

DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 19-37

**John Dollinger on Behalf of Hansel Ridge, LLC
Amendment to Future Land Use Map in Land Resource
Management Plan
Public/Institutional to Commercial**

INTRODUCTION

Hansel Ridge, LLC would like an amendment to the Future Land Use Map contained in the Land Resource Management Plan for approximately eighteen point seven more or less (18.7 +/-) acres located on the northern half of the property currently addressed as 195 Route 52. If approved, the Petitioner would like to rezone the property to allow an athletic facility and a storage business to be located on the property; both of these requests were submitted as separate petitions.

The application materials are included as Attachment 1. A map showing the property is included as Attachment 2; the northern portion of the property is the subject of this Petition.

SITE INFORMATION

PETITIONERS: John Dollinger on Behalf of Hansel Ridge, LLC

ADDRESS: Northern 18.7 Acres of 195 Route 52

LOCATION: Northwest Corner of Route 52 and County Line Road



TOWNSHIP: Seward

PARCEL #: Northern Part of 09-13-200-002

LOT SIZE: 40 Acres (Total Existing Parcel) 18.7 +/- Acres (Proposed Reclassification Area)

EXISTING LAND USE: Agricultural

ZONING: A-1 Agricultural District

LRMP: Future Land Use	Public Institutional (Petitioner is Requesting a Change to Commercial)
Roads	County Line Road is a Township Maintained Arterial Road.
Trails	None
Floodplain/Wetlands	None

REQUESTED ACTION: Amendment to Future Land Use Map in the Land Resource Management Plan Changing the Classification of the Property from Public/Institutional to Commercial

APPLICABLE REGULATIONS: Section 13.07 – Map Amendment Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within 1/2 Mile
North	Agricultural	A-1	Public/Institutional and Suburban Residential (1 DU/Acre)	A-1 and A-1 SU
South	Agricultural/Farmstead/Fertilizer and Grain Operation	A-1 and A-1 SU	Public/Institutional and Suburban Residential	A-1 and A-1 SU
East	Agricultural	A-1 (Kendall County) A-1 (Will County)	Suburban Development	A-1 (Kendall County) A-1 (Will County)
West	Agricultural	A-1	Suburban Residential	A-1 and A-1 SU

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

The property owner is not requesting a change in the Future Land Use Map for the southern twenty-one more or less (21 +/-) acres of their property. Their property will remain classified as Public/Institutional on the Future Land Use Map.

Minooka School District 111 owns the adjacent properties to the north and west of the subject property.

The A-1 special use to the north is for a church. The A-1 special use to the south is for a fertilizer and grain storage operation. The A-1 special use to the west appears to be for an airstrip. The property at 276 Route 52 has a special use permit for a landscaping business.

Seven (7) existing houses are within one half (1/2) mile of the subject property.

ACTION SUMMARY

SEWARD TOWNSHIP

Petition information was sent to Seward Township on October 21, 2019. The Seward Township Planning Commission reviewed this request at their meeting on January 14, 2020. Concerns were expressed regarding traffic congestion and the potential for increased vehicular accidents. Discussion also occurred regarding drainage. The property's proximity to Shorewood and its location were the reasons for seeking the change to the Land Resource Management Plan and for the requested map amendments and special use permits. The Seward Township Planning Commission recommended approval of the request. The minutes of this meeting are included as Attachment 10.

The Seward Township Board reviewed this request at their meeting on January 14, 2020. They echoed the concerns of the Seward Township Planning Commission regarding traffic and drainage. The Seward Township Board recommended approval of the request. The minutes of this meeting are included as Attachment 11.

VILLAGE OF SHOREWOOD

Petition information was sent to the Village of Shorewood on October 21, 2019. The Village of Shorewood submitted an email on January 6, 2020, stating that they were in discussions with the Petitioner. This email is included as Attachment 9.

TROY FIRE PROTECTION DISTRICT

The Troy Fire Protection District has no objections to commercial uses as this location, see Attachment 8.

ZPAC

ZPAC reviewed this proposal at their meetings on November 5, 2019, and January 7, 2020. At the November 5th meeting, discussion occurred regarding well and septic service at the site. The Petitioner agreed to a right-of-way dedication along the County Line Road frontage. At the January 7th meeting, the Petitioner provided updated septic information and updated traffic information. The final size of the detention pond had yet been determined. The Petitioner was working on a pre-annexation agreement with Shorewood that would allow the Village to annex the property when the property becomes contiguous to the Village. It was noted that the Village of Shorewood would like the special use to apply to only the storage portion of the property and that the acreage between the storage units and County Line Road be zoned business without a special use permit and that a formal subdivision occur. The Petitioner agreed to a sixty foot (60') right-of-way dedication as measured from the centerline of County Line Road including a ten foot (10') dedication for utilities. It was also noted that the Village of Shorewood requested the removal of some fencing and the reorientation of some of the storage buildings. It was noted that the landscaping plan and signage plan required more definition. ZPAC recommended forwarding the proposal to the Kendall County Regional Planning Commission without objection; two (2) members were absent. The minutes of these meetings are included as Attachments 12 and 13 respectively.

KCRPC

The Kendall County Regional Planning Commission held a public hearing on this proposal on January 22, 2020. One (1) neighbor testified in opposition to the request because of concerns about traffic safety and the neighbor wanted the area to stay undeveloped. The Kendall Regional Planning Commission recommended approval of the request without objection; two (2) members were absent. The minutes of this hearing are included as Attachment 14.

ZBA

The Kendall County Zoning Board of Appeals reviewed this proposal at their meeting on January 27,

2020. The neighbor that testified against the proposal during the public hearing at the Kendall County Regional Planning Commission reiterated his concerns. Discussion occurred regarding traffic safety in the area. The Kendall County Zoning Board of Appeals recommended approval of the request without objection; one (1) member was absent. The minutes of this meeting are included as Attachment 15.

OTHER PLANS

VILLAGE OF SHOREWOOD

The Village of Shorewood's Future Land Use Map calls for this property to be Commercial and Government/Institutional.

WILL COUNTY

Will County gave deference to the Village of Shorewood. Will County favors suburban development, whether that be commercial or residential, in this area.

ANALYSIS

The subject property was originally planned to be a future school location. The southern portion of the subject property and the property immediately to the north of the subject property are both planned to be Public/Institutional. In addition, the property to the west and the property to the north are both owned by the Minooka School District 111. A school could still be placed in the area. Therefore, uses that support and that are not in conflict with educational related uses, including many commercial uses, could be placed on the subject property.

RECOMMENDATION

Because commercial uses require site plan approval, because the Village of Shorewood's Comprehensive Plan calls for this property to be Commercial, and because many commercial uses could be placed on the subject property that would complement education uses, Staff recommends approval of the requested change.

The draft resolution is included as Attachment 16.

ATTACHMENTS

1. Application Materials
2. Map
3. Looking West
4. Looking East
5. Looking Southwest
6. Looking South
7. Looking Northwest
8. October 10, 2019, Troy Fire Protection District Email
9. January 6, 2020 Email from the Village of Shorewood
10. January 14, 2020 Seward Township Planning Commission Meeting Minutes
11. January 14, 2020 Seward Township Board Meeting Minutes
12. November 5, 2019 ZPAC Minutes
13. January 7, 2020 ZPAC Minutes
14. January 22, 2020 Kendall County Regional Planning Commission Minutes
15. January 27, 2020 Kendall County Zoning Board of Appeals Minutes (This Item Only)
16. Draft Resolution

LAW OFFICES
OF

Daniel J. Kramer

1107A SOUTH BRIDGE STREET
YORKVILLE, ILLINOIS 60560
(630) 553-9500
Fax: (630) 553-5764

DANIEL J. KRAMER

KELLY A. HELLAND
D.J. KRAMER

September 30, 2019

Matt Asselmeier, Senior Planner
Kendall County Building & Zoning
Via E-mail: Masselmeier@co.kendall.il.us

REQUEST TO AMEND KENDALL COUNTY
LAND RESOURCE MANAGEMENT PLAN

Re: Goprobball, LLC Zoning and Special Use Application

Dear Mr. Asselmeier:

Please take this letter as the request of Hansel Ridge, LLC, Goprobball, LLC, and James Maffeo to amend the Kendall County Land Resource Management Plan in regard to the parcel of real property located slightly to the northwest of the intersection of Illinois State Route 52 and County Line Road adjacent to Will County.

The property is currently designated as Government Use under the Kendall County Land Resource Management Plan. No doubt that designation was given do to the fact that Minooka School District owned the property and anticipated during the heavy days growth pre-2007 to build a school on the site.

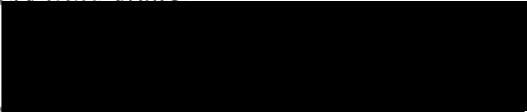
They since have determined that they are currently over-built, and went to market with the parcel and sold it over a year ago to a private owner. There is nothing remarkable about the land features, in that here arc no streams, ponds, lakes, or tree growth on the property.

Further it sits within the One and One-Half Mile Planning Boundary of the Village of Shorewood which has taken responsibility for future growth as opposed to the City of Joliet, under an Intergovernmental Agreement between the two entities.

We have made preliminary contact with the Village of Shorewood and are arranging for our One and One-Half Mile Review. Their planning staff has indicated that they feel the proposed recreational use is complementary to their exiting Plan which likewise showed the property for the school purpose.

We would ask that Kendall County Amend its Land Resource Management Plan in concert with our Petition for approval of our re-zoning for an indoor baseball facility and outdoor ancillary recreational uses. Should you have any questions please feel free to call my office.

Very truly yours,



Daniel J. Kramer
Attorney at Law

DJK/cth

STATE OF ILLINOIS)
)
COUNTY OF KENDALL)

CONSENT TO KENDALL COUNTY ZONING AND SPECIAL USE APPLICATION

NOW COMES HANSEL RIDGE, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY, OWNER, who does hereby consent to the Kendall County Zoning and Special Use Application submitted by GOPROBALL, LLC AN ILLINOIS LIMITED LIABILITY COMPANY for B-4 Commercial Recreation and B-3 Business District and Special Use for Outdoor Storage.

OWNER
HANSEL RIDGE, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY

BY:


Authorized Representative 

Dated: 9/27/19

KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Hansel Ridge, LLC
Address 7502 E Hansel Rd
City Channahon State IL Zip 60410

2. Nature of Benefit Sought _____

3. Nature of Applicant: (Please check one)
 Natural Person
 Corporation
 Land Trust/Trustee
 Trust/Trustee
 Partnership
 Joint Venture

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:

Limited Liability Company

5. If your answer to Section 3 you have checked letter b, c, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:

NAME	ADDRESS	INTEREST
<u>John Dollinger</u>	[REDACTED]	<u>50% Member</u>
<u>Edward Dollinger</u>	[REDACTED]	<u>50% Member</u>

6. Name, address, and capacity of person making this disclosure on behalf of the applicant:

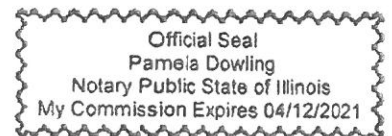
Theresa Dollinger, [REDACTED]

I, Theresa Dollinger, Attorney for Hansel Ridge LLC
VERIFICATION
making this disclosure on behalf of the applicant, being first duly sworn under oath that I am the person that I am duly authorized to make the disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Subscribed and sworn to before me this 27th day of September, A.D. 2019

(seal)

[REDACTED]
Notary Public





SPECIAL WARRANTY DEED

20190000682

DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL

PREPARED BY:

John F. Dixon
Law Offices of John F. Dixon, LLC
1415 West 55th Street
Suite 101
Countryside, IL 60525
Tel: (708) 352-1800
Fax: (708) 352-1888

RECORDED: 1/17/2019 10:23 AM
WD: 41.00 RHPSP FEE: 10.00
STATE TAX: 385.00
COUNTY TAX: 192.50
PAGES: 6

(The Above Space For Recorder's Use Only)

COUNTY OF KENDALL *Jm*
REAL ESTATE TRANSFER TAX

\$ 192.50

THE GRANTOR, D.W. Burke & Associates, LLC, an Illinois limited liability company ("Grantee"), of the Village of Hinsdale, County of DuPage, State of Illinois, for and in consideration of the sum of TEN & 00/100 (\$10.00) DOLLARS and other good and valuable consideration in hand paid, CONVEYS and WARRANTS to **HANSEL RIDGE, L.L.C.**, an Illinois limited liability company, of the Village of Channahon, County of Grundy, State of Illinois ("Grantee"), the receipt of which is acknowledged, does grant, bargain, sell and convey, with covenant of Special Warranty to Grantee, all of Grantor's right, title and interest in and to the real property situated in the County of Kendall, in the State of Illinois, as legally described in **Exhibit A**, attached hereto and made a part hereof. This conveyance is with: (i) all of Grantor's right, title and interest in and to all rights, benefits, privileges, easements, tenements and appurtenances, including all of Grantor's right, title and interest in and to any adjacent streets, roads, alleys, easement and rights-of-way; (ii) all of Grantor's right, title and interest and to any and all improvements and buildings located on the Property; and (iii) all of Grantor's right, title and interest in any and all fixtures affixed or attached to, or situated on, or acquired or used in connection with the Property (the Property, together with the rights, appurtenances and interest, improvements, buildings, and fixtures being collectively called the Property). However, the conveyance is subject to those exceptions and encumbrances below.

SUBJECT TO: See Permitted Exceptions in Exhibit B attached hereto

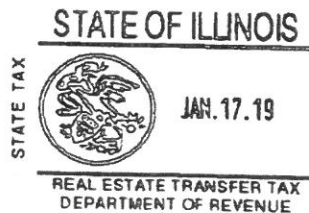
SUBSEQUENT TAX BILLS TO:

Hansel Ridge, L.L.C.
7502 E. Hansel Road
Channahon, IL 60410

AFTER RECORDING RETURN TO:

Castle Law
Attn: Theresa Dollinger
822 129th Infantry Drive
Suite 104
Joliet, Illinois 60435

C.T.I./CY
18gnw/90007CS
1092KB



# 000017560	REAL ESTATE TRANSFER TAX <i>Jm</i>
	00385.00
	FP 326656

6

DATE: December 20, 2018

GRANTOR:

D.W. Burke & Associates, LLC,
An Illinois limited liability company

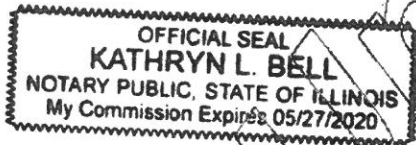
[Redacted Signature]

By Donald W. Burke, Jr., Manager

STATE OF ILLINOIS)
) S.S.
COUNTY OF COOK)

I, a notary public in and for the county and state above, do certify that **DONALD W. BURKE, JR.**, as **MANAGER OF D.W. BURKE & ASSOCIATES, LLC**, an Illinois limited liability company, and being known to me to be the same person whose name is subscribed to the above instrument, appeared before me this day in person and acknowledged that he signed and delivered the instrument as his free and voluntary act, for the uses and purposes stated above.

GIVEN under my hand and official seal, this 20th day of December, 2018



[Redacted Signature]
Notary Public

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1: THAT PART OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE NORTH RIGHT OF WAY OF U.S. ROUTE 52, LYING EAST OF THE EAST LINE OF THE WEST 1500 FEET OF SAID NORTHEAST 1/4, AND LYING SOUTH OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 13; THENCE SOUTH 00 DEGREES 00 MINUTES 03 SECONDS EAST, ON THE EAST LINE OF SAID NORTHEAST 1/4, 1142.05 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 31 MINUTES 49 SECONDS WEST, PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST 1/4, 1152.42 FEET TO THE EAST LINE OF THE WEST 1500 FEET OF SAID NORTHEAST 1/4, FOR THE TERMINUS OF SAID LINE, ALL IN KENDALL COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE SOUTHERLY RIGHT OF WAY OF U.S. ROUTE 52 PER DEDICATION RECORDED JANUARY 13, 1933 IN KENDALL COUNTY, ILLINOIS.

