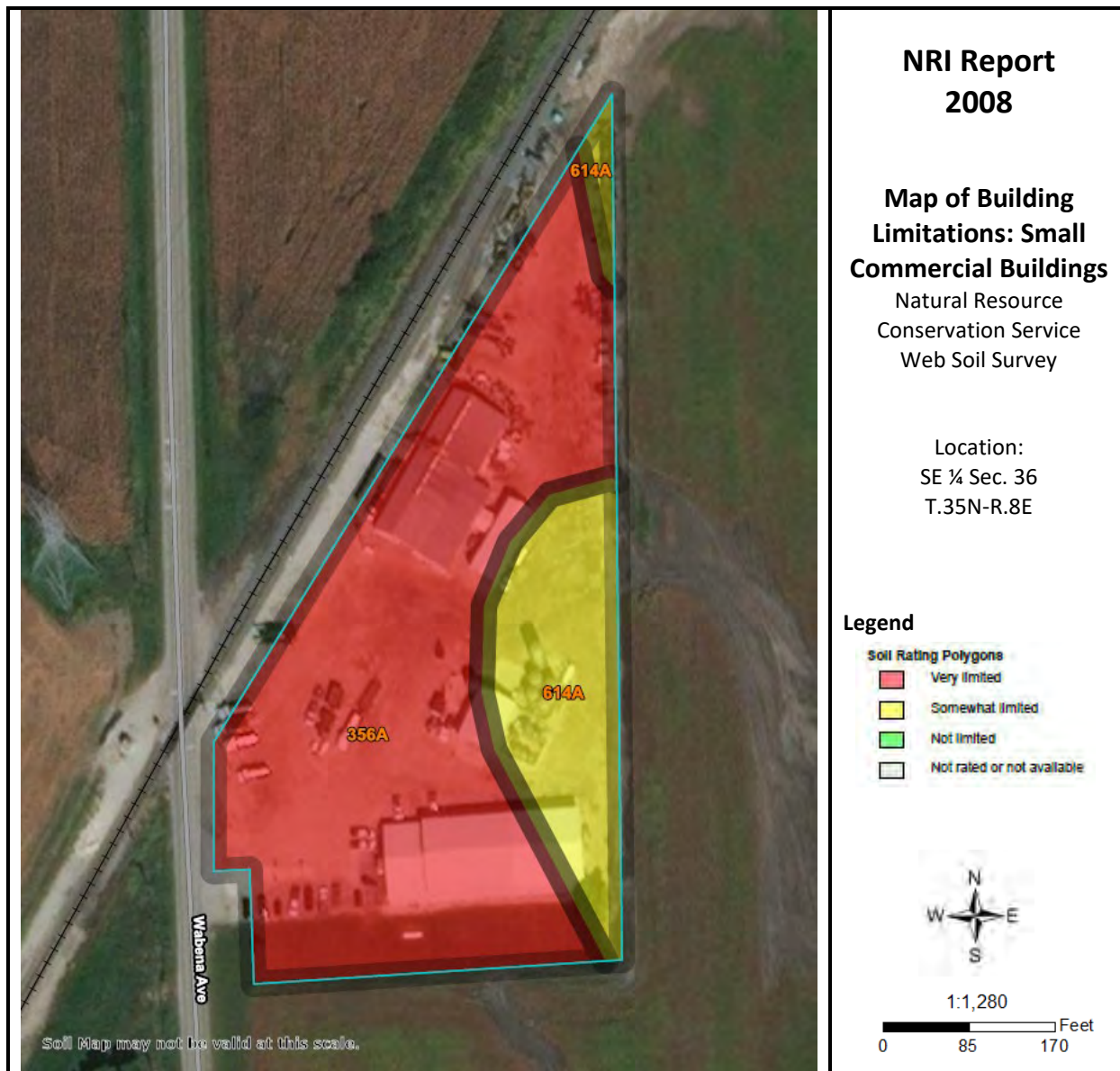
