

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**
109 West Ridge Street • East Wing Conference Room •
Yorkville, IL • 60560
AGENDA

Wednesday, October 28, 2020 – 7:00 p.m.

CALL TO ORDER

ROLL CALL: Bill Ashton (Chair), Roger Bledsoe, Tom Casey, Dave Hamman, Karin McCarthy-Lange, Larry Nelson (Secretary), Ruben Rodriguez (Vice-Chairman), Bob Stewart, Claire Wilson, and One Vacancy

APPROVAL OF AGENDA

APPROVAL OF MINUTES Approval of Minutes from September 23, 2020 Meeting (Pages 3-9)

PUBLIC HEARING

1. **Petition 20-24 – Grainco FS, Inc. (Pages 10-26)**
Request: Amendment to the Future Land Use Map in the Kendall County Land Resource Management Plan Changing the Classification of the Subject Property from Agricultural to Mixed Use Business
PIN: 09-36-400-002
Location: 17854 N. Wabena Avenue, Minooka, Seward Township
Purpose: Petitioner Wants to Rezone Property to M-1 Limited Manufacturing District

PETITIONS

1. **Petition 20-25 – Grainco FS, Inc. (Pages 27-68)**
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.

CITIZENS TO BE HEARD/PUBLIC COMMENT

NEW BUSINESS

None

OLD BUSINESS

1. 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 (Pages 69-75)

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OTHER BUSINESS/ANNOUNCEMENTS

ADJOURNMENT Next Meeting December 9, 2020

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If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time.

Kendall County Regional Planning Commission 10-28-2020 Remote Meeting Attendance



In accordance with the Governor's Executive Order 2020-07, Kendall County Board Chairman Scott Gryder is encouraging social distancing by allowing remote attendance to the Kendall County Regional Planning Commission Meeting scheduled for Wednesday, October 28, 2020, at 7:00 p.m. Instructions for joining the meeting are listed below.

For your safety and others, please attend the meeting by phone or computer, if possible. The East Wing Conference Room located at the Kendall County Historic Courthouse at 110 W. Madison Street (also addressed as 109 W. Ridge Street), in Yorkville, will have limited seating available. Masks are required when social distancing is not possible. If you plan to attend in person, please follow all social distancing requirements.

If anyone from the public would like to make a comment during the meeting there will be an allotted time on the agenda for public comment, and all of the county board rules of order still apply. We will also accept public comment by emailing: masselmeier@co.kendall.il.us. Members of the public may contact Kendall County PBZ Department prior to the meeting for assistance making public comment at 630-553-4139; email correspondence is preferred.

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Kendall County Regional Planning Commission Meeting Information:

<https://www.co.kendall.il.us/transparency/agendas-packets-and-meetings-schedules/planning-building-and-zoning/kcrpc-kendall-county-regional-plan-commission>

For information about how to join a Microsoft Teams meeting, please see the following link.

<https://support.office.com/en-us/article/join-a-meeting-in-teams-1613bb53-f3fa-431e-85a9-d6a91e3468c9>

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

*Kendall County Historic Courthouse
Third Floor Courtroom
110 W. Madison Street (109 W. Ridge Street), Yorkville, Illinois*

Unapproved - Meeting Minutes of September 23, 2020 - 7:00 p.m.

Chairman Ashton called the meeting to order at 7:02 p.m.

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez, and Claire Wilson

Members Absent: Bob Stewart

Staff Present: Matthew H. Asselmeier, Senior Planner and Scott Koeppl County Administrator (Attended Remotely)

Others Present: Greg Dady and Mary Murray (Attended Remotely)

APPROVAL OF AGENDA

Member Nelson made a motion, seconded by Member McCarthy-Lange, to approve the agenda. With a voice vote of eight (8) ayes, the motion carried.

APPROVAL OF MINUTES

Member Wilson made a motion, seconded by Member Casey, to approve the minutes of the August 26, 2020, meeting. With a voice vote of eight (8) ayes, the motion carried.

PETITIONS

Amended Petition 20-02 Greg Dady on Behalf of DTG Investments

Mr. Asselmeier summarized the request.

DTG Investments, LLC owns the property at 3485 Route 126 (PIN 06-09-400-005) in Na-Au-Say Township. This property is presently zoned A-1 Agricultural District, but the Petitioner would like to operate a trucking company, specifically for offices related to the trucking company, minor repair facilities for company trucks, and company truck parking.

In February 2020, the Petitioner submitted a request for a map amendment rezoning the subject property to M-1 and this request was reviewed by ZPAC in March 2020. However, Na-Au-Say Township expressed concerns about rezoning the property to M-1 and the Petitioner decided to pursue a text amendment to the A-1 District and a special use permit under A-1 for the proposed uses.

According to Section 3:02 of the Zoning Ordinance, a truck parking area or yard is defined as follows:

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

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

Staff believes that truck parking area or yard use most closely matches the Petitioners proposed use and offers the following text amendment to Section 7:01.D of the Kendall County Zoning Ordinance:

“Truck Parking Area or Yard Including Offices and Maintenance Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan.”

The list of special uses in the A-1 District should be renumbered to reflect the addition of this use to the list of special uses.

This proposal was sent to the townships on September 1, 2020. No comments have been received.

ZPAC reviewed this proposal at their meeting on September 1, 2020. Fran Klaas requested that proposed use be restricted to roads classified as Minor Arterials or higher as designated by the Illinois Department of Transportation’s Five (5) Year Functional Classification Map. Mr. Klaas had no objection to the proposed use going in at 3485 Route 126. ZPAC recommended approval of the proposed text amendment with Mr. Klaas’ proposed amendment by a vote of six (6) in favor and zero (0) in opposition. Four (4) members were absent. The minutes of this meeting were provided.

The Agricultural Zoning Map with road classifications was provided. The Illinois Department of Transportation’s Five (5) Year Functional Classification Map for Kendall County was also provided.

Member Wilson expressed concerns that the use started before the zoning application and the lack of a limit on the number of trucks and trips.

Greg Dady stated that he thought that the necessary zoning was in place. Once he found out that a new special use permit was needed, he started working through the process. He originally explored a map amendment, but wanted to get the opinion of Na-Au-Say Township on the matter. Then COVID hit and Na-Au-Say Township did not meet for a couple months. Once they did meet, they favored keeping the A-1 zoning and going for a special use permit under A-1. Based on Na-Au-Say Township input, Mr. Dady changed his application from a map amendment to a text amendment and special use under A-1 zoning.

Several Commissioners questioned Mr. Dady about his lack of knowledge about his existing special use and leasing the property without obtaining the necessary zoning before leasing the property.

Member McCarthy-Lange asked if approving this request would open the door to similar requests. Mr. Asselmeier responded that, if the text amendment is approved, anyone zoned A-1 could ask for the special use. Also, even with the road classification requirement, a property owner could ask for a variance if they demonstrated a hardship.

The trucking company moved in spring in 2019.

The property had a court order for an excavating company and landscaping business. The court order stated that if the excavating company and landscaping business ceased, then the special use for those businesses would cease. The Petitioner secured a special use permit for ServPro in 2014.

Several Commissioners favored placing this type of use in a commercial or manufacturing district instead of the agricultural district because there are several places in the County with agricultural zoning where this use would be incompatible.

Member Hamman asked about a property on Eldamain Road near Galena Road. Mr. Asselmeier stated that, in that case, the property was rezoned to M-1.

Discussion occurred about placing additional restrictions in the text amendment such as number of employees, number of trucks onsite, number of trips, or restricting the use to certain townships. Mr. Dady was agreeable to a restriction on number of trucks at the site.

Na-Au-Say did not provide any comments about the proposal.

Member Wilson made a motion, seconded by Member Nelson, to recommend approval of the text amendment as presented.

The votes were as follows:

Ayes (0): None

Nays (8): Ashton, Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, and Wilson

Absent (1): Stewart

The motion failed.

Member Nelson voted no because the proposal was too broad, the use could go anywhere, and the use was undesirable at other locations with inadequate protection for the agricultural community and people living in agricultural areas.

Member Hamman voted no because he favored more restrictions in the text amendment and requests for this use could come before the Commission monthly.

Chairman Ashton voted no because the proposal had inadequate restrictions and he was upset that the Petitioner did not secure the necessary zoning before leasing the property. He suggested that the Petitioner attempt to rewrite the proposal.

