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**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION**  
109 West Ridge Street • Third Floor Courtroom • Yorkville, IL • 60560  
**AGENDA**

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**Wednesday, September 23, 2020 – 7:00 p.m.**

**CALL TO ORDER**

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

**APPROVAL OF AGENDA**

**APPROVAL OF MINUTES**      Approval of Minutes from August 26, 2020 Meeting (Pages 4-9)

**PETITIONS**

1.            **Amended Petition 20 – 02            Greg Dady on Behalf of DTG Investments, LLC**  
                 **–(Pages 10-20)**  
Request:      Text Amendments to the Kendall County Zoning Ordinance Adding Truck Parking Area or Yard Including Offices and Maintenances Facilities Provided that the Use has Direct Access to a Road Designated as a Major Collector or Higher in the County Land Resource Management Plan to the List of Special Uses in the A-1 District and Related Citation Corrections  
Purpose:      Proposal Adds Truck Parking Area or Yard to the List of Special Uses in the A-1 District
  
2.            **Amended Petition 20 – 05 –            Greg Dady on Behalf of DTG Investments, LLC**  
                 **(Pages 21-76)**  
Request:      Special Use Permit for a Truck Parking Area or Yard  
PIN:           06-09-400-005  
Location:     3485 Route 126, Na-Au-Say Township  
Purpose:      Petitioner Wants to Be Able to Operate a Truck Parking Area or Yard with Related Offices and Maintenance Facilities on the Property
  
3.            **Amended Petition 20 – 01 –            Kendall County Planning, Building and Zoning**  
                 **Committee (Pages 77-98)**  
Request:      Text Amendments to the Kendall County Zoning Ordinance Amending Recreational Vehicle Park and Campground Zoning Regulations and Repealing the 1983 Recreational Vehicle Park and Campground Regulations  
Purpose:      Proposal Updates the Recreational Vehicle Park and Campground Zoning Regulations

**CITIZENS TO BE HEARD/PUBLIC COMMENT**

**NEW BUSINESS**

1.            Approval of Letter from the Kendall County Regional Planning Commission to the Village of Shorewood Regarding the Go Pro Athletic Facility and Four Seasons Storage Development (Page 99)
  
2.            Recommendation on Kendall County Regional Planning Commission Fiscal Year 2020-2021 Meeting Calendar (Page 100)
  
3.            Discussion of Amendment to Article IX of the Kendall County Regional Planning Commission's Bylaws Pertaining to the Location of the Annual Meeting of the Election of Officers; Commission Could Make a Motion to Amend the Location of the Annual Meeting of the Election of Officers. (Page 101)

## OLD BUSINESS

### REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

1. Petition 19-39 Map Amendment and Special Use Permit for Four Seasons Storage
2. Petition 20-15 Final Plat Approval for the Go Pro Sports Subdivision
3. Petition 20-14 Zoning Ordinance Project
4. Petition 20-21 Fee Schedule Amendment

### OTHER BUSINESS/ANNOUNCEMENTS

ADJOURNMENT Next Meeting October 28, 2020

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

## Kendall County Regional Planning Commission 9-23-2020 Remote Meeting Attendance



In accordance with the Governor's Executive Order 2020-07, Kendall County Board Chairman Scott Gryder is encouraging social distancing by allowing remote attendance to the Kendall County Regional Planning Commission Meeting scheduled for Wednesday, September 23, 2020, at 7:00 p.m. Instructions for joining the meeting are listed below.

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

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

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### Join Microsoft Teams Meeting

+1 309-248-0701 United States, Rock Island (Toll)

Conference ID: 190 999 717#

[Local numbers](#) | [Reset PIN](#) | [Learn more about Teams](#) | [Meeting options](#)

Kendall County

[Legal](#)

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Kendall County Regional Planning Commission Meeting Information:

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

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

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

**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION**

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

**Unapproved - Meeting Minutes of August 26, 2020 - 7:00 p.m.**

Chairman Ashton called the meeting to order at 7:03 p.m.

**ROLL CALL**

Members Present: Bill Ashton, Roger Bledsoe, Karin McCarthy-Lange (Attended Remotely), Larry Nelson, and Claire Wilson (Attended Remotely)

Members Absent: Tom Casey, Dave Hamman, Ruben Rodriguez, and Bob Stewart

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

Others Present: Dan Kramer

**APPROVAL OF AGENDA**

Member Nelson made a motion, seconded by Member Bledsoe, to approve the agenda.

The votes were as follows:

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

Nays (0): None

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

The motion carried.

**APPROVAL OF MINUTES**

Member Bledsoe made a motion, seconded by Member Nelson, to approve the minutes of the July 22, 2020, meeting.

The votes were as follows:

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

Nays (0): None

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

The motion carried.

**PUBLIC HEARING**

**20-15 Jason Shelley on Behalf of Go Pro Ball, LLC and James and Denise Maffeo on Behalf of Four Seasons Storage, LLC**

The Kendall County Regional Planning Commission started their review of Petition 20-15 at 7:05 p.m.

Mr. Asselmeier summarized the request.

The Petitioners would like to establish a four (4) lot commercial subdivision on the northern approximately nineteen (19) acres of the subject property. The Petitioners would also like relief from the requirements in the



Kendall County Subdivision Control Ordinance pertaining to soil mapping for subdivisions utilizing septic systems for sewer service.

The preliminary plat application, variance request, proposed final plat, and the engineering plans were provided. The proposed subdivision is located on the northern eighteen point seven plus or minus (18.7+/-) acres 195 Route 52 located at the northwest corner of Route 52 and County Line Road in Seward Township.

The Future Land Use Map calls for the property to be commercial. Lots 1 and 4 have already been rezoned to B-4 Commercial Recreation District. A petition is ongoing to rezone Lot 2 to B-3 Highway Commercial District and for special use permits for indoor and outdoor storage. The same petition also calls for Lot 3 to be rezoned to B-2 General Commercial District for future commercial uses.

County Line Road is a Township maintained arterial road. No trails are planned for the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are agricultural or agricultural related. The adjacent zone classifications are also Agricultural. The zoning classifications within one half (1/2) mile are also Agricultural. The Future Land Use Map calls for Residential and Public/Institutional uses around the property.

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.

EcoCAT Report submitted and consultation was terminated.

The LESA Score was 217 indicating a medium level of protection. The NRI Report was provided.

Petition information was sent to Seward Township on July 28, 2020.

Petition information was sent to the Village of Shorewood on July 28, 2020. An annexation agreement is under review between the Petitioners and the Village.

Petition information was sent to the Troy Fire Protection District on July 28, 2020. The Troy Fire Protection submitted a response, which was provided. The Petitioners submitted comments on the response, which were provided.

ZPAC reviewed this proposal at their meeting on August 4, 2020. The traffic study was still unavailable. The Village of Shorewood requested that the setback lines not be shown on the final plat due to potential conflicts between the County's regulations and Shorewood's regulations. The Village of Shorewood also requested information regarding the long-term maintenance of the stormwater detention pond on Lot 3, which serves Lots 2 and 3. The Health Department expressed their support for the requested exception to the Kendall County Subdivision Control Ordinance. The Petitioners' Attorney noted that the no parking would be permitted on Lot 4. The private road could be widened, if development occurred on the property south of the subject property. The private road could also be extended to the west if the Minooka School District constructed a school on the adjacent property. The Petitioners were agreeable with the conditions proposed by Staff and the removal of the

setback lines on the final plat. By a vote of eight (8) in favor and zero (0) in opposition, ZPAC recommended approval of the proposal with the conditions proposed by Staff, the removal of the setback lines on the plat, and approval of the exception to the Kendall County Subdivision Control Ordinance. Two (2) members of ZPAC were absent. The minutes of the meeting were provided.

According to the information provided to the County in the application materials and the materials provided previously for Petitions 19-38 and 19-39, the proposed Go Pro Sports Subdivision would consist of four (4) lots as described as follows:

Lot 1 would be approximately eight point six-nine (8.69) acres in size. Per Ordinance 2020-02, the property is zoned B-4 Commercial Recreation District. Per Petition 20-16, the property owner, Goprobball, LLC plans to construct an approximately seventy thousand (70,000) square foot indoor athletic facility with parking and an approximately seven thousand five (7,500) square foot eating area. The property would also have one (1) approximately ninety thousand, five hundred (90,500) square foot wet bottom stormwater detention pond. The pond would be approximately eleven feet (11') feet deep at its deepest area.