PROPERTY INDEX NUMBER: 09-13-200-002

COMMONLY KNOWN AS: 195 US Highway 52, Minooka, IL 60447

Unofficial

EXHIBIT B

PERMITTED EXCEPTIONS

1. Taxes that accrued, but not yet due and payable.
2. Rights, if any, of public and quasi-public utilities in the Land as disclosed by underground telephone lines, utility poles, gas main, and overhead electric lines as show on Survey number 404-1931-as prepared by Ruettiger, Toelli & Associates, Inc. dated September 20, 2004.
3. Rights of way for drainage tiles, ditches, feeders, laterals and underground pipes, if any.
4. Rights of the public, the State of Illinois, County of Kendall and the municipality in and to that part of the Land, if any, taken or used for road purposes, including that portion thereof falling within the public highway known as Route 69 running along the Southerly line and Southeasterly corner of the Land as same was originally constituted by instrument of dedication recorded January 12, 1933 in Book 86 Deeds, Page 44.
5. Easement in favor of the Commonwealth Edison Company, and its/their respective successors and assigns, to install, operate and maintain all equipment necessary for the purpose of serving the Land and other property with warning siren, together with the right of access to said equipment, and the provisions relating thereto contained in the grant recorded/filed as Document No. 81-4692, affecting the West Line of the Land.
6. No right of way dedication was found for County Line Road per the notes on the Plat of Survey Prepared by Ruettiger, Tonelli & Associates, Inc. dated September 20, 2004



Debbie Gillette

Kendall County Clerk & Recorder

STATE OF ILLINOIS

COUNTY OF KENDALL

Donald W. Burke, JR., being duly sworn on oath, states that affiant owns 195 US Highway 52, Minooka, IL 60447 And further states that: (please check the appropriate box)

A. That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being part of a larger tract of land; or

B. That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

AFFIANT further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

111 West Fox Street, Yorkville IL 60560-1498
Tel: (630) 553-4104 • Fax: (630) 553-4119 • Email: Dgillette@co.kendall.il.us

SUBSCRIBED AND SWORN BEFORE ME

This 21st day of December, 2018

[Redacted Signature]

Signature of Notary Public

D.W. Burke & Associates, LLC

By: Donald W. Burke, Jr., Manager

[Redacted Signature]

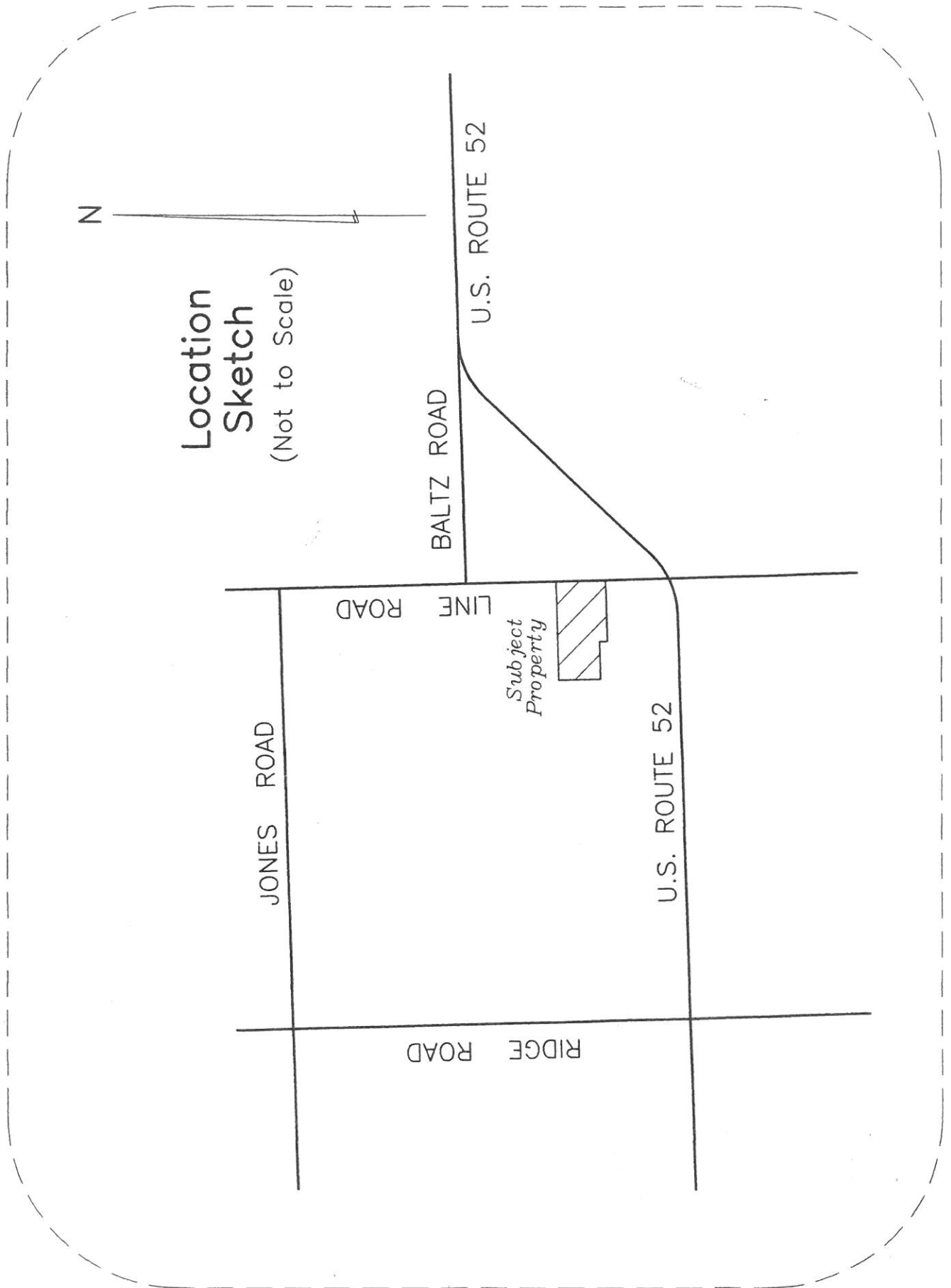
By: Kody L. Lake, Attorney-in-fact



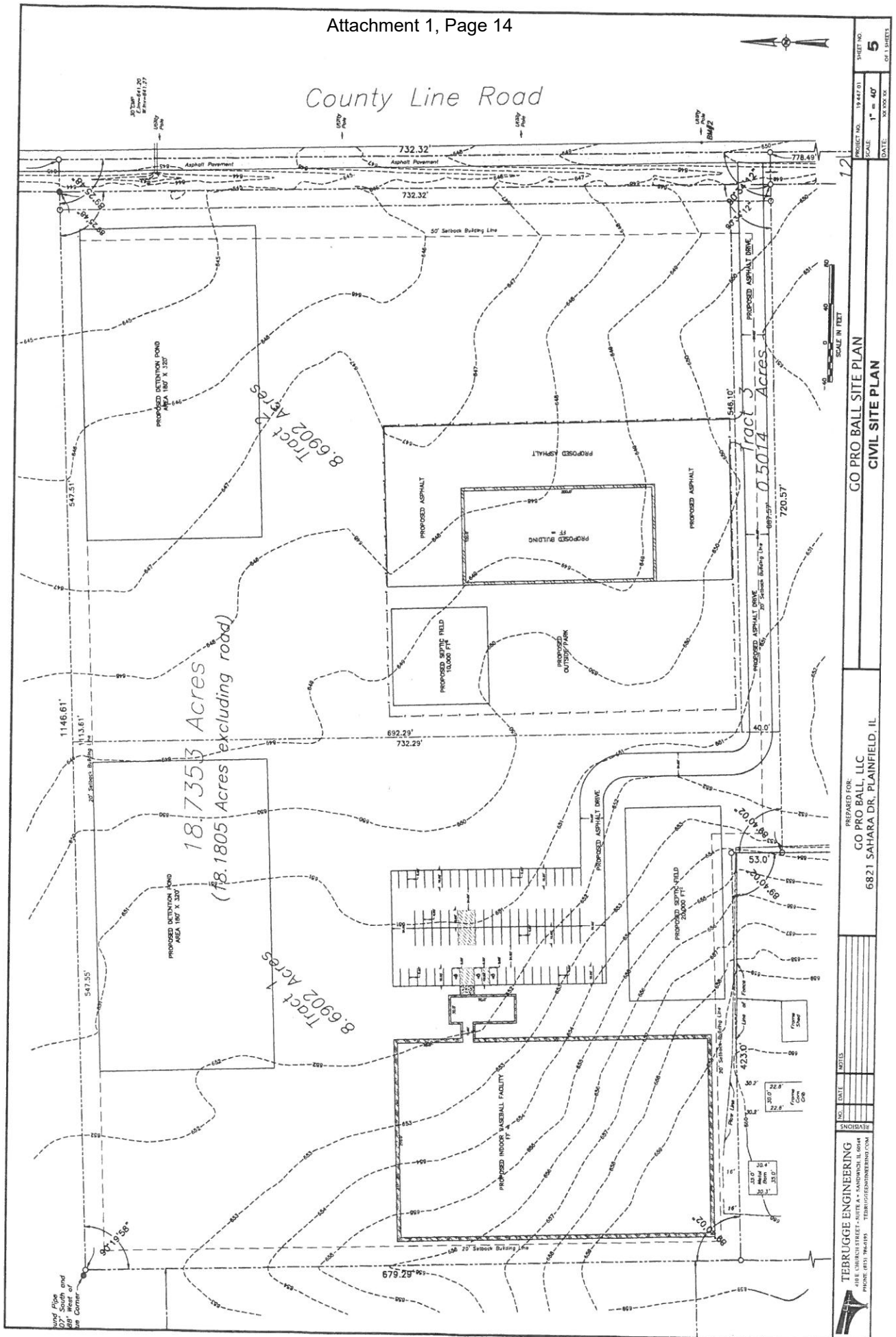
Unofficial

LEGAL DESCRIPTION:

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet for the point of beginning; thence Westerly, parallel with the North Line of said Northeast Quarter, 1146.61 feet to a line which is 1500.0 feet (normally distant) Easterly of the West Line of said Northeast Quarter; thence Southerly, parallel with said West Line, 679.29 feet; thence Easterly, parallel with said North Line, 423.0 feet; thence Southerly, parallel with said West Line 53.0 feet; thence Easterly, parallel with said North Line, 720.57 feet to said East Line of the Northeast Quarter; thence Northerly, along said East Line, 732.32 feet to the point of beginning in Seward Township, Kendall County, Illinois.



County Line Road



PROJECT NO. 19-047-01
 SCALE 1" = 40'
 DATE 03.09.08
 SHEET NO. 5
 OF 1 SHEETS

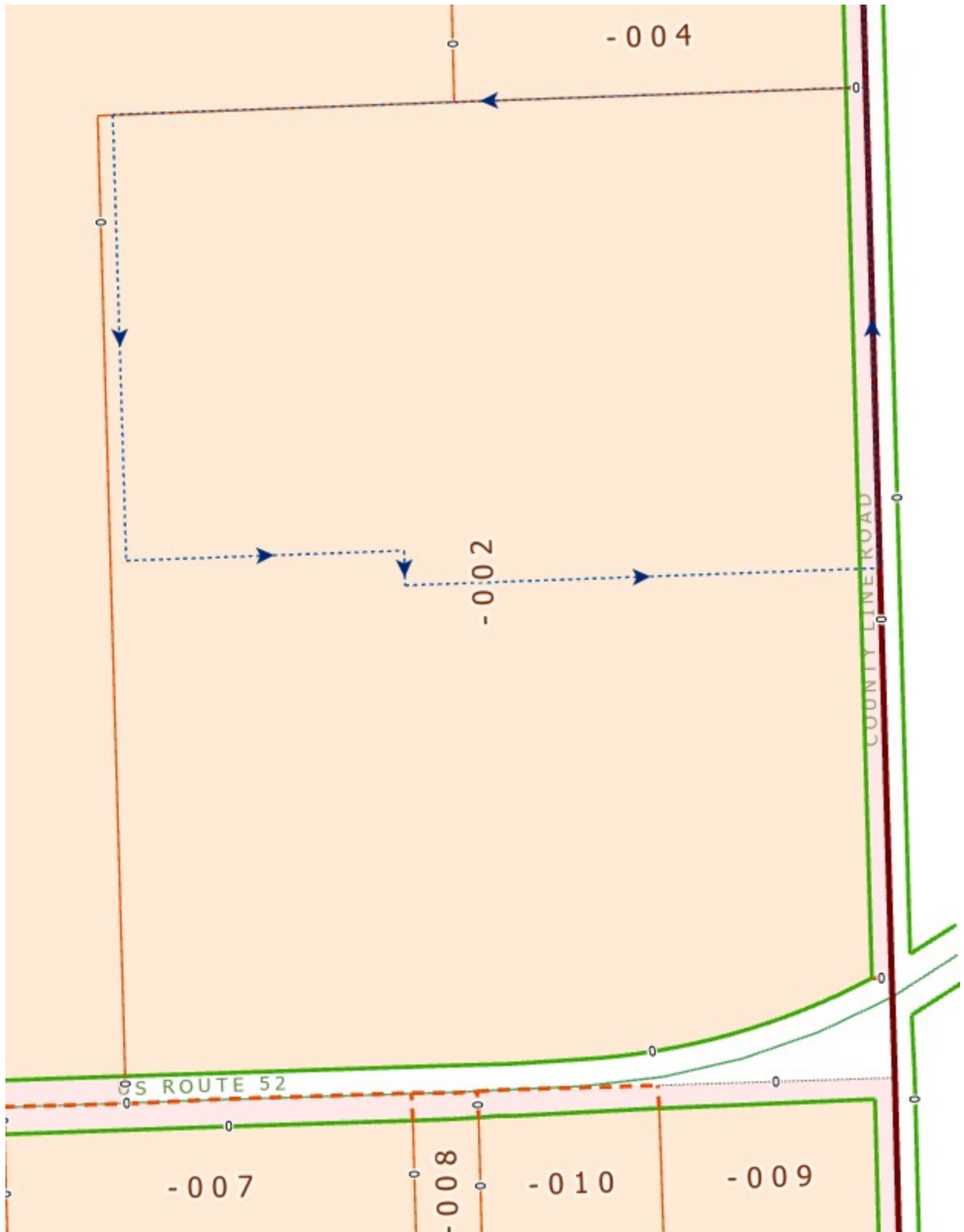
GO PRO BALL SITE PLAN
 CIVIL SITE PLAN

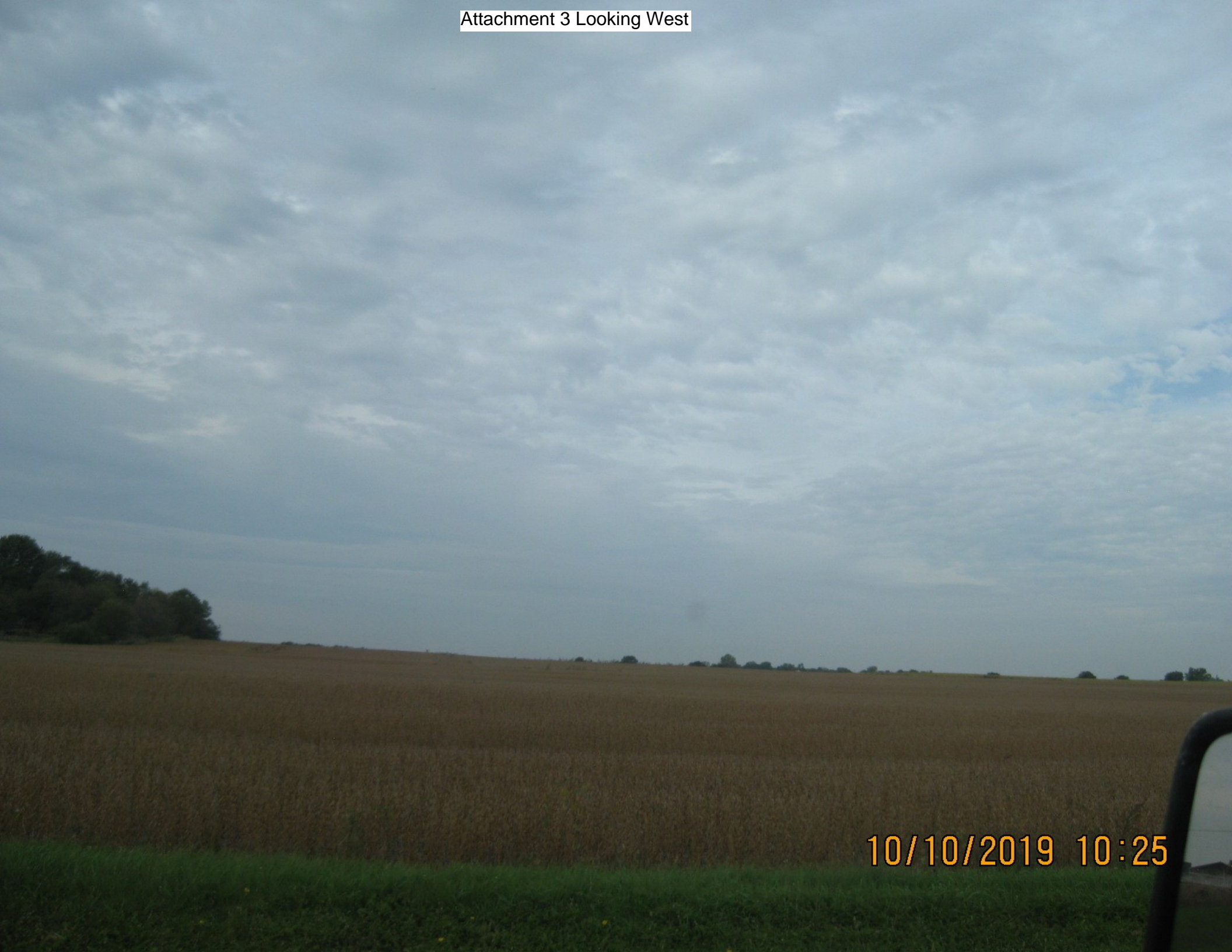
PREPARED FOR
 GO PRO BALL, LLC
 6821 SAHARA DR, PLAINFIELD, IL

NO.	DATE	NOTES

REVISIONS

TEBRUGGE ENGINEERING
 418 E. CUBA STREET, SUITE 4 • SANDOZVILLE, IL 62454
 PHONE (618) 786-6195 • TEBRUGGEENGINEERING.COM





10/10/2019 10:25

Attachment 4 Looking East



10/10/2019 10:25



10/10/2019 10:26



10/10/2019 10:26



10/10/2019 10:25

Matt Asselmeier

From: andrew doyle <adoyle@troyfpd.com>
Sent: Thursday, October 10, 2019 1:29 PM
To: Matt Asselmeier
Subject: [External]RE: 195 Route 52 Question

Mr. Asselmeier,

Thank you for reaching out to our department regarding the rezoning change for 195 Route 52. We currently do not have any concerns regarding the proposed changes.