Member Wilson concurred with Member Nelson and Chairman Ashton and her concerns regarding the lack of a limit on the number of trucks and trips.

This proposal goes to the Kendall County Zoning Board of Appeals on September 28, 2020.

Amended Petition 20-05 Greg Dady on Behalf of DTG Investments

Because the Commission recommended denial of the Petition 20-02, the Commission did not take any action on Petition 20-05; the proposal was moot.

This proposal goes to the Kendall County Zoning Board of Appeals on September 28, 2020.

Amended Petition 20-01 Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request.

At the end of 2019, the Kendall County Planning, Building and Zoning Committee started reviewing the existing 1983 Recreational Vehicle Park and Campground Regulations.

After review by the Committee and the State's Attorney's Office, the suggestion was made to incorporate the amended regulations into the Zoning Ordinance.

On August 26, 2020, the Kendall County Comprehensive Land Plan and Ordinance Committee reviewed the proposal and offered their suggested changes.

On August 31, 2020, the Kendall County Planning, Building and Zoning Committee initiated the text amendment to the Zoning Ordinance.

ZPAC reviewed this proposal at their meeting on September 1, 2020, and recommended approval by a vote of six (6) in favor and zero (0) in opposition. Four (4) members were absent. The minutes of this meeting were provided.

The redlined proposal was sent to the townships on September 1, 2020. To date, no township has provided comments.

In summary, the proposed changes are as follows:

1. Repeals the 1983 Recreational Vehicle Park and Campground regulations in their entirety.
2. The purpose section from 1983 regulations was not incorporated into the Zoning Ordinance because a purpose section already exists in the Zoning Ordinance.
3. The definitions of Camper, Sanitary Station, Service Buildings, and Tent were added to the Zoning Ordinance from the 1983 regulations.
4. The definition of Collector Streets or Collector Roads was added to the Zoning Ordinance, but requires discussion.
5. The definition of Minor Streets was added to the Zoning Ordinance, but requires discussion.
6. The definition of Picnicker was added to the Zoning Ordinance.
7. The definition of Recreational Vehicle Park or Campground was added from the 1983 regulations and additional language was added regarding permanent place of abode.
8. The definition of Register was added to the Zoning Ordinance.
9. The definition of Accessory Building or Use was amended.
10. The definition of Lot was amended.
11. The definition of Recreational Areas was amended.
12. The definition of Recreational Vehicles was amended by incorporating the language from the 1983 regulations combined with the existing definition found in the Zoning Ordinance. Also, the reference to pickup campers was deleted. Finally, the reference to jet skis, boats, snowmobiles, and other similar vehicles was clarified to apply to the parking regulations only.
13. Section 2 from the 1983 regulations was placed inside the Zoning Ordinance with an amendment that the reference to the Kendall County ACSC office was changed to the Soil and Water Conservation District (Section a.6.xv).

14. Throughout the regulation, reference to the Zoning Department was changed to the Planning, Building and Zoning Department.
15. Throughout the regulation, numbers are spelled out completely.
16. Section 3 from the 1983 regulation was placed inside the Zoning Ordinance.
17. The minimum lot size of twenty (20) acres was changed to minimum parcel size of twenty (20) acres (Section e).
18. The twenty percent (20%) maximum forest clearance was changed to exempt the clearing of invasive species. The definition of invasive species would be set by the Illinois Department of Natural Resources (Section k).
19. The reference to the Kendall County Soil and Erosion Ordinance was changed to Stormwater Management Ordinance (Section n).
20. Lots in a park or campground would need to be clearly marked on the ground with landmarks on the lot corners and lot signage would be approved by the local fire protection district (Section dd).
21. The requirement that campgrounds and parks not cause demands that increase additional public funds to be expended for fire or police services was deleted because this requirement was difficult to quantify (Section hh). The subsequent sections of would be re-lettered to reflect this deletion.
22. The requirement that no permanent resident is allowed to live at a campground or recreational vehicle park was added and a recreational vehicle or tent would not be considered a location within a recreational vehicle park or campground. A camp caretaker would be exempt from the permanent resident requirement (Section jj).
23. The penalties section from the 1983 regulations was removed because a penalties section already exists in the Zoning Ordinance.
24. The requirement that recreational vehicle parks and campgrounds provide their registers to the Planning, Building and Zoning Department, Health Department, law enforcement agencies with jurisdiction, and the local fire protection district upon request was added. The register would be required to be updated daily at minimum. The register shall include campers, picnickers, and other visitors (Section kk.3).
25. A reasonable notice requirement for inspections was added (Section kk.4).
26. The Health Department standards were clarified to apply to all Health Department standards (Section ll).
27. Applicants must seek approval from fire and police departments at the time of application submittal for the special use permit (Section mm).
28. A street sign requirement was added and all trails shall be marked at their beginnings and ends (Section nn).
29. Submitting a map to KenCom and a timeline for changing the map was added (Section oo).
30. The maximum continuous stay requirement that is currently in Zoning Ordinance was deleted.

31. Section 9.05.C.15, regarding recreational camps and recreational vehicle parks as special uses in the B-4, M-1, and M-2 District was changed to reference the A-1 special use requirements.

A copy of the 1983 regulations and the redlined version of this proposal were provided.

Member Nelson stated that he visited with first responders and asked about problems at campgrounds and the first responders said that their problem was a lack of maps and lots numbers which made it difficult to find people.

Member Wilson asked why picnickers needed to register. Mr. Asselmeier responded the register was required to know who was on the property. Member Nelson stated that the proposal only applies to campgrounds and not picnic groves or State parks. Discussion occurred regarding staffing or keycard to control access to the campgrounds.

Discussion occurred about pickup campers. Mr. Asselmeier responded that the language related to parking regulations.

Member Wilson favored the definition of Recreational Vehicle Park or Campground be amended by saying “. . . lease or rental . . .” instead of “. . . lease or rent . . .”

Member Wilson questioned the use of the word forest regarding clearing an area. Mr. Asselmeier stated that he did not know why that term was used in the 1983 regulation.

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

The votes were as follows:

Ayes (8): Ashton, Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, and Wilson
Nays (0): None
Absent (1): Stewart

The motion carried.

This proposal goes to the Kendall County Zoning Board of Appeals on September 28, 2020.

Member Nelson noted a court case regarding numbering boards as they relate to campgrounds.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

Approval of Letter from the Kendall County Regional Planning Commission to the Village of Shorewood Regarding the Go Pro Athletic Facility and Four Seasons Storage Development

Mr. Asselmeier presented the letter. Mr. Asselmeier noted that the Attorney representing the development requested that the letter be sent after the Village of Shorewood signed the plats.

Member Nelson made a motion, seconded by Member Hamman, to approve the letter. With a voice vote of eight (8) ayes, the motion carried.

Recommendation on Kendall County Regional Planning Commission Fiscal Year 2020-2021 Meeting Calendar

Member Wilson asked how the Annual Meeting would occur if COVID was still an issue. Mr. Asselmeier stated that the Commission would gather at a location. Attendees would have to socially distance and attendees would be encouraged to attend the meeting remotely.

Member Nelson made a motion, seconded by Member McCarthy-Lange, to recommend approval of the calendar as presented. With a voice vote of eight (8) ayes, the motion carried.

Discussion of Amendment to Article IX of the Kendall County Regional Planning Commission's Bylaws Pertaining to the Location of the Annual Meeting of the Election of Officers; Commission Could Make a Motion to Amend the Location of the Annual Meeting of the Election of Officers

Mr. Asselmeier presented the proposed amendment. The proposed amendment removes the location of the annual meeting for the election of officers.

Member Wilson made a motion, seconded by Member McCarthy-Lange, thirded by Member Casey, to approve the amendment as presented. The vote on the amendment will occur at the next Commission meeting.

OLD BUSINESS

None

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.

OTHER BUSINESS/ANNOUNCEMENTS

Chairman Ashton asked Mr. Asselmeier to send a letter asking townships to submit comments on zoning petitions.

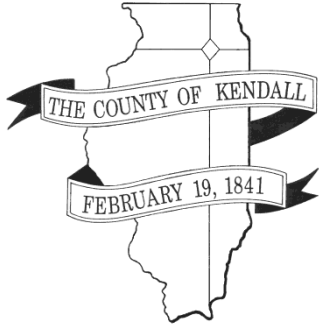
Mr. Asselmeier reported that the County received a request from Grainco FS to amend the Future Land Use Map for their property on Wabena Avenue. Grainco FS would also like to rezone the property to M-1 Limited Manufacturing.

