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**KENDALL COUNTY  
ZONING BOARD OF APPEALS  
PUBLIC HEARING/MEETING**

109 West Ridge Street • East Wing Conference Room • Yorkville, IL • 60560  
(630) 553-4141 Fax (630) 553-4179

**AGENDA**

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November 2, 2020 – 7:00 p.m.

**CALL TO ORDER – ZONING BOARD OF APPEALS**

**ROLL CALL** for the Zoning Board of Appeals: Randy Mohr (Chair); Scott Cherry, Karen Clementi, Cliff Fox, Tom LeCuyer, Dick Thompson, and Dick Whitfield

**MINUTES:** Approval of Minutes from the September 28, 2020 Zoning Board of Appeals Hearing/Meeting (Pages 3-18)

**PETITIONS:**

**1. Petition 20-24 – Grainco FS, Inc. (Pages 19-44)**

**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

**2. Petition 20-25 – Grainco FS, Inc. (Pages 45-94)**

**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.

**NEW BUSINESS/ OLD BUSINESS**

None

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

None

**PUBLIC COMMENT:**

**ADJOURN ZONING BOARD OF APPEALS**- Next hearing/meeting on December 14, 2020

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Kendall County

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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 Zoning Board of Appeals 11-2-2020 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 Zoning Board of Appeals Meeting/Hearing scheduled for Monday, November 2, 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](mailto: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 Zoning Board of Appeals Information:

<https://www.co.kendall.il.us/transparency/agendas-packets-and-meetings-schedules/planning-building-and-zoning/zba-zoning-board-of-appeals>

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>

**MINUTES – UNOFFICIAL UNTIL APPROVED**  
**KENDALL COUNTY**  
**ZONING BOARD OF APPEALS MEETING**  
110 WEST MADISON STREET (109 WEST RIDGE STREET), THIRD FLOOR COURTROOM  
YORKVILLE, IL 60560  
**September 28, 2020 – 7:00 p.m.**

**CALL TO ORDER**

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:00 p.m.

**ROLL CALL:**

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

Members Absent: Karen Clementi

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

Others Present: Greg Dady, Gregg Ingemunson, and Michael Ballas

**MINUTES:**

Member Cherry made a motion, seconded by Member LeCuyer, to approve the minutes of the August 31, 2020 hearing/meeting. With a voice vote of six (6) ayes, the motion carried.

Chairman Mohr swore in Greg Dady, Gregg Ingemunson, and Michael Ballas.

**PETITIONS**

The Zoning Board of Appeals started their review of Amended Petition 20-02 at 7:01 p.m.

**Amended Petition 20 – 02 – Greg Dady on Behalf of DTG Investments, LLC**

**Request:** Text Amendments to the Kendall County Zoning Ordinance Adding 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 to the List of Special Uses in the A-1 District and Related Citation Corrections

**Purpose:** Proposal Adds Truck Parking Area or Yard to the List of Special Uses in the A-1 District

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 Maintenances 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 Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 23, 2020. Commissioners expressed concerns about placing this type of use on A-1 zoned property. Several Commissioners felt this use would be more appropriate on property zoned for manufacturing. Commissioners were also concerned about the lack of restrictions within the proposed text amendment. Commissioners were also unhappy that the Petitioner moved a tenant onto property zoned A-1 without obtaining the necessary zoning permits. The Commission recommended denial of the request by vote of zero (0) in favor of the request and eight (8) in opposition. One (1) member of the Commission was absent. 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 she had concerns regarding the lack of a limit on the number of trucks and trips. 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.

Chairman Mohr noted that a trucking company is already operating at 3485 Route 126.

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

Chairman Mohr asked if the proposal was specific to a 3485 Route 126. Mr. Asselmeier responded the amendment applies to all properties zoned A-1 that are located on a major collector or higher as defined in the Land Resource Management Plan.

Gregg Ingemunson, Attorney for the Petitioner, explained that the Petitioner did not understand that he needed to secure a new special use permit when the trucking company moved into the building. Mr. Ingemunson offered to limit the use to properties on State highways. He explained that employees pick-up and park their trucks. The trucks receive and drop-off their loads at other locations. He offered to restrict the number of trucks entering and leaving the property at twenty-five (25). This figure was clarified to mean vehicle trips to and from the property and not number of trucks parked at the property. Mr. Ingemunson provided a history of Countryside Landscaping's work at the property by installing new berm and other landscaping. The Petitioner plans to install an asphalt parking lot.

Member Whitfield asked if this use was similar to the use on the east side of Eldamain Road south of Galena Road. Mr. Asselmeier responded that the Eldamain Road property was rezoned to M-1. The Petitioner in this case originally tried to obtain a map amendment. However, Na-Au-Say Township had some reservations about other uses that could be placed at the property if it was rezoned to M-1. Out of respect to Na-Au-Say Township, the Petitioner chose to pursue the text amendment and special use permit under A-1 zoning.

Mr. Asselmeier noted that, if a property owner had a valid hardship, the roadway location requirement could be varied.

Chairman Mohr asked about the number of mechanics. Greg Dady responded that he saw six (6) mechanics at the property. Chairman Mohr expressed concerns regarding the ability of the septic system to handle the number of employees at 3485 Route 126.

The trucking company was not aware that they were in violation of the Zoning Ordinance.

Chairman Mohr closed the public hearing at 7:15 p.m.

Mr. Asselmeier noted that other property owners in similar circumstances could ask for a special use permit, if the proposal is approved.

Member LeCuyer asked what the Future Land Map designated 3485 Route 126. Mr. Asselmeier responded Rural Residential.

Member Whitfield asked for Staff recommendation. Mr. Asselmeier responded that, because adequate restrictions could be placed on special use permits, Staff was agreeable to the proposal. This use would be appropriate on some A-1 zoned properties and inappropriate on some other A-1 zoned properties.

Discussion occurred about spot zoning. Mr. Asselmeier responded that the Zoning Board and the County Board could determine that the proposed use is a type of agricultural use or is consistent with agricultural uses. In that case, the use would not be spot zoning.

Mr. Asselmeier noted that the Petitioner probably would need additional special uses in the future when the existing lease expires.

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

The votes were as follows:

Ayes (4): Fox, LeCuyer, Thompson, and Whitfield

Nays (2): Cherry and Mohr

Absent (1): Clementi

The motion passed.

Chairman Mohr voted no because he felt this proposal was a type of spot zoning. He also noted that he received several phone calls, but no one was in attendance to express concerns in-person.

The townships will be notified of the results of the hearing.

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

The Zoning Board of Appeals completed their review of Amended Petition 20-02 at 7:30 p.m.

The Zoning Board of Appeals started their review of Amended Petition 20-05 at 7:30 p.m.

**Amended Petition 20 – 05 – Greg Dady on Behalf of DTG Investments, LLC**

Request: Special Use Permit for a Truck Parking Area or Yard

PIN: 06-09-400-005

Location: 3485 Route 126, Na-Au-Say Township

Purpose: Petitioner Wants to Be Able to Operate a Truck Parking Area or Yard with Related Offices and Maintenance Facilities on the Property

Mr. Asselmeier summarized the request.

Greg Dady, on behalf of DTG Investments, LLC would like to operate a trucking company, specifically offices related to a trucking company, minor repair facilities for company trucks, and company truck parking at the subject property.

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.

The proposed text amendment (Amended Petition 20-02) would add the following to the list of special uses in the A-1 District:

“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 application materials, aerial of the property, aerial with the flood zone, plat of survey, and site were provided.

The subject property is approximately five point five (5.5) acres in size.

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

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

The adjacent uses are agricultural or agricultural related.

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

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

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

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

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

Pictures of the property and area were provided.

EcoCAT Report submitted and consultation was terminated.

The LESA Score was 189 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Na-Au-Say Township on August 25, 2020.

Petition information was sent to the Village of Oswego on August 25, 2020. The property is inside Oswego's planning boundary.

Petition information was sent to the Village of Plainfield on August 25, 2020. The property is within one point five (1.5) miles of Plainfield.