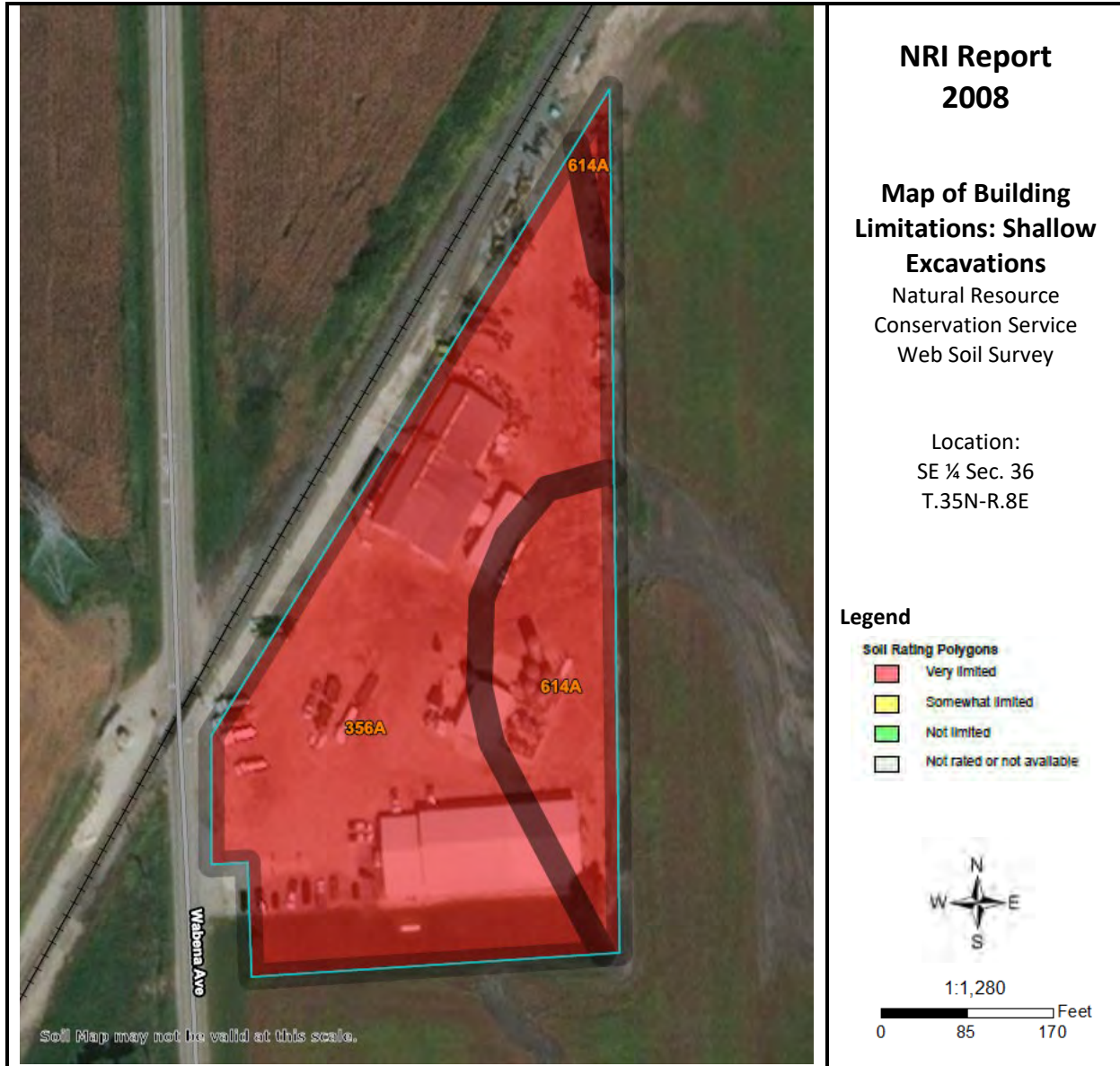