Thank you,
Andy

Andrew Doyle

Andrew Doyle, Fire Chief
Troy Fire Protection District
700 Cottage St.
Shorewood, IL 60404
815-725-2149 Main Line
815-651-2102 Direct Line
815-725-0772 Fax Line
815-791-0391 Cell Phone
www.troyfirepd.com



CONFIDENTIALITY NOTICE: THE MATERIAL ENCLOSED WITH THIS TRANSMITTAL AND ANY ATTACHMENTS ARE PRIVATE AND CONFIDENTIAL AND ARE THE PROPERTY OF THE SENDER. THE INFORMATION MAY BE PRIVILEGED AND IS INTENDED FOR THE USE OF THE INDIVIDUAL(S) OR ENTITY(IES) TO WHOM IT IS DIRECTED. IF YOU ARE NOT THE INTENDED RECIPIENT, BE ADVISED THAT ANY UNAUTHORIZED DISCLOSURE, COPYING, DISTRIBUTION OR THE TAKING OF ACTION IN RELIANCE ON THE CONTENTS OF THIS TRANSMITTAL IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS INFORMATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY REPLYING TO THE SENDER AND DELETING THIS COPY FROM YOUR SYSTEM

From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Thursday, October 10, 2019 12:36 PM
To: andrew doyle
Subject: 195 Route 52 Question

Chief Doyle:

Kendall County received a request to change its Future Land Use Map for the northern portion of 195 Route 52 (PIN 09-13-200-002) from Public Institutional to Commercial. The property owner also wants to rezone the property from A-1 Agricultural to B-3 Highway Business District with a special use permit for indoor/outdoor storage and B-4 Commercial Recreation District to construct an indoor athletic facility.

Does the Troy Fire Protection District have any general concerns about this type of proposal?

I am at the initial phase of reviewing this application and will send you more information as I proceed with my review.

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

--

This email was Malware checked by UTM 9. <http://www.sophos.com>

Matt Asselmeier

From: Engel_Natalie <nengel@vil.shorewood.il.us>
Sent: Monday, January 6, 2020 5:29 PM
To: Matt Asselmeier
Cc: Chrissy_Kelley
Subject: [External]ZPAC Meeting

Hi Matt,

Happy New Year!

Kelley and I will not be able to attend tomorrow's ZPAC meeting but wanted to provide some comments regarding the projects within 1 ½ miles of Shorewood's boundaries.

Petitions 19-37, 19-38 and 19-39

We met with Dan Kramer to discuss the projects. We provided some feedback and suggestions regarding the site layout and zoning uses. He was open to our comments and agreed to carry them back to his clients.

They will be submitting applications to the Village and we hope to bring forward their proposals for discussion at our February 5, 2020 Planning and Zoning Commission meeting. I will touch base with you when we have applications and a staff report.

Petition 19-47

Our main concerns regarding the Doggy Day Care project are about noise impacts on the neighbors. We are comfortable that you are addressing these concerns so we defer to you on this project.

When the site and engineering plans are available, please have the applicants send over a copy to Shorewood so that we can determine whether they trigger our Subdivision and Development Ordinance.

Thank you Matt! Please let us know if you have any questions or need any information from us.

Natalie Engel, AICP

Village Planner



Village of Shorewood

One Towne Center Blvd | Shorewood, IL 60404

815.553.2314

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SEWARD TOWNSHIP PLAN COMMISSION MINUTES

JANUARY 14, 2020

The Seward Township Plan Commission met on January 14, 2020 at 6:00 p.m. . Members present included Rob Lombardo, Jessica Nelsen, Eleanor Beutel and Suzanne Casey. Daniel Dugan was absent. Following the pledge to the flag, Chairman Lombard initiated discussion of the two proposals for the evening.

The first presentation was by Michael Cook of Cook Engineering representing the proposal for a Veterinary Clinic/Doggy Daycare on 6.99 acres at the Northeast corner of Bell Road and Ridge Road. The Developer was not present. Grading and drainage, signage and the construction of the buildings was all presented, with clarifying questions asked. A discussion of the traffic on Ridge Road followed, and the corner in question being one that experiences heavy traffic coming north from Minooka. The explanation was that only individuals would be coming and going, and not large numbers of people at one time. Additionally, members questioned the septic and well components of the project, and the explanation of the detailed Department of Public Health review that would be executed at the time of construction seemed to satisfy members present. When questioned as to why this location was selected, it did not appear that it was for business reasons, but rather land available for purchase in an area that seemed desirable for such a business.

In summary, the committee felt that if the grading plans, signage, and construction, landscaping and traffic flow were all considered by the developer, the plan would be an appropriate addition to the township. The motion to approve was made by Jessica, and seconded by Eleanor. Motion to approve carried.

The next proposal for consideration, the construction of a Sports Dome, as well as several storage units, was presented by Daniel Kramer on behalf of the developer, who was not present. Numerous questions were raised by the committee and by public members present. Drainage, septic and well, and landscaping were all presented and questioned. Considerable discussion occurred relative to the storage units, their location, and road access in and out of that facility. Two community members/residents who reside directly next to and across the street from the proposed project were present and expressed concerns. It was the committee's understanding from the presenter, Mr. Kramer, that given the traffic patterns in this congested area, and the expectation for continued growth, there would be road access/widening at the entrance into the storage facility/dome, and a parking lot area that could be expanded into restaurant or other gathering options for individuals coming to the sport dome in the future. This would lessen the potential for congestion/accidents at the entrance off County Line. Additionally, it was clarified that the land being purchased was not from the School District but from the Dollinger family. The Sports Dome would, however, be located adjacent to school district property, and potentially a school in the future. There was less concern expressed for

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the Sports Dome, than for the construction of several storage units. Again, the question was raised as to why this land was selected for the development, and the answer was essentially that it was for sale and in a geographic area close to Shorewood. After lengthy discussion, a motion to approve was made by Jessica Nelson and seconded by Rob Lombardo. Motion carried.

It should be noted that in both presentations, discussion was had regarding the traffic congestion in this area, and the impact of establishing such businesses in areas where traffic/congestion/accidents are already an issue. The committee was advised that traffic management by either County or State follows growth build-out, and until the area grows, and emerging traffic patterns produce a need for road re-routing, traffic lights, etc. will not be considered. For some members, traffic and accidents still remained a concern.

The meeting adjourned at 7:15 p.m.

Minutes submitted by Suzanne Casey

January 15, 2020

STATE OF ILLINOIS
Kendall County
Town of Seward

The Board of Trustees met at the office of the Town Clerk at Seward Town Hall on January 14, 2020.

Present:

Mrs. Jean Homerding, Supervisor
Ms Sharleen Smith, Clerk
Mr. Tom Fleming, Trustee
Mr. Dan Roberts, Trustee
Mr. Jim Martin, Trustee
Mrs. Anne Vickery, Road Commissioner
Mr. Phil Chaney, Trustee

Jean Homerding, Chairperson and Sharleen Smith, Clerk conducted the following business.

The Seward Township January 14, 2020 meeting was called to order at 7:40 p.m. All Trustees were present and there were 6 visitors. After the Pledge of Allegiance, the minutes of the December meeting were read. A motion to approve the minutes was made by Jim Martin and seconded by Tom Fleming. All in favor motion carried. Balances in all funds were reviewed and reported. An itemized list is attached. The following are the balances of the township funds Corporate Fund \$439,530.75, Road and Bridge \$936,523.69, Hard Road \$657,597.49, Special Bridge \$838,562.69, and General Assistance \$6,384.33.

Phil Chaney made a motion to approve the Corporate Fund bills in the amount of \$8,611.37. Jim Martin seconded all members voting, Aye and the motion carried.

Motion to approve the bills in the Road and Bridge Fund in the amount \$27,458.49 was made by Tom Fleming and seconded by Dan Roberts. All members voting Aye, motion carried.

Motion to approve the bills in the Hard Road Fund in the amount \$2,107.69 was made by Jim Martin and seconded by Phil Chaney. All members voting Aye, motion carried.

Correspondence: We received a "thank you" from Joliet Hospice for our donation.

Old Business: none

In new business: There was some discussion about the 2 new businesses applying for a special use permit. Since most of the Trustees were at the Planning Commission meeting, much of their concerns were voiced and reflected in those minutes. However, of special note, for both the Doggy Day Care and Clinic and also the Go pro facility and storage units, it was noted that flooding can be an issue even with the creating of retention ponds. It was asked if the companies had checked out the tiles that were already in the fields and how they were going to impact the new facilities. Both claimed that the retention ponds and sewers would handle the drainage issues. It is still a major concern for the trustees. Also the traffic pattern on Rte 52 for the Go pro facility is a huge concern. This is a terrible intersection now. It was asked if IDOT is involved in a traffic study. Mr Kramer, the lawyer for Go pro said he is trying to get them involved but says that is not his concern, that is an IDOT issue. Again there is strong concern about the safety of Kendall County residents with the added traffic at that intersection. Mr. Kramer stated that they would encourage people to use Baltz Road but that just moves the danger up to around the curve. Dan Roberts made a motion to approve both projects which was the recommendation of the Planning Committee with **STRONG CONCERNS** regarding the drainage issues and the traffic issues. Tom Fleming seconded, all in favor, motion carried.

Tom Fleming discussed possibilities about helping Grundy County and/or Kendall County PADS. No decision was made.

The Tax Abatement Form was presented. This will be the last one as the building is paid off. Dan Roberts made a motion to accept with Tom Fleming seconding. All in favor, motion carried.

In public comments, Officer Kallas of the Kendall County Sheriff's Department stated that there were 32 service calls and 25 traffic stops. He also thanked the Road Commissioner and her staff for the help with the fatal accident on O'Brien and Sherril.

With no further business, a motion to adjourn was made Dan Roberts and seconded by Jim Martin. All members voted Aye, motion carried. Meeting adjourned at 8:10 p.m.

Our next scheduled meeting is February 11, 2020 at 7:30pm

Attest

Sharleen Smith/ Clerk

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
November 5, 2019**

PBZ Chairman Matthew Prochaska called the meeting to order at 9:02 a.m.

Present:

Megan Andrews – Soil and Water Conservation District
Matt Asselmeier – PBZ Department
Meagan Briganti – GIS
Fran Klaas – Highway Department
Commander Jason Langston – Sheriff's Department
Matthew Prochaska – PBZ Committee Chair
Aaron Rybski – Health Department

Absent:

Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Brian Holdiman – PBZ Department

Audience:

Ruben Hernandez, John Tebrugge, Dan Kramer, Anne Vickery, and Natalie Engel

AGENDA

Mr. Klaas made a motion, seconded by Ms. Andrews, to approve the agenda as presented. With a voice vote of all ayes, the motion carried unanimously.

MINUTES

Ms. Andrews made a motion, seconded by Mr. Rybski, to approve the October 1, 2019, meeting minutes by correcting the date of approval of the previous minutes from September 30 to September 3. With a voice vote of all ayes, the motion carried unanimously.

PETITIONS

Petition 19-36 Ruben Hernandez on Behalf of Majey Concrete, Inc.

Mr. Asselmeier summarized the request.

Majey Concrete, Inc. is requesting permission to construct pads for vehicles and equipment on lots 6-10 of Light Road Industrial Park. The proposed parking lots consist of one hundred thirty-four (134) parking stalls of varying depths. The parking lots would be asphalt shavings with three (3) concrete paved access points off of Commerce Road.

If approved, the Petitioner would like to start construction and operations at the property as soon as possible.

This proposal is similar to a site plan approved earlier in 2019 for Lots 1-5 of the Light Road Industrial Park.

The property is approximately five point five (5.5) acres in size and is zoned M-1.

The Future Land Use Map calls for the property to be Mixed Use Business.

Light Road is a Township maintained Collector Road. Commerce Road is a Local Road maintained by Oswego Township. The Village of Oswego has a trail proposed along Light Road.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad, industrial, and agricultural to the north, Comed ROW to the south and east, and railroad and agriculture to the west. The adjacent zonings are M-1 to the north, east, and west and A-1 to the south. The Land Resource Management Plan calls for Mixed Use Business, Railroad, and Comed ROW in the vicinity. Zonings within one half (1/2) mile include A-1, R-6, R-7, R-7 SU, B-2, and M-1 in the County, M-2 in Montgomery, and R-1, R-2, and M-2 in Oswego.

EcoCat was submitted and found the Iowa Darter in the area, but no adverse impacts were anticipated.

An NRI was not required.

Information was sent to Oswego Township, Bristol Township, Oswego Fire Protection District, the Village of Montgomery, and the Village of Oswego. The Oswego Fire Protection District had no comments because no structures were planned and the Knox Box information would be provided.

WBK requested the following information:

1. Submit stormwater calculations that document the percent impervious is consistent with original / approved design, overflow routes continue to have capacity as per original design, tributary area to each basin is per original design, emergency overflow routes from each basin are not impeded and the volume changes as a result of proposed grading are defined in a stage storage table.
2. Record drawing of the revised basin grading will be required to verify stage storage requirements.
3. Sheet 3 – Filter baskets shall be used at all inlets. Filter fabric is not allowed and reference to it shall be removed. Add filter baskets at all inlets within the limits and adjacent to the project. Please depict these specifically on the plan.
4. Sheet 5 – Remove the proposed light pole from the north drainage swale.
5. Sheet 5 – Provide proposed elevations at the perimeter of the grindings to assure drainage patterns are clear and constructed properly.
6. Sheet 5 – Provide proposed elevation for all curb including where depressions are proposed.

The proposed design standards were as follows:

Responsive to Site Conditions-Site plans should be based on an analysis of the site. Such site analysis shall examine characteristics such as site context; geology and soils; topography; climate and ecology; existing vegetation, structures and road network; visual features; and current use of the site. In addition to the standards listed below, petitioners must also follow the regulations outlined in this Zoning Ordinance. To the fullest extent possible, improvements shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative effects and alteration of natural features. Fragile areas such as wetlands and flood plains should be preserved as open space. Slopes in excess of 20 percent as measured over a 10-foot interval also should remain as open space, unless appropriate engineering measures concerning slope stability, erosion and safety are taken. No structures are planned for the site. A stormwater permit will be required prior to the issuance of any permits. Existing stormwater detention ponds are located to the southwest and west of Lots 8 and 9 and to the northeast of Lot 10.