The Oswego Fire Protection District was sent information on August 25, 2020. On August 27, 2020, the Oswego Fire Protection District submitted an email stating that they had no specific concerns. They did note that the fire alarm system at the property was not in operation. The Oswego Fire Protection District email was provided.

ZPAC reviewed this proposal at their meeting on September 1, 2020. The Health Department asked about the septic system and catching spills in the maintenance bays. The Petitioner indicated that a triple catch basin exists in the bays. A change in occupancy permit for the business will be required. A permit for the sign will be required. The Petitioner was agreeable to paving the south parking lot with asphalt within ninety (90) days of the approval of the special use permit. The Petitioner said signage would be installed directing people not to park in the front yard setback or in locations that restricted access to the rear of the property through the drive on the east side of the property. The Petitioner was agreeable to the hours of operation and would obtain information regarding the height of the berm and number of trees on the berm. ZPAC recommended approval of the requested special use permit with a vote of six (6) in favor and zero (0) in opposition. Four (4) members were absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 23, 2020. 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. The minutes of the meeting were provided.

The subject property has been used as a landscaping business and repair and restoration business. The order and special use permit that allowed these businesses were provided. The Petitioner would like to retain the special use permit for a cleanup and restoration business at the property.

According to the business plan, the property is leased to United Group Logistics. United Group Logistics is a trucking company that hauls freight throughout the State. They use the property for office space, minor truck repair/maintenance and a truck depot. The office space is used for accounting and dispatch and the bays are used for maintenance. Ten (10) employees are at the site and the hours of operation are Monday through Friday from 8:00 a.m. until 5:00 p.m. and Saturday from 8:00 a.m. until 3:00 p.m.

No maintenance of vehicles will occur outside the main building.

According to the site plan, there is one (1) approximately fourteen thousand (14,000) square foot metal building on the property that is used for office operations and maintenance. The site plan also shows one (1) metal silo and one (1) corn crib in the planned truck parking area. One (1) approximately one thousand six hundred (1,600) square foot wood frame machine shed is located on the northeast corner of the truck parking area. One (1) single-family home with a detached garage is located on the west side of the property.

Any new structures would require applicable building permits.

The property is served by well and septic.

There is floodplain as part of the Little Slough Creek on the property. This area is considered Zone A which means no flood elevation has been determined; therefore, this area is considered Floodway. No storage or parking should take place in the floodway.



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

The property has two accesses off of Route 126. The western access would be used by the existing house and the eastern access would be used by the business operating out of the metal barn.

According to the site plan, a parking area for trucks is shown north of the metal building. The parking area is gravel. No dimension information was provided.

The site plan shows fifteen (15) additional parking spaces to the north of the metal building and ten (10) parking spaces south of the metal building, including two (2) handicapped accessible spaces. A proposed asphalt addition is shown on the site plan. Within ninety (90) days of the approval of the special use permit ordinance, the property owner or operators of the business allowed by this special use permit shall install the asphalt parking spaces.

The Petitioner was agreeable to a condition stating that no work on vehicles would occur outside of the main building. Therefore, no issues related to spills or other motor vehicle related leaks were foreseen. The Petitioner was also agreeable to a condition to monitor the site for leaks.

No additional lighting beyond the existing lighting on the building and light near the entrance is planned at this time. Section 11:02.F.12.A requires an illumination plan for parking lots with thirty (30) or more parking spaces.

The site plan shows a sign. The sign is four feet by eight feet (4'X8') in size. A light exists next to the sign.

The site plan shows a wooden fence around the property and a single gate east of the metal building. No information was provided regarding the size of the fence or gate.

A berm and several mature trees are between the metal building and Route 126. To date, no specific landscaping information was provided.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

The proposed Findings of Fact are as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare provided that the operator of the business allowed by this special use permit develops the site according to the submitted site plan, follows the agreed upon hours of operation, and follows the Kendall County Inoperable Vehicle Ordinance, Kendall County Junk and Debris Ordinance, and related ordinances.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. Provided that the business operates as proposed, no injury should occur to other property and property values should not be negatively impacted.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Adequate utilities exist on the site based upon the number of proposed employees at the property. No parking shall occur in the floodplain. No additional buildings are planned for the site. The Petitioners are aware that parking cannot occur in the front yard setback. Route 126 is a State maintained road and should be able to handle the traffic.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. Provided the text amendment adding truck parking area and yard are added to the list of special uses in the A-1 District, this is true.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with an objective found on Page 6-34 of the Kendall County Land Resource Management Plan which calls for “a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents” through the encouragement “. . . of locally owned businesses.”

Provided the proposed text amendment related to truck parking and area and yard is approved, Staff recommends approval of the requested special use permit subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the submitted plat of survey and site plan. The property owner or operators of the business allowed by this special use permit may remove the frame residence, garage, concrete, metal silo, wood frame machine shed, and corn crib without amending the site plan.
2. Within ninety (90) days of the approval of the special use permit ordinance, the property owner or operators of the business allowed by this special use permit shall install the asphalt parking spaces shown on the submitted site plan.
3. No parking or storage shall occur within the floodplain at the north end of the property.
4. Mr. Asselmeier noted that additional information about the berm and plantings was needed for this condition. The property owner or operators of the business allowed by this special use permit shall maintain the existing undefined foot tall berm and unknown number trees on the berm. Dead or damaged vegetation shall be replaced on a timetable approved by the Kendall

County Planning, Building and Zoning Department.

5. One (1) four foot by eight foot (4'X8') sign may be installed on the subject property in substantially the location shown on the site plan. The property owner or operators of the business allowed by this special use permit may install additional directional and no parking signage in order to ensure that no parking occurs in the required front yard setback and that the access to the rear (north) of the property is not blocked via the existing asphalt drive.
6. None of the vehicles parked on premises shall be considered agricultural equipment as they relate to the business allowed by the special use permit.
7. All of the vehicles parked on the premises shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
8. No maintenance may occur on any vehicle outside of the fourteen thousand (14,000) square foot building.
9. The property owner or operators of the business allowed by this special use permits shall diligently monitor the property for vehicle related leaks and shall promptly clean up the site if leaks occur.
10. The hours of operation for the business allowed by this special use permit shall be Monday through Friday from 8:00 a.m. until 5:00 p.m. and Saturday from 8:00 a.m. until 3:00 p.m. Drivers may drop-off trucks outside these hours of operations. No one associated with the business allowed by the special use permit shall spend the night at the property. The property owner or operators of the business allowed by this special use permit may reduce these hours of operation.
11. The total maximum number of employees for the business allowed by this special use permit shall be ten (10).
12. The property owner and operators of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
13. The conditions and restrictions contained in Ordinance 2014-29 pertaining to the operation of a clean-up restoration service/business shall remain valid, enforceable, and separate from the conditions and restrictions for the special use permit for a truck parking area or yard.
14. The property owner and operators of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.
15. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
16. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Discussion occurred regarding the recommendation pertaining to the installation of the asphalt parking lot. The consensus of the Board was to set the deadline at May 15<sup>th</sup> for the installation of the asphalt parking lot. The Petitioner was agreeable to that deadline.

Chairman Mohr opened the public hearing at 7:43 p.m.

Greg Dady stated the berm was ten feet (10') feet tall and twenty (20) trees at least twenty feet (20') in height were located on the berm.

Chairman Mohr requested that the licenses be valid in Condition 7.

Chairman Mohr wanted to see that the Health Department inspected the septic system. Mr. Asselmeier noted that Condition 14 requires the Petitioner to obtain a new certificate of occupancy.

Mr. Asselmeier asked if the parking lot will be full of cars when the business is closed. Gregg Ingemunson responded that truck drivers could leave their vehicles overnight at the property.

Mr. Asselmeier asked if the tenant was aware and agreeable to the proposed conditions. Mr. Dady responded yes.

Chairman Mohr asked who owns the trailers. No private, non-company owned trucks are stored at the property and all mechanics are employees of the company leasing the building. No outdoor maintenance on the trucks will occur.