Figure 3C: Map of Building Limitations – Small Commercial Buildings



**Figure 3D:** Map of Building Limitations – Shallow Excavations

### **KENDALL COUNTY LAND EVALUATION AND SITE ASSESSMENT (LESA)**

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **Land Evaluation (LE):** The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is

based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

- **Site Assessment (SA):** The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.

**Table 4A:** Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
356A	1	100	2.6	260
614A	3	87	0.6	52.2
<b>Totals</b>			<b>3.2</b>	<b>312.2</b>
<b>LE Calculation</b>			(Product of relative value / Total Acres) 312.2 / 3.2 = 97.56	
<b>LE Score</b>			<b>LE = 98</b>	

The Land Evaluation score for this site is 98, indicating that this site is currently designated as prime farmland that is well suited for agricultural uses.

**Table 4B:** Site Assessment Computation

<b>A.</b>	<b>Agricultural Land Uses</b>	<b>Points</b>
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	10
	2. Current land use adjacent to site. (30-20-15-10-0)	30
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	0
	4. Size of site. (30-15-10-0)	0
<b>B.</b>	<b>Compatibility / Impact on Uses</b>	
	1. Distance from city or village limits. (20-10-0)	0
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	20
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	7
<b>C.</b>	<b>Existence of Infrastructure</b>	
	1. Availability of public sewage system. (10-8-6-0)	0
	2. Availability of public water system. (10-8-6-0)	0
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	6
	<b>Site Assessment Score:</b>	<b>80</b>

The Site Assessment score for this site is 80. The Land Evaluation value (98) is added to the Site Assessment value (80) to obtain a LESA Score of 178. The table below shows the level of protection for the proposed project site based on the LESA Score.

**Table 5:** LESA Score Summary

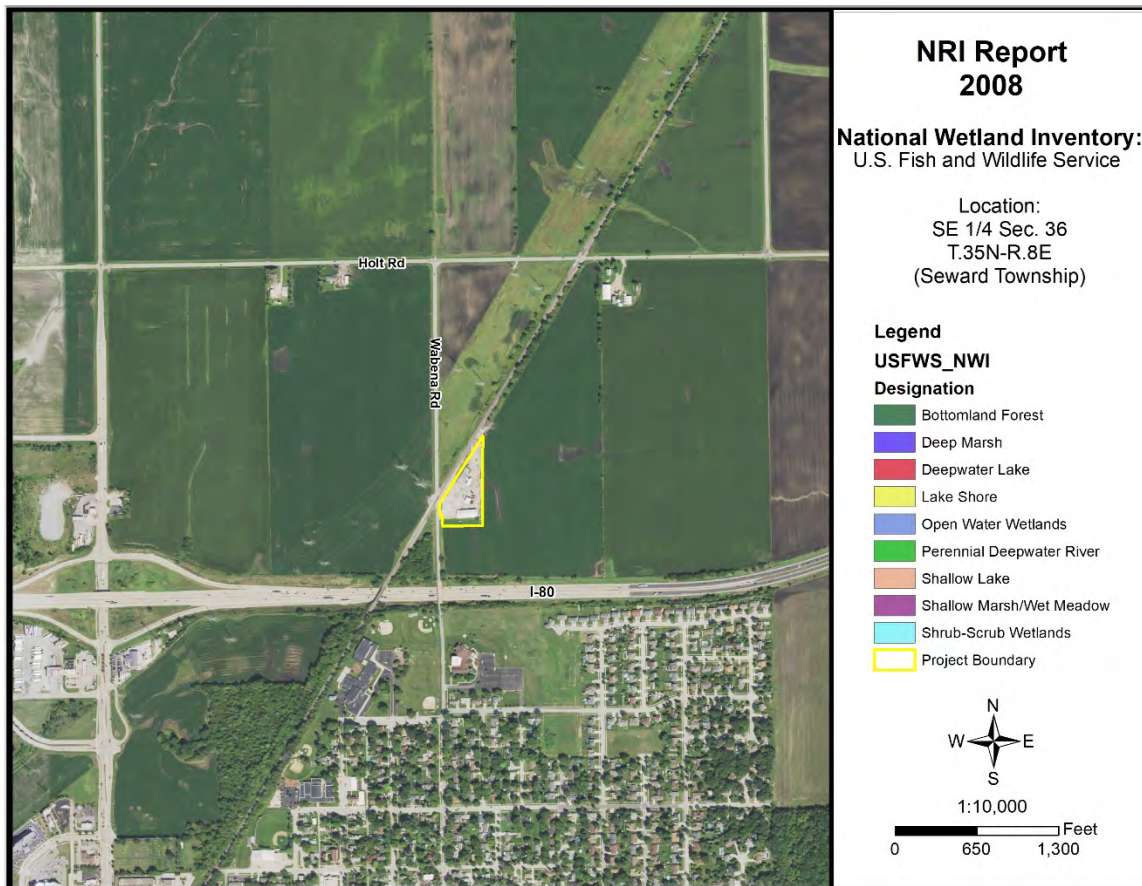
LESA SCORE	LEVEL OF PROTECTION
0-200	Low
201-225	Medium
226-250	High
251-300	Very High

**Land Evaluation Value: 98 + Site Assessment Value: 80 = LESA Score: 178**

The **LESA Score for this site is 178 which indicates a low level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

**WETLANDS**

The U.S. Fish & Wildlife Service’s National Wetland Inventory map does not indicate the presence of a wetland(s) on the proposed project site. To determine if a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.