Lot 2 would be approximately four point zero-one (4.01) acres in size. Per Petition 19-39, Four Seasons Storage, LLC plans to construct one (1) three thousand two hundred sixty-four (3,264) square foot metal storage and office building, eight (8) four thousand eight hundred (4,800) square foot storage buildings, four (4) three thousand two hundred (3,200) square foot storage buildings, one (1) four thousand two hundred fifty (4,250) square foot storage building, and one (1) five thousand (5,000) square foot storage building. The construction would occur in two (2) phases. The area without buildings in the first phase would be used for outdoor storage. If Petition 19-39 is approved, the property would be zoned B-3 Highway Business District with special use permits for indoor and outdoor storage.

Lot 3 would be four point six-seven (4.67) acres in size and would have one (1) approximately ninety thousand, five hundred (90,500) square foot wet bottom stormwater detention pond similar to the pond located on Lot 1. The balance of the site is reserved for future commercial development. Based on discussion with the Petitioner, development of this site is unlikely until public water and sewer service becomes available. If Petition 19-39 is approved, the property would be zoned B-2 General Business District. Per the Kendall County Zoning Ordinance, the site plan for any commercial development would be approved upon application for building permits or special use permits.

Lot 4 is approximately zero point five (0.5) acres and will be used as a private road maintained by the owners of Lots 1, 2, and 3. The road will be forty feet (40') wide and asphalt. The road will be named Go Pro Boulevard. Per Ordinance 2020-02, the property is zoned B-4 Commercial Recreation District.

In addition to the lots, land along the eastern side of the Subdivision will be dedicated to Seward Township for County Line Road Right-of-Way at a depth of sixty feet (60') as measured from the centerline of County Line Road. Also, a ten foot (10') public utility easement for Kendall County and Village of Shorewood is planned along County Line Road and Go Pro Boulevard. Maintenance of the private drive will be handled by an Illinois not-for-profit established by the property owners. The draft maintenance agreement was provided.

All structures constructed in the Subdivision will require building and occupancy permits.

Until public utilities from the Village of Shorewood are extended to the property, the athletic facility and storage businesses will be served by well and septic.

The engineering plans were provided.

The property fronts County Line Road. The draft traffic study was provided. As noted in the draft traffic study, no southbound right-turn lanes or center turn-lanes are required.

Parking facilities would be determined by individual site plans for the various lots.

Lighting would be determined by individual site plans for the various lots.

Signage would be determined by individual uses and site plans for the various lots.

Landscaping would be determined by individual site plans for the various lots. Other than the private road, no additional common areas are planned.

At their meeting on June 8, 2020, the Kendall County Planning, Building and Zoning Committee approved a ninety (90) day waiver on the payment of application fees. Unless further waived, all application fees would be due prior to recording the final plat.

As noted in the variance request, due to the size of the proposed subdivision and related costs, the Petitioners do not believe the required soil map required in Section 7.03.A.7.c is necessary.

§ 11.00.A.2 of the Subdivision Control Ordinance outlines findings that the Plat Officer must make in order to recommend in favor of the applicant on variation applications. They are listed below in *italics*. The findings are as follows:

*Because of the particular physical surroundings, shape or topography conditions of the specific property involved a particular hardship to the owner would result as distinguished from a mere inconvenience, if the strict letter of the regulations was carried out.*

**The proposed subdivision consists of four (4) lots, one (1) of which is a private road. The maximum number of users will be two (2) until such time as public utilities are available.**

*The conditions upon which the request for a variation is based are unique to the property for which the variation is sought and are not applicable, generally to other property, and have not been created by any person having an interest in the property.*

**The conditions are unique in that the proposed subdivision is small, consisting of two (2) proposed users at the time of platting. The Petitioners did create the hardship by desiring to have a subdivision at this location.**

*The purpose of the variation is not based exclusively upon a desire to make more money out of the property.*

**The purpose of the variation is based on the size of the development and number of proposed lots.**

*The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.*

**Provided the subdivision is developed as proposed and that reasonable restrictions are placed on special uses that could be placed inside the subdivision, the granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood.**

Staff recommends approval of the requested plats and exception subject to the following:

1. A variance to Section 7.03.A.7.c of the Kendall County Subdivision Control Ordinance requiring a soil map and related soil studies be granted.
2. Unless further waived by the Planning, Building and Zoning Committee, all applicable application fees for review of the preliminary and final plats and variance shall be paid in full prior to the recording of the final plat.
3. The final plat shall become effective upon the successful recording of Exhibit C in the timeframe outlined in Section 7.06.H of the Kendall County Subdivision Control Ordinance unless an extension is granted by the Kendall County Board.

Chairman Ashton opened the public hearing at 7:09 p.m.

Member Wilson stated that she was dismayed to see all of the work that the Petitioners had to do to get to this point. Member Wilson did not like that two (2) engineering studies were required and the level of detail provided. She felt that the information was overkill and researched too extensively.

Attorney Dan Kramer explained that he has never had a zoning case that required this level of detail on review.

Member Nelson suggested that the County Board have a discussion with the Village of Shorewood regarding abusing the Village's zoning review powers.

Discussion occurred regarding Shorewood annexing in Seward and the Illinois Department of Transportation's potential planned improvements at the Route 52-County Line Road interchange.

Chairman Ashton closed the public hearing at 7:23 p.m.

Member Nelson made a motion, seconded by Member Bledsoe, to recommend approval of the requested preliminary and final plats and exception.

The votes were as follows:

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

Nays (0): None

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

The motion carried.

This proposal goes to the Kendall County Planning, Building and Zoning Committee on September 9, 2020.

The consensus of the Commission was to have Staff prepare a letter from the Commission to the Village of Shorewood expressing the Commission's displeasure with the requirements the Village imposed on the Petitioners.

The Kendall County Regional Planning Commission completed their review of Petition 20-15 at 7:24 p.m.

## **PETITIONS**

None

## **CITIZENS TO BE HEARD/ PUBLIC COMMENT**

None

## **NEW BUSINESS**

Member Wilson stated that she received a phone call from Anne Vickery regarding a trucking business on McKanna Road south of Aux Sable Creek, a house with junk and debris on Bell Road, and lack of code enforcement. Mr. Asselmeier requested the addresses of the properties and the Department will investigate the matter.

## **OLD BUSINESS**

None

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

None

## **OTHER BUSINESS/ANNOUNCEMENTS**

None

## **ADJOURNMENT**

Member Bledsoe made a motion, seconded by Member McCarthy-Lange, to adjourn.

The votes were as follows:

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

Nays (0): None

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

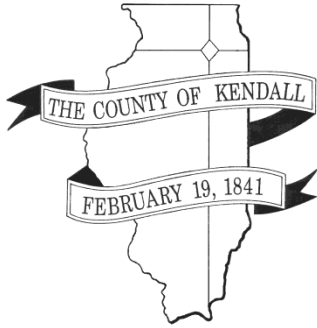
The motion carried.

The Kendall County Regional Plan Commission meeting adjourned at 7:34 p.m.

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

Encs.: Memo on Petition 20-15 Dated August 19, 2020

Certificate of Publication and Mailings for Petition 20-15 (Not Included with Report but on file in Planning, Building and Zoning Office).



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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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**MEMORANDUM**

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**To:** Kendall County Regional Planning Commission

**From:** Matthew H. Asselmeier, AICP, Senior Planner

**Date:** 9/16/2020

**Subject:** Petition 20-02 Request from Greg Dady on Behalf of DTG Investments, LLC to Add Truck Parking Area or Yard to the List of Special Uses in the A-1 Zoning District

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

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

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

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

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

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

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

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

This proposal was sent to the townships on September 1, 2020. As of the date of this memo, no comments have been received.

ZPAC reviewed this proposal at their meeting on September 1, 2020. Fran Klaas requested that

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

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

If you have any questions, please let me know.