Chairman Mohr closed the public hearing at 7:47 p.m.

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

The votes were as follows:

Ayes (6): Cherry, Fox, LeCuyer, Mohr, Thompson, and Whitfield  
Nays (0): None  
Absent (1): Clementi

The motion passed.

Member LeCuyer made a motion, seconded by Member Whitfield, to recommend approval of the special use permit with the conditions proposed by Staff with the following amendments:

1. Condition 2 was amended to require the property owner or operator of the business allowed by the special use permit install the asphalt parking lot by May 15, 2021.
2. Condition 4 was amended to specify the berm at ten feet (10') tall and to specify twenty (20) trees with a minimum of twenty feet (20') feet in height on the berm.
3. Condition 7 was amended to state that vehicles shall have valid licenses if required by law.

The votes were as follows:

Ayes (6): Cherry, Fox, LeCuyer, Mohr, Thompson, and Whitfield  
Nays (0): None  
Absent (1): Clementi

The motion passed.

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

The Zoning Board of Appeals completed their review of Amended Petition 20-05 at 7:52 p.m.

The Zoning Board of Appeals started their review of Amended Petition 20-01 at 7:52 p.m.

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

Request: Text Amendments to the Kendall County Zoning Ordinance Amending Recreational Vehicle Park and Campground Zoning Regulations and Repealing the 1983 Recreational Vehicle Park and Campground Regulations

Purpose: Proposal Updates the Recreational Vehicle Park and Campground Zoning Regulations

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 Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 23, 2020. Discussion occurred regarding the importance of maps of the campgrounds and recreational vehicle parks. Discussion also occurred regarding the need for picnickers to be included on the register. The Kendall County Regional Planning Commission recommended approval by a vote of eight (8) in favor and zero (0) in opposition. One (1) Commissioner was absent. The minutes of the 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 9.04.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 Fox asked if the information required for submittal was similar to subdivisions in terms of utilities. Mr. Asselmeier responded that the information required for submittal is the same information required for other special use permits and that some lots within the campground or recreational vehicle park may be primitive and not have water or sewer facilities for a given lot.

Chairman Mohr asked if existing campgrounds and recreational vehicle parks were grandfathered. Mr. Asselmeier stated that the existing campgrounds and recreational vehicle parks were grandfathered unless they changed their special use permit.

Chairman Mohr asked about enforcement in cases of permanent residents. Mr. Asselmeier responded that the campground or recreational vehicle park is notified to remove the permanent resident. If the campground or recreational vehicle park does not remove the permanent resident, then they are prosecuted through the ordinance enforcement process.

Discussion occurred regarding trail maintenance. The consensus of the Board was that the recreational vehicle park or campground's insurance company would have concerns regarding trail maintenance.

Chairman Mohr opened the public hearing at 8:06 p.m.

Michael Ballas requested clarification on grandfathering. Mr. Asselmeier explained the amendment process for existing special use permits. The existing campgrounds and recreational vehicle parks should assume that if they change their site plans, even for minor amendments, the new regulations would apply.

Staff will note in the files of existing campgrounds that they are grandfathered.

Chairman Mohr closed the public hearing at 8:10 p.m.

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

The votes were as follows:

Ayes (6): Cherry, Fox, LeCuyer, Mohr, Thompson, and Whitfield

Nays (0): None

Absent (1): Clementi

The motion passed.

The townships will be notified of the results of the hearing.

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

The Zoning Board of Appeals completed their review of Amended Petition 20-01 at 8:12 p.m.

#### **NEW BUSINESS/OLD BUSINESS**

##### **Recommendation on Fiscal Year 2020-2021 Meeting Schedule**

Mr. Asselmeier presented the proposed meeting schedule.

The consensus of the Board was to approve the meeting calendar with an amendment to move the May 31<sup>st</sup> meeting date to June 2<sup>nd</sup>.



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

Mr. Asselmeier stated that Petition 19-39 Map Amendment and Special Use Permit for Four Seasons Storage 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 also 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.

### **PUBLIC COMMENTS**

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 OF THE ZONING BOARD OF APPEALS**

Member LeCuyer made a motion, seconded by Member Cherry, to adjourn. With a voice vote of six (6) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 8:18 p.m.

The next hearing/meeting will be on November 2, 2020.

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

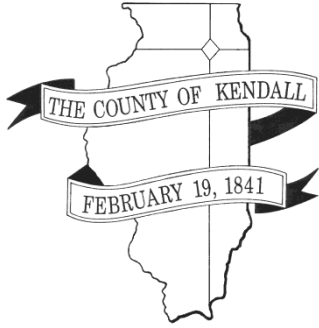
### **Exhibits**

1. Memo on Amended Petition 20-02 Dated September 25, 2020
2. Certificate of Publication for Amended Petition 20-02 (Not Included with Report but on file in Planning, Building and Zoning Office).
3. Memo on Amended Petition 20-05 Dated September 25, 2020
4. Certificate of Publication and Mailings for Amended Petition 20-05 (Not Included with Report but on file in Planning, Building and Zoning Office).
5. Memo on Amended Petition 20-01 Dated September 25, 2020
6. Certificate of Publication for Amended Petition 20-01 (Not Included with Report but on file in Planning, Building and Zoning Office).

**KENDALL COUNTY  
ZONING BOARD OF APPEALS  
SEPTEMBER 28, 2020**

In order to be allowed to present any testimony, make any comment, engage in cross-examination, or ask any question during this public hearing, you must enter your name, address, and signature on this form prior to the commencement of the public hearing. By signing this registration sheet, you agree that you understand that anything you say will be considered sworn testimony, and that you will tell the truth, the whole truth and nothing but the truth.

NAME	ADDRESS	SIGNATURE
Greg Johnson		
Michael Balda		



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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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**Petition 20-24**

**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. To date, no comments have been received.

**VILLAGE OF MINOOKA**

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

**MINOOKA FIRE PROTECTION DISTRICT**

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

**ZPAC**

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

**RPC**

The Kendall County Regional Planning Commission held a public hearing on this proposal on October 28, 2020. Discussion occurred regarding the differences between this Petition and the requests related to 3485 Route 126. Several Commissioners expressed their dismay that the Petitioner allowed the company to start operations at the property before securing necessary zoning approvals. Several Commissioners also noted that the proposed use would fit the surrounding neighborhood. Other than the Petitioner, nobody else from the public attended the hearing. The Kendall County Regional Planning Commission recommended approval of the request by a vote of five (5) in favor and zero (0) in opposition. Four (4) Commissioners were absent. The minutes of this hearing are included as Attachment 10.

**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
10. October 28, 2020 Kendall County Regional Planning Commission 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.

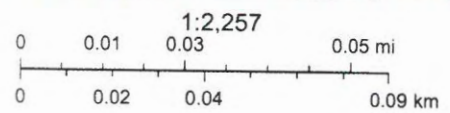
Grainco FS, Inc.,

  
By: Paul V. Martin, Its Attorney

# ArcGIS Web Map



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



- Current Parcels
- Municipalities
  - UNINCORPORATED
  - VILLAGE OF MINOOKA

© OpenStreetMap (and) contributors, CC-BY-SA, Map data © OpenStreetMap contributors, Map layer by Esri





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-

**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]

Attachment 10, Page 1  
**KENDALL COUNTY**  
**REGIONAL PLANNING COMMISSION**

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

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

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

**ROLL CALL**

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

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

Staff Present: Matthew H. Asselmeier, Senior Planner

Others Present: Paul Martin

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

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

**PUBLIC HEARING**

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

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

Mr. Asselmeier summarized the request.

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

The application materials and aerial were provided.

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

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

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

There are no floodplains or wetlands on the property.

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

Pictures of the property were provided.

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

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

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

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

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

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

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

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

A railroad is also located adjacent to the subject property.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The votes were as follows:

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

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

The motion carried.

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

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

**PETITIONS**

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

Mr. Asselmeier summarized the request.