**Figure 4:** Wetland Map – USFWS National Wetland Inventory

**FLOODPLAIN**

The Federal Emergency Management Agency’s (FEMA) Digital Flood Insurance Rate Map (DFIRM) for Kendall County, Community Panel No. 17093C0225H (effective date January 8, 2014) was reviewed to determine the presence of floodplain and floodway areas within the project site. According to the map, the parcel is not located within the floodplain or floodway.

**National Flood Hazard Layer FIRMette**

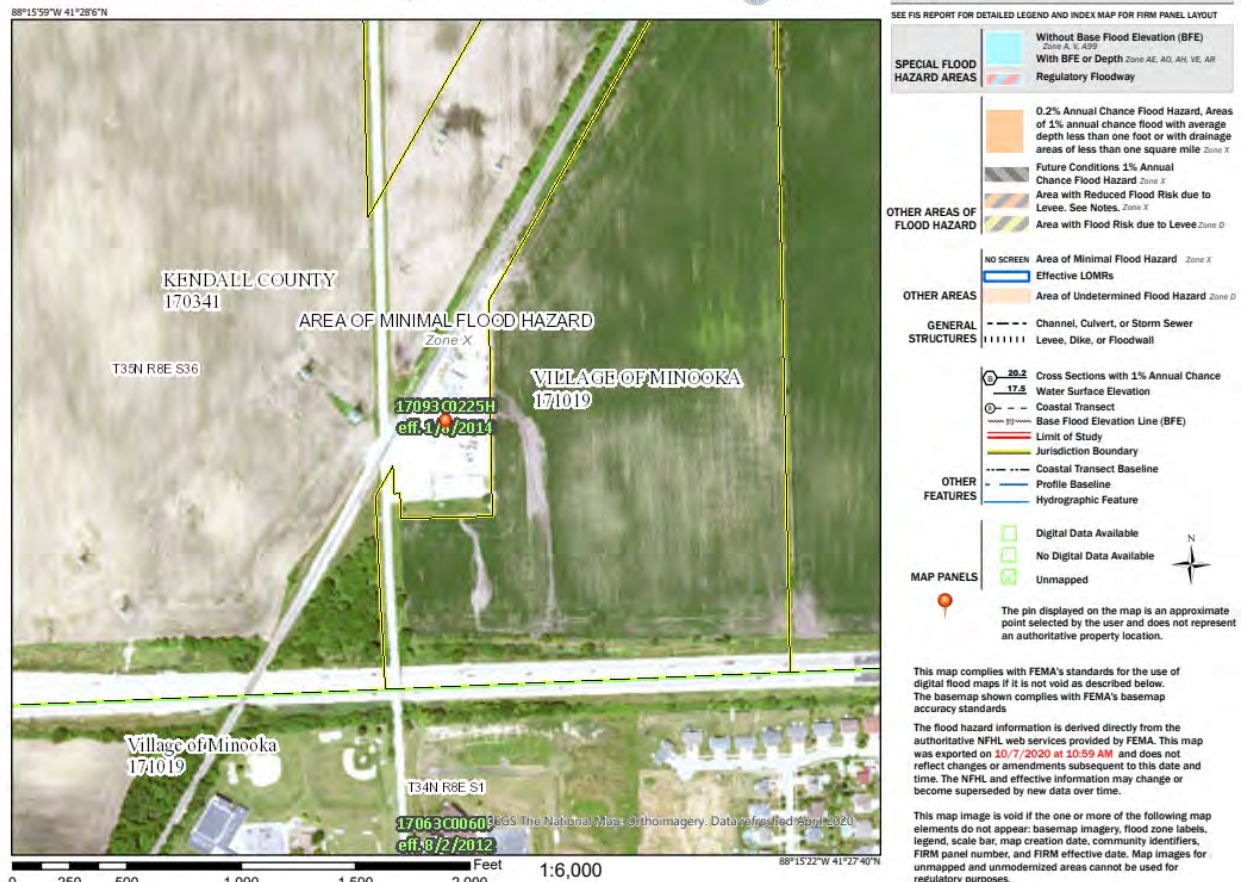


Figure 5: FEMA Floodplain Map

**SEDIMENT AND EROSION CONTROL**

Development on this site should include an erosion and sediment control plan in accordance with local, state and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (<https://illinoisurbanmanual.org/>) for appropriate best management practices.