Thanks,

MHA

Encs: Agricultural Zoning Map  
Illinois Department of Transportation's Five (5) Year Functional Classification Map  
September 1, 2020 ZPAC Minutes



# Zoning Map A1, A1-BP, A1-SU, A1-SU-PUD

## KENDALL COUNTY

- 2019 -

<http://gis.co.kendall.il.us>

### Legend

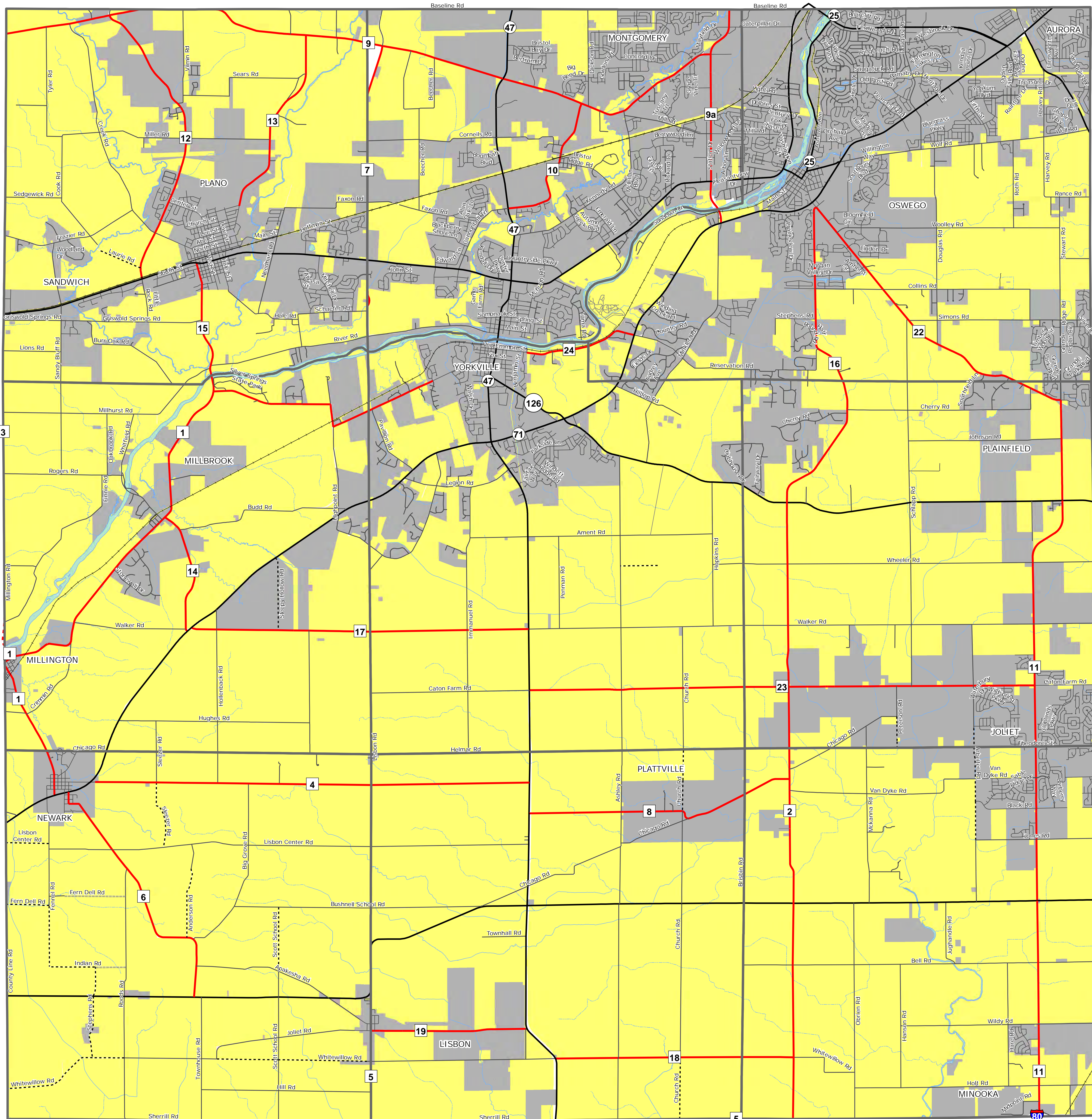
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- COUNTY
- INTERSTATE
- STATE
- FEDERAL
- BITUMINOUS
- GRAVEL
- DIRT
- LOCAL
- RAILROAD
- POLITICAL TOWNSHIPS
- COUNTY FOREST PRESERVE
- STATE PARK
- CORPORATE BOUNDARIES
- A1, A1-BP, A1-SU, A1-SU-PUD
- All Other Zoning/Municipalities

0 0.5 1 2 3  
Miles



**Kendall County GIS**

111 West Fox Street - Room 308  
Yorkville, Illinois 60560-1498  
630.553.4212

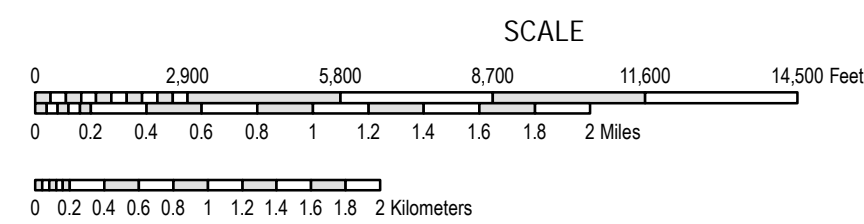




5-YEAR CLASSIFICATION MAP  
KENDALL COUNTY  
ILLINOIS

PREPARED BY THE  
ILLINOIS DEPARTMENT OF TRANSPORTATION  
OFFICE OF PLANNING AND PROGRAMMING

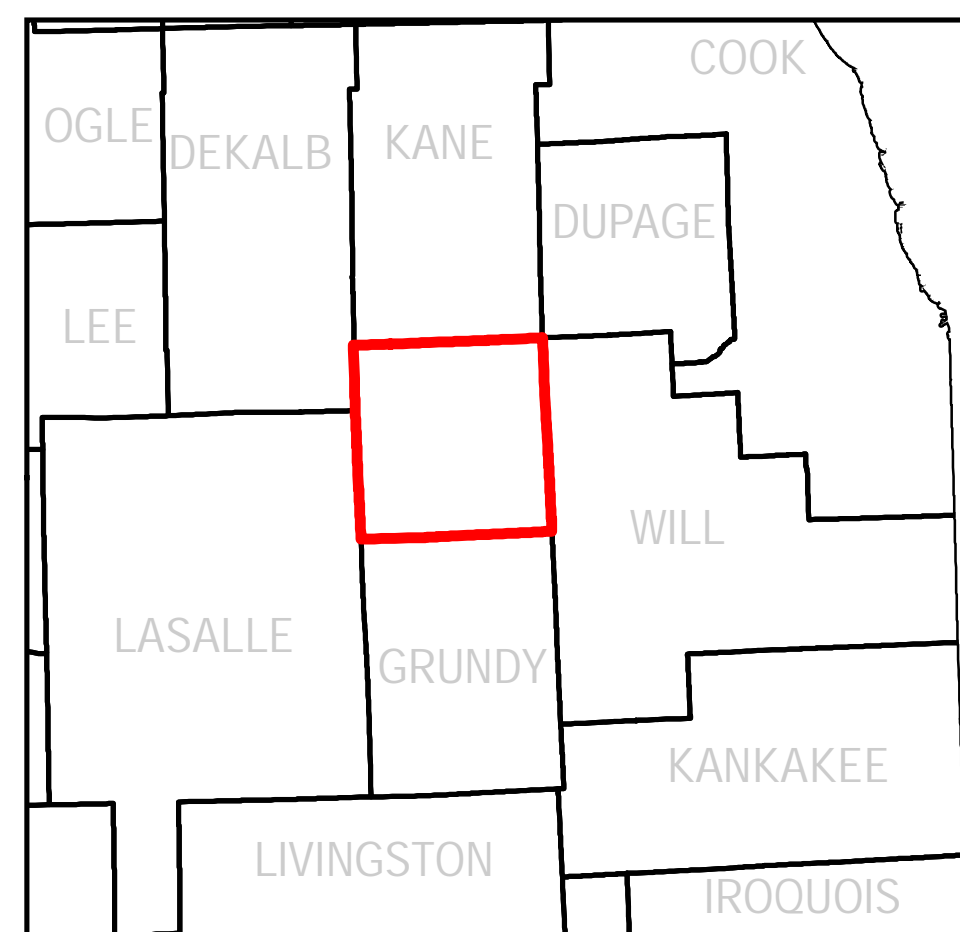
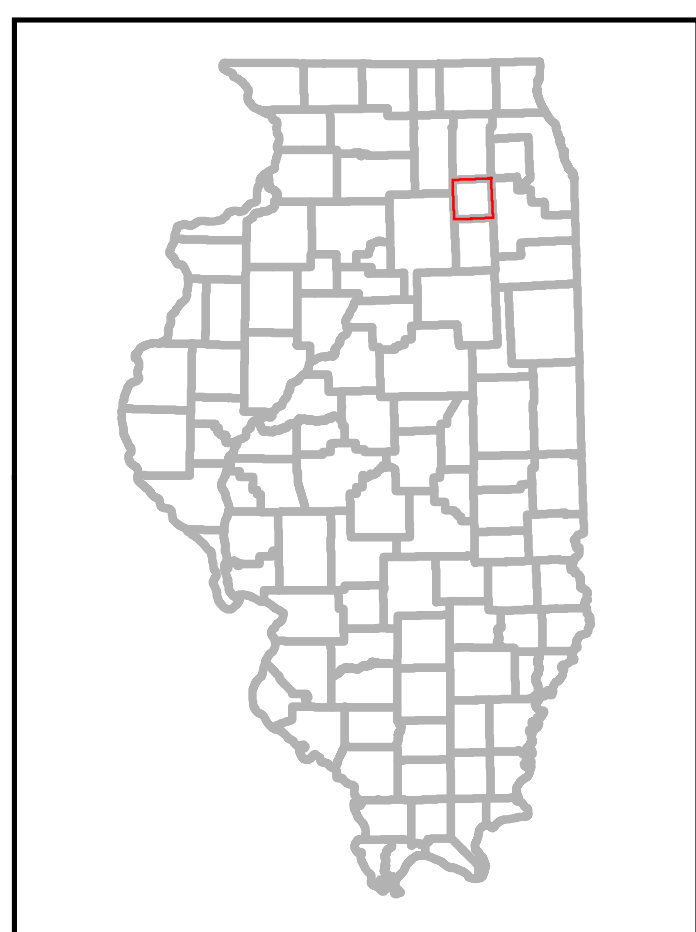
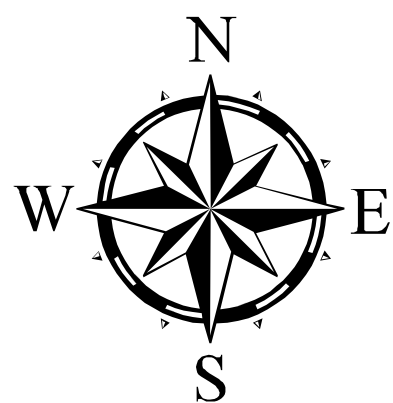
IN COOPERATION WITH  
U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION



5-Year Classification

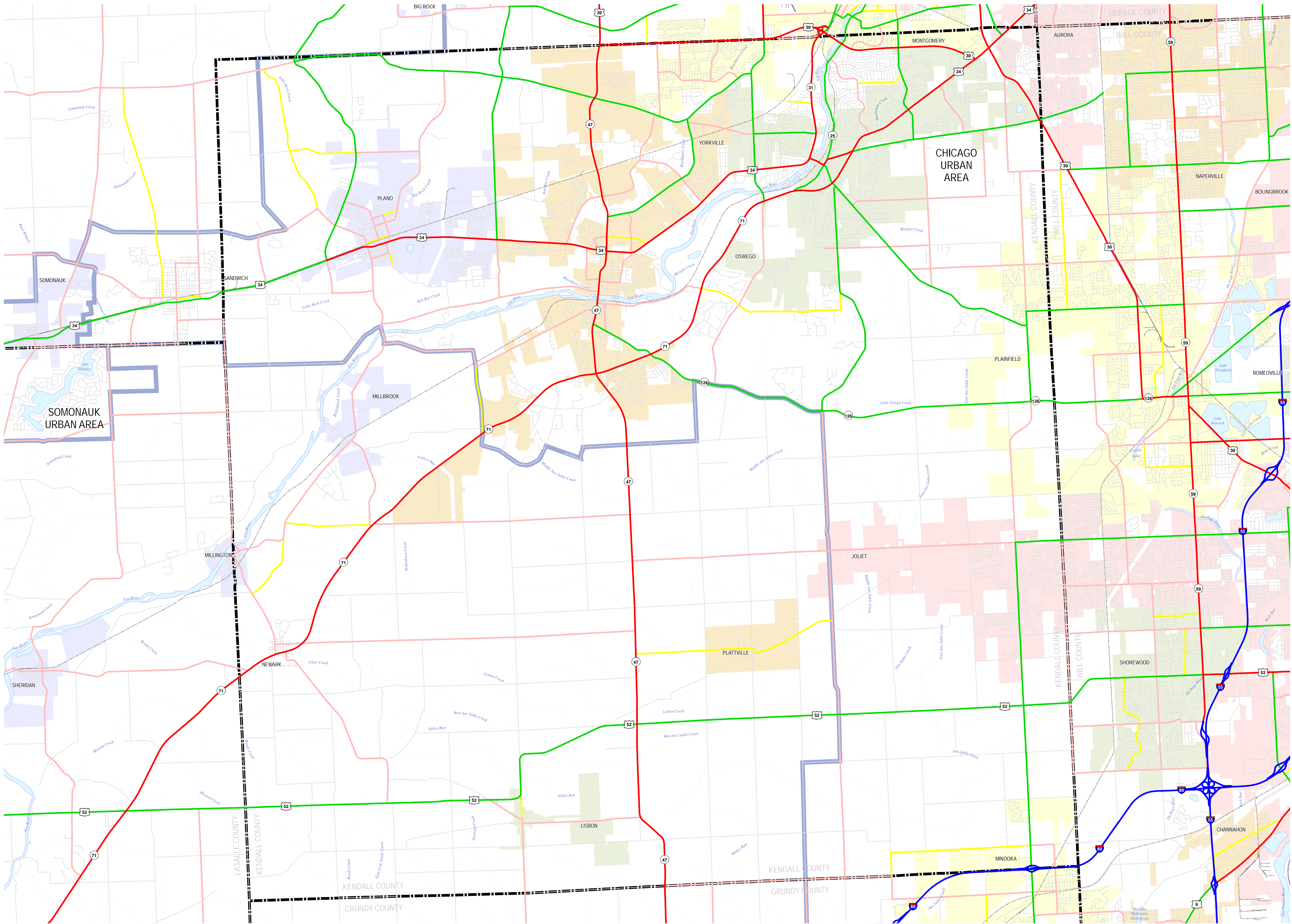
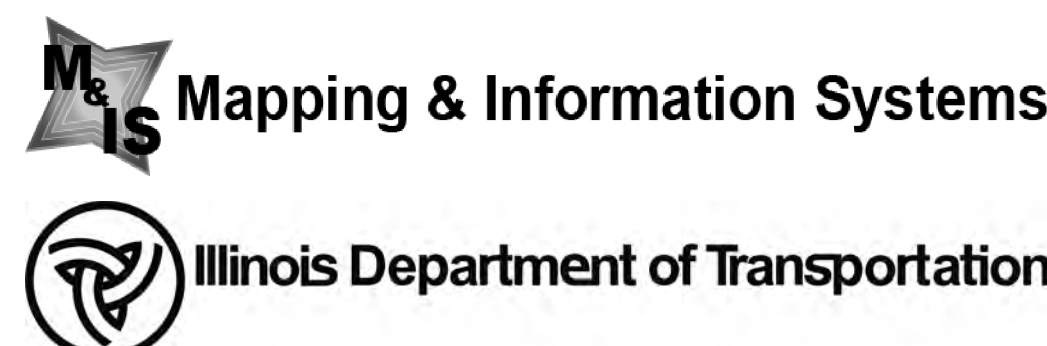
- 1 Interstate
  - 2 Freeway or Expressway
  - 3 Other Principal Arterial
  - 4 Minor Arterial
  - 5 Major Collector
  - 6 Minor Collector
  - 7 Local Road or Street
- Interstate, U.S., State
  - Railroad
  - State Boundary
  - County Boundary
  - Urban Boundary
  - River, Streams
  - Lakes

DATE MAP CREATED: 7/18/2019



THE ILLINOIS DEPARTMENT OF TRANSPORTATION'S MAPS USE DATA FROM EXTERNAL ELECTRONIC SOURCES THAT ARE NOT CONTROLLED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION. THE DEPARTMENT TAKES NO RESPONSIBILITY FOR THE VIEWS, CONTENT, OR ACCURACY FOR ANY SUCH INFORMATION PROVIDED FROM SUCH EXTERNAL SOURCES. THIS PRODUCT IS FOR REFERENCE PURPOSES ONLY AND IS NOT TO BE CONSIDERED AS A LEGAL DOCUMENT OR SURVEY INSTRUMENT. THE MAPS AND DATA CONTAINED HEREIN ARE TO BE CONSIDERED "AS IS" WITHOUT WARRANTIES OF ANY KIND, EITHER EXPRESSED OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY TO PARTICULAR PURPOSE OR USE. ANY RELIANCE ON THE INFORMATION CONTAINED HEREIN IS AT THE USER'S OWN RISK. THE ILLINOIS DEPARTMENT OF TRANSPORTATION CAN NOT BE HELD LIABLE FOR ANY SPECIAL, INDIRECT, OR CONSEQUENTIAL DAMAGES OR ANY DAMAGES WHATSOEVER RESULTING FROM LOSS OF USE, DATA, PROFITS, WHETHER IN AN ACTION OF CONTRACT, NEGLIGENCE, OR OTHER ACTION, ARISING OUT OF OR IN CONNECTION WITH THE USE OF THE INFORMATION HEREIN PROVIDED.