ADJOURNMENT

Member Wilson made a motion, seconded by Member Hamman, to adjourn. With a voice vote of eight (8) ayes, the motion carried.

The Kendall County Regional Plan Commission meeting adjourned at 8:26 p.m.

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



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 20-24

Grainco FS, Inc.

**Amendment to Future Land Use Map in Land Resource
Management Plan**

Agricultural to Mixed Use Business

INTRODUCTION

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

The map amendment request is a separate petition (Petition 20-25).

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: Amendment to Future Land Use Map from Agricultural to Mixed Use Business
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.

ACTION SUMMARY

SEWARD TOWNSHIP

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

VILLAGE OF MINOOKA

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

MINOOKA PROTECTION DISTRICT

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

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.

OTHER PLANS

VILLAGE OF MINOOKA

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

ANALYSIS

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.

RECOMMENDATION

Staff recommends approval of the requested 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

"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.

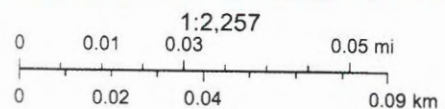
Grainco FS, Inc.,


By: Paul V. Martin, Its Attorney

ArcGIS Web Map



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



- Current Parcels
- Municipalities
 - UNINCORPORATED
 - VILLAGE OF MINOOKA

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09/21/2020 08:26

Attachment 4 North Parking Area



09/21/2020 08:26



17854
WABENA

09/21/2020 08:26



09/21/2020 08:26



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.

ZPAC Meeting Minutes 10.06.20

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.

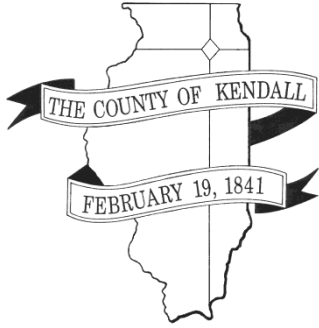
Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

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]



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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.

VILLAGE OF MINOOKA

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

MINOOKA PROTECTION DISTRICT

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

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.

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

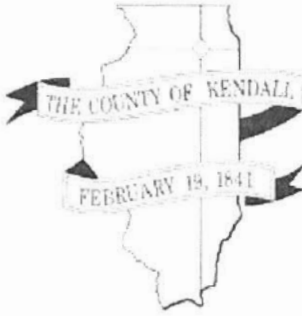
RECOMMENDATION

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



DEPARTMENT OF PLANNING, BUILDING & ZONING

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

APPLICATION

PROJECT NAME _____ FILE #: _____

NAME OF APPLICANT Grainco FS, Inc.		
CURRENT LANDOWNER/NAME(s) Grainco FS, Inc.		
SITE INFORMATION		
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
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input checked="" type="checkbox"/> MAP AMENDMENT (Rezone to M-1)	<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)		
¹ 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]
² 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 #: _____

¹Primary Contact will receive all correspondence from County

²Engineering 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 Yorkville, County of Kendall, Illinois, and State of Illinois, to wit: the following described Real Estate situated in the County of Kendall, Illinois:

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 Southeastern 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 Southeastern along the said East right of way line a distance of 91.19 feet; thence East for a distance of 20.00 feet; thence Southeastern 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 Southeastern right of way line of the Elgin Joliet and Eastern Railroad; thence Southeastern along the said Southeastern 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 hereon 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.

FS SERVICES, INC.
PRESIDENT
SECRETARY

STATE OF ILLINOIS, County of Kendall
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.,

personally known to me to be the Assistant Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, signed before me this day in person and severally acknowledged their said signatures as Assistant Secretary, Secretary, they then read and delivered the said instrument as aforesaid. President and Assistant Secretary of said corporation, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth, this 9th day of November, 1970.

Commission expires July 20, 1972

ADDRESS OF INSTRUMENT
NOTARY PUBLIC
STATE OF ILLINOIS
NOV 16 1970



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? 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

- 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:

- 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
- 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.)

Fee for first five acres and under	\$ <u>375.00</u>
_____ Additional Acres at \$18.00 each	\$ _____
Total NRI Fee	\$ <u>375.00</u>

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

9/17/2020
 Date

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.

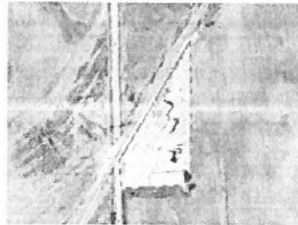
Location

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.

Security

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



EcoCAT Receipt	Project Code 2105561
-----------------------	-----------------------------

APPLICANT	DATE
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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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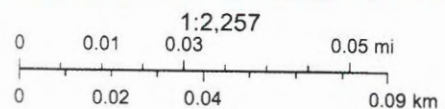
TOTAL PAID	\$ 127.81
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Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov

ArcGIS Web Map





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



Current Parcels

Municipalities

-  UNINCORPORATED
-  VILLAGE OF MINOOKA

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09/21/2020 08:26

Attachment 4 North Parking Area



09/21/2020 08:26



17854
WABENA

09/21/2020 08:26



09/21/2020 08:26



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 (SE¼) 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.

ZPAC Meeting Minutes 10.06.20

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

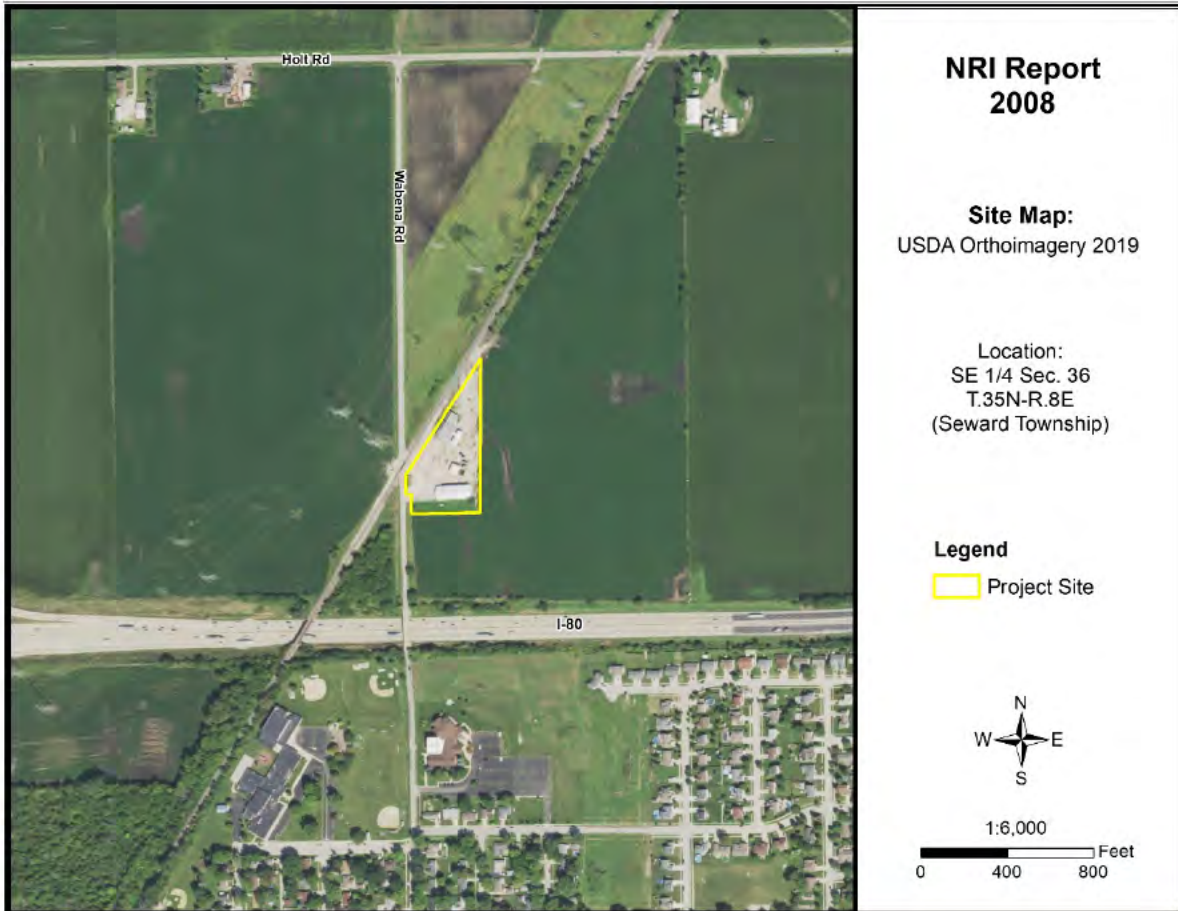
Enc.