**LAND USE FINDINGS**

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed site plans for Petitioner Grainco FS, Inc. for the proposed Gas Utility construction and maintenance freight yard (M-1 Limited Manufacturing request) located in Seward Township of Kendall County in the SE ¼ of Section 36, Township 35N, and Range 8E of the 3<sup>rd</sup> Principal Meridian. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. A land evaluation, which is a part of the Land Evaluation and Site Assessment (LESA) was conducted on this parcel. The soils on this parcel scored a 98 out of a possible 100 points indicating the soils are well suited for agricultural uses. The total LESA Score for this site is 178 out of a possible 300, which indicates a low level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use. Additionally, of the soils found onsite, 78.3% are classified as prime farmland if drained and 21.7% are classified as prime farmland.

Soils found on the project site are rated for specific uses and can have potential limitations for development. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use, but it is important to note the limitation that may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 100% are very limited for shallow excavations and dwellings with basements, 78.3% are very limited for dwellings without basements and small commercial buildings, and 78.3% are unsuitable for conventional septic systems. This information is based on the soil in an undisturbed state. If the scope of the project may include the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within both the Des Plaines River Watershed and DuPage River sub watershed. If development should occur on this site, a soil erosion and sediment control plan should be implemented during construction. Sediment may become a primary non-point source of pollution; eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense use it is recommended that a drainage tile survey be completed on the parcel to locate subsurface drainage tile. That survey should be taken into consideration during the land use planning process. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

The information that is included in this Natural Resources Information Report is to assure that the Land Developers take into full consideration the limitations of the land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Compiled Statues, Ch. 70, Par 405/22.02a).

[Redacted Signature]

SWCD Board Representative

10/12/2020  
Date



Attachment 11, Page 1  
**KENDALL COUNTY**  
**REGIONAL PLANNING COMMISSION**

*Kendall County Historic Courthouse*  
*East Wing Conference Room*  
*110 W. Madison Street (109 W. Ridge Street), Yorkville, Illinois*

**Unapproved - Meeting Minutes of October 28, 2020 - 7:00 p.m.**

Chairman Ashton called the meeting to order at 7:01 p.m.

**ROLL CALL**

Members Present: Bill Ashton, Roger Bledsoe, Karin McCarthy-Lange, Ruben Rodriguez, and Claire Wilson

Members Absent: Tom Casey, Dave Hamman, Larry Nelson, and Bob Stewart

Staff Present: Matthew H. Asselmeier, Senior Planner

Others Present: Paul Martin

**APPROVAL OF AGENDA**

Member Bledsoe made a motion, seconded by Member McCarthy-Lange, to approve the agenda. With a voice vote of five (5) ayes, the motion carried.

**APPROVAL OF MINUTES**

Member Rodriguez made a motion, seconded by Member Bledsoe, to approve the minutes of the September 23, 2020, meeting. With a voice vote of five (5) ayes, the motion carried.

**PUBLIC HEARING**

**Petition 20-24 Grainco FS, Inc.**

The Kendall County Regional Planning Commission started their review of Petition 20-24 at 7:02 p.m.

Mr. Asselmeier summarized the request.

Grainco FS, Inc. would like an amendment to the Future Land Use Map contained in the Land Resource Management Plan for approximately three point two more or less (3.2 +/-) acres located 17854 N. Wabena Avenue. If approved, the Petitioner would like to rezone the property to allow the operation of a company that performs construction and maintenance work for gas utilities. This use is not allowed on property zoned A-1 Agricultural. This use and the previous uses at the property (i.e. fertilizer plant) are either permitted or special uses on M-1 Limited Manufacturing zoned property.

The application materials and aerial were provided.

The property is approximately three (3) acres in size.

The existing land use is classified as Commercial. The future land use is classified as Agricultural.

Wabena Avenue is a Township maintained local road. There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad/public utility and agricultural. The adjacent zoning districts are A-1 in the County and M-1 in the Village of Minooka. The Land Resource Management Plan calls for the area to be Mixed Use Business in the County and Light Industrial in the Village of Minooka. Zoning districts within a half mile in the County include A-1 and B-3 and M-1 and R-2 inside the Village of Minooka.