DATA SOURCES:  
ILLINOIS DEPARTMENT OF TRANSPORTATION  
ILLINOIS STATE TOLL HIGHWAY AUTHORITY  
ILLINOIS COMMERCE COMMISSION  
ILLINOIS DEPARTMENT OF REVENUE  
UNITED STATES DEPARTMENT OF TRANSPORTATION  
UNITED STATES GEOLOGICAL SURVEY  
UNITED (TM)





**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)**  
**September 1, 2020 – Unapproved Meeting Minutes**

PBZ Chairman Matthew Prochaska called the meeting to order at 9:03 a.m.

**Present:**

Matt Asselmeier – PBZ Department  
Brian Holdiman – PBZ Department (Attended Remotely)  
Commander Jason Langston – Sheriff's Department (Attended Remotely)  
Alyse Olson – Soil and Water Conservation District (Attended Remotely)  
Matthew Prochaska – PBZ Committee Chair  
Aaron Rybski – Health Department

**Absent:**

Meagan Briganti – GIS  
Greg Chismark – WBK Engineering, LLC  
David Guritz – Forest Preserve  
Fran Klaas – Highway Department

**Audience:**

Greg Dady and Mary Murray

**AGENDA**

Mr. Rybski made a motion, seconded by Chairman Prochaska, to approve the agenda as presented.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

**MINUTES**

Mr. Rybski made a motion, seconded by Chairman Prochaska, to approve the August 4, 2020, meeting minutes.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

**PETITIONS**

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

Mr. Asselmeier summarized the request.

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

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

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

ZPAC Meeting Minutes 9.1.20

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

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

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

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

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

The Agricultural Zoning Map with road classifications was provided.

Mr. Asselmeier noted that Fran Klaas requested that proposed use be restricted to roads classified as Minor Arterials of higher as designated by the Illinois Department of Transportation's Five (5) Year Functional Classification Map. Mr. Klaas had no objection to the proposed use going in at 3485 Route 126.

Mr. Rybski made a motion, seconded by Mr. Holdiman, to recommend approval of the request text amendment with the restriction that use be placed on roads classified as Minor Arterials of higher as designated by the Illinois Department of Transportation's Five (5) Year Functional Classification Map.

The votes were as follows:

Ayes (6):	Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0):	None
Present (0):	None
Absent (4):	Briganti, Chismark, Guritz, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

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

Mr. Asselmeier summarized the request.

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

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

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

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

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

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

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

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

ZPAC Meeting Minutes 9.1.20

The adjacent uses are agricultural or agricultural related.

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

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

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

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

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

Pictures of the property and area were provided.

EcoCAT Report submitted and consultation was terminated.

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

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

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

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

The Oswego Fire Protection District was sent information on August 25, 2020. The Oswego Fire Protection District noted that the fire alarm system at the property was not functioning. Other than that concern, they had no objections to the proposal.

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

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

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

Any new structures would require applicable building permits.

The property is served by well and septic.

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

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

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

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

The site plan shows fifteen (15) additional parking spaces to the north of the metal building and ten (10) parking spaces south of the metal building, including two (2) handicapped accessible spaces. A proposed asphalt addition is shown on the site plan. No information was provided regarding a timetable for installing the parking addition.

No information was provided regarding a plan to address spills or other motor vehicle related leaks.

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

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

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

A berm and several mature trees are between the metal building and Route 126. No specific landscaping information was provided.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

Before issuing a recommendation, Staff would like comments from Na-Au-Say Township, the Village of Oswego, the Village of Plainfield, and ZPAC members.

Mr. Rybski asked about the septic assessment and catching spills in the maintenance bays. Greg Dady responded that a triple catch basin exists in the maintenance bays and then into the tank. A soil analysis may be necessary.

Mr. Holdiman noted that a change of occupancy is required for the office and maintenance building.

Mr. Asselmeier noted that parking is not allowed in the front yard setback. Mr. Dady stated that no parking signs would be installed on the east side of the parking lot, rear of the property, and in front of the building. Mr. Dady was agreeable to have the parking lot asphalted within ninety (90) days of approval of the special use permit.

Mr. Dady said that the hours of operation could be impacted if an emergency breakdown occurred.

Mr. Dady will provide information on the berm and number of trees on the berm.

Mr. Dady noted that nobody will sleep at the site.

Chairman Prochaska noted that flyovers have increased and Mr. Asselmeier noted that Mr. Dady needs to make sure that the conditions in the special use permit were workable.

Mr. Asselmeier made a motion, seconded by Mr. Rybski, to recommend approval of the special use permit.

The votes were as follows:

Ayes (6):	Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0):	None
Present (0):	None
Absent (4):	Briganti, Chismark, Guritz, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

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

Mr. Asselmeier summarized the request.

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

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

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

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

In summary, the proposed changes are as follows:

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

17. The minimum lot size of twenty (20) acres was changed to minimum parcel size of twenty (20) acres (Section e).
18. The twenty percent (20%) maximum forest clearance was changed to exempt the clearing of invasive species. The definition of invasive species would be set by the Illinois Department of Natural Resources (Section k).
19. The reference to the Kendall County Soil and Erosion Ordinance was changed to Stormwater Management Ordinance (Section n).
20. Lots in park or campground would need to be clearly marked on the ground with landmarks on the lot corners and lot signage would be approved by the local fire protection district (Section dd).
21. The requirement that campgrounds and parks not cause demands that increase additional public funds to be expended for fire or police services was deleted because this requirement was difficult to quantify (Section hh). The subsequent sections of would be re-lettered to reflect this deletion.
22. The requirement that no permanent resident is allowed to live at a campground or recreational vehicle park was added and a recreational vehicle or tent would not be considered a location within a recreational vehicle park or campground. A camp caretaker would be exempt from the permanent resident requirement (Section jj).
23. The penalties section from the 1983 regulations was removed because a penalties section already exists in the Zoning Ordinance.
24. The requirement that recreational vehicle parks and campgrounds provide their registers to the Planning, Building and Zoning Department, Health Department, law enforcement agencies with jurisdiction, and the local fire protection district upon request was added. The register would be required to be updated daily at minimum. The register shall include campers, picnickers, and other visitors (Section kk.3).
25. A reasonable notice requirement for inspections was added (Section kk.4).
26. The Health Department standards were clarified to apply to all Health Department standards (Section ll).
27. Applicants must seek approval from fire and police departments at the time of application submittal for the special use permit (Section mm).
28. A street sign requirement was added and all trails shall be marked at their beginnings and ends (Section nn).
29. Submitting a map to KenCom and a timeline for changing the map was added (Section oo).
30. The maximum continuous stay requirement that is currently in Zoning Ordinance was deleted.
31. Section 9.05.C.15, regarding recreational camps and recreational vehicle parks as special uses in the B-4, M-1, and M-2 District was changed to reference the A-1 special use requirements.

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

Mr. Rybski requested clarification regarding Health Department as stated in the proposal. Mr. Asselmeier noted that the proposal applies to the Kendall County Health Department.

The proposal applies to new campgrounds and campgrounds that amend their special use permits.

Chairman Prochaska made a motion, seconded by Mr. Rybski, to recommend approval of the text amendment.

The votes were as follows:

Ayes (6):	Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0):	None
Present (0):	None
Absent (4):	Briganti, Chismark, Guritz, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

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

None

**OLD BUSINESS/NEW BUSINESS**

Mr. Asselmeier informed the Committee that upcoming meetings will be at the Historic Courthouse because of renovations to the County Board Room.

**CORRESPONDENCE**

None

**PUBLIC COMMENT**

None

**ADJOURNMENT**

Mr. Rybski made a motion, seconded by Chairman Prochaska, to adjourn.

The votes were as follows:

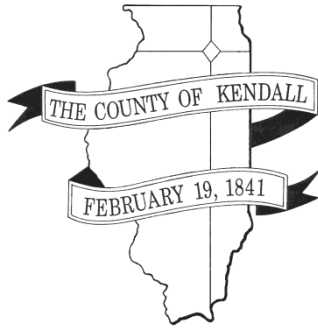
Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

The ZPAC, at 9:34 a.m., adjourned.