**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

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EXECUTIVE SUMMARY

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 rd 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

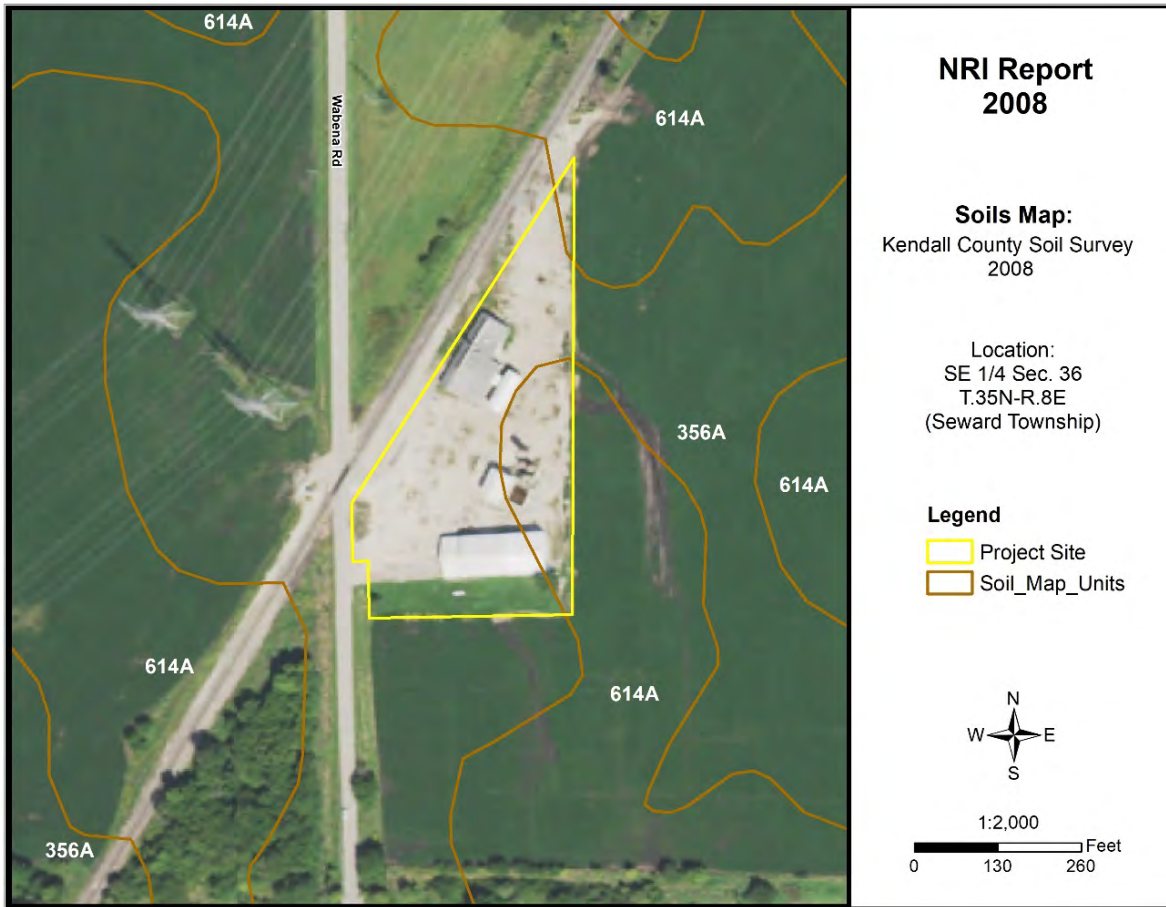


Figure 1: Soil Map

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	Very Limited: Ponding; Depth to saturated zone; Shrink-swell	Very Limited: Ponding; Depth to saturated zone; Shrink-swell	Very Limited: Ponding; Depth to saturated zone; Shrink-swell	Very Limited: Ponding; Depth to saturated zone; Dusty; Unstable excavation walls	Unsuitable	2.6	78.3%
614A	Somewhat Limited: Depth to saturated zone; Shrink-swell	Very Limited: Depth to saturated zone	Somewhat Limited: Depth to saturated zone; Shrink-swell	Very Limited: Depth to saturated zone; Dusty; Unstable excavation walls	Suitable	0.6	21.7%
% Very Limited	78.3%	100%	78.3%	100%			

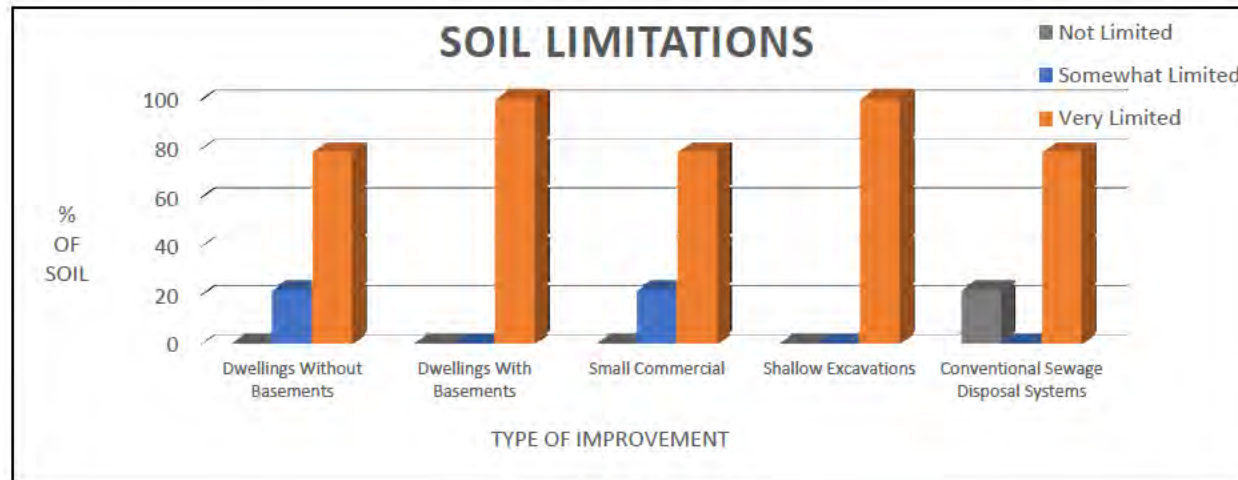


Figure 2: Soil Limitations

Building Limitations Maps:

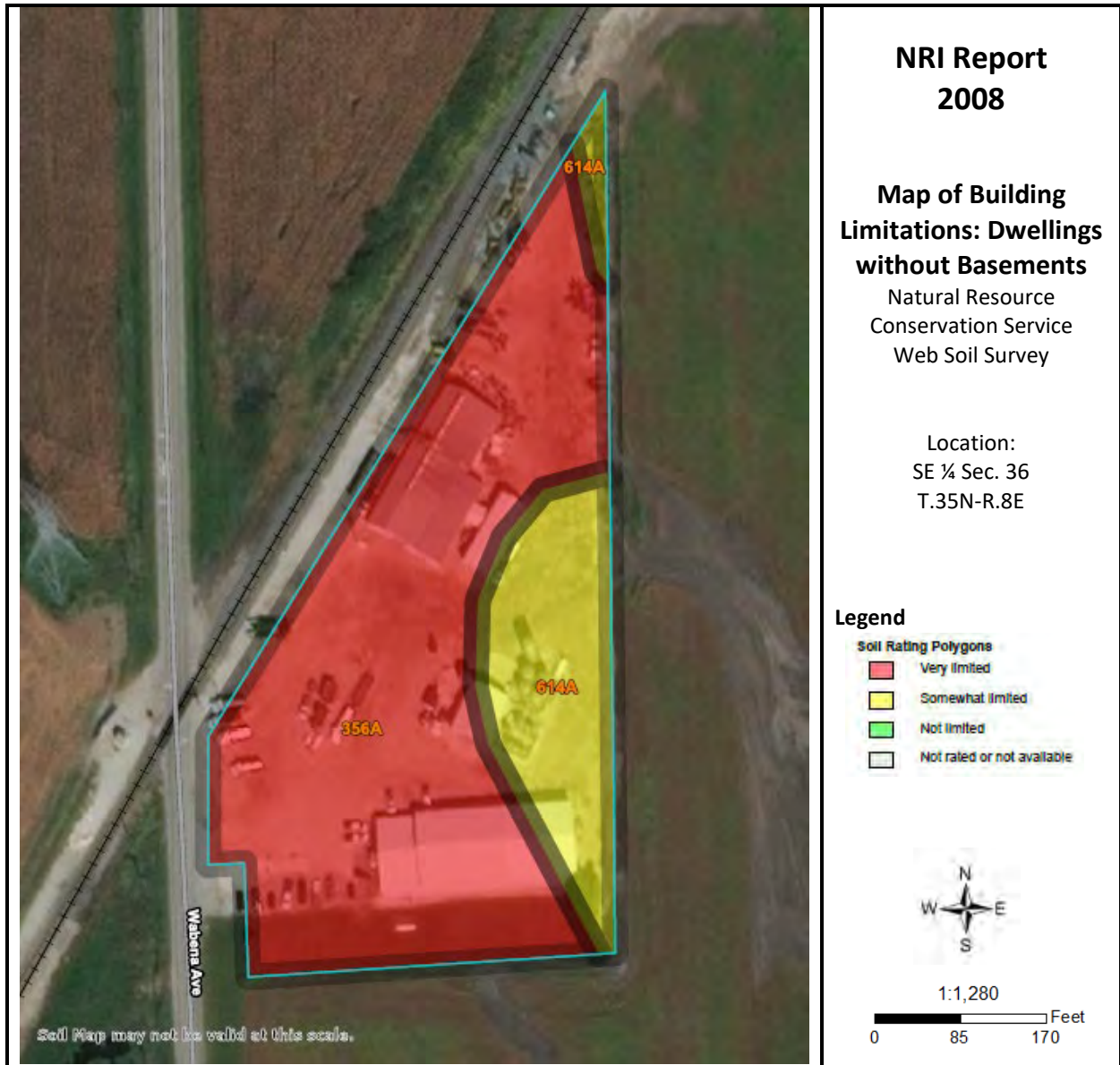


Figure 3A: Map of Building Limitations – Dwellings without Basements

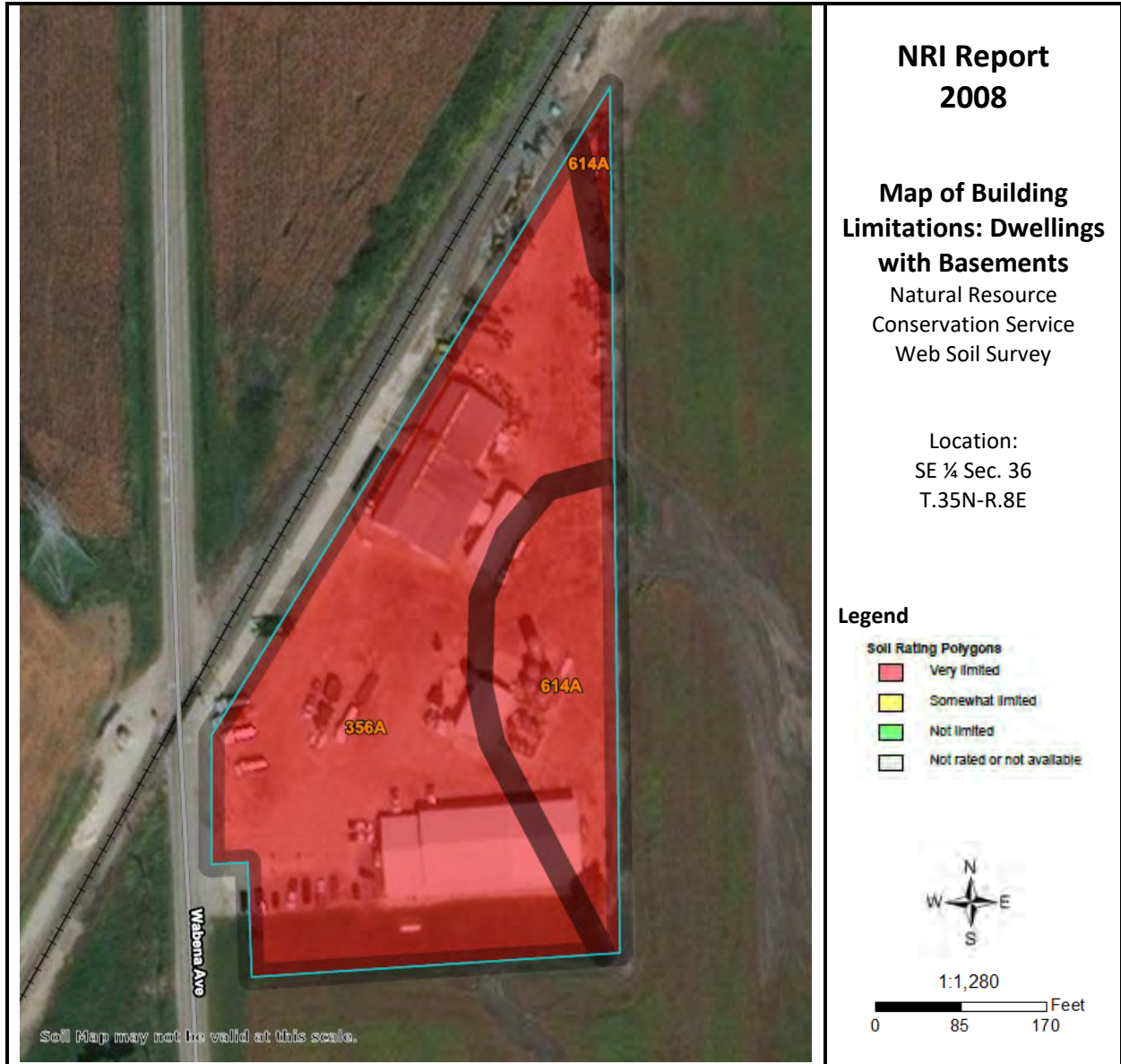


Figure 3B: Map of Building Limitations – Dwellings with Basements

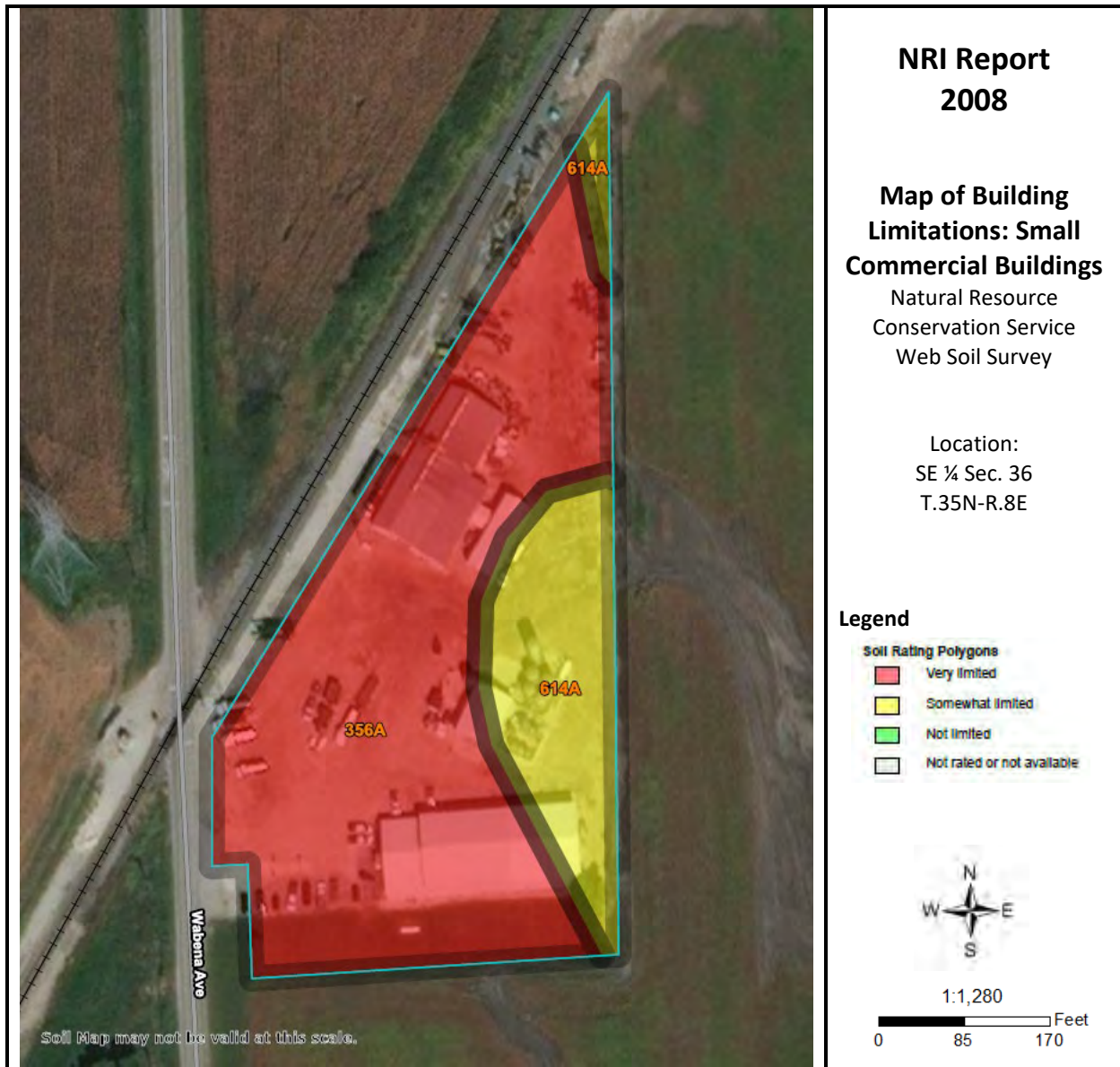


Figure 3C: Map of Building Limitations – Small Commercial Buildings

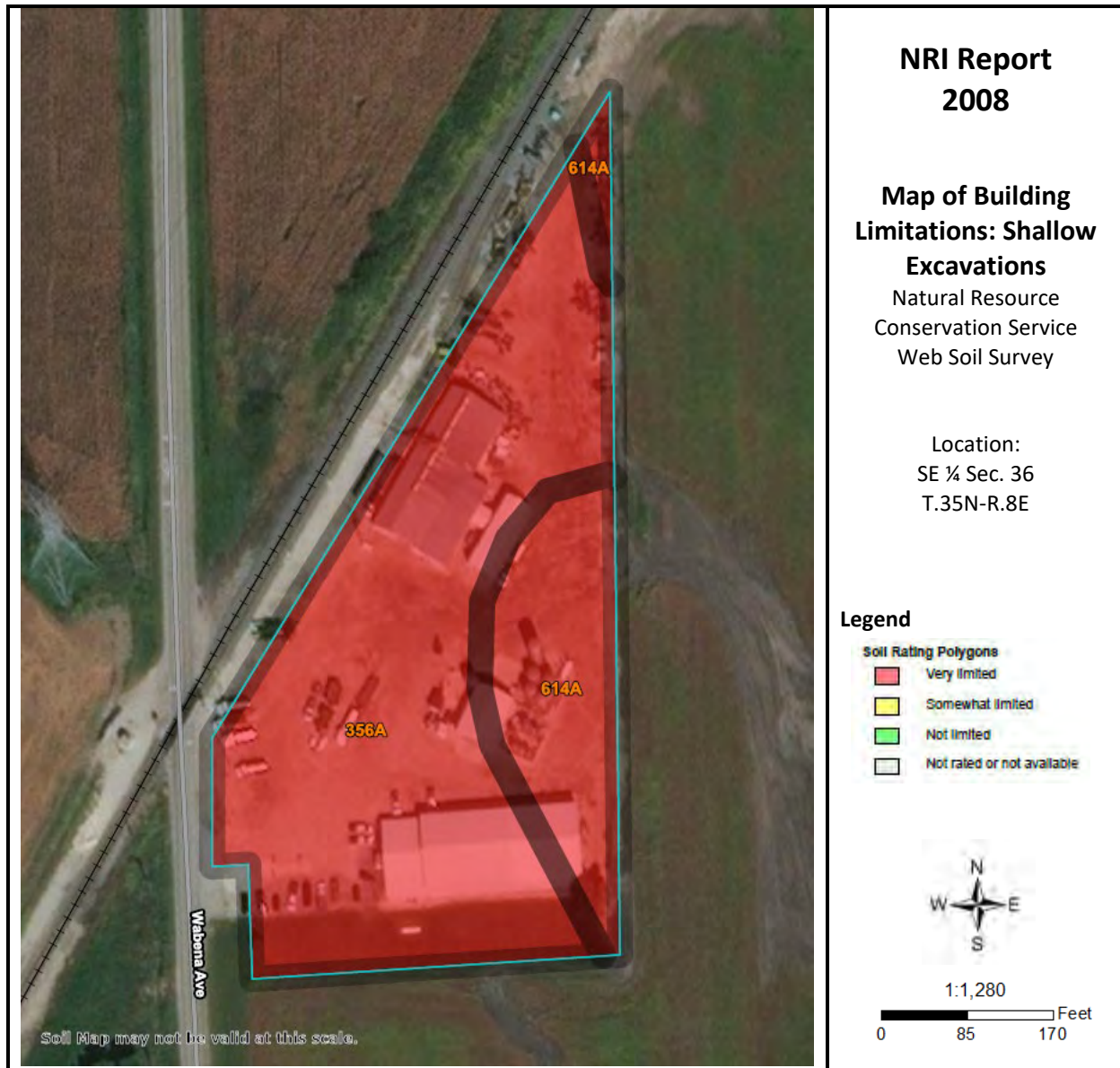


Figure 3D: Map of Building Limitations – Shallow Excavations

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
Totals			3.2	312.2
LE Calculation			(Product of relative value / Total Acres) 312.2 / 3.2 = 97.56	
LE Score			LE = 98	

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

A.	Agricultural Land Uses	Points
	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.	Compatibility / Impact on Uses	
	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
C.	Existence of Infrastructure	
	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
	Site Assessment Score:	80

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.