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

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

The application materials and aerial of the property are provided.

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

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

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

There are no floodplains or wetlands on the property.

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

Pictures of the property were provided.

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

EcoCAT Report submitted and consultation was terminated.

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

The proposed Findings of Fact are as follows:

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

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

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

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

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

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

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

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

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

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

The votes were as follows:

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

Nays (0): None

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

The motion carried.

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

**CITIZENS TO BE HEARD/ PUBLIC COMMENT**

None

**NEW BUSINESS**

None

**OLD BUSINESS**

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

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

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

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

None

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

**OTHER BUSINESS/ANNOUNCEMENTS**

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

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

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

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

**ADJOURNMENT**

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

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

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

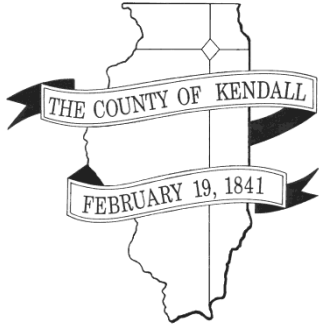
Encs.: Memo on Petition 20-24 Dated October 21, 2020  
Certificate of Publication and Mailings for Petition 20-24 (Not Included with Report but on file in Planning, Building and Zoning Office).



**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION  
OCTOBER 28, 2020**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
<i>Paul Martin</i>		



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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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**Petition 20-25**

**Grainco FS, Inc.**

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

**INTRODUCTION**

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

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

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

**SITE INFORMATION**

PETITIONER: Grainco FS, Inc.

ADDRESS: 17854 N. Wabena Avenue, Minooka

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



TOWNSHIP: Seward

PARCEL #: 09-36-400-002

LOT SIZE: 3.2 +/- Acres

EXISTING LAND USE: Commercial

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

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

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

APPLICABLE REGULATIONS: Section 13.07 – Map Amendment Procedures

**SURROUNDING LAND USE**

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

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

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

## **PHYSICAL DATA**

### **ENDANGERED SPECIES REPORT**

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

### **NATURAL RESOURCES INVENTORY**

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

## **ACTION SUMMARY**

### **SEWARD TOWNSHIP**

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

### **VILLAGE OF MINOOKA**

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

### **MINOOKA FIRE PROTECTION DISTRICT**

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

### **ZPAC**

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

### **RPC**

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

## **GENERAL INFORMATION**

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

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

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

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

## **BUILDING CODES**

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

## **ACCESS**

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

## **ODORS**

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

## **LIGHTING**

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

## **SCREENING**

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

## **STORMWATER**

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

## **UTILITIES**

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

## **FINDINGS OF FACT**

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

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

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

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

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

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



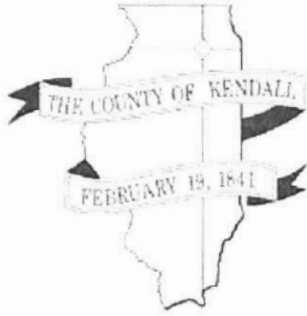
**be consistent with the purposes and objectives of the Land Resource Management Plan.**

**RECOMMENDATION**

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

**ATTACHMENTS**

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



**DEPARTMENT OF PLANNING, BUILDING & ZONING**

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

**APPLICATION**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Grainco FS, Inc.,



By: Paul V. Martin, Its Attorney

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

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

Tax Parcel No. 09-36-400-006

70-320 NOV 16 1970

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

NOV 16 1970  
 FILED FOR RECORD  
 NOV 16 1970

RECORDED  
 INDEXED  
 TRACED

NOV 16 1970

NOV 16 1970

NOV 16 1970

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:  
 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 Southeastely 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 the township road, said point and said point being the point of beginning; thence Southeastely along the said East right of way line a distance of 91.19 feet; thence East for a distance of 20.00 feet; thence Southeastely 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 Southeastely right of way line of the Elgin Joliet and Eastern Railroad; thence Southeastely along the said Southeastely right of way line for a distance of 622.64 feet to the point of beginning, in the Township of Seward, Kendall County, Illinois.

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

FS SERVICES, INC.  
 INCORPORATED  
 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, appeared before me this day in person and severally acknowledged that they executed the foregoing instrument as their free and voluntary act, and as the free and voluntary act of said corporation, and caused the corporate seal of said corporation to be hereunto affixed, 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 of said corporation, for the uses and purposes therein set forth; this day of November, 1970.


Commission expires 1972

ADDRESS OF INSTRUMENT  
 DOCUMENT NUMBER



Kendall County Soil & Water Conservation District

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

 [www.kendallswcd.org](http://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	\$ _____
<b>Total NRI Fee</b>	<b>\$ <u>375.00</u></b>

**NOTE:** Applications are due by the 1<sup>st</sup> 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.

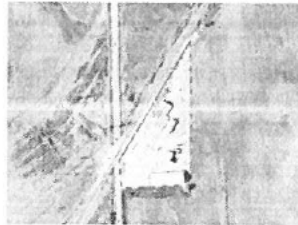
#### Location

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



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## **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



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

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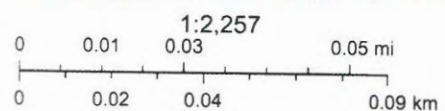
TOTAL PAID	\$ 127.81
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Illinois Department of Natural Resources  
One Natural Resources Way  
Springfield, IL 62702  
217-785-5500  
[dnr.ecocat@illinois.gov](mailto:dnr.ecocat@illinois.gov)

# ArcGIS Web Map



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



Current Parcels

Municipalities

 UNINCORPORATED

 VILLAGE OF MINOOKA

© OpenStreetMap (and) contributors, CC-BY-SA, Map data © OpenStreetMap contributors, Map layer by Esri



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-

**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

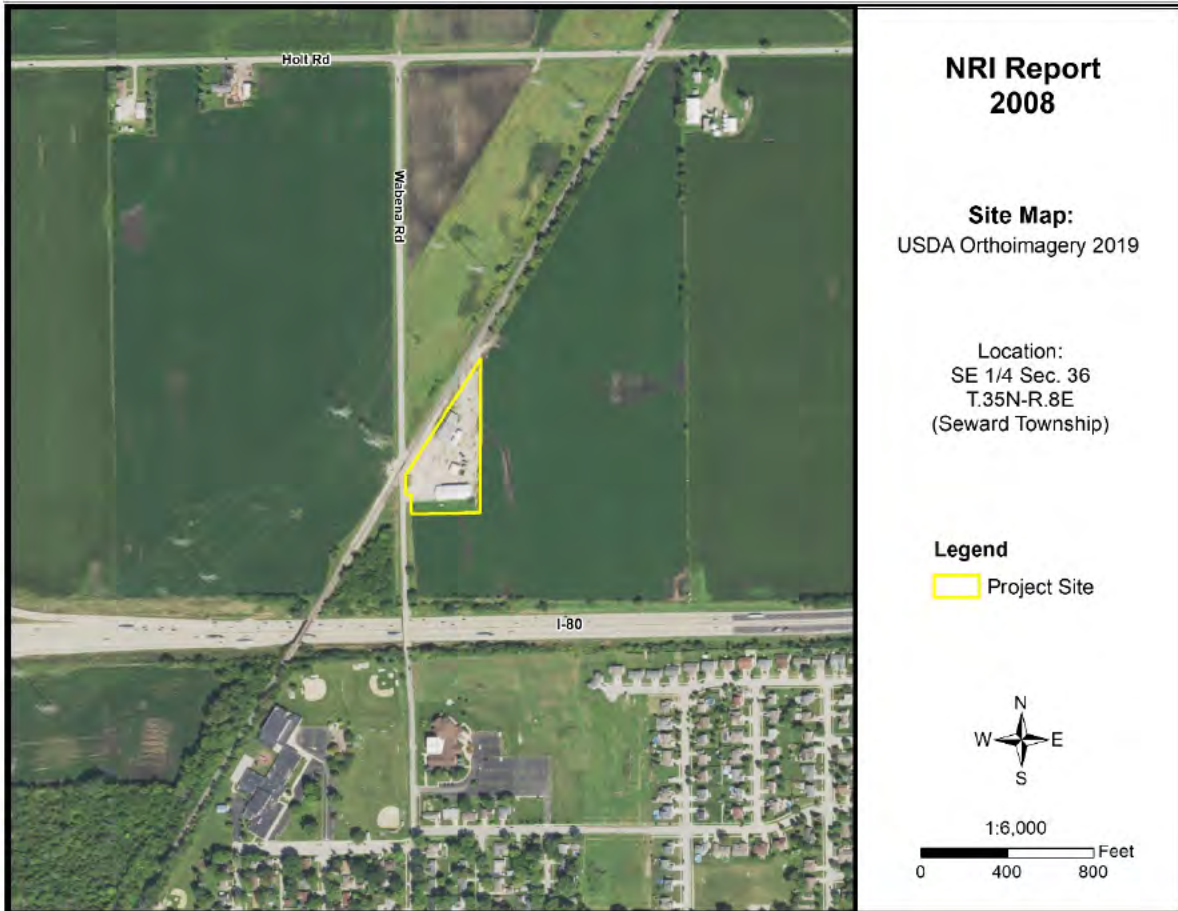
Enc.