Pictures of the property were provided.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit was provided. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

Petition information was sent to Seward Township on September 23, 2020. To date, no response has been received.

Petition information was sent to the Village of Minooka on September 23, 2020. To date, no response has been received.

Petition information was sent to the Minooka Fire Protection on September 23, 2020. To date, no response has been received.

ZPAC reviewed this proposal at their meeting on October 6, 2020. Mr. Klaas asked why the property was not proposed for annexation into Minooka. Mr. Asselmeier responded that the Village of Minooka had not provided any comments on the proposal and the proposed change in the Future Land Use Map and map amendment would make the property compliant with County zoning. Mr. Klaas noted that jurisdiction of N. Wabena Avenue changes frequently in that area. Ms. Belville noted that the septic system would need to be evaluated if the uses change. Ms. Olson noted the limitations on development at the site caused by the soils. Mr. Asselmeier asked about the location of utilities from the Village of Minooka. The attorney for the Petitioner responded that Minooka had not offered to extend municipal services to the property. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition. Three (3) members were absent. The minutes of this meeting were provided.

The Village of Minooka's Future Land Use Map calls for this property to be Light Industrial.

The subject property has been used as a fertilizer plant since at least 1966. The proposed use and previous uses at the property since 1966 would be allowed by either permitted or special use on M-1 zoned property.

The Future Land Use Maps of both Kendall County and the Village of Minooka call for industrial related uses in the vicinity of the subject property.

A railroad is also located adjacent to the subject property.

Upon initial analysis, Staff has no objections to the proposed amendment.

Chairman Ashton opened the public hearing at 7:06 p.m.

Member McCarthy-Lange asked how this proposal differs from the request at 3485 Route 126 that the Commission reviewed in September 2020. Mr. Asselmeier responded that, in the case of 3485 Route 126, the Petitioner requested a use be added to the list of special uses in the A-1 district and for a special use at that property. The property on Route 126 would retain a base zoning of A-1. In the case of the Petition on Wabena Avenue, the Petitioner requested that the base zoning change from A-1 to M-1. If the map amendment is approved, the Petitioner on Wabena Avenue would not be able to engage in the uses allowed in the A-1 district and would be allowed to engage in the other uses allowed in the M-1 district.

Member McCarthy-Lange noted that the location and area of the subject property seemed compatible with the requested amendment because of the proximity of the railroad tracks and interstate.

Member Wilson noted that the Pipe Strong, LLC was already operating at the subject. Member Wilson why the proposal was under review at this time. Mr. Asselmeier responded that the Planning, Building and Zoning Department received a complaint about the business operating at the property and met with the Petitioner. The Petitioner started preparing the application and then the COVID shutdown slowed down the Petitioner's submittal. The Planning, Building and Zoning Department did not do active code enforcement, unless it was an emergency situation, during the COVID shutdown.

Member Wilson expressed dismay that the Petitioner allowed the business to locate at the property without securing the appropriate zoning. Chairman Ashton echoed this opinion and thought that the people at Grainco FS should have known that a zoning change was necessary before allowing Pipe Strong, LLC to move into the property.

Chairman Ashton asked if Pipe Strong, LLC was purchasing the property. Paul Martin, Attorney for the Petitioner, stated that Grainco FS was retaining ownership of the property.

Mr. Martin stated that, in his opinion, Grainco FS was not aware that they needed to secure a zoning change or the detailed needed for a zoning application. Mr. Martin stated that he originally approached Minooka regarding the zoning change, until he found out that the property was in the unincorporated area. He noted that the Village of Minooka has manufacturing zoning around the subject property.

Chairman Ashton asked why the Village of Minooka did not annex the property. The response was that no municipal utilities were in the area.

Member Wilson asked for clarification regarding Pipe Strong, LLC's operations. Mr. Martin responded that the company works with NICOR Gas and this site is an outpost where workers will arrive, get job assignments for work with NICOR, and dispatch crews to do the work. The number of employees onsite was not specified. Related equipment will be stored on the property. Member Wilson noted that roughly twenty (20) cars were parked at the property when she drove past the site. Chairman Ashton said that he saw about six (6) trucks at the property.

Member McCarthy-Lange asked if the Petitioner applied for changes to the special use permit. Mr. Asselmeier responded that the Petitioner secured a setback variance several years ago, but the special use permit did not have any review or renewal requirements.