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





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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

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**Amended Petition 20-05****Greg Dady on Behalf of DTG Investments, LLC  
Special Use Permit for Truck Parking Area****INTRODUCTION**

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

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

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

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

The application materials are included as Attachment 1. The aerial of the property is included as Attachment 2. The aerial with the flood zone is included as Attachment 3. The plat of survey is included as Attachment 4. The site plan is included as Attachment 5.

**SITE INFORMATION**

PETITIONERS: Greg Dady on Behalf of DTG Investments, LLC

ADDRESS: 3485 Route 126, Oswego

LOCATION: North Side of Route 126 Approximately 0.45 Miles West of Schlapp Road



TOWNSHIP: Na-Au-Say

PARCEL #: 06-09-400-005

LOT SIZE: 5.6 +/- Acres

EXISTING LAND USE: Former Cleanup and Restoration Business

ZONING: A-1 Agricultural District with a Special Use Permit

LRMP:	Future Land Use	Rural Residential (0.65 DU/Acre)
	Roads	Route 126 is a State maintained arterial.
	Trails	There is a trail planned along Route 126
	Floodplain/ Wetlands	There is a floodplain on the north end of the property (Zone A-no base flood elevation determined).

REQUESTED ACTION: Special Use Permit for Truck Parking Area or Yard

APPLICABLE REGULATIONS: Section 13.08 – Special Use Procedures

#### **SURROUNDING LAND USE**

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural	A-1	Rural Residential	A-1
South	Agricultural	A-1	Public/Institutional and Rural Residential	A-1
East	Agricultural	A-1	Rural Residential	A-1, A-1 SU, and R-1
West	Farm Equipment Sales and Service Business	A-1 SU	Rural Residential	A-1 and A-1 SU

Pictures of the property are included as Attachments 7-13.

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

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

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

#### **PHYSICAL DATA**

##### **ENDANGERED SPECIES REPORT**

EcoCAT Report submitted and consultation was terminated, see Attachment 1, Pages 9-11.

##### **NATURAL RESOURCES INVENTORY**

The LESA Score was 189 indicating a low level of protection, see Attachment 6.

## **ACTION SUMMARY**

### **NA-AU-SAY TOWNSHIP**

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

### **VILLAGE OF OSWEGO**

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

### **VILLAGE OF PLAINFIELD**

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

### **OSWEGO FIRE PROTECTION DISTRICT**

The Oswego Fire Protection District was sent information on August 25, 2020. On August 27, 2020, the Oswego Fire Protection District submitted an email stating that they had no specific concerns. They did note that the fire alarm system at the property was not in operation. The Oswego Fire Protection District email is included as Attachment 16.

### **ZPAC**

ZPAC reviewed this proposal at their meeting on September 1, 2020. The Health Department asked about the septic system and catching spills in the maintenance bays. The Petitioner indicated that a triple catch basin exists in the bays. A change in occupancy permit for the business will be required. A permit for the sign will be required. The Petitioner was agreeable to paving the south parking lot with asphalt within ninety (90) days of the approval of the special use permit. The Petitioner said signage would be installed directing people not to park in the front yard setback or in locations that restricted access to the rear of the property through the drive on the east side of the property. The Petitioner was agreeable to the hours of operation and would obtain information regarding the height of the berm and number of trees on the berm. ZPAC recommended approval of the requested special use permit with a vote of six (6) in favor and zero (0) in opposition. Four (4) members were absent. The minutes of the meeting are included as Attachment 17.

## **GENERAL INFORMATION**

The subject property has been used as a landscaping business and repair and restoration business. The order and special use permit that allowed these businesses are included as Attachments 14 and 15 respectively. The Petitioner would like to retain the special use permit for a cleanup and restoration business at the property.

## **BUSINESS OPERATIONS**

According to the business plan found on page 2 of Attachment 1, the property is leased to United Group Logistics. United Group Logistics is a trucking company that hauls freight throughout the State. They use the property for office space, minor truck repair/maintenance and a truck depot. The office space is used for accounting and dispatch and the bays are used for maintenance. Ten (10) employees are at the site and the hours of operation are Monday through Friday from 8:00 a.m. until 5:00 p.m. and Saturday from 8:00 a.m. until 3:00 p.m.

No maintenance of vehicles will occur outside the main building.

## **BUILDINGS AND BUILDING CODES**

According to the site plan (Attachment 5), there is one (1) approximately fourteen thousand (14,000) square foot metal building on the property that is used for office operations and maintenance. The site plan also shows one (1) metal silo and one (1) corn crib in the planned truck parking area. One (1) approximately one thousand six hundred (1,600) square foot wood frame machine shed is located on the northeast corner of the truck parking area. One (1) single-family home with a detached garage is located on the west side of the property.

Any new structures would require applicable building permits.

## ENVIRONMENTAL HEALTH

The property is served by well and septic.

## STORMWATER

There is floodplain as part of the Little Slough Creek on the property as shown on Attachments 3 and 4. This area is considered Zone A which means no flood elevation has been determined; therefore, this area is considered Floodway. No storage or parking should take place in the floodway.

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

## ACCESS

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

## PARKING AND INTERNAL TRAFFIC CIRCULATION

According to the site plan (Attachment 5), a parking area for trucks is shown north of the metal building. The parking area is gravel. No dimension information was provided.

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

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

## LIGHTING

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

## SIGNAGE

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

## SECURITY

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

## LANDSCAPING

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

## NOISE CONTROL

No information was provided regarding noise control.

## ODORS

No new odors are foreseen by the proposed use.

## FINDINGS OF FACT

§ 13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order recommend in favor of the applicant on special use permit applications. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The operation of the special use will not*

**be detrimental to the public health, safety, morals, comfort, or general welfare provided that the operator of the business allowed by this special use permit develops the site according to the submitted site plan, follows the agreed upon hours of operation, and follows the Kendall County Inoperable Vehicle Ordinance, Kendall County Junk and Debris Ordinance, and related ordinances.**

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

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

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

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

## **RECOMMENDATION**

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

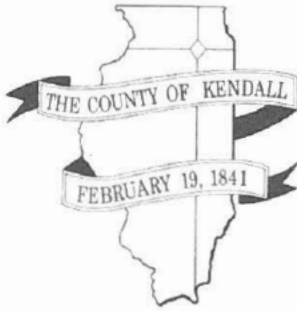
1. The site shall be developed substantially in accordance with the attached plat of survey (Attachment 4) and site plan (Attachment 5). The property owner or operators of the business allowed by this special use permit may remove the frame residence, garage, concrete, metal silo, wood frame machine shed, and corn crib without amending the site plan.
2. Within ninety (90) days of the approval of the special use permit ordinance, the property owner or operators of the business allowed by this special use permit shall install the asphalt parking spaces shown on the attached site plan (Attachment 5).
3. No parking or storage shall occur within the floodplain at the north end of the property.
4. The property owner or operators of the business allowed by this special use permit shall maintain the existing **XXX** foot tall berm and **XXX** trees on the berm. Dead or damaged vegetation shall be replaced on a timetable approved by the Kendall County Planning, Building and Zoning Department.
5. One (1) four foot by eight foot (4'X8') sign may be installed on the subject property in substantially the location shown on the site plan (Attachment 5). The property owner or operators of the business allowed by this special use permit may install additional directional and no parking signage in order to ensure that no parking occurs in the required front yard setback and that the access to the rear (north) of the property is not blocked via the existing asphalt drive.
6. None of the vehicles parked on premises shall be considered agricultural equipment as they relate to

the business allowed by the special use permit.