Traffic and Parking Layout-Site plans should minimize dangerous traffic movements and congestion, while achieving efficient traffic flow. An appropriate number of parking spaces shall be provided while maintaining County design standards. The number of curb cuts should be minimized and normally be located as far as possible from intersections. Connections shall be provided between parking areas to allow vehicles to travel among adjacent commercial or office uses. Cross-access easements or other recordable mechanisms must be employed. Ample space exists on the property for the proposed use. The property will be fenced. Commerce Drive is maintained by Oswego Township.

Conflicts between pedestrians and vehicular movements should be minimized. When truck traffic will be present upon the site, the road size and configuration shall be adequate to provide for off-street parking and loading facilities for large vehicles. Barrier curb should be employed for all perimeters of and islands in paved parking lots, as well as for all service drives, loading dock areas, and the equivalent. Parking lots in industrial or commercial areas shall be paved with hot-mix asphalt or concrete surfacing. This is not an issue.

Site Layout-Improvements shall be laid out to avoid adversely affecting ground water and aquifer recharge; minimize cut and fill; avoid unnecessary impervious cover; prevent flooding and pollution; provide adequate access to lots and sites; and mitigate adverse effects of shadow, noise, odor, traffic, drainage and utilities on neighboring properties. The site will be laid out in a manner that will not impact shadow, noise, odor, or traffic. A stormwater permit must be secured prior to final approval by the County.

Consistent with the Land Resource Management Plan-The proposed use and the design of the site should be consistent with the Land Resource Management Plan. This is true.

Building Materials-The proposed site plan design shall provide a desirable environment for its occupants and visitors as well as its neighbors through aesthetic use of materials, textures and colors that will remain appealing and will retain a reasonably adequate level of maintenance. Buildings shall be in scale with the ultimate development planned for the area. Monotony of design shall be avoided. Variations in detail, form, and setting shall be used to provide visual interest. Variation shall be balanced by coherence of design elements. No building is planned for the site.

Relationship to Surrounding Development-A site shall be developed in harmony with neighboring street pattern, setbacks and other design elements. The proposed site development is in harmony with the existing use of neighboring properties provided fencing meets the Kendall County Zoning Ordinance.

Open Space and Pedestrian Circulation-Improvements shall be designed to facilitate convenient and safe pedestrian and bicycle movement within and to the property. This is not applicable.

Buffering-Measures shall be taken to protect adjacent properties from any undue disturbance caused by excessive noise, smoke, vapors, fumes, dusts, odors, glare or stormwater runoff. Incompatible, unsightly activities are to be screened and buffered from public view. The Petitioner plans to install a fence as required by the Kendall County Zoning Ordinance and the uses are away from neighboring residential uses.

Emergency Vehicle Access-Every structure shall have sufficient access for emergency vehicles. Staff would like comments from the Kendall County Sheriff's Department and Oswego Fire Protection District on this issue.

Mechanical Equipment Screening-All heating, ventilation and air conditioning equipment shall be screened on sides where they abut residential districts. No buildings are proposed.

Lighting-The height and shielding of lighting fixtures shall provide proper lighting without hazard to motorists on adjacent roadways or nuisance to adjacent residents by extending onto adjacent property. Cut-off lighting should be used in most locations, with fixtures designed so that the bulb/light source is not visible from general side view. Ten (10) lights, twenty feet (20') in height are proposed.

Refuse Disposal and Recycling Storage Areas-All refuse disposal and recycling storage areas should be located in areas designed to provide adequate accessibility for service vehicles. Locations should be in areas where minimal exposure to public streets or residential districts will exist. Screening shall be required in areas which are adjacent to residential districts or are within public view. Such enclosures should not be located in landscape buffers. Refuse containers and compactor systems shall be placed on smooth surfaces of non-absorbent material such as concrete or machine-laid asphalt. A concrete pad shall be used for storing grease containers. Refuse disposal and recycling storage areas serving food establishments shall be located as far as possible from the building's doors and windows. The use of chain link fences with slats is prohibited. Refuse will not be collected onsite.

Pending concerns regarding safety and traffic circulation, Staff recommends approval of the proposed site plan as proposed with the following conditions:

1. The site shall be developed substantial in conformance with the submitted engineering plans (Attachment 3). The specific location of parking pads shall be the discretion of the property owner, provided their locations meet the requirements of the Kendall County Zoning Ordinance.
2. The site shall be developed in accordance with all applicable federal, state, and local laws related to site development and the type of business proposed for the site, including, but, not limited to, securing the applicable stormwater management permit. The site plan may be slightly modified to address the concerns of WBK's letter dated October 26, 2019.
3. The property owner shall supply the Kendall County Dispatch Office with the code for property's Knox Box.
4. The property owner shall erect and maintain signage directing trucks not to use Dolores Street.

Mr. Klaas made a motion, seconded by Mr. Rybski, to approve the site plan with conditions proposed by Staff.

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

The motion passed.

Petitions 19-37, -38, and -39 John Dollinger on Behalf of Hansel Ridge, LLC, Jason Shelley on Behalf of Goprobball, LLC, and James and Denise Maffeo

Mr. Asselmeier summarized the request and stated that the three (3) requests impacted the same property.

Hansel Ridge, LLC would like to reclassify the northern eighteen point seven (18.7) acres of 195 Route 52 from Public/Institutional to Commercial. They would then like to sell the northwestern nine point one nine (9.19) acres to Goprobball, LLC to be for use as an athletic facility which requires a map amendment from A-1 to B-4 Commercial
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Recreation District. The northeastern eight point six-nine (8.69) acres would then be sold to James and Denise Maffeo for use as an indoor/outdoor storage facility which requires a map amendment from A-1 to B-3 Highway Business District and special use permits for indoor and outdoor storage. The larger property is forty (40) acres in size.

County Line Road is a Township Road classified as an Arterial.

There are no trails or floodplains or wetlands on the subject property.

The adjacent land uses are agricultural with a fertilizer and grain operation at the southwest corner of Route 52 and County Line Road. The adjacent zonings and zonings within one half (1/2) mile are A-1 or A-1 SU. The Kendall County Land Resource Management Plan calls for the property to the north and south to be Public/Institution and Suburban Residential. The property to the west is classified as Suburban Residential. The Will County Land Resource Management Plan calls for the property to the east to be Suburban Development. The Village of Shorewood's Comprehensive Plan calls for this property to be Commercial and Government/Institutional. Minooka School District 111 owns the property to the north and west and plans to use that property for educational purposes.

There is an A-1 SU to the north for a church and an A-1 SU to the west which is probably an airstrip. There is also a request for a special use permit for a landscaping business at 276 Route 52.

There are seven (7) houses within one half (1/2) mile of the subject property.

The EcoCat was submitted and consultation was terminated.

The NRI application was submitted on September 26, 2019.

Information was sent to Seward Township, the Village of Shorewood, and the Troy Fire Protection District. The Troy Fire Protection District had no objections to the proposal.

With regards to the Goprobball map amendment portion of the request, Goprobball, LLC provided a business plan which stated they would have between twenty (20) and forty (40) part-time employees with no more than four (4) to six (6) employees onsite. They have fifteen (15) existing travel baseball teams and hope to expand to twenty-five (25) teams within the next five (5) years. They would also like to use the facility to attract other sports including girls soccer and softball. They would have a concession area and rehabilitation services would be provided onsite. The proposed hours of operation are between 8:00 a.m. and midnight. The proposed facility is approximately sixty-nine thousand, three hundred (69,300) square feet and will have a parking area to the east.

Any new structures would require applicable building permits.

The property will access County Line Road. County Line Road has an eighty thousand (80,000) pound weight restriction. Depending on the uses, additional right-of-way could be necessary for turn lanes.

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

The parking lot will have lights. Security lighting will be installed. Commercial establishments could have additional lights and illuminated signage on the building and associated with monument signage. The site plan of commercial establishments should be evaluated to address lighting.

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

The site plan shows two detention ponds. Development on the site would require stormwater management permits.

Electricity is nearby. New well and septic information would have to be evaluated as part of the building permit process.

Map amendments cannot be conditioned, but the Petitioner would need to obtain site plan approval before commencing construction.

With regards to the Maffeo map amendment and special use permits, they plan to purchase the property from Goprobball, LLC.

Mr. and Mrs. Maffeo would like to construct one (1) sixty foot by forty-five foot by sixteen foot (60'X45'X16') metal storage and office building and twelve (12) two hundred foot by thirty foot (200'X30') metal storage warehouses. The office building will contain offices, restrooms, and inside storage for vehicles. The facility will be used for general storage uses; no illegal or flammable materials will be stored or distributed out of the facility. No other active businesses will be operated out of the storage facility. The renderings of the office building and other storage buildings were provided.

If approved, development of the site will occur in two phases. Phase I will commence in Summer 2020 and consists of the metal storage and office building, five (5) of the metal storage buildings, and the paved parking area. The five (5) buildings in the southern row will be constructed first. Phase II will commence in Spring 2023 and will consist of the remain metal storage buildings, the six foot (6') privacy fence, and dumpsters.

A two hundred forty-five foot by three hundred foot (245'X300') paved storage area was identified in the business plan. The outdoor storage area would be placed where the Phase II structures are planned. The outdoor storage area would be removed upon construction the Phase II structures.

Mr. and Mrs. Maffeo anticipate employing between one (1) and five (5) part-time employees. One (1) employee would be for maintenance and the remaining employees would staff the office on a shift-basis to ensure that at least one (1) employee was onsite during business hours.

Access to the facility would be twenty-four (24) hours via access through the security gate. Hours of operation are 7:00 a.m. until 7:00 p.m. daily.

All structures constructed on the site will require building and occupancy permits.

The proposed facilities would be served by well and septic.

Staff would like comments from the Kendall County Health Department regarding the proposed restroom facilities at the property and any other public health concerns.

The site plan shows a proposed one hundred twenty-five feet by four hundred seventy foot (125'X470') stormwater detention pond on the property. No information was provided regarding the depth of the pond. The pond is proposed to be landscaped, but no information regarding landscaping was provided.

The development will require a stormwater management permit.

Staff would like comments from WBK regarding any stormwater related concerns.

The property fronts County Line Road.

Staff would like comments from the Kendall County Highway Department, Kendall County Sheriff's Department, and Seward Township regarding any concerns about having vehicles entering and leaving County Line Road at this location as well as increased traffic at this location.

The site plan shows three (3) parking spaces, including one (1) handicapped accessible parking space.

While the Troy Fire Protection District previously submitted comments on this proposal, Staff would like to make sure that neither the Troy Fire Protection District nor the Kendall County Sheriff's Department have concerns regarding emergency equipment access the facility.

Based on the submitted lighting plan, there will be lights on all of the buildings and lights between buildings. The total number of lights on buildings appears to be sixty-three (63) with eleven (11) additional lights throughout the property. None of the lighting will leave the site.

The Petitioners indicated that lit signage will be placed near County Line Road. No specific location or size dimensions were provided.

Access to the storage area will be through a gate with a key pad. No information was provided regarding the dimensions of the gate.

Some of the lighting will be for security purposes and security cameras will be provided.

The proposal calls for six foot (6') privacy fence around the perimeter of the property. The Petitioners' Attorney indicated that the fence will be installed as part of Phase I.

The landscaping plan calls for several canopy trees along the eastern and southern portions of the site. No information was provided regarding the trees.

Little noise is anticipated from the proposed operations.

Dumpsters will be provided onsite. No information was provided regarding the location of dumpsters.

If approved, this would be the second active special use permit for a storage facility on non A-1 zoned property in unincorporated Kendall County.

Unlike map amendments, special use permits can be conditioned.

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

Anne Vickery, Seward Township Highway Commissioner, stated that the Township was willing to work with the Petitioner and Kendall County Highway Department to address concerns regarding increased traffic and safety in the area of the subject property.

Natalie Engel, Village of Shorewood, stated that Shorewood's plans call for the area to be commercial with residential surrounding the property. She felt that the entertainment use was compatible with commercial uses. She felt that the proposed storage uses were more industrial in nature. The Village would like to meet with the Petitioner and go over how the proposed uses meet with the Village Comprehensive Plan.

Mr. Klaas stated that he had not heard of any planned road improvements at County Line Road and Route 52. Ms. Engel expressed concerns regarding safety at County Line and Route 52. Ms. Vickery would work closely with everyone involved to address safety concerns at County Line and Route 52.

Ms. Andrews noted that she is working on the NRI Report. The application to the Soil and Water Conservation District included information on both the athletic facility and storage uses.

Mr. Rybski asked about concession at the athletic facility. Dan Kramer, Attorney for the Petitioners, stated that they hoped to have the soil information and septic design available at the December ZPAC meeting. Mr. Kramer stated that concessions are planned at the property. The athletic facility will have separate septic facilities from the storage facility. The property drains to the northeast of the property. Mr. Kramer said they were considering one (1) large wet bottom pond instead of two (2) as shown on the current plans. A dry hydrant will be installed in the pond.

Mr. Kramer offered to provide a traffic study to address safety concerns on the adjacent roads.

Mr. Rybski noted the state of soils in that portion of the County in relation to septic systems. He noted that the septic area for the storage facility seems small and it could be expensive to place a septic system in the space shown on the site plan. He suggested more space for the septic system or relocating the septic system to another location on the property.

Mr. Rybski noted that the well will be a non-community well for the athletic facility. The well for the storage facility should not meet the usage requirements for a non-community well.

Mr. Rybski noted that a well was sealed on the farm to the south and there is likely a septic tank somewhere in the area of the sealed well. That septic tank needs an abandonment permit.

Discussion occurred regarding Joliet sewer and water. Ms. Engel responded that Shorewood could serve the property with water and Joliet sometimes provides sewer service to areas inside Shorewood.

Mr. Kramer stated that they hoped to have the septic information ready for the December ZPAC and the engineer will start the stormwater permit process. Mr. Kramer has a meeting scheduled with the Village of Shorewood and was open to having a meeting with the Kendall County Highway Department and Seward Township Road District. Mr. Rybski suggested that Mr. Kramer also meet with the Kendall County Health Department regarding well and septic placement.

Mr. Klaas noted that Seward Township probably would request a right-of-way dedication along County Line Road, at least fifty feet (50') from centerline with the possibility of a utility and drainage easement.

Mr. Kramer requested to wait with all hearings until January 2020.

Without objection, Petition 19-37, 19-38, and 19-39 will be laid over until the December ZPAC meeting.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OLD BUSINESS/NEW BUSINESS

None

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Ms. Andrews made a motion, seconded by Mr. Langston, to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:44 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

Enc.

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
January 7, 2020 – Unapproved Meeting Minutes**

PBZ Chairman Matthew Prochaska called the meeting to order at 9:00 a.m.

Present:

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

Absent:

Megan Andrews – Soil and Water Conservation District
Greg Chismark – WBK Engineering, LLC

Audience:

Anne Vickery, Dan Kramer, Mike Cook, and Ron Smrz

AGENDA

Mr. Guritz made a motion, seconded by Mr. Klaas, to approve the agenda as presented. With a voice vote of all ayes, the motion carried unanimously.

MINUTES

Mr. Guritz made a motion, seconded by Commander Langston, to approve the November 5, 2019, meeting minutes. With a voice vote of all ayes, the motion carried unanimously.

PETITIONS

Petition 19-34 Ronald Smrz on Behalf of the Ronald Smrz Trust

Mr. Asselmeier stated that the changes from the last time the Petitioner appeared at ZPAC were that the site had been reduced to space for fifty-one (51) parking stalls, the new hours of operation would be from 6:00 a.m. until 9:00 p.m., six (6) new light poles would be installed, seven (7) evergreens would be planted southeast of the parking area, and the Petitioner would monitor the site for motor vehicle related leaks and remove the contaminated gravel.

Mr. Asselmeier asked Mr. Smrz how he would control the parking area in relation to the hours of operation. Mr. Smrz indicated that the lock for the gate would have a timer.

A stormwater permit will be required, if the special use permit is approved.

Commander Langston asked about access for first responders to the gated area. Mr. Smrz said that he would give a passcode to the Sheriff and local fire protection district.

No offices and no restroom facilities would be onsite.

Mr. Klaas made a motion, seconded by Mr. Rybski, to recommend approval of the proposal.

Ayes (8): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (2): Andrews and Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on January 22, 2020.