**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](http://www.kendallswcd.org)



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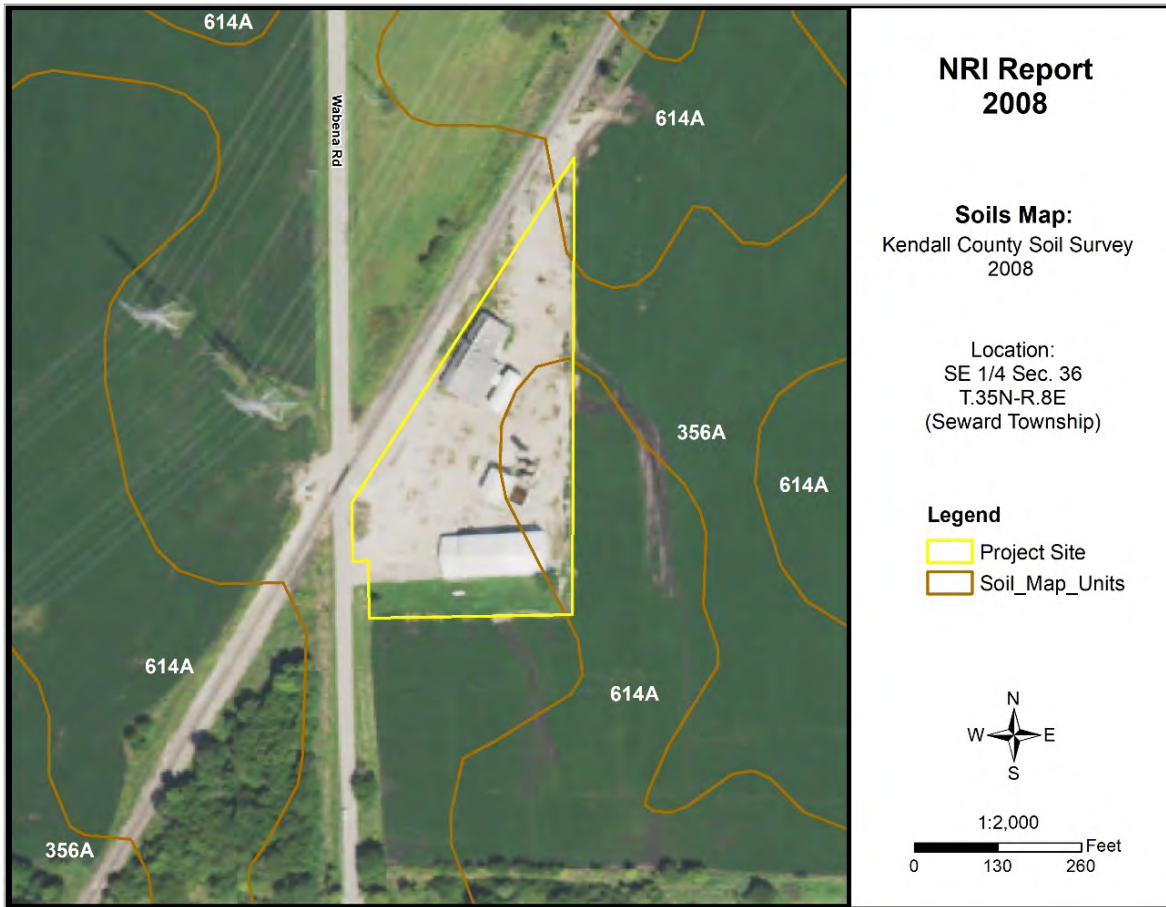
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## **EXECUTIVE SUMMARY**

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

**NATURAL RESOURCE CONSIDERATIONS**



**Figure 1: Soil Map**

**SOIL INFORMATION**

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

**Table 1: Soils Information**

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

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

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

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

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

**Table 2:** Water Features

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

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

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

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

### SOIL LIMITATIONS

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

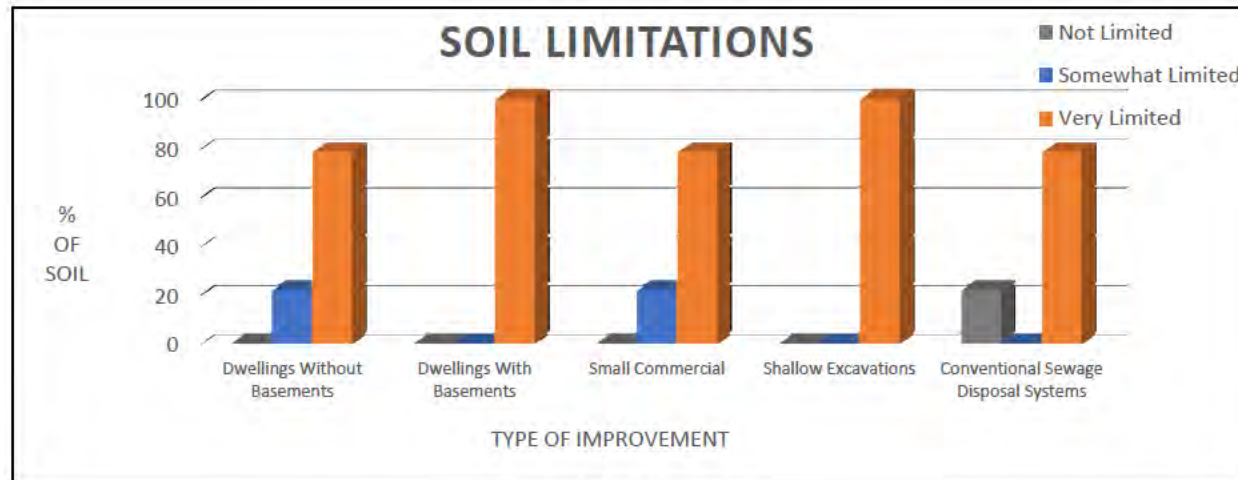
- **Not Limited:** Indicates that the soil has features that are very favorable for the specified use; good performance and low maintenance can be expected.
- **Somewhat Limited:** Indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome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

