

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

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

Present:

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

Absent:

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

Audience:

Michele Morris, John Seheffer, and Paul Martin

**AGENDA**

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

**MINUTES**

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

**PETITIONS**

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

Mr. Asselmeier summarized the request.

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

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

The application materials and plat of vacation were provided.

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

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

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

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

There are no floodplains or wetlands on the property.

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

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

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

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

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

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

Staff recommends that the requested vacation with the following conditions:

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

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

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

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

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

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

Mr. Asselmeier summarized the request.

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

The application materials and aerial were provided.

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

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

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

There are no floodplains or wetlands on the property.

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

Pictures of the property were provided.

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

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

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

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

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

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

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

A railroad is also located adjacent to the subject property.

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

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

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

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

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

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

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

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

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

Mr. Asselmeier summarized the request.

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

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

The application materials and aerial of the property are provided.

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

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

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

There are no floodplains or wetlands on the property.

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

Pictures of the property were provided.

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

EcoCAT Report submitted and consultation was terminated.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**OLD BUSINESS/NEW BUSINESS**

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

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

**CORRESPONDENCE**

None

**PUBLIC COMMENT**

None

**ADJOURNMENT**

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


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

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

Enc.

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

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
<i>Paul Martin</i>	<i>For Grainco F.S.</i>	
<i>John Schefler</i>	<i>For Grainco F.S.</i>	
<i>Michele Morris</i>		