Petition 19-37 John Dollinger on Behalf of Hansel Ridge, LLC

Dan Kramer, Attorney for the Petitioner, explained his client was purchasing approximately eight (8) acres for the athletic facility and indoor and outdoor storage facility. East of the proposed storage facility, approximately three point five (3.5) acres would be left vacant for future commercial development.

Mr. Kramer felt that the proposed uses would complement educational uses and retail uses.

Mr. Kramer acknowledged the traffic concerns at the intersection of Route 52 and County Line Road. The busy time for the athletic facility would be between the end of October and the beginning of spring. Games would occur the entire weekend. The Petitioners would like to start construction in the spring and be fully operational by fall. A traffic study was forthcoming. He believed that it would be difficult to have a left-turn lane going north. Traffic could be directed down Baltz Road. A view corridor could be considered.

Mr. Asselmeier read an email from the Village of Shorewood. The proposal will be reviewed at the Shorewood Planning Commission meeting in February 2020.

Mr. Rybski made a motion, seconded by Ms. Briganti, to forward the proposal.

Ayes (8): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (2): Andrews and Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on January 22, 2020.

Petition 19-38 John Dollinger on Behalf of Hansel Ridge, LLC and Jason Shelley on Behalf of Goprobball, LLC

Mr. Kramer explained the structure of the domed athletic facility.

Mr. Kramer believed that the proposed use will work well with the adjacent school property and nearby residential developments.

Approximately eight (8) fastball teams train at the company's existing facility and nine (9) additional teams are planned to be added at this proposed facility.

Ms. Vickery asked the square footage of the dome. Mr. Kramer said that the dome is approximately eighty thousand (80,000) square feet.

The final size of the detention pond has not been determined; it will be wet-bottomed.

A pre-annexation agreement with Shorewood is under consideration. A Chatham annexation was not desired.

Mr. Rybski requested that Mr. Kramer consider the septic needs of future commercial businesses that could locate on the property.

Mr. Kramer noted that Shorewood wanted the special use only on the storage portion of the property and that the property be subdivided to separate the storage use from the rest of the property.

Mr. Klaas made a motion, seconded by Mr. Guritz, to forward the proposal.

Ayes (8): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (2): Andrews and Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on January 22, 2020.

Petition 19-39 John Dollinger on Behalf of Hansel Ridge, LLC, Jason Shelley on Behalf of Goprobball, LLC, and James and Denise Maffeo

Mr. Kramer noted discussions with Shorewood for a plat of the site.

Mr. Kramer noted the private road at the south end of the site with a utility easement for future utility extensions.

The Petitioners agreed to do a sixty foot (60') right-of-way dedication as measured from the centerline of County Line Road. Ten feet (10') inside the right-of-way dedication would be available for utilities.

Shorewood requested that some of the fence be removed and replaced with buildings rearing County Line Road. The site plan will be revised to reflect this request.

The landscaping plan and signage plan needs more definition.

Mr. Kramer requested that the Petition advance to the Planning Commission and he will provide updated plans.

Mr. Klaas made a motion, seconded by Mr. Guritz, to forward the proposal.

Ayes (8): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (2): Andrews and Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on January 22, 2020.

Petition 19-47 Deb Chow on Behalf of Jade Restorations, Inc. and D. Howard on Behalf of Bullmastiff Construction Company, LTD

Mr. Asselmeier summarized the request.

Jade Restorations, Inc. is working with Bullmastiff Construction Company to construct a kennel and veterinary clinic at the subject property. At this time, Jade Restorations, Inc. has no plans to sell the subject property.

The application material site plan, landscaping plan, photometric plan, and proposed building information were provided.

The property is approximately twenty (20) acres in size, but the special use portion would cover approximately eight point five (8.5) acres.

The future land use is commercial.

Ridge Road is a County Road classified as an Arterial Road. Bell Road is a Township Road classified as a Minor Collector. Minooka has a trail planned along Ridge Road. Shorewood has a trail planned along Bell Road.

The adjacent land uses are agricultural in all directions with a farmstead and landscaping business to the west.

The adjacent zoning are A-1 and A-1 SU. There is R-1 zoning within one half (1/2) mile to the east. There are twelve (12) homes located within one half (1/2) mile of the subject property. The special uses to the north and south are landing strips. The special use to the east is for natural gas compression. The special use to the west is for a landscaping business.

The EcoCat was submitted on December 5, 2019, and consultation was terminated.

The NRI application was submitted on December 18, 2019.

Seward Township was emailed information on December 31, 2019.

The Minooka Fire Protection District was emailed information on December 31, 2019, and they wanted the Petitioner to be aware of the new kennel regulations regarding staffing and sprinkling.

The Village of Shorewood was emailed information on December 31, 2019. They expressed concerns regarding noise, but were comfortable with the County addressing those concerns.

The Village of Minooka was emailed information on December 31, 2019.

According to the information provided to the County, the Petitioners plan to offer veterinary services, pet daycare, boarding, and grooming services. The proposed hours of operation for both uses will be Monday through Friday from 6:00 a.m. until 7:00 p.m. The kennel will employ between fifteen and thirty (15-30) people per day and the veterinary will be employ between fifteen and twenty (15-20) people per day. The kennel will be staffed at all times. Grooming services will be provided as needed. Overlap in employees will occur. The maximum number of animals planned for the kennel forty (40). Per the Kendall County Zoning Ordinance, all animals will be indoors by sunset.

As noted in the site plan, the Petitioners plan to construct an approximately eighteen thousand (18,000) square foot building facing south towards Bell Road. The proposed location of the building on the property was placed in accordance to the setback requirements of the Kendall County Zoning Ordinance.

Elevations of the building and rendering of the site were provided.

As noted in building diagram, the building shall consist of waiting areas for grooming and exams, eight (8) exam rooms, a treatment room with pharmacy area, two (2) surgery rooms, an X-ray room, a recovery room, two (2) isolation rooms, a doctor's room, a staff room, a janitorial room, a cat boarding room, three (3) bathrooms, a laundry area, a grooming area, a store, a storage area, a groom kennel, two (2) play areas, a pool, and a boarding kennel area. The building is planned to be slightly over twenty-three feet (23') tall at its highest point and made of metal.

Two (2) approximately twelve thousand (12,000) square foot outdoor play areas are planned on both sides of the kennel wing of the building. A six foot (6') tall cedar fence would be located around the outdoor play area.

Building and Occupancy Permits will be required for the new building.

The site plan shows one (1) raised septic field west of the building and parking lot and one (1) raised septic field south of the parking lot. The proposed well would be located east of the building.

The site plan shows two (2) wet detention ponds on the north side of the subject property. A dual-phase restricted stormwater detention outlet is planned to discharge stormwater at the northwest corner of the site into ditches along the east side of Ridge Road.

If the special use permit is approved, the Petitioners would need to secure a stormwater management permit from Kendall County.

The property fronts Bell Road and two (2) points of ingress/egress are planned from Bell Road.

The Petitioners plan to dedicate right-of-way for a depth of fifty feet (50') along the entire Bell Road frontage of the property and a depth of seventy-five feet (75') along the entire Ridge Road side of the property.

The Petitioners propose to install a fifty-two (52) stall parking lot to the south and east of the building. Three (3) of the spaces would be handicapped accessible.

The Petitioners plan to install six (6) lights along the driveway and in the parking lot. The lights will be LED and on poles a maximum twenty feet (20') in height. There will be an additional eight (8) building mounted lights at various locations around the exterior of the building. Lighting information can be found on the photometric plan.

The Petitioners plan to have one (1) monument sign along Bell Road and one (1) monument sign along Ridge Road. Both signs are planned to be four feet by eight feet (4'X8') and a maximum of eight feet (8') in height. Neither sign will be illuminated.

Per the landscaping plan, the Petitioners plan to install thirty-eight (38) shade trees of various types, seventy-eight (78) evergreen trees of various types, sixty-eight (68) evergreen shrubs of various types, two hundred eighty-two (282) deciduous shrubs of various types, and one hundred fifteen (115) perennials of various types. In addition, a wet-to-mesic prairie seed mix is planned around the stormwater detention ponds.

Berms are planned along the west, east, and southeast corner of the property. An additional berm is planned south of the parking lot. The berms will vary in height from three feet (3') to seven feet (7').

A topsoil stockpile area is planned east of the parking lot.

Noise will be addressed with soundproofing of the building, the fence mentioned previously, the installation of trees and berms, and having the animals indoors by sunset.

The Petitioners plan to install a refuse enclosure at the northern end of the eastern parking lot. The screening shall be either of wood or masonry construction at least seven feet (7') in height. The Petitioners also indicated that they may screen the refuse area with a chain link fence and dense plantings.

If approved, this would be the sixth active special use permit for a kennel and second active special use for a veterinary establishment in unincorporated Kendall County.

Mr. Rybski asked about design engineering and soil analysis. Mr. Cook said that they have retained a septic engineer. Soil tests and percolation tests have not been completed. Mr. Rybski advised Mr. Cook of the requirement of a preliminary meeting with the Health Department regarding the septic system. Mr. Rybski advised Mr. Cook of the well monitoring requirements.

Mr. Klaas said that he was fine with the proposed right-of-way dedication.

Ms. Vickery said that she will review the Bell Road right-of-way dedication.

Mr. Holdiman advised Mr. Cook that the County adopted the 2018 versions of the International Codes.

Mr. Klaas asked if the building would have a basement. Mr. Cook said the building will be slab on grade.

Mr. Asselmeier asked if either business planned to have Saturday hours. Mr. Cook said that drop-offs and pick-ups would not occur on weekends. The clinic could have emergency hours on weekends.

Mr. Asselmeier asked when the landscaping will be installed. Mr. Cook said the landscaping timeline has not been determined. The goal is to open the business late in 2020 or early 2021.

Mr. Asselmeier asked about the frequency of refuse pick-up. Mr. Cook said that pick-up would occur a few times per week.

Mr. Klaas made a motion, seconded by Ms. Briganti, to forward the proposal.

Ayes (8):	Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Prochaska, and Rybski
Nays (0):	None
Present (0):	None
Absent (2):	Andrews and Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on January 22, 2020.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Petition 19-26 regarding the landscaping business at 276 Route 52 was approved by the County Board.

Petition 19-31 regarding cannabis zoning regulations was approved by the County Board.

Petition 19-35 regarding a kennel at 3601 Plainfield Road was approved by the County Board.

OLD BUSINESS/NEW BUSINESS

Mr. Asselmeier noted that the Kendall County Regional Planning Commission's Annual Meeting will be Saturday, February 1st, at 9:00 a.m.

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Guritz made a motion, seconded by Mr. Rybski, to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:50 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

Encs.

**KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
JANUARY 7, 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)
Dan Keenan 19-39, 38, +39	1107 A S. BROADWAY GOSHOLM ILL	dkeenan@dow 2000 law.com
MIKE COOK	26316 MAPLEVIEW PLAINFIELD	mcook@cooking.com

Matt Asselmeier

From: Rodney Bradberry <rbradberry@minookafire.com>
Sent: Monday, January 6, 2020 1:41 PM
To: Matt Asselmeier
Subject: [External]FYI

Matt,

Just an FYI, I am sure you are aware of this; however, if not (see attachment) this location will be required staffed at all times or have a sprinkler system/fire alarm.

<https://www.chicagotribune.com/news/breaking/ct-kennel-fire-safety-law-20190807-ytkwawanybfmroj6hb32yps2pg-story.html>

Any questions please contact me.

Thanks.

Rodney Bradberry
Fire Inspector

Minooka Fire Protection Distric
7901 E. Minooka Rd.
Minooka IL 60447
Direct: 815-467-5637
Cell: 815-531-9967

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Matt Asselmeier

From: Engel_Natalie <nengel@vil.shorewood.il.us>
Sent: Monday, January 6, 2020 5:29 PM
To: Matt Asselmeier
Cc: Chrisse_Kelley
Subject: [External]ZPAC Meeting

Hi Matt,

Happy New Year!

Kelley and I will not be able to attend tomorrow's ZPAC meeting but wanted to provide some comments regarding the projects within 1 ½ miles of Shorewood's boundaries.

Petitions 19-37, 19-38 and 19-39

We met with Dan Kramer to discuss the projects. We provided some feedback and suggestions regarding the site layout and zoning uses. He was open to our comments and agreed to carry them back to his clients.

They will be submitting applications to the Village and we hope to bring forward their proposals for discussion at our February 5, 2020 Planning and Zoning Commission meeting. I will touch base with you when we have applications and a staff report.

Petition 19-47

Our main concerns regarding the Doggy Day Care project are about noise impacts on the neighbors. We are comfortable that you are addressing these concerns so we defer to you on this project.

When the site and engineering plans are available, please have the applicants send over a copy to Shorewood so that we can determine whether they trigger our Subdivision and Development Ordinance.

Thank you Matt! Please let us know if you have any questions or need any information from us.

Natalie Engel, AICP

Village Planner



Village of Shorewood

One Towne Center Blvd | Shorewood, IL 60404

815.553.2314

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Attachment 14, Page 1
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois

Unapproved - Meeting Minutes of January 22, 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, Tom Casey, Bill Davis, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, and Claire Wilson

Members Absent: Karin McCarthy-Lange and Ruben Rodriguez

Staff Present: Matthew H. Asselmeier, Senior Planner

Others Present: Ron Smrz, Dan Kramer, Emily Hoffmann, Michael Cook, Deb Chow, Pat Colaric, Sylvia Torto, Mike Torto, Len Pfaff, Laurie Pfaff, Ron Zier, Zach, Morerod, and Kyle Breyne

APPROVAL OF AGENDA

Member Bledsoe made a motion, seconded by Member Casey, to approve the agenda. With a voice vote of seven (7) ayes, the motion carried.

APPROVAL OF MINUTES

Member Bledsoe made a motion, seconded by Member Davis, to approve the minutes of the October 23, 2019 meeting. With a voice vote of seven (7) ayes, the motion carried.

PUBLIC HEARING

19-37 John Dollinger on Behalf of Hansel Ridge, LLC

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

Mr. Asselmeier summarized the Petition.

Hansel Ridge, LLC would like an amendment to the Future Land Use Map contained in the Land Resource Management Plan for approximately eighteen point seven more or less (18.7 +/-) acres located on the northern half of the property currently addressed as 195 Route 52. If approved, the Petitioner would like to rezone the property to allow an athletic facility and a storage business to be located on the property; both of these requests were submitted as separate petitions.

The application materials were provided. A map showing the property was provided; the northern portion of the property is the subject of this Petition.

The adjacent land uses were agricultural or agricultural related. The adjacent zonings were agricultural or agricultural with a special use permit. The Land Resource Management Plan calls for the area to be Suburban Residential and Public/Institutional. The zonings within one half (1/2) mile were agricultural or agricultural with a special use permit.

Pictures of the property were provided.

The property owner is not requesting a change in the Future Land Use Map for the southern twenty-one more or less (21 +/-) acres of their property. Their property will remain classified as Public/Institutional on the Future Land Use Map.

Minooka School District 111 owns the adjacent properties to the north and west of the subject property.

The A-1 special use to the north is for a church. The A-1 special use to the south is for a fertilizer and grain storage operation. The A-1 special use to the west appears to be for an airstrip. The property at 276 Route 52 has a special use permit for a landscaping business.

Seven (7) existing houses are within one half (1/2) mile of the subject property.

Petition information was sent to Seward Township on October 21, 2019. The Seward Township Planning Commission reviewed this request at their meeting on January 14, 2020. Concerns were expressed regarding traffic congestion and the potential for increased vehicular accidents. Discussion also occurred regarding drainage. The property's proximity to Shorewood and its location were the reasons for seeking the change to the Land Resource Management Plan and for the requested map amendments and special use permits. The Seward Township Planning Commission recommended approval of the request. The minutes of this meeting are included were provided.

The Seward Township Board reviewed this request at their meeting on January 14, 2020. They echoed the concerns of the Seward Township Planning Commission regarding traffic and drainage. The Seward Township Board recommended approval of the request. The minutes of this meeting were provided.

Petition information was sent to the Village of Shorewood on October 21, 2019. The Village of Shorewood submitted an email on January 6, 2020, stating that they were in discussions with the Petitioner and would have further review at the Village's February 5th Planning and Zoning Commission meeting. This email was provided.

The Troy Fire Protection District has no objections to commercial uses as this location.