Member Rodriguez asked how long Pipe Strong, LLC was operating at the property. Mr. Martin responded that the company has been at the property approximately one (1) year.

Mr. Martin expressed the Petitioner's desire to bring the property into compliance.

Member Wilson stated that she believed that the proposed use fits with the M-1 district. Chairman Ashton agreed and said that the amount of manufacturing onsite will be minimal and the proposed use will not have the negative impacts that previous uses had on the surrounding area.

Chairman Ashton closed the public hearing at 7:24 p.m.

Member Wilson made a motion, seconded by Member Bledsoe, to recommend approval of the requested amendment to the Future Land Use Map in the Kendall County Land Resource Management Plan.

The votes were as follows:

Ayes (5): Ashton, Bledsoe, McCarthy-Lange, Rodriguez, and Wilson

Nays (0): None  
Absent (4): Casey, Hamman, Nelson, and Stewart

The motion carried.

This proposal goes to the Kendall County Zoning Board of Appeals on November 2, 2020.

The Kendall County Regional Planning Commission completed their review of Petition 20-24 at 7:25 p.m.

**PETITIONS**

**Petition 20-05 Grainco FS, Inc.**

Mr. Asselmeier summarized the request.

Grainco FS, Inc. leased the subject property to Pipe Strong, LLC, a company that performs construction and maintenance for gas utilities. This use is not a permitted or special use on A-1 zoned property, but is a permitted use on M-1 Limited Manufacturing zoned property. The main previous use at the property, a fertilizer plant, is a special use on M-1 Limited Manufacturing zoned property. Accordingly, the Petitioner would like to rezone the property to the M-1 Limited Manufacturing District.

The Petitioner is also pursuing an amendment to the Future Land Use Map reclassifying the subject property as Mixed Use Business.

The application materials and aerial of the property are provided.

The property is approximately three (3) acres in size.

The existing land use is classified as Commercial. The future land use is classified as Agricultural.

Wabena Avenue is a Township maintained local road. There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad/public utility and agricultural. The adjacent zoning districts are A-1 in the County and M-1 in the Village of Minooka. The Land Resource Management Plan calls for the area to be Mixed Use Business in the County and Light Industrial in the Village of Minooka. Zoning districts within a half mile in the County include A-1 and B-3 and M-1 and R-2 inside the Village of Minooka.

Pictures of the property were provided.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit was provided. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on September 17, 2020. The LESA Score was 178 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Seward Township on September 23, 2020. To date, no response has been received.

Petition information was sent to the Village of Minooka on September 23, 2020. To date, no response has been received.

Petition information was sent to the Minooka Fire Protection on September 23, 2020. To date, no response has been received.

ZPAC reviewed this proposal at their meeting on October 6, 2020. Mr. Klaas asked why the property was not proposed for annexation into Minooka. Mr. Asselmeier responded that the Village of Minooka had not provided any comments on the proposal and the proposed change in the Future Land Use Map and map amendment would make the property compliant with County zoning. Mr. Klaas noted that jurisdiction of N. Wabena Avenue changes frequently in that area. Ms. Belville noted that the septic system would need to be evaluated if the uses change. Ms. Olson noted the limitations on development at the site caused by the soils. Mr. Asselmeier asked about the location of utilities from the Village of Minooka. The attorney for the Petitioner responded that Minooka had not offered to extend municipal services to the property. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition. Three (3) members were absent. The minutes of this meeting were provided.

Per State law, map amendments cannot be conditioned. However, Section 13:10 of the Kendall County Zoning Ordinance requires that manufacturing site plans be approved by the Kendall County ZPAC.

The Petitioner desires the map amendment in order to lease the property to a construction and maintenance company for gas utilities.

According to the application materials, Pipe Strong, LLC uses the subject property as a show-up yard for pre-job safety checks and re-tooling of supplies. The site is also used to store pipe fittings and safety supplies.

The Petitioner also indicated that a long-term use of the property has not been identified.

Any new structures would require applicable building permits. No new structures are planned at this time.

The property accesses North Wabena Avenue. North Wabena Avenue has an eight (8) ton weight restriction.

No new odors are foreseen, but the site plan for future commercial/industrial activities on the site should be examined to address odors.

Security lights are located on several of the structures. The site plan for future commercial/industrial establishments should be evaluated to address lighting.

Any fencing or buffering should be evaluated as part of the site plan review process.

Future development on the site could require stormwater management permits, depending on the nature of development.