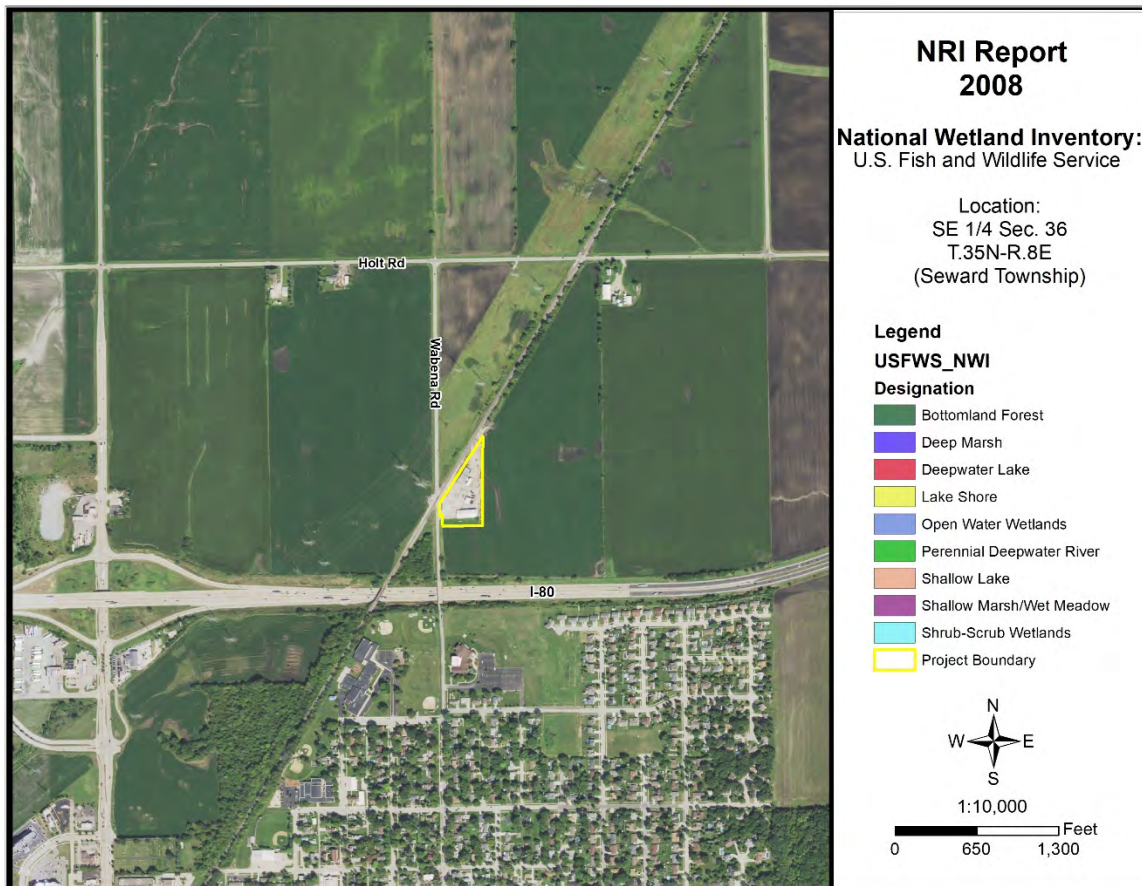


Figure 4: Wetland Map – USFWS National Wetland Inventory

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

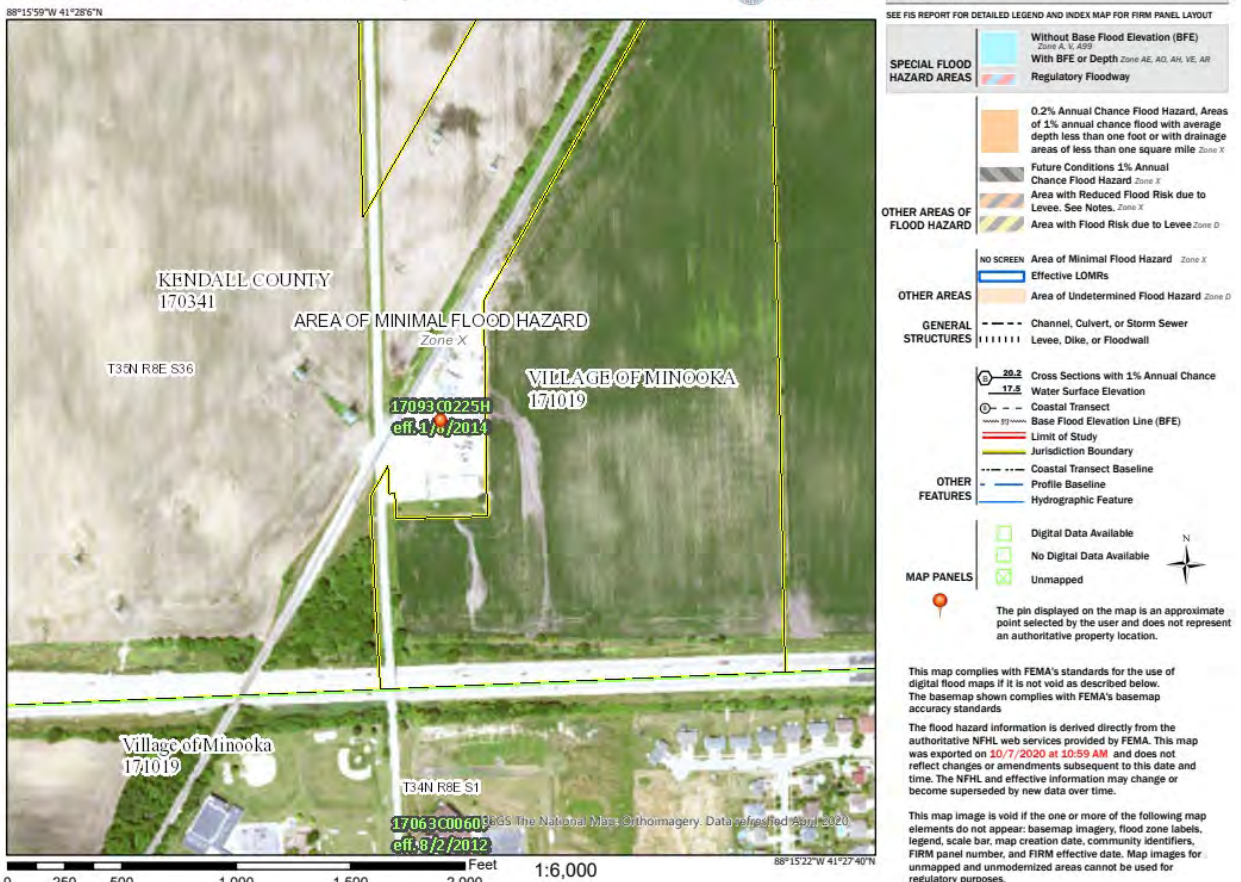


Figure 5: FEMA Floodplain Map

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 3rd 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

ARTICLE IX. ELECTION OF OFFICERS

ANNUAL MEETING for the election of officers of the Commission shall be held ~~at the Kendall County Office Building~~ at 7:00 p.m., on the 4th Wednesday in the month of January or the next scheduled meeting.

Any Vacancy in the office of Vice-Chairman, Secretary or Treasurer of the commission may be filled at any regular or Special Meeting after such vacancy occurs. The vacancy will be filled until the end of the vacated term by election from among the members. The office will come up for the regular election process the following January.

If the office of Chairman is vacated during a term, the position will be filled by the Vice-Chairman until the end of that Commission year and the office will come up for the regular January election schedule,

- * The Chairman of the Commission shall be elected by the Commission. The term of service of the Chairman shall be one year and the Chairman may be re-elected.
- * The Vice Chairman shall be elected by the Commission and the term of service shall be one year.
- * The Secretary shall be elected by the Commission and the term of service shall be one year.
- * The Treasurer shall be elected by the Commission and the term of service shall be one year.

**CONSTITUTION & BY-LAWS
FOR THE
KENDALL COUNTY REGIONAL PLAN COMMISSION**

ARTICLE I. AUTHORITY

Illinois Revised Statutes. Regional Planning, An Act to provide for regional planning and for the creation, organization and powers of regional planning commissions. Laws 1929, p. 308, approved June 25, 1929, eff. July 1, 1929.

3001. Commission to prepare plan...commission shall be a fact finding body and shall make such investigations and gather such statistics as it shall deem necessary for the planning and development of said region and shall make a plan of said region to include all matter which it may deem necessary for the development of the region as provided above.

ARTICLE II. ROBERTS RULES OF ORDER, as applicable to informal meetings, shall prevail at all meetings of the Kendall County Regional Plan Commission.

ARTICLE III. COMMISSION MEETINGS

THE REGULAR MEETING of the Commission shall be held on the 4th Wednesday of each month at 7:00 p.m., at the Kendall County Office Building, unless otherwise specified by presiding officer, herein referred to as "Chairman", "Chairwoman" or "Chairperson".

ADJOURNED MEETINGS of the Commission may be held at such time and place as may be fixed in the resolution of adjournment or Notice of Special Meeting. If no other place is fixed in the resolution, the meeting shall be held at the Kendall County Office Building.

SPECIAL MEETINGS of the Commission may be called by the Chairman and held at any time or place fixed in the call.

SPECIAL MEETINGS of the Commission may also be called by the Chairman at the written request of any five or more members of the Commission. If the Chairman shall fail to comply with such a request, the members requesting the meeting have authority to call the meeting by drawing up and signing a notice calling the meeting.

ADJOURNED SPECIAL MEETINGS of the Commission may be held at such time and place as may be fixed in the resolution of adjournment. If no other place is fixed in the resolution, the meeting shall be held at the Kendall County Office Building.

ARTICLE IV. QUORUM

Fifty percent of the appointed and serving members of this Commission shall be necessary to constitute a quorum for the transaction of any business. Each member of the Commission is entitled to one vote, only Commission members may vote.

The affirmative vote of a majority of the members present constituting the quorum shall be required for the exercise of powers or functions conferred or imposed upon the Commission, but less than a quorum of members may meet and adjourn from time to time until a quorum is present.

Failure of a quorum of the Commission. In the event the Plan Commission fails to have a quorum for any reason, resulting in the rescheduling of the petition, any expenses regarding public notices (in the paper and neighbors) will be at the expense of the County.