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

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

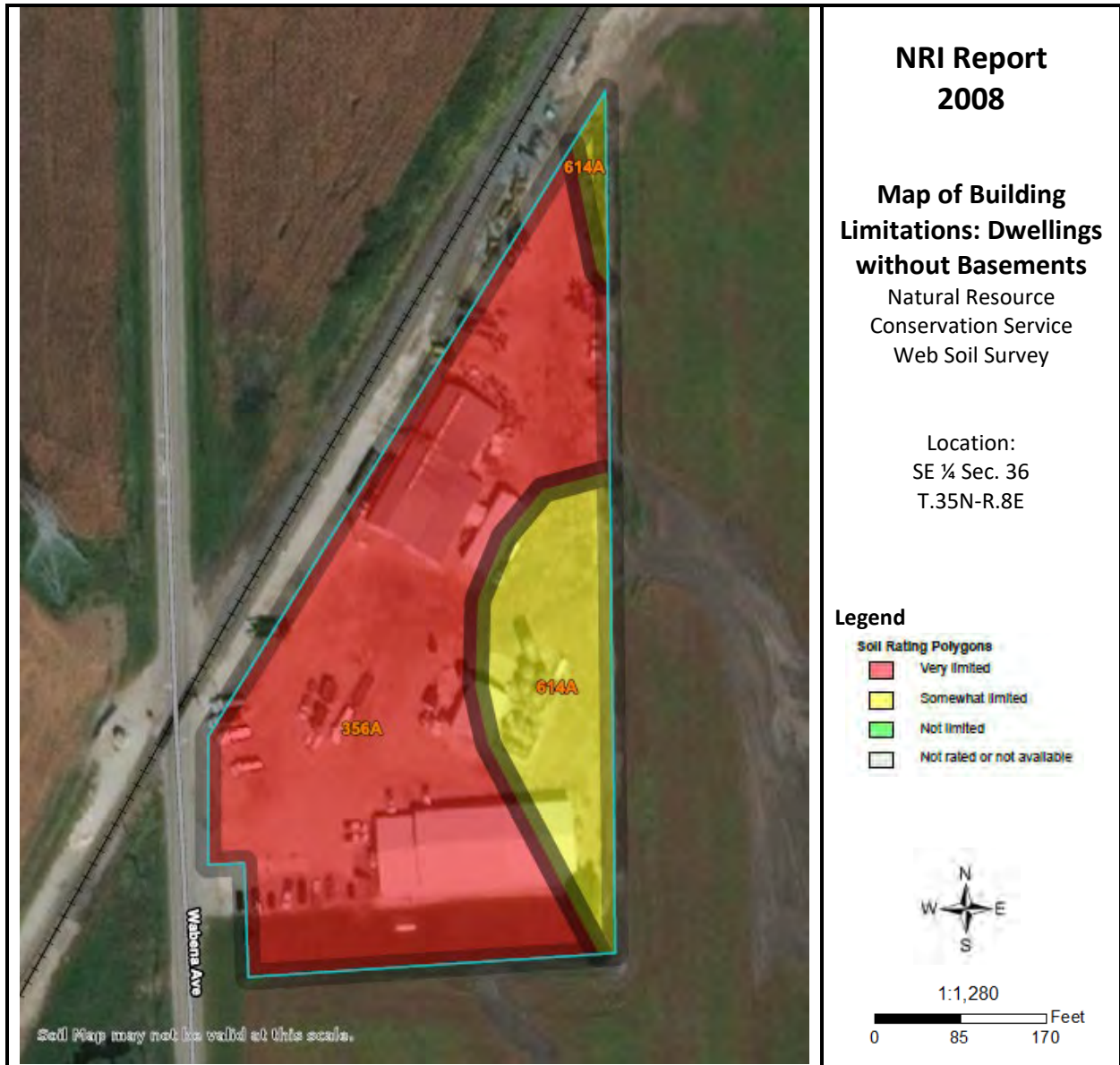
**Table 3:** Building Limitations

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