ZPAC reviewed this proposal at their meetings on November 5, 2019, and January 7, 2020. At the November 5th meeting, discussion occurred regarding well and septic service at the site. The Petitioner agreed to a right-of-way dedication along the County Line Road frontage. At the January 7th meeting, the Petitioner provided updated septic information and updated traffic information. The final size of the detention pond had yet been determined. The Petitioner was working on a pre-annexation agreement with Shorewood that would allow the Village to annex the property when the property becomes contiguous to the Village. It was noted that the Village of Shorewood would like the special use to apply to only the storage portion of the property and that the acreage between the storage units and County Line Road be zoned business without a special use permit and that a formal subdivision occur. The Petitioner agreed to a sixty foot (60') right-of-way dedication as measured from the centerline of County Line Road including a ten foot (10') dedication for utilities. It was also noted that the Village of Shorewood requested the removal of some fencing and the reorientation of some of the storage buildings. It was noted that the landscaping plan and signage plan required more definition. ZPAC recommended forwarding the proposal to the Kendall County Regional Planning Commission without objection; two (2) members were absent. The minutes of these meetings were provided.

The Village of Shorewood's Future Land Use Map calls for this property to be Commercial and Government/Institutional.

Will County gives deference to the Village of Shorewood. Will County favors suburban development, whether that be commercial or residential, in this area.

The subject property was originally planned to be a future school location. The southern portion of the subject property and the property immediately to the north of the subject property are both planned to be Public/Institutional. In addition, the property to the west and the property to the north are both owned by the Minooka School District 111. A school could still be placed in the area. Therefore, uses that support and that are not in conflict with educational related uses, including many commercial uses, could be placed on the subject property.

Because commercial uses require site plan approval, because the Village of Shorewood's Comprehensive Plan calls for this property to be Commercial, and because many commercial uses could be placed on the subject property that would complement education uses, Staff recommends approval of the requested change.

Chairman Ashton opened the public hearing at 7:10 p.m.

Member Davis asked if any of the farm buildings would be removed. Dan Kramer, Attorney for the Petitioner, responded no; the farm buildings are not located on the portion of the property under consideration for the map change.

Pat Colaric, County Line Road, requested clarification of the request. Mr. Asselmeier explained that the existing Future Land Use Map calls for this property to be Public/Institutional. The Petitioner would like to rezone the property to commercial uses. One (1) of the criteria used to evaluate the rezoning from agricultural to business was consistency with the Land Resource Management Plan. The Petitioner needs the Future Land Use Map changed in order to have the rezoning request be consistent with the Land Resource Management Plan. Chairman Ashton said that the zoning portion of the request will occur later in the meeting. Mr. Colaric was concerned about commercial uses in the area because of traffic concerns.

Member Hamman asked if Minooka School District had any input on the proposal. Mr. Asselmeier responded that Minooka School District owns the property to the west and to the north of the subject property. The School District still has plans to use their property for educational purposes. The School District was notified of the hearing.

Dan Kramer, Attorney for the Petitioner, testified that the southern portion of the property would not be sold as part of the requested rezoning. Mr. Kramer explained the types of sports teams that would use the athletic facility. The athletic facility would have an indoor baseball field. The School District favors the idea. This facility would be four (4) times bigger than the facility on Galena Road. Mr. Kramer requested approval of the amendment to the Land Resource Management Plan.

Chairman Ashton adjourned the public hearing at 7:16 p.m.

Member Nelson made a motion, seconded by Member Casey, to recommend approval of Petition 19-37.

The votes were as follows:

Ayes (7): Ashton, Bledsoe, Casey, Davis, Hamman, Nelson, and Wilson

Nays (0): None

Absent (2): McCarthy-Lange and Rodriguez

The motion carried. The proposal goes to the Zoning Board of Appeals on January 27, 2020.

The Kendall County Regional Planning Commission concluded their review of Petition 19-37 at 7:17 p.m.

PETITIONS

19-34 Ronald Smrz on Behalf of the Bank of Lyon Trust

Mr. Asselmeier summarized the request.

Ron Smrz, on behalf of Bank of Lyon Trust, would like to establish a storage business for boats and RVs at the subject property. The application material and amended site plan were provided. The Petitioner updated the site plan in December to address stormwater management concerns.

The property was granted a special use permit for the retail sale of nursery stock through Ordinance 1985-10, a copy of which was provided. This proposal will not impact the existing special use permit.

The property is approximately seventeen (17) acres in size, but the special use area is approximately one (1) acre in size.

The current land use is agricultural. The future land use is rural residential. Route 71 is a State maintained highway and is considered a Scenic Route at the subject property. Yorkville has a trail planned along Route 71. There is a farmable wetland on the property consisting of approximately a tenth (0.1) of an acre. The adjacent land uses are agricultural, single-family residential, and farmstead. The adjacent zonings are A-1, A-1 SU, R-1, R-3, and R-3 PUD. The Land Resource Management Plan calls for the area to be rural residential. The nearby zonings are A-1, A-1 SU, A-1 BP, R-3, RPD-2, and R-3 PUD.

The special use permit to the north is for a campground. The special use permit to the east is for a landscaping business.

Lyon Farm is located south of the subject property.

The Richard Young and Lyon Forest Preserves are in the vicinity.

The aerial of the property was provided.

Pictures of the property were provided.

EcoCat submitted on June 6, 2019, as part of the Wetland Delineation Report and found the Fox River INAI Site and Yorkville Seep INAI Site in the area. The entire Wetland Delineation Report was provided. The Petitioner submitted a formal EcoCat on December 23, 2019, and no negative impacts were foreseen.

NRI application submitted on August 2, 2019. The NRI Report was not available.

Oswego Township was emailed the original information on September 24, 2019. The revised site plan was emailed on December 31, 2019.

The Bristol-Kendall Fire Protection District was emailed the original information on September 24, 2019. The revised site plan was emailed on December 31, 2019.

The United City of Yorkville was emailed the original information on September 24, 2019. The revised site plan was emailed on December 31, 2019. Yorkville will be reviewing this proposal at their February meetings.

ZPAC met on this proposal on October 1, 2019. Discussion occurred at that meeting regarding obtaining a variance to the Stormwater Management Ordinance. In the ensuing months, the Petitioner decided not to pursue the variance and amended the site plan to meet the requirements of the Kendall County Stormwater Management Ordinance. ZPAC reviewed the revised site plan at their meeting on January 7, 2020, and recommended approval of the proposal with no objections. The minutes of the October ZPAC meeting were provided. The minutes of the January ZPAC meeting were provided.

According to revised site plan, the Petitioner plans to offer rental space for fifty-one (51) parking stalls which is down from the two hundred (200) rental units in the original proposal. The proposed hours of operation are daily from 6:00 a.m. until 9:00 p.m.

Prospective renters would meet with the Petitioner at the property at a pre-arranged time to view the property, sign a contract, and receive their access code. The Petitioner plans to use the existing storage building as the office for the business.

The Petitioner and his wife would be the only employees of the business.

No new structures are planned for the property. A new occupancy permit might be required for the existing storage building.

The location of the well was shown on the proposed site plan south of the existing house. No bathrooms or potable water sources would be available to patrons of the storage business.

The Petitioner indicated that the storage area would have a gravel base.

The site plan shows the proposed use to be away from the farmable wetland.

The Petitioner plans to monitor the site for motor vehicle related leaks and would remove contaminated gravel from the property.

The property fronts Route 71 and an existing access point off of Route 71 exists.

The Illinois Department of Transportation provided comments regarding this proposal. A new access permit will be required.

Parking will occur in the gravel areas east of the existing building.

The Petitioner provided a lighting plan showing six (6) new light poles, each twenty feet (20') in height. The lighting plan was provided.

The Petitioner plans to install a sign along Route 71. The sign must meet all of requirements of the Kendall County Zoning Ordinance and must not be illuminated.

The Petitioner plans to remove the three (3) existing Norway Spruce trees. The Petitioner plans to plant seven (7) evergreens that will be between approximately four feet and six feet (4'-6') in height at the time of planting. The evergreens will be placed southeast of the parking area. The evergreens will be planted by the end of May 2020. A vegetative swale is also planned for south of the parking area.

The Petitioner indicated that the storage area will have a chain-link fence around the storage area. The fence is planned to be six feet (6') in height.

There will be a twenty foot (20') wide automatic gate on the east side of the storage area to control access to the area. The lock on the gate will be timed to prevent patrons from accessing the property during non-business hours. The gate will be adjacent to the shed.

A security monitoring system will also be installed with cameras on the shed shown.

The Petitioner agreed to provide the Sheriff's Department and Bristol-Kendall Fire Protection District with a passcode to access the gate.

No information was provided regarding noise control.

No new odors are foreseen.

While very little trash or litter is expected to be generated by the proposed, no plans for litter control were provided.

If approved, this would be the fifth active special use permit for this type of storage in unincorporated Kendall County.

The Petitioner currently resides in the house on the property.

The Petitioner agreed that all items stored on the property would remain licensed and in good working order.

The Petitioner agreed to follow the Kendall County Inoperable Vehicle Ordinance and the Junk and Debris Ordinance. The Petitioner also agreed that none of the vehicles stored as part of the special use permit would be for agricultural purposes.

The proposed Findings of Fact were 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, has a plan to address motor vehicle related leaks, and follows the Kendall County Inoperable Vehicle 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. This is true. The Illinois Department of Transportation has not expressed any

concerns regarding this use locating at this property. The business will not have any restroom facilities or drinking water facilities for patrons. The Petitioner will have to secure a stormwater management permit.

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. 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.”

Staff recommends approval of the requested special use permit for a storage facility for motor vehicles, boats, trailers, and other recreational vehicles subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and lighting plan.
2. The operator(s) of the business allowed by this special use permit shall plant the vegetation identified in the landscaping plan by the end of May 2020.
3. One (1) non-illuminated sign may be installed on the subject property in substantially the location shown on the site plan.
4. The motor vehicles, boats, trailers, and other recreational vehicles stored on the premises may be stored outdoors.
5. None of the motor vehicles, boats, trailers or other recreational vehicles stored on premises shall be considered agricultural equipment as they relate to the business allowed by this special use permit.
6. All of the motor vehicles, boats, trailers, and other recreational vehicles stored on the premises shall be maintained in good working order and shall be licensed.
7. The hours of operation for the business allowed by this special use permit shall be daily from 6:00 a.m. until 9:00 p.m. The operator(s) of the business allowed by this special use permit may reduce these hours of operation.
8. The maximum number of employees for the business allowed by this special use permit shall be two (2), including the business owners.
9. The operator(s) of the business allowed by this special use permit shall diligently monitor the property for motor vehicle related leaks and shall promptly and properly dispose and replace any gravel contaminated by such leaks.
10. The operator(s) of the business allowed by this special use permit shall provide the Kendall County Sheriff's Department and Bristol-Kendall Fire Protection District with passcodes to the gate upon the request of these agencies.
11. The operator(s) of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
12. The conditions and restrictions contained in Ordinance 1985-10 pertaining to the retail sale of nursery stock shall remain valid, enforceable, and separate from the conditions and restrictions for the special use permit for a storage facility for motor vehicles, boats, trailers, and other recreational vehicles.

13. The operator(s) of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
14. 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.
15. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Member Hamman asked about the lights. Mr. Asselmeier responded the site plan shows six (6) lights, twenty feet (20') in height. Member Hamman asked if the lights would be on all the time. Ron Smrz, Petitioner, stated the lights would be turned off when the business is closed.

Member Wilson asked about the landscaping business. Mr. Smrz responded that the property still has a special use permit for a landscaping business, but he did not operate the business.

Member Wilson asked about the type of fence. Mr. Smrz responded a chain linked fence.

Member Wilson asked about the distance from neighbors. Mr. Smrz responded several hundred feet.

Mr. Smrz lives on the premises.

Discussion occurred regarding the County's lighting regulations. Mr. Asselmeier noted the light poles were proposed at the maximum height, no light would cross the property line, and no neighboring property owner would see the light source. Having the lights off when the business during non-operational hours will be added as a condition.

Member Hamman asked if the Historical Society. Mr. Smrz responded that the Historical Society was sent notices.

Sylvia Torto expressed concerns about the lights and the view of vehicles stored on the property. She also expressed concerns about vehicles pulling in and out of the property.

Len Pfaff did not want a commercial business in the area. He expressed concerns about fuel leaks and noise. He would like the area to stay rural.

Ron Zier loves the rural atmosphere of the area. He does not favor lights or vehicles at the property.

Zack Morerod expressed concerns about his ability to resell his property if the proposed use occurs at the subject property.

Mike Torto echoed the concerns of his fellow neighbors. He would like additional landscaping on the north side of the subject property.

Mr. Smrz proposed to install additional trees. The original plan called for more trees, but they were removed as part of the stormwater control of the site.

Member Hamman asked about Route 71 improvements. Mr. Smrz stated that he would have full access at his property. The existing perimeter trees would be removed by the Illinois Department of Transportation and Mr. Smrz would request that the removed trees be replaced.

Mr. Smrz noted that his original proposal was much larger than what he is currently proposing.

Discussion occurred about installing a berm on the property.

Discussion occurred about the definitions of motor vehicles, recreational vehicle, and self-storage facility and mini-warehouse facility. Mr. Asselmeier read these definitions from the Zoning Ordinance. Member Wilson suggested a restriction not allowing semis, cargo containers, and the like not be stored on the property.

Member Wilson asked about leak control. Mr. Smrz described the method for soaking the leak and removing the gravel. Member Wilson expressed concerns that leaks might not be discovered immediately.

Mr. Asselmeier read the email from the Illinois Department of Transportation.

Concerns were expressed about derelict and abandoned vehicles, boats, and campers.

Zack Morerod asked if Commissioners would want this use in their backyards.

Laurie Pfaff expressed concerns about fuel leaks and well contamination. She also expressed concerns about increased lighting.

Chairman Ashton noted that the storage of recreational vehicles and boats are not allowed in some places in Kendall County.

Member Nelson suggested that the special use be tied to the Petitioner and not the land. Mr. Smrz opposed having the special use go away if he sold the property.

Discussion occurred about indoor storage. Upon review, none of the existing special use permits for this type of storage allows outside storage in the A-1 District.

Discussion occurred about the scenic route designation. The view shed area was not defined.

Chairman Ashton asked if the Petitioner wanted to table the request. The Petitioner asked for a vote.

Member Wilson made a motion, seconded by Member Nelson, to recommend approval of Petition 19-34.

The votes were as follows:

Ayes (0): None

Nays (7): Ashton, Bledsoe, Casey, Davis, Hamman, Nelson, and Wilson

Absent (2): McCarthy-Lange and Rodriguez

The motion failed. The proposal goes to the Zoning Board of Appeals on January 27, 2020.

Member Wilson voted no because she wished that the Petitioner had talked to his neighbors at the beginning of the process. She felt the use was more appropriate in an industrial or business park. She was also concerned about potential leaks at the site.

Chairman Ashton concurred with Member Wilson's reasons for recommending denial.

19-38 John Dollinger on Behalf of Hansel Ridge, LLC and Jason Shelley on Behalf of Goprobball, LLC

Mr. Asselmeier summarized the request.

Goprobball, LLC would like to purchase the subject property and construct an indoor baseball and soccer facility on the subject property. The site plan was provided.

Based on the original information submitted to the County, the property owner, Hansel Ridge, LLC, would like to sell the northern eighteen point seven more or less (18.7 +/-) acres for the proposed athletic facility and for an indoor and outdoor storage facility. The proposed athletic facility would be located on approximately nine point one-nine (9.19) acres on the northwest side of the property with a strip of land providing access to Line Road.

County Line Road is a Township Road classified as an Arterial.

There are no trails or floodplains or wetlands on the subject property.

The adjacent land uses are agricultural with a fertilizer and grain operation at the southwest corner of Route 52 and County Line Road. The adjacent zonings and zonings within one half (1/2) mile are A-1 or A-1 SU. The Kendall County Land Resource Management Plan calls for the property to the north and south to be Public/Institution and Suburban Residential. The property to the west is classified as Suburban Residential. The Will County Land Resource Management Plan calls for the property to the east to be Suburban Development. The Village of Shorewood's Comprehensive Plan calls for this property to be Commercial and Government/Institutional. Minooka School District 111 owns the property to the north and west and plans to use that property for educational purposes.

The aerial of the property and pictures of the property were provided.

The A-1 special use to the north is for a church. The A-1 special use to the south is for a fertilizer and grain storage operation. The A-1 special use to the west appears to be for an airstrip. The property at 276 Route 52 has a special use permit for a landscaping business.