Electricity is onsite. New well and septic information would have to be evaluated as part of a building permit process, if new construction is planned.

The proposed Findings of Fact are as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used agricultural for agricultural purposes. Some of the adjacent properties already possess manufacturing zoning and almost all of the adjoining properties are planned to have manufacturing uses in applicable Future Land Use Maps.

The Zoning classification of property within the general area of the property in question. The surrounding properties in the unincorporated area are zoned A-1. The surrounding properties inside the Village of Minooka are M-1.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1 with a special use permit for fertilizer related operations. Fertilizer related operations are special uses in the M-1 Limited Manufacturing District. The existing use as a company performing construction and maintenance for gas utilities is a permitted use in the M-1 Limited Manufacturing District.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. Per the existing Future Land Use Maps of Kendall County and the Village of Minooka, the trend of development in the area is manufacturing and light industrial uses.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. If the Petitioner's request for a reclassification of their property from Agricultural to Mixed Use Business is approved, the requested map amendment would be consistent with the purposes and objectives of the Land Resource Management Plan.

If the proposed change to the Future Land Use Map in the Land Resource Management Plan is approved, Staff recommends approval of the requested map amendment.

Chairman Ashton stated that the Petitioner had previously secured zoning permits at other properties they owned and should have secured the necessary zoning permits before leasing the property.

Member Wilson stated that the proposed use was probably safer for the neighborhood compared to previous uses at the site.

Member Rodriguez made a motion, seconded by Member Bledsoe, to recommend approval of the requested map amendment.

Member Wilson asked if the site complied with the Zoning Ordinance. Mr. Asselmeier responded yes.

The votes were as follows:

Ayes (5): Ashton, Bledsoe, McCarthy-Lange, Rodriguez, and Wilson

Nays (0): None

Absent (4): Casey, Hamman, Nelson, and Stewart

The motion carried.

This proposal goes to the Kendall County Zoning Board of Appeals on November 2, 2020.

**CITIZENS TO BE HEARD/ PUBLIC COMMENT**

None

**NEW BUSINESS**

None

**OLD BUSINESS**

**Approval of a Motion by Commissioners Wilson, McCarthy-Lange, and Casey to Amend Article IX of the Kendall County Regional Planning Commission's Bylaws Deleting the Location of the Annual Meeting of the Election of Officers**

The meeting location would have to comply with the requirements of the Open Meetings Act.

With a voice vote of five (5) ayes, the motion carried.

**REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

None

Chairman Ashton asked about the status of the Petitions related to 3485 Route 126. Mr. Asselmeier responded that the Kendall County Zoning Board of Appeals recommended approval of the text amendment and special use permit. The Na-Au-Say Township Board discussed the proposals at their October meeting and emailed four (4) negative comments regarding the proposal. Na-Au-Say Township did not formally vote on the comments and the Na-Au-Say Township Planning Commission did not meet to review the proposal. No other township filed a formal objection. The proposals go to the Planning, Building and Zoning Committee in November. Mr. Asselmeier noted that no member of the public has attended a meeting in opposition to the requests.

**OTHER BUSINESS/ANNOUNCEMENTS**

Mr. Asselmeier said that the landscaping business at 9000 Route 34 is working on an application for a map amendment and special use permit for their property. The Petitioners are still working on the stormwater information for the application.

Mr. Asselmeier noted that the next meeting would be Wednesday, December 9, 2020, and the next application deadline is November 17, 2020.

Mr. Asselmeier noted that Teska is finalizing some of the links in the Zoning Ordinance and the project should be completed shortly.

Mr. Asselmeier noted that the Comprehensive Land Plan and Ordinance Committee is working on changes to the transportation plan and the initiation of the Petition for those changes could be on the next Commission agenda.

**ADJOURNMENT**

Member Wilson made a motion, seconded by Member McCarthy-Lange to adjourn. With a voice vote of five (5) ayes, the motion carried.

The Kendall County Regional Plan Commission meeting adjourned at 7:42 p.m.

Respectfully submitted by,  
Matthew H. Asselmeier, AICP, CFM  
Senior Planner

Encs.: Memo on Petition 20-24 Dated October 21, 2020  
Certificate of Publication and Mailings for Petition 20-24 (Not Included with Report but on file in Planning, Building and Zoning Office).



**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION  
OCTOBER 28, 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)
<i>Paul Martin</i>		