ARTICLE V. NOTICE OF MEETINGS

NOTICE OF MEETINGS shall name the time and place and business to be transacted and shall be emailed to each member of the Commission at his appropriate address unless otherwise specified to mail the packet to the appropriate address. Notice shall be sent at least five days in advance, allowing sufficient time to enable him to attend such meetings.

ARTICLE VI. NOTICE FOR MEETINGS

Section 1. In instances which Kendall County Board is the petitioner, the Planning, Building and Zoning Department shall provide for a notice to surrounding property owners not less than ten (10) days before the regularly scheduled Regional Planning Commission meeting. Said notice shall provide the location of the petition, a brief statement of the nature of the petition, and any other relevant information.

Section 2. In instances in which the property petitioned is located in an Agricultural District, the petitioner shall notify all property owners, as determined by County tax records, within five hundred (500) feet of the parcel being zoned. Said notice shall be completed not less than ten (10) days before the regularly scheduled Regional Planning Commission meeting. Said notice shall provide the location of the petition, a brief statement of the nature of the petition, and any other relevant information. The petitioner shall provide proof of notification to the Secretary.

Section 3. In all other instances, the petitioner shall provide proof of notification to all adjacent property owners, as determined by County tax records. Said notice shall be completed not less than ten (10) days before the regularly scheduled Regional Planning Commission meeting. Said notice shall provide the location of the petition, a brief statement of the nature of the petition, and any other relevant information. The petitioner shall provide proof of notification to the Secretary.

ARTICLE VII. TERM OF OFFICE

Plan Commission members are advisory to the County Board and appointed by the Board. Terms of Plan Commission Members shall be staggered, and for three year periods, beginning with the first month of the year in which the appointment is made. Members shall serve past their term, until a replacement or reappointment is made by the County Board.

When a vacancy occurs in the last quarter of a year, the Board may choose to make a temporary

appointment to be confirmed by a full three year appointment for the candidate, beginning in the first month of the upcoming year.

ARTICLE VIII. COMMISSION OFFICERS AND DUTIES

The following officers shall be members of the Commission: a Chairman, Vice Chairman and Secretary. The following two officers may or may not be members of the Commission but may consist of staff: Recording Secretary and Treasurer.

CHAIRMAN (CHAIRPERSON, CHAIRWOMAN, PRESIDING OFFICER)

- * The Chairman shall preside at all meetings of the Commission.
- * The Chairman shall have general charge of the business of the Commission.
- * The Chairman shall, when authorized by the Commission, execute in its name all contracts and other obligations, with the exception of those dealing with expenditures, which lie within the authority of the Kendall County Board.
- * The Chairman shall appoint all committees.
- * The Chairman shall have general supervision of the conduct of affairs of the Commission.
- * The Chairman shall perform such other duties as are usually exercised by the Chairman of a Commission.

VICE CHAIRMAN

- * The responsibility of the Vice Chairman shall be to perform the duties of the Chairman during the absence or disability of the same.

SECRETARY

- * The Secretary shall attend all regular and special meetings and be responsible for the Minute book of the Commission.

TREASURER

- * The Treasurer shall monitor all fiscal activities of the Commission as allocated by the County Board.
- * The Treasurer, with the approval of the Commission, shall authorize payment of expenses for the Commission business to the County Board.
- * The Treasurer shall keep a running record of all payments made from the budget allocated by the Board to the Commission, and shall keep the Chairman of the Commission informed as to the current status of budget funds.

The Treasurer may be a staff member of the Planning, Building and Zoning Department by majority vote of the Commission for a 1 year term.

RECORDING SECRETARY

- * The Recording Secretary shall attend all regular and special meetings and be responsible for taking the meeting minutes of the Commission.

- * The Recording Secretary shall direct the mailing of all notices of regular and special Meetings as required under these by-laws or as directed by the Chairman.
- * The Recording Secretary shall have charge of the office of the Commission and all books, papers and records thereof and shall attend to all correspondence of the Commission.
- * The Recording Secretary shall be responsible for keeping track of the terms of office of the various Commission members.

The Recording Secretary should be a staff member of the Planning, Building and Zoning Department or employed by the Planning, Building and Zoning Office.

ARTICLE IX. ELECTION OF OFFICERS

ANNUAL MEETING for the election of officers of the Commission shall be held at 7:00 p.m., on the 4th Wednesday in the month of January or the next scheduled meeting.

Any Vacancy in the office of Vice-Chairman, Secretary or Treasurer of the commission may be filled at any regular or Special Meeting after such vacancy occurs. The vacancy will be filled until the end of the vacated term by election from among the members. The office will come up for the regular election process the following January.

If the office of Chairman is vacated during a term, the position will be filled by the Vice-Chairman until the end of that Commission year and the office will come up for the regular January election schedule,

- * The Chairman of the Commission shall be elected by the Commission. The term of service of the Chairman shall be one year and the Chairman may be re-elected.
- * The Vice Chairman shall be elected by the Commission and the term of service shall be one year.
- * The Secretary shall be elected by the Commission and the term of service shall be one year.
- * The Treasurer shall be elected by the Commission and the term of service shall be one year.

ARTICLE X. APPOINTMENTS

The Chairman of the Commission shall appoint Committees and Committee Chairman when necessary. In the event that the Chairman, Vice Chairman and Secretary and Treasurer of the Commission should all be absent or unable for any reason to attend to the duties of their office, the remaining members of the Commission may at any Regular Meeting or at any Special Meeting, appoint a Chairman pro-tem, who shall attend to all the duties of such officers until such officers shall return or be able to attend to their duties.

ARTICLE XI. COMMITTEES

Whenever necessary, the Chairman of the Commission shall appoint special committees as necessary or as may be authorized by the Commission.

All reports of committees upon which action of the Commission is contemplated shall be submitted in writing to the Commission and signed by the Chairman of the Committee.

ARTICLE XII. QUALIFICATIONS AND CONDUCT OF MEMBERS

All voting members and ex-officio members shall be legal residents of the County of Kendall.

All members of the Kendall County Regional Plan Commission shall be residents of different townships with one member at large so as to reasonably represent the urban and rural areas of the County.

Members who have any personal interest and/or are actively involved with, and have taken a position on the request; or who have ownership, or share of, or financial interest, or equity obligations in connection with the matter presented to the Commission shall disqualify themselves from any discussion, consideration or voting on such matters.

Each Commission member is allowed three (3) unexcused absences during each calendar year. Unexcused absences exceeding three (3) could result in a drop of the member from the Commission.

ARTICLE XIII. ORDER OF BUSINESS

- * Roll Call of Members present
- * Approval of Agenda
- * Approval of Bills
- * Approval of Minutes
- * Petitions
- * Citizens to be Heard/Public Comment
- * New business.
- * Old Business
- * Adjournment

ARTICLE XIV. PETITIONS

All petitions and other matters brought before the Kendall County Regional Plan Commission shall be reviewed and in cases dealing with the Land Resource Management Plan a public hearing shall be conducted. Advisory recommendations of the Commission shall be transmitted to the Zoning Board of Appeals and the Planning, Building and Zoning Committee for consideration.

ARTICLE XV. ADDRESSING THE PLAN COMMISSION

The public is invited by the Planning Commission to speak on items before the Commission. Reasonable time limitations may be imposed by the Chairman.

ARTICLE XVI. AMENDMENT OF BY-LAWS AND RULES OR PROCEDURE

The By-Laws and rules of procedure herein may be amended whenever it is necessary to do so for

the best interests of the Commission, providing such amendment is proposed in writing and signed by at least three members. The motion for such amendment shall be made at one meeting and voted upon at the meeting next following; the notice for such meeting shall contain a copy of the proposed amendment.

APPROVED & ADOPTED BY THE KENDALL COUNTY REGIONAL PLAN COMMISSION

Bill Ashton, Planning Commission Chairman Date

Ruben Rodriguez, Planning Commission Vice-Chairman Date

Larry Nelson, Planning Commission Treasurer and Secretary Date

Roger Bledsoe, Planning Commission Member Date

Tom Casey, Planning Commission Member Date

Dave Hamman, Planning Commission Member Date

Karin McCarthy-Lange, Planning Commission Member Date

Bob Stewart, Planning Commission Member Date

Claire Wilson, Planning Commission Member Date

Vacant (Fox Township), Planning Commission Member Date