Seven (7) existing houses are within one half (1/2) mile of the subject property.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on September 26, 2019. The NRI Report was not available.

Petition information was sent to Seward Township on October 21, 2019. The Seward Township Planning Commission reviewed this request at their meeting on January 14, 2020. Concerns were expressed regarding traffic congestion and the potential for increased vehicular accidents. Discussion also occurred regarding drainage. The property's proximity to Shorewood and its location were the reasons for seeking the change to the Land Resource Management Plan and for the requested map amendments and special use permits. The Seward Township Planning Commission recommended approval of the request. The minutes of this meeting were provided.

The Seward Township Board reviewed this request at their meeting on January 14, 2020. They echoed the concerns of the Seward Township Planning Commission regarding traffic and drainage. The Seward Township Board recommended approval of the request. The minutes of this meeting were provided.

Petition information was sent to the Village of Shorewood on October 21, 2019. The Village of Shorewood submitted an email on January 6, 2020, stating that they were in discussions with the Petitioner and would have

further review at the Village's February 5th Planning and Zoning Commission meeting. This email was provided.

The Troy Fire Protection District has no objections to commercial uses as this location.

ZPAC reviewed this proposal at their meetings on November 5, 2019, and January 7, 2020. At the November 5th meeting, discussion occurred regarding well and septic service at the site. The Petitioner agreed to a right-of-way dedication along the County Line Road frontage. At the January 7th meeting, the Petitioner provided updated septic information and updated traffic information. The final size of the detention pond had yet been determined. The Petitioner was working on a pre-annexation agreement with Shorewood that would allow the Village to annex the property when the property becomes contiguous to the Village. It was noted that the Village of Shorewood would like the special use to apply to only the storage portion of the property and that the acreage between the storage units and County Line Road be zoned business without a special use permit and that a formal subdivision occur. The Petitioner agreed to a sixty foot (60') right-of-way dedication as measured from the centerline of County Line Road including a ten foot (10') dedication for utilities. It was also noted that the Village of Shorewood requested the removal of some fencing and the reorientation of some of the storage buildings. It was noted that the landscaping plan and signage plan required more definition. ZPAC recommended forwarding the proposal to the Kendall County Regional Planning Commission without objection; two (2) members were absent. The minutes of these meetings were provided.

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

The Petitioner desires the map amendment in order to construct an indoor athletic facility.

Goprobball, LLC provided a business plan. As noted in the business plan, they would have between twenty (20) and forty (40) part-time employees with no more than four (4) to six (6) employees onsite. They have fifteen (15) existing traveling baseball teams and hope to expand to twenty-five (25) teams within the next five (5) years. They would also like to use the facility to attract other sports including girls soccer and softball. They would have a concession area and rehabilitation services would be provided onsite. The proposed hours of operation are between 8:00 a.m. and midnight. The proposed facility is approximately sixty-nine thousand, three hundred (69,300) square feet and will have a parking area to the east.

Any new structures would require applicable building permits.

The property will access County Line Road. County Line Road has an eighty thousand (80,000) pound weight restriction. Depending on the uses, additional right-of-way could be necessary and the Petitioner was agreeable to a right-of-way dedication as part of a special use permit.

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

The parking lot will have lights. Security lighting will also be installed. Commercial establishments could have additional lights and illuminated signage on the building and associated with monument signage. The site plan of commercial establishments should be evaluated to address lighting.

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

The original site plan showed two detention ponds. The Petitioners indicated that the stormwater plans could be altered as part of the adjoining special use permit. Development on the site would require stormwater management permits.

Electricity is nearby. New well and septic information would have to be evaluated as part of the building permit process. The Petitioners provided septic plan information.

The proposed Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used agricultural or uses similar to agricultural uses such as farmsteads and fertilizer operations.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 or A-1 with a special use.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1 and can be used for farming.

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 trend of development in the area is stable with residential growth and special uses normally found in agricultural zoned areas.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Public/Institutional because Minooka School District #111 plans to construct a school on the property to the west. The Village of Shorewood's Future Land Use Map calls for this property to be Commercial and Government/Institutional. The property owner of the subject property submitted an application to reclassify the property as Commercial on the Future Land Use Map contained in the Kendall County Land Resource Management Plan. If this reclassification amendment to the Land Resource Management Plan is approved, then the proposed map amendment would be consistent with the purpose and objectives of the Land Resource Management Plan.

Provided that the amendment to the Land Resource Management Plan is approved reclassifying the subject property as Commercial, Staff recommended approval of this requested map amendment.

Dan Kramer, Attorney for the Petitioner, provided a history of the evolution of the project. He noted that the Health Department approved the well and septic plans. Mr. Kramer noted that a subdivision would occur at the site; there would be no additional access cuts on County Line Road. The stormwater detention ponds might be merged into one (1) pond.

Member Davis asked where the nearest sanitary sewer service was located. Mr. Kramer stated that the nearest sanitary sewer was at least one (1) mile away from the site.

Discussion occurred about the traffic safety at the intersection of Route 52 and County Line. Mr. Kramer clarified the minutes from Seward Township saying that the Petitioners cannot solve the traffic problem at the intersection. He noted that traffic for the athletic facility will be directed to Baltz Road.

Pat Colaric stated the proposal will exacerbate the traffic problems in the area. He would like to see the area stay rural. He would rather see the athletic facility than houses.

Member Nelson made a motion, seconded by Member Davis, to recommend approval of Petition 19-38.

The votes were as follows:

Ayes (7): Ashton, Bledsoe, Casey, Davis, Hamman, Nelson, and Wilson

Nays (0): None

Absent (2): McCarthy-Lange and Rodriguez

The motion carried. The proposal goes to the Zoning Board of Appeals on January 27, 2020.

19-39 John Dollinger on Behalf of Hansel Ridge, LLC, Jason Shelley on Behalf of Goprobball, LLC, and James and Denise Maffeo

Dan Kramer, Attorney for the Petitioner, requested that the Petition be laid over until the February 26, 2020, meeting in order to obtain an updated site plan.

Without objection, the Commission laid over the Petition as requested.

19-47 Deb Chow on Behalf of Jade Restorations, Inc. and D. Howard on Behalf of Bullmastiff Construction Company, LTD

Mr. Asselmeier summarized the request.

Jade Restorations, Inc. is working with Bullmastiff Construction Company to construct a kennel and veterinary clinic at the subject property. At this time, Jade Restorations, Inc. has no plans to sell the subject property.

The application material was provided. The site plan, landscaping plan, photometric plan, and proposed building information were provided.

The property is approximately twenty (20) acres in size, but the special use portion would cover approximately eight point five (8.5) acres.

The future land use is commercial.

Ridge Road is a County Road classified as an Arterial Road. Bell Road is a Township Road classified as a Minor Collector. Minooka has a trail planned along Ridge Road. Shorewood has a trail planned along Bell Road.

The adjacent land uses are agricultural in all directions with a farmstead and landscaping business to the west.

The adjacent zonings are A-1 and A-1 SU. There is R-1 zoning within one half (1/2) mile to the east. There are twelve (12) homes located within one half (1/2) mile of the subject property. The special uses to the north and south are landing strips. The special use to the east is for natural gas compression. The special use to the west is for a landscaping business.

There are twelve (12) homes located within one half (1/2) mile of the subject property.

The special uses to the north and south are landing strips. The special use to the east is for natural gas compression. The special use to the west is for a landscaping business.

The aerial of the property was provided.

EcoCat submitted on December 5, 2019, and consultation was terminated.

NRI application submitted on December 18, 2019. The NRI Report was not available.

Seward Township was emailed information on December 31, 2019. The Seward Township Planning Commission reviewed this request at their meeting on January 14, 2020. Concerns were expressed regarding drainage and traffic. The property's location and availability were the reasons for seeking the special use permit. The Seward Township Planning Commission recommended approval of the request. The minutes of this meeting was provided.

The Seward Township Board reviewed this request at their meeting on January 14, 2020. They echoed the concerns of the Seward Township Planning Commission regarding traffic and drainage. The Seward Township Board recommended approval of the request. The minutes of this meeting was provided.

The Minooka Fire Protection District was emailed information on December 31, 2019. They wanted the Petitioners to be aware of the new State kennel regulations regarding staffing and sprinkling requirements. The Minooka Fire Protection District's email was provided.

The Village of Shorewood was emailed information on December 31, 2019. The Village of Shorewood expressed concerns about noise. The Village of Shorewood's email was provided.

The Village of Minooka was emailed information on December 31, 2019.

ZPAC reviewed this proposal at their meeting on January 7, 2020. Discussion occurred about the soil analysis in relation to the well and septic system. The Highway Department was satisfied with the proposed right-of-way dedication for Ridge Road. The Petitioner will finalize hours of operation, the timeline for landscaping installation, and frequency of refuse pick-up. ZPAC recommended forwarding the proposal to the Kendall County Regional Planning Commission without any objections. The minutes of this meeting were provided.

According to the information provided to the County, the Petitioners plan to offer veterinary services, pet daycare, boarding, and grooming services. The proposed normal hours of operation for both uses will be Monday through Friday from 6:00 a.m. until 7:00 p.m. and Saturday and Sunday from 7:00 a.m. until 7:00 p.m. The veterinary establishment may be open beyond these hours of operation to handle medical emergencies. The maximum number of employees will be seventy (70), including part-time employees. The kennel will be staffed at all times. Overlap in employees will occur. Grooming services will be provided as needed. The maximum number of animals planned for the kennel is eighty (80). Per the Kendall County Zoning Ordinance, all animals will be indoors by sunset.

As noted in the site plan, the Petitioners plan to construct an approximately eighteen thousand (18,000) square foot building facing south towards Bell Road. The proposed location of the building on the property was placed in accordance to the setback requirements of the Kendall County Zoning Ordinance.

Elevations of the building were provided. A rendering of the site was provided.

The building shall consist of waiting areas for grooming and exams, eight (8) exam rooms, a treatment room with pharmacy area, two (2) surgery rooms, an X-ray room, a recovery room, two (2) isolation rooms, a doctor's room, a staff room, a janitorial room, a cat boarding room, three (3) bathrooms, a laundry area, a

grooming area, a store, a storage area, a groom kennel, two (2) play areas, a pool, and a boarding kennel area. The building is planned to be slightly over twenty-three feet (23') tall at its highest point and made of metal.

Two (2) approximately twelve thousand (12,000) square foot outdoor play areas are planned on both sides of the kennel wing of the building. A six foot (6') tall cedar fence would be located around the outdoor play area.

Building and Occupancy Permits will be required for the new building.

The site plan shows one (1) raised septic field west of the building and parking lot and one (1) raised septic field south of the parking lot. The proposed well would be located east of the building.

The site plan shows two (2) wet detention ponds on the north side of the subject property. A dual-phase restricted stormwater detention outlet is planned to discharge stormwater at the northwest corner of the site into ditches along the east side of Ridge Road.

If the special use permit is approved, the Petitioners would need to secure a stormwater management permit from Kendall County.

The property fronts Bell Road and two (2) points of ingress/egress are planned from Bell Road.

The Petitioners plan to dedicate right-of-way for a depth of fifty feet (50') along the entire Bell Road frontage of the property and a depth of seventy-five feet (75') along the entire Ridge Road side of the property.

The Petitioners propose to install a fifty-two (52) stall parking lot to the south and east of the building. Three (3) of the spaces would be handicapped accessible.

The Petitioners plan to install six (6) lights along the driveway and in the parking lot. The lights will be LED and on poles a maximum twenty feet (20') in height. There will be an additional eight (8) building mounted lights at various locations around the exterior of the building. Lighting information can be found on the photometric plan.

The Petitioners plan to have one (1) monument sign along Bell Road and one (1) monument sign along Ridge Road. Both signs are planned to be four feet by eight feet (4'X8') and a maximum of eight feet (8') in height. Neither sign will be illuminated.

Per the landscaping plan, the Petitioners plan to install thirty-eight (38) shade trees of various types, seventy-eight (78) evergreen trees of various types, sixty-eight (68) evergreen shrubs of various types, two hundred eighty-two (282) deciduous shrubs of various types, and one hundred fifteen (115) perennials of various types. In addition, a wet-to-mesic prairie seed mix is planned around the stormwater detention ponds.

Berms are planned along the west, east, and southeast corner of the property. An additional berm is planned south of the parking lot. The berms will vary in height from three feet (3') to seven feet (7').

A topsoil stockpile area is planned east of the parking lot.

Noise will be addressed with soundproofing of the building, the fence mentioned previously, the installation of trees and berms, and having the animals indoors by sunset.

The Petitioners plan to install a refuse enclosure at the northern end of the eastern parking lot. The screening shall be either of wood or masonry construction at least seven feet (7') in height. The Petitioners also indicated that they may screen the refuse area with a chain link fence and dense plantings.

If approved, this would be the sixth active special use permit for a kennel and second active special use for a veterinary establishment in unincorporated Kendall County.

The proposed Findings of Fact were 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. The immediately adjacent properties are also zoned A-1 or A-1 with a special use permit. In addition, the site plan shows a six foot (6') tall fence around the outdoor play area. The proposed building will be soundproofed. The proposed landscaping and berming should also reduce noise coming from the property. The Petitioners intend to follow the Kendall County Zoning Ordinance as it relates to having all pets inside by dusk.

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. The Petitioners plan to install fencing and security lighting. The Petitioners agreed to have animals indoors by sunset. The proposed hours of operation will also prevent injury to neighboring land uses.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true. Adequate ingress and egress will be provided off of Bell Road. The Petitioners will have to secure applicable permits related to stormwater, well, and septic systems.

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. True, the Petitioners are not requesting any variances.

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."

Staff recommended approval of the requested special use permit for a kennel and veterinary establishment subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and photometric plan.
2. Within sixty days (60) days of approval of this special use permit ordinance, the property owners shall convey land to Kendall County and Seward Township for Ridge Road and Bell Road right-of-way in the locations and depths shown on the Right-of-Way Plat of Dedication.

3. The use allowed by this special use permit shall be located a minimum of two hundred fifty feet (250') from the lot line of lots zoned residential or shown as Residential on the Land Resource Management Plan (LRMP) map and One Hundred Fifty Feet (150') from Lots Zoned Other Than Residential or Shown on the LRMP Map as non-residential.
4. Two (2) non-illuminated signs may be installed on the subject property in substantially the locations shown on the site plan.
5. All vegetation and berms shall be installed within six (6) months of the opening of either the kennel or veterinary establishment at the subject property. The businesses shall be considered open on the date when the Kendall County Planning, Building and Zoning Department issues a certificate of occupancy for the building. Damaged or dead vegetation shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
6. A maximum of eighty (80) pets may be kenneled on the subject property at any time.
7. All pets shall be indoors between the hours of sunset and sunrise except for the purposes of owners dropping-off and picking-up pets.
8. In the event that the kennel operations cease at the property, the veterinary business allowed by this special use permit may not board animals overnight except for medical treatment and observations.
9. The normal hours of operation for the businesses allowed by this special use permit shall be Monday through Friday from 6:00 a.m. until 7:00 p.m. and Saturday and Sunday from 7:00 a.m. until 7:00 p.m. The operator(s) of the business allowed by this special use permit may reduce these hours of operation. Pets experiencing medical emergencies at the kennel may be tended to outside the hours of operation. The veterinary establishment may be open beyond the hours of operation listed to handle medical emergencies.
10. The maximum combined number of employees for the businesses allowed by this special use permit shall be seventy (70), including the business owners.
11. Refuse shall be removed from the subject property at least one (1) time per week or as necessary to prevent litter or odors from emanating from the subject property.
12. Any construction on the property related to the businesses allowed by this special use permit shall not be considered as agricultural purposes and shall secure applicable permits.
13. The operator(s) of the businesses allowed by this special use permit may sell ancillary items related to their operations.
14. The operator(s) of the businesses allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
15. The operator(s) of the businesses allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.
16. 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.
17. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Chairman Ashton asked about the fire hydrant. Mike Cook, Cook Engineering Group, responded that wet basins north of the site would be used as the water source. The hydrant would be a dry hydrant; the suggestion was made to change the plans to reflect the hydrant as a dry hydrant. The building will be sprinklered.

Member Davis made a motion, seconded by Member Hamman, to recommend approval of Petition 19-39 with the conditions proposed by Staff.

Member Casey asked about the animals that will be served at the site. Deb Chow responded that a horse rescue was planned for the back of the property in addition to the dog daycare.