**Figure 2:** Soil Limitations

**Building Limitations Maps:**



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

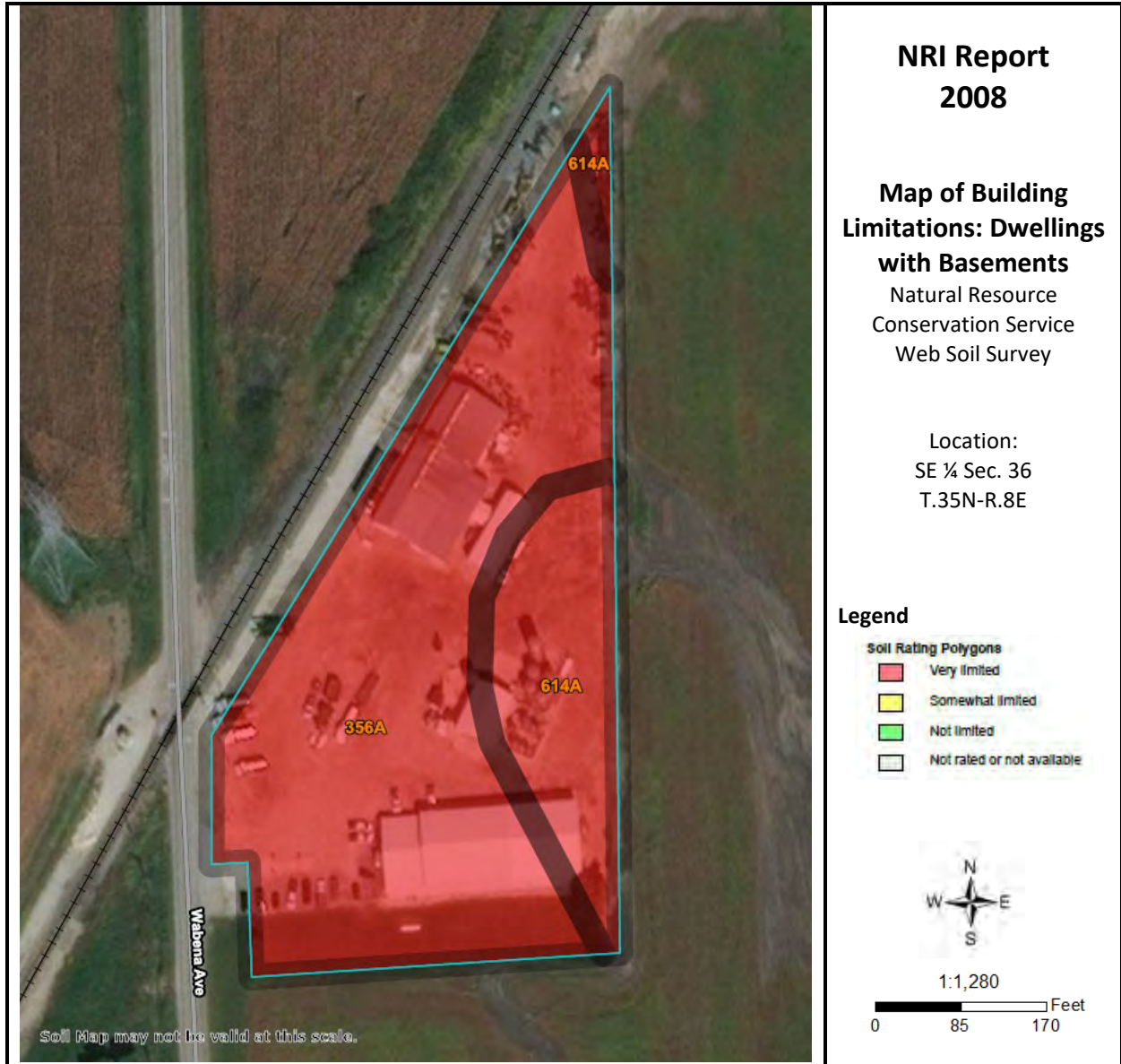


Figure 3B: Map of Building Limitations – Dwellings with Basements



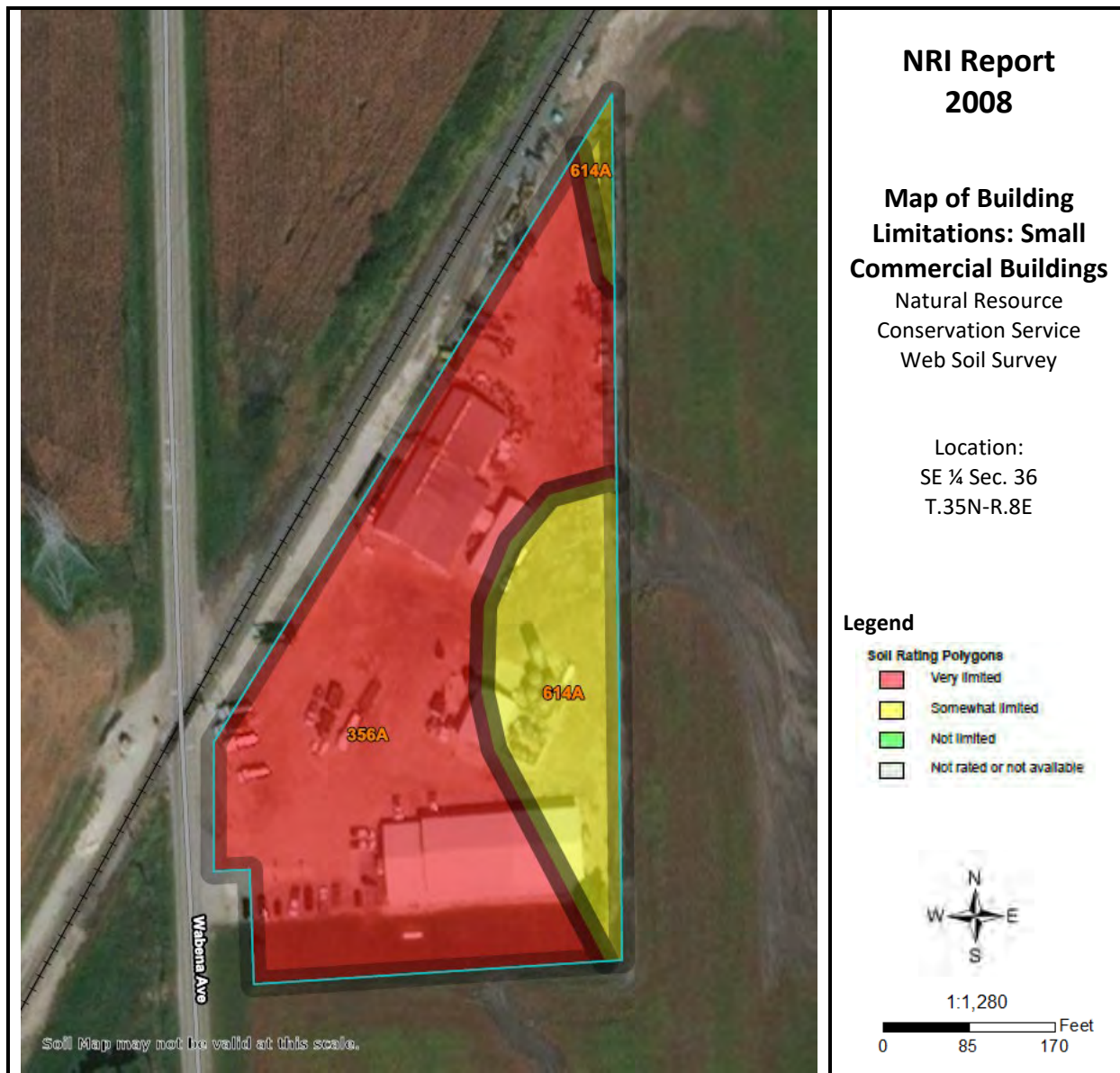
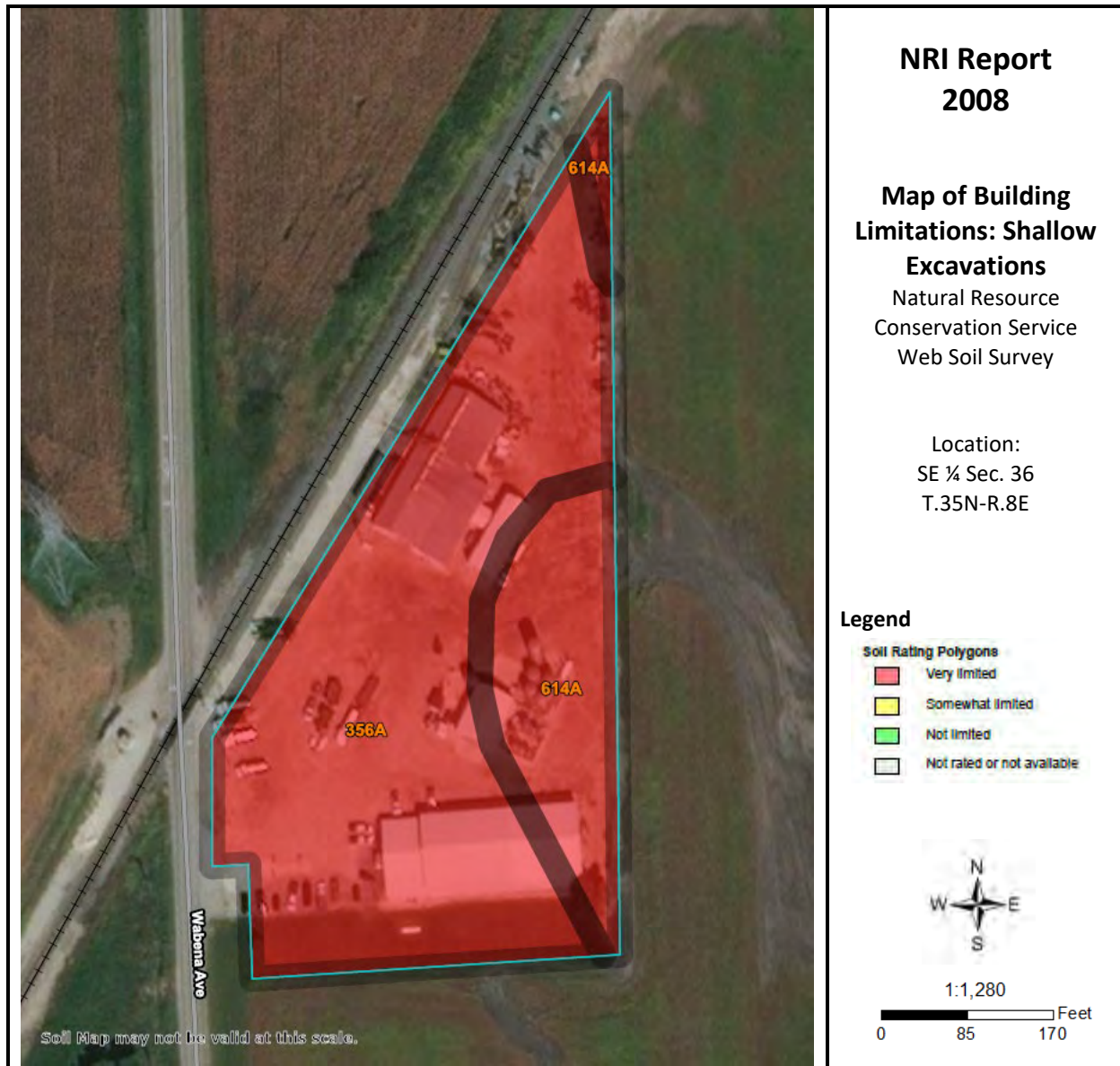