Member Wilson asked if any of the Petitioners were veterinarians. Ms. Chow responded that her son is in veterinary school.

Discussion occurred about animals being indoors by sunset. It was noted that the business would close at 7:00 p.m.

Member Davis made a motion, seconded by Member Hamman, to recommend approval of Petition 19-47 with the conditions proposed by Staff.

The votes were as follows:

Ayes (7): Ashton, Bledsoe, Casey, Davis, Hamman, Nelson, and Wilson

Nays (0): None

Absent (2): McCarthy-Lange and Rodriguez

The motion carried. The proposal goes to the Zoning Board of Appeals on January 27, 2020.

Discussion occurred about the number of employees and the traffic impacts of those employees.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

Member Nelson made a motion, seconded by Member Casey, to nominate Bill Ashton for the position of Chairman. No additional nominees were presented. With a voice vote of seven (7) ayes, the motion carried.

Member Nelson made a motion, seconded by Chairman Ashton, to nominate Ruben Rodriguez for the position of Vice Chairman. No additional nominees were presented. With a voice vote of seven (7) ayes, the motion carried.

Member Wilson made a motion, seconded by Chairman Ashton, to nominate Larry Nelson for the positions of Treasurer and Secretary. No additional nominees were presented. With a voice vote of seven (7) ayes, the motion carried.

Member Nelson made a motion, seconded by Chairman Ashton, to nominate Matt Asselmeier for the position of Recording Secretary. No additional nominees were presented. With a voice vote of seven (7) ayes, the motion carried.

Appointments to Comprehensive Land Plan and Ordinance Committee

Chairman Ashton announced the appointments to the Comprehensive Land Plan and Ordinance Committee as follows: Larry Nelson (Chairman), Chairman of the Kendall County Regional Planning Commission or Their Designee (Bill Ashton), Chairman of the Kendall County Zoning Board of Appeals or Their Designee (Randy Mohr), Chairman of the Kendall County Board or Their Designee (Scott Gryder), Chairman of the Kendall County Planning, Building and Zoning Committee or Their Designee (Matthew Prochaska), Megan Andrews, and Jeff Wehrli.

Annual Meeting-February 1, 2020 at 9:00 a.m.

The Commission reviewed the draft agenda for the Annual Meeting.

OLD BUSINESS

Update on Zoning Ordinance Project

Mr. Asselmeier reported that Comprehensive Land Plan and Ordinance Committee has completed their review of the Zoning Ordinance and the proposal will be advanced in sections with the intention of having the entire proposal enacted on December 1st.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Petition 19-26, regarding the landscaping business at 276 Route 52, was approved by the County Board. Several Commissioners noted that burning was occurring on the property and that the property owners were not taking care of the property.

Petition 19-31, regarding cannabis zoning regulations, was approved by the County Board.

Petition 19-35, regarding a kennel at 3601 Plainfield Road, was approved by the County Board.

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier reported that the text amendment to the Zoning Ordinance pertaining to citation authority, hearing officer, and fines will be on the February agenda. The owner of the property where ServPro was previously located submitted an application for a text amendment and special use permit for a trucking business at the property. However, the owner is also considering requesting a change to the Land Resource Management Plan and a map amendment at the property.

ADJOURNMENT

Member Casey made a motion, seconded by Member Hamman, to adjourn. With a voice vote of seven (7) ayes, the motion passed. The Kendall County Regional Plan Commission meeting adjourned at 9:35 p.m.

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

Enc.

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
JANUARY 22, 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)
Dan Kramer	1107 D S. Brock St Jubilee IL 62560	19-37 / 19-38 / 19-39
PAT COLARTE	[REDACTED]	[REDACTED]
RON SMRZ	[REDACTED]	
Syvia Torts	[REDACTED]	
Len Pfaff	[REDACTED]	
Ron Zies	[REDACTED]	
Zack Morevod	[REDACTED]	
Mike Torts	[REDACTED]	

Kyle Boyke

Laurie Pfaff

[REDACTED]

[REDACTED]

**MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, Room 209 and 210
YORKVILLE, IL 60560
January 27, 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, Karen Clementi, Cliff Fox, Tom LeCuyer, Randy Mohr, and Dick Whitfield

Members Absent: Dick Thompson

Staff Present: Matthew Asselmeier, AICP, Senior Planner

Others Present: Dan Kramer, Emily Hoffmann, Michael Cook, Deb Chow, and Pat Colaric

PETITIONS

The Zoning Board of Appeals started their review of Petition 19-37 at 7:02 p.m.

19 – 37 – John Dollinger on Behalf of Hansel Ridge, LLC

Request: Amend the Future Land Use Map in the Land Resource Management Plan by Changing the Classification of the Subject Property from Public/Institutional to Commercial

PIN: Northern 18.7 +/- Acres of 09-13-200-002

Location: 195 Route 52, Seward Township

Purpose: Petitioner Wants Map Change to Be Able to Rezone the Property for Commercial Purposes; Property is Zoned A-1

Mr. Asselmeier summarized the request.

Hansel Ridge, LLC would like an amendment to the Future Land Use Map contained in the Land Resource Management Plan for approximately eighteen point seven more or less (18.7 +/-) acres located on the northern half of the property currently addressed as 195 Route 52. If approved, the Petitioner would like to rezone the property to allow an athletic facility and a storage business to be located on the property; both of these requests were submitted as separate petitions.

The application materials were provided. A map showing the property was provided; the northern portion of the property is the subject of this Petition.

The adjacent land uses were agricultural or agricultural related. The adjacent zonings were agricultural or agricultural with a special use permit. The Land Resource Management Plan calls for the area to be Suburban Residential and Public/Institutional. The zonings within one half (1/2) mile were agricultural or agricultural with a special use permit.

Pictures of the property were provided.

The property owner is not requesting a change in the Future Land Use Map for the southern twenty-one more or less (21 +/-) acres of their property. Their property will remain classified as Public/Institutional on the Future Land Use Map.

Minooka School District 111 owns the adjacent properties to the north and west of the subject property.

The A-1 special use to the north is for a church. The A-1 special use to the south is for a fertilizer and grain storage operation. The A-1 special use to the west appears to be for an airstrip. The property at 276 Route 52 has a special use permit for a landscaping business.

Seven (7) existing houses are within one half (1/2) mile of the subject property.

Petition information was sent to Seward Township on October 21, 2019. The Seward Township Planning Commission reviewed this request at their meeting on January 14, 2020. Concerns were expressed regarding traffic congestion and the potential for increased vehicular accidents. Discussion also occurred regarding drainage. The property's proximity to Shorewood and its location were the reasons for seeking the change to the Land Resource Management Plan and for the requested map amendments and special use permits. The Seward Township Planning Commission recommended approval of the request. The minutes of this meeting are included were provided.

The Seward Township Board reviewed this request at their meeting on January 14, 2020. They echoed the concerns of the Seward Township Planning Commission regarding traffic and drainage. The Seward Township Board recommended approval of the request. The minutes of this meeting were provided.

Petition information was sent to the Village of Shorewood on October 21, 2019. The Village of Shorewood submitted an email on January 6, 2020, stating that they were in discussions with the Petitioner and would have further review at the Village's February 5th Planning and Zoning Commission meeting. This email was provided.

The Troy Fire Protection District has no objections to commercial uses as this location.

ZPAC reviewed this proposal at their meetings on November 5, 2019, and January 7, 2020. At the November 5th meeting, discussion occurred regarding well and septic service at the site. The Petitioner agreed to a right-of-way dedication along the County Line Road frontage. At the January 7th meeting, the Petitioner provided updated septic information and updated traffic information. The final size of the detention pond had yet been determined. The Petitioner was working on a pre-annexation agreement with Shorewood that would allow the Village to annex the property when the property becomes contiguous to the Village. It was noted that the Village of Shorewood would like the special use to apply to only the storage portion of the property and that the acreage between the storage units and County Line Road be zoned business without a special use permit and that a formal subdivision occur. The Petitioner agreed to a sixty foot (60') right-of-way dedication as measured from the centerline of County Line Road including a ten foot (10') dedication for utilities. It was also noted that the Village of Shorewood requested the removal of some fencing and the reorientation of some of the storage buildings. It was noted that the landscaping plan and signage plan required more definition. ZPAC

recommended forwarding the proposal to the Kendall County Regional Planning Commission without objection; two (2) members were absent. The minutes of these meetings were provided.

The Kendall County Regional Planning Commission held a public hearing on this proposal on January 22, 2020. One (1) neighbor testified in opposition to the request because of concerns about traffic safety and the neighbor wanted the area to stay undeveloped. The Kendall Regional Planning Commission recommended approval of the request without objection; two (2) members were absent. The minutes of this hearing were provided.

The Village of Shorewood's Future Land Use Map calls for this property to be Commercial and Government/Institutional.

Will County gives deference to the Village of Shorewood. Will County favors suburban development, whether that be commercial or residential, in this area.

The subject property was originally planned to be a future school location. The southern portion of the subject property and the property immediately to the north of the subject property are both planned to be Public/Institutional. In addition, the property to the west and the property to the north are both owned by the Minooka School District 111. A school could still be placed in the area. Therefore, uses that support and that are not in conflict with educational related uses, including many commercial uses, could be placed on the subject property.

Because commercial uses require site plan approval, because the Village of Shorewood's Comprehensive Plan calls for this property to be Commercial, and because many commercial uses could be placed on the subject property that would complement education uses, Staff recommends approval of the requested change.

Dan Kramer, Attorney for the Petitioners, explained the ownership and contract to sale for the site. Mr. Kramer indicated that his client, Jason Shelley, plans to develop the athletic facility and sell the front portion of the property for the storage facility and some retail use. Mr. Kramer noted the uniqueness of the B-4 Recreation District zoning classification. He believed that the school use will be complimentary to the proposed athletic facility. The proposed athletic facility is larger than the existing similar facility in Bristol Township. Mr. Kramer explained the operations of Mr. Shelley's existing facility and the operations proposed at site in Seward Township. The amenities of the proposed facility will allow parents to remain at the facility for long periods of time. Mr. Kramer noted the positive recommendations of the advisory boards that previously reviewed this request.

Member Cherry expressed concerns regarding the intersection of Route 52 and County Line Road. Mr. Kramer agreed with Member Cherry's concerns. Mr. Kramer noted that Anne Vickery, Seward Township Highway Commissioner, Fran Klaas, and the Village of Shorewood, contacted the Illinois Department of Transportation and the Illinois Department of Transportation acknowledged that they were examining the intersection. Mr. Kramer said traffic will come from the north and patrons will be directed to Baltz Road. Mr. Kramer said the Dollingers agreed to maintain a view or site easement. It was noted that a fatality occurred at the intersection this summer. Chairman Mohr noted that a school could have already been placed in the area.

Pat Colaric, neighbor to the property, discussed the traffic situation on Baltz Road. He noted the

number of accidents in the area. He expressed concerns about families getting killed in the area because of the traffic situation. He believed the proposed use will make a bad situation worse. He suggested hanging a red light over the intersection.

Member LeCuyer made a motion, seconded by Member Whitfield, to recommend approval of the requested change to the Future Land Use Map.

The votes were as follows:

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

Nays (0): None

Absent (1): Thompson

The motion passed.

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

The Zoning Board of Appeals completed their review of Petition 19-37 at 7:20 p.m.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Cherry made a motion, seconded by Member Fox, to adjourn. With a voice vote of six (6) ayes, the motion passed. The Zoning Board of Appeals meeting adjourned at 8:17 p.m.

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

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

Exhibits

1. Memo on Petition 19-37 Dated January 24, 2020
2. Certificate of Publication and Mailings for Petition 19-37 (Not Included with Report but on file in Planning, Building and Zoning Office).

State of Illinois
County of Kendall

LRMP
Petition #19-37

RESOLUTION NUMBER 2020-_____

A RESOLUTION ADOPTING AN AMENDMENT TO THE KENDALL COUNTY LAND RESOURCE MANAGEMENT PLAN TO UPDATE THE FUTURE LAND USE PLAN BY RECLASSIFYING THE NORTHERN 18.7 ACRES OF THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF ROUTE 52 AND COUNTY LINE ROAD (PIN: 09-13-200-002) IN SEWARD TOWNSHIP FROM PUBLIC/INSTITUTIONAL TO COMMERCIAL

WHEREAS, 50 ILCS 805 allows Counties to create and adopt Land Resource Management Plans; and

WHEREAS, 55 ILCS 5/5-14001 through 5-14008 specifies how a County may adopt and amend Official Plans; and

WHEREAS, Kendall County adopted a Land Resource Management Plan in March 1994; and

WHEREAS, the Kendall County Board has amended the Land Resource Management Plan on several occasions since its adoption in March 1994; and

WHEREAS, the Kendall County Land Resource Management Plan has adopted official Future Land Use Maps for each township and for the County as a whole; and

WHEREAS, the property which is the subject of this Resolution has been, at all relevant times, and remains currently classified as Public/Institutional on the Future Land Use Map and the portion of the property subject to the reclassification consists of approximately 18.7 acres located near the northwest corner of Route 52 and County Line Road (Northern Portion of PIN: 09-13-200-002) in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property.”; and

WHEREAS, the subject property is currently owned by Hansel Ridge, LLC and is represented by John Dollinger and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about September 30, 2019, Petitioner’s representative filed a petition to reclassify the subject property from Public/Institutional to Commercial in order to rezone the property from A-1 Agricultural District to a Business District classification; and

WHEREAS, following due and proper notice by publication in the Beacon News on January 6, 2020, the Kendall County Regional Planning Commission conducted a public hearing on January 22, 2020, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested amendment and zero members of the public testified in favor of the request and one member of the public testified in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Regional Planning Commission has recommended approval of the proposed amendment; and

WHEREAS, following due and proper notice by publication in the Kendall County Record not less than fifteen days prior thereto, the Kendall County Zoning Board of Appeals met on January 27, 2020, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the amendment and zero members of the public expressed support and one member of the public expressed opposition to the request; and

State of Illinois
County of Kendall

LRMP
Petition #19-37

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended approval of the proposed amendment; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and meetings, and has forwarded to the Kendall County Board a **approval/denial/neutral** recommendation of the proposed amendment; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee, the recommendation of the Kendall County Zoning Board of Appeals, the record of the public hearing conducted by the Kendall County Regional Planning Commission, the recommendation of the Kendall County Regional Planning, and has determined that said proposed amendment to the Kendall County Land Resource Management Plan is necessary and in the best interests of Kendall County; and

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Recommendations of the Kendall County Regional Planning and Kendall County Zoning Board of Appeals attached hereto as Exhibits B and C respectively are hereby accepted.
2. The Kendall County Board hereby grants approval of Petitioner's petition for an amendment to the Future Land Use Plan contained in the Kendall County Land Resource Management Plan by reclassifying the subject property as Commercial.
3. Any text or maps contained in the Kendall County Land Resource Management Plan in conflict with this resolution are hereby amended to match the reclassification of the subject property approved by this resolution.

IN WITNESS OF, this resolution has been enacted by a majority vote of the Kendall County Board and is effective this 18th day of March, 2020.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A

LEGAL DESCRIPTION:

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet for the point of beginning; thence Westerly, parallel with the North Line of said Northeast Quarter, 1146.61 feet to a line which is 1500.0 feet (normally distant) Easterly of the West Line of said Northeast Quarter; thence Southerly, parallel with said West Line, 679.29 feet; thence Easterly, parallel with said North Line, 423.0 feet; thence Southerly, parallel with said West Line 53.0 feet; thence Easterly, parallel with said North Line, 720.57 feet to said East Line of the Northeast Quarter; thence Northerly, along said East Line, 732.32 feet to the point of beginning in Seward Township, Kendall County, Illinois.

Exhibit B

The Kendall County Regional Planning Commission held a public hearing on the Petition on January 22, 2020. One (1) member of the public testified in opposition to the request. On the same date, the Commission issued the following recommendation by a vote of seven (7) in favor and zero (0) in opposition. Commissioner McCarthy-Lange and Commissioner Rodriguez were absent.

RECOMMENDATION

Approval

Exhibit C

The Kendall County Zoning Board of Appeals held a public meeting on the Petition on January 27, 2020. One (1) member of the public spoke in opposition to the request. On the same date, the Board issued the following recommendation by a vote of six (6) in favor and zero (0) in opposition. Member Thompson was absent.

RECOMMENDATION

Approval