Figure 3C: Map of Building Limitations – Small Commercial Buildings



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

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

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

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

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

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

**Table 4A:** Land Evaluation Computation

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

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

**Table 4B:** Site Assessment Computation

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

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

**Table 5:** LESA Score Summary

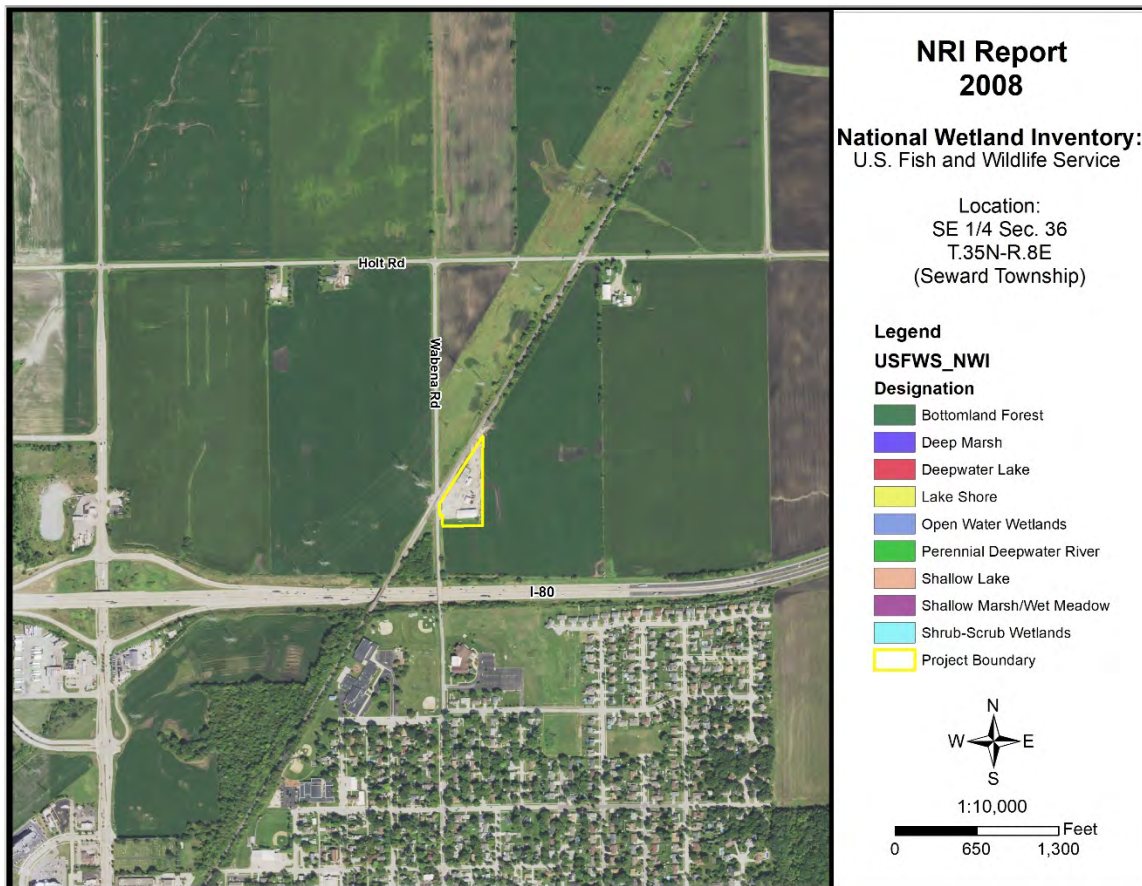
LESA SCORE	LEVEL OF PROTECTION
0-200	Low
201-225	Medium
226-250	High
251-300	Very High

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

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

**WETLANDS**

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



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

**FLOODPLAIN**

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

**National Flood Hazard Layer FIRMette**

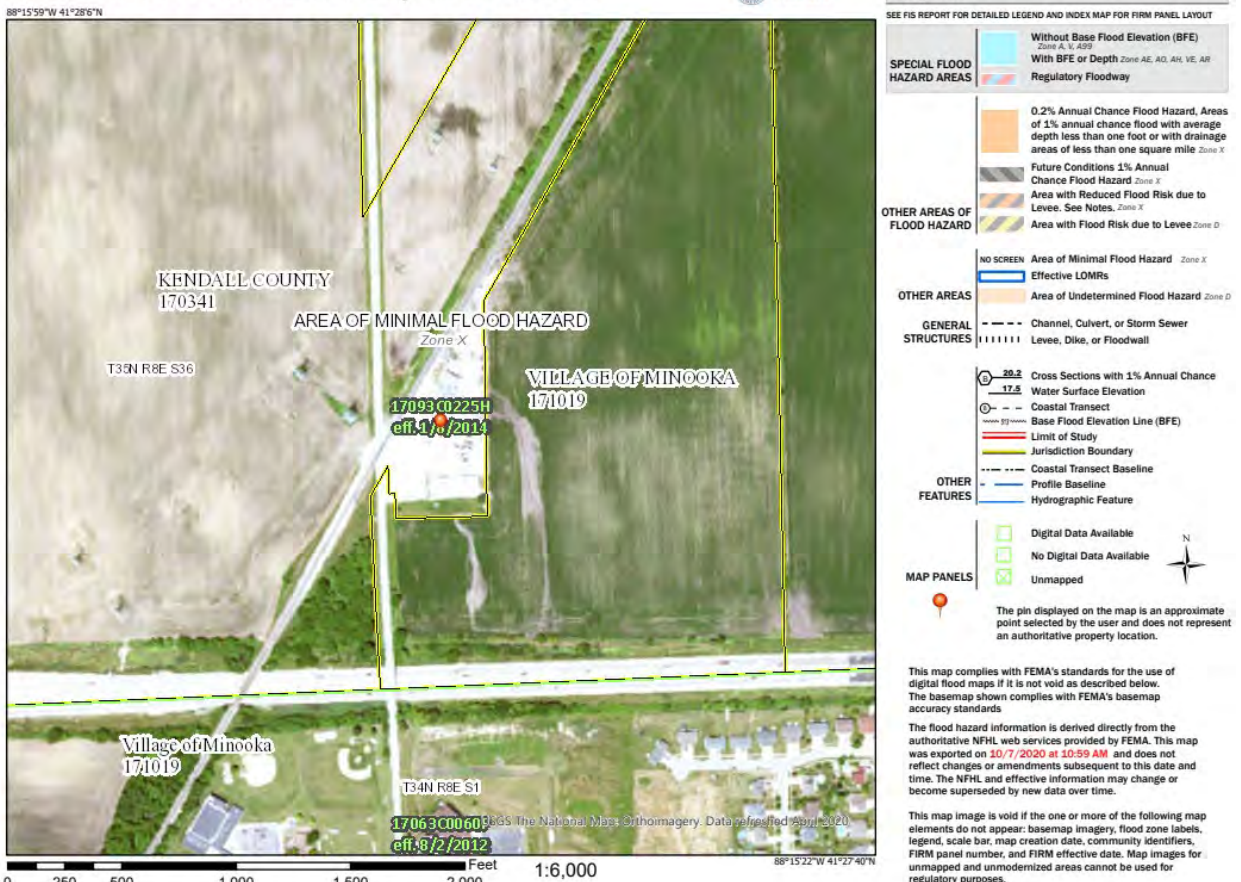


Figure 5: FEMA Floodplain Map

**SEDIMENT AND EROSION CONTROL**

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

**LAND USE FINDINGS**

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

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

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

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

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

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

[Redacted Signature]

SWCD Board Representative

10/12/2020  
Date

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

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

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

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

**ROLL CALL**

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

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

Staff Present: Matthew H. Asselmeier, Senior Planner

Others Present: Paul Martin

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

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

**PUBLIC HEARING**

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

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

Mr. Asselmeier summarized the request.

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

The application materials and aerial were provided.

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

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

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

There are no floodplains or wetlands on the property.

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

Pictures of the property were provided.

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

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

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

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

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

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

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

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

A railroad is also located adjacent to the subject property.

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

The votes were as follows:

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

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

The motion carried.

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

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

**PETITIONS**

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

Mr. Asselmeier summarized the request.

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

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

The application materials and aerial of the property are provided.

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

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

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

There are no floodplains or wetlands on the property.

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

Pictures of the property were provided.

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

EcoCAT Report submitted and consultation was terminated.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The proposed Findings of Fact are as follows:

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

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

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

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

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

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

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

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

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

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

The votes were as follows:

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

Nays (0): None

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

The motion carried.

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

**CITIZENS TO BE HEARD/ PUBLIC COMMENT**

None

**NEW BUSINESS**

None

**OLD BUSINESS**

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

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

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

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

None

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

**OTHER BUSINESS/ANNOUNCEMENTS**

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

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

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

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

**ADJOURNMENT**

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

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

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

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



**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION  
OCTOBER 28, 2020**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
<i>Paul Martin</i>		