7. All of the vehicles parked on the premises shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
8. No maintenance may occur on any vehicle outside of the fourteen thousand (14,000) square foot building.
9. The property owner or operators of the business allowed by this special use permits shall diligently monitor the property for vehicle related leaks and shall promptly clean up the site if leaks occur.
10. The hours of operation for the business allowed by this special use permit shall be Monday through Friday from 8:00 a.m. until 5:00 p.m. and Saturday from 8:00 a.m. until 3:00 p.m. Drivers may drop-off trucks outside these hours of operations. No one associated with the business allowed by the special use permit shall spend the night at the property. The property owner or operators of the business allowed by this special use permit may reduce these hours of operation.
11. The total maximum number of employees for the business allowed by this special use permit shall be ten (10).
12. The property owner and operators of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
13. The conditions and restrictions contained in Ordinance 2014-29 pertaining to the operation of a clean-up restoration service/business shall remain valid, enforceable, and separate from the conditions and restrictions for the special use permit for a truck parking area or yard.
14. The property owner and operators of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.
15. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
16. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

#### **ATTACHMENTS**

1. Application Materials (Including Petitioner's Findings of Fact, NRI Application, and EcoCat)
2. Aerial
3. Flood Zone Aerial
4. Plat of Survey
5. Site Plan
6. NRI Report
7. Building East
8. Building West
9. East Driveway
10. Sign
11. Berm and Trees One
12. Berm and Trees Two
13. Looking South
14. May 8, 2001 Order
15. Ordinance 2014-29
16. August 27, 2020 Oswego Fire Protection District Email
17. September 1, 2020 ZPAC Minutes



## DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560  
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### APPLICATION

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

<b>NAME OF APPLICANT</b>		
Greg Dady		
<b>CURRENT LANDOWNER/NAME(s)</b>		
DTG Investments, LLC		
<b>SITE INFORMATION</b>		
ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
5	3485 Route 126, Oswego, IL 60543	06-09-400-005
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
Special Use	A-1	Rural Residential
<b>REQUESTED ACTION (Check All That Apply):</b>		
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MAP AMENDMENT (Rezone to _____)	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD ( <input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
<input checked="" type="checkbox"/> AMENDMENT TO A SPECIAL USE ( <input checked="" type="checkbox"/> Major; <input type="checkbox"/> Minor)		
<b><sup>1</sup>PRIMARY CONTACT</b>	<b>PRIMARY CONTACT MAILING ADDRESS</b>	<b>PRIMARY CONTACT EMAIL</b>
Greg Dady	[REDACTED]	[REDACTED]
<b>PRIMARY CONTACT PHONE #</b>	<b>PRIMARY CONTACT FAX #</b>	<b>PRIMARY CONTACT OTHER # (Cell, etc.)</b>
[REDACTED]	[REDACTED]	[REDACTED]
<b><sup>2</sup>ENGINEER CONTACT</b>	<b>ENGINEER MAILING ADDRESS</b>	<b>ENGINEER EMAIL</b>
<b>ENGINEER PHONE #</b>	<b>ENGINEER FAX #</b>	<b>ENGINEER OTHER # (Cell, etc.)</b>
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
<b>SIGNATURE OF APPLICANT</b>	[REDACTED]	<b>DATE</b> 8-17-2020

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

<sup>1</sup> Primary Contact will receive all correspondence from County

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

### Description of Use

The property located at 3485 State Route 126, Oswego, IL 60543 will be occupied by United Group Logistics. They operate as a trucking company hauling freight throughout the state and will be using the above named property for office space, minor truck repair/maintenance and a trucking depot. Office space will be utilized for accounting and dispatch, and bays will be used for minor repairs/maintenance and for truck parking. The business consists of 10 employees, and hours of operation are Monday - Friday from 8:00 am to 5:00 pm and Saturday from 8:00 am to 3:00 pm.



EXHIBIT A

**LEGAL DESCRIPTION**

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 16 ALL IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING NORTHERLY OF THE CENTER LINE OF ILLINOIS ROUTE 126 BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 260.00 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335.00 FEET; THENCE SOUTH 1 DEGREE 39 MINUTES 11 SECONDS EAST, 677.39 FEET TO THE CENTER LINE OF SAID ROUTE 126; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST ALONG SAID CENTER LINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 1 DEGREE 40 MINUTES 39 SECONDS WEST, ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS, EXCEPT THAT PART DEDICATED FOR ROAD PURPOSES PER DOCUMENT NUMBER 2001-24468, RECORDED DECEMBER 18, 2001.

(PERMANENT INDEX NUMBER 06-09-400-005-0000)

**PREPARED BY:**

Donald J. Manikas, Esq.  
Walker Wilcox Matousek LLP  
One North Franklin, Suite 3200  
Chicago, Illinois 60606

201400017091

DEBBIE  
GILLETTE  
KENDALL COUNTY, IL

RECORDED: 12/4/2014 2:03 PM  
WD: 1354.00 RHSPS FEE: 10.00  
PAGES: 4

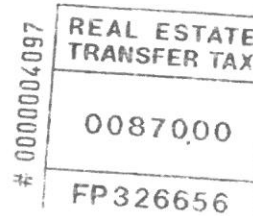
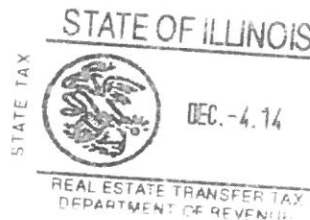
**AFTER RECORDATION****RETURN TO:**

Kristine Larsen, Esq.  
22 W. Van Buren Street  
Oswego, Illinois 60543

\$ 435.00

**SEND SUBSEQUENT TAX****BILLS TO:**

DTG Investments, LLC 3485 Route 126  
Post Office Box 7453  
Aurora, Illinois 60507

**SPECIAL WARRANTY DEED**

THIS INDENTURE, is made as of this 29<sup>th</sup> day of October, 2014 between **TRIPLE B SOUTH, LLC**, an Illinois limited liability company, as party of the first part, and **DTG INVESTMENTS, LLC 3485 ROUTE 126**, an Illinois series limited liability company, as party of the second part.

WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten and no/100 Dollars in hand paid, by these presents does GRANT, BARGAIN, SELL, REMISE, RELEASE, ALIEN AND CONVEY unto the party of the second part, and to its successors and assigns, FOREVER, all the following described land, situated in the County of Kendall, and State of Illinois known and legally described on Exhibit A attached hereto, subject to general real estate taxes not yet due and payable; zoning and building laws and ordinances; public and utility easements; covenants, conditions and restrictions of record (including that certain Ordinance Number 2014-29 granting a special use for 3485 Route 126 for a clean-up restoration services business, recorded October 10, 2014 as Document Number 201400014186); party wall rights and agreements, if any; matters shown or disclosed by survey prepared by Jade Surveyors LLC dated September 24, 2014; and existing leases or tenancies.

Address of Property: 3485 Route 126, Kendall County, Oswego, Illinois

Permanent Index Number: 06-09-400-005-0000

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the party of the first part, either in law or in equity, of, in and to the above described premises, with

the hereditaments and appurtenances: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the party of the second part, its heirs and assigns forever.

And the party of the first part, for itself, and its successors, does covenant, promise and agree, to and with the party of the second part, its successors and assigns, that, except as set forth above and expressly excluding all matters not done by the party of the first part, it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner encumbered or charged, and it will defend same against the lawful claims of all persons claiming by, through or under it, but not otherwise.

IN WITNESS WHEREOF, said party of the first part has caused its name to be signed to these presents, the day and year first written above.

**TRIPLE B SOUTH, LLC**  
an Illinois limited liability company

[Redacted Signature]

William F. Adelizzi, Managing Member

State of Illinois       )  
                                  )SS.  
County of COOK       )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that WILLIAM F. ADELIZZI, as Managing Member of Triple B South, LLC, an Illinois limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 29<sup>th</sup> day of October, 2014.

Commission expires November 20, 2016.

[Redacted Signature]

Notary Public



PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF KENDALL )


Robert L. Adelizzi, being duly sworn on oath, 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 a 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) acres 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 interest 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. This 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.

SUBSCRIBED AND SWORN TO BEFORE ME

  
Signature of Affiant

This 29<sup>th</sup> day of October, 2014.

  
Signature of Notary Public



# KENDALL COUNTY DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Greg Dady - DTG Investments, LLC  
 Address 3485 Route 126  
 City Oswego State IL Zip 60543
2. Nature of Benefit Sought \_\_\_\_\_
3. Nature of Applicant: (Please check one)  
☐ Natural Person (a)  
☐ Corporation (b)  
☐ Land Trust/Trustee (c)  
☐ Trust/Trustee (d)  
☒ Partnership (e)  
☐ Joint Venture (f)
4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:
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	INTEREST
Greg Dady - [REDACTED]	50
Tia Dady - [REDACTED]	50

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

Greg Dady is the applicant.

## VERIFICATION

1. Greg Dady, being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, 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 30 day of October, A.D. 2019

(seal)



[REDACTED]  
Notary Public

1  
7

**Kendall County Soil & Water  
Conservation District**

**RECEIVED**  
JAN 09 2010

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



www.kendallswcd.org

BY: Mandrews

### NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: DTG Investments, LLC

Contact Person: Greg Dady

Address: [REDACTED]

City, State, Zip: [REDACTED]

Phone Number: [REDACTED]

Email: [REDACTED]

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

#### Site Location & Proposed Use

Township Name NA-AU-SAY

Township \_\_\_\_\_ N, Range \_\_\_\_\_ E, Section(s) \_\_\_\_\_

Parcel Index Number(s) 0609400005

Project or Subdivision Name \_\_\_\_\_

Number of Acres \_\_\_\_\_

Current Use of Site \_\_\_\_\_

Proposed Use \_\_\_\_\_

Proposed Number of Lots \_\_\_\_\_

Proposed Number of Structures \_\_\_\_\_

Proposed Water Supply \_\_\_\_\_

Proposed type of Wastewater Treatment \_\_\_\_\_

Proposed type of Storm Water Management \_\_\_\_\_

#### Type of Request

☐ Change in Zoning from \_\_\_\_\_ to \_\_\_\_\_

☐ Variance (Please describe fully on separate page)

☒ Special Use Permit (Please describe fully on separate page)

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

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

☒ Plat of Survey/Site Plan - showing location, legal description and property measurements

☐ Concept Plan - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.

☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies

☐ NRI fee (Please make checks payable to Kendall County SWCD)

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

Full Report: \$375.00 for five acres and under, plus \$18.00 per acre for each additional acre or any fraction thereof over five.

Executive Summary Report: \$300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under \$ 375.00

\_\_\_\_\_ Additional Acres at \$18.00 each \$ \_\_\_\_\_

**Total NRI Fee** \$ \_\_\_\_\_

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

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

[REDACTED]  
Petitioner or Authorized Agent

10/30/19  
Date

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

#### FOR OFFICE USE ONLY

NRI# 2001 Date initially rec'd 1/3/20 Date all rec'd \_\_\_\_\_ Board Meeting \_\_\_\_\_  
Fee Due \$ \_\_\_\_\_ Fee Paid \$ \_\_\_\_\_ Check # \_\_\_\_\_ Over/Under Payment \_\_\_\_\_ Refund Due \_\_\_\_\_



Applicant: DTG Investments, LLC  
 Contact: [REDACTED]  
 Address: [REDACTED]

IDNR Project Number: 2005266  
 Date: 01/03/2020  
 Alternate Number: 2004942

Project: Rt 126- Truck Parking  
 Address: 3485 Rt. 126, Oswego

Description: to obtain a special use permit for existing property

### Natural Resource Review Results

#### Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

**Consultation is terminated.** This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary. Termination does not imply IDNR's authorization or endorsement.

#### Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Kendall

Township, Range, Section:

36N, 8E, 9

36N, 8E, 16



#### IL Department of Natural Resources Contact

Adam Rawe  
 217-785-5500  
 Division of Ecosystems & Environment

#### Government Jurisdiction

Kendall County Planning Building and Zoning  
 Matthew Asselmeier  
 111 West Fox Street  
 Yorkville, Illinois 60560 -1498

#### Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

IDNR Project Number 2005266

### **Terms of Use**

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

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

### **Security**

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

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

### **Privacy**

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



IDNR Project Number: 2005266

**EcoCAT Receipt****Project Code** 2005266**APPLICANT****DATE**DTG Investments, LLC  
Greg Dady  
[REDACTED]

1/3/2020

**DESCRIPTION****FEE****CONVENIENCE FEE****TOTAL PAID**

EcoCAT Consultation

\$ 125.00

\$ 2.81

\$ 127.81

**TOTAL PAID****\$ 127.81**

Illinois Department of Natural Resources  
 One Natural Resources Way  
 Springfield, IL 62702  
 217-785-5500  
[dnr.ecocat@illinois.gov](mailto:dnr.ecocat@illinois.gov)

Please fill out the following findings of fact to the best of your capabilities. §13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals shall consider in rendering a decision, but is not required to make an affirmative finding on all items in order to grant a **special use**. They are as follows:

*That the establishment, maintenance, and operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort, or general welfare.* Special use will not affect the public health, safety, morals, comfort or general welfare.

---

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*That the special use will not be substantially injurious to the use and enjoyment of other properties 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.*

Special use will not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole

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*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided.*

All of the above have been provided.

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*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* Special use will conform with all the above.

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*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.*

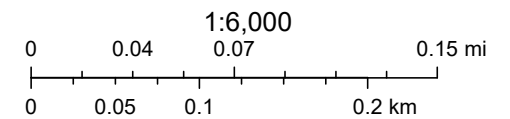
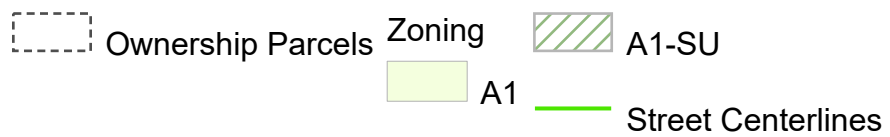
Special use is consistent with the Land Resource Management Plan and adopted County plans and policies.

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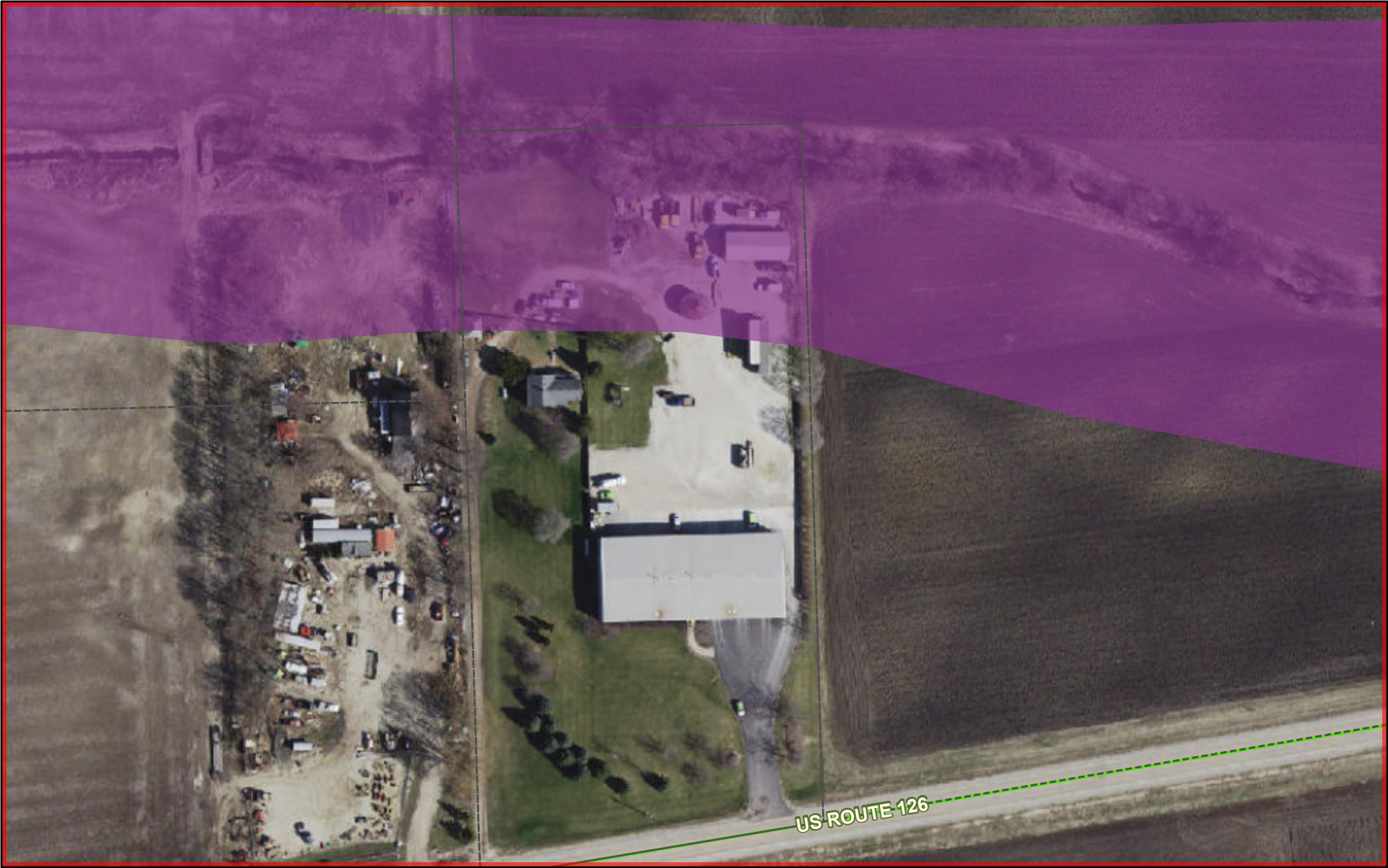


January 30, 2020









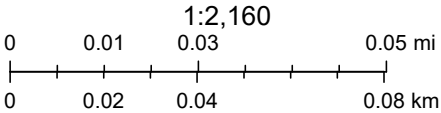
Attachment 3-Flood Zone Map



January 30, 2020

-  Kendall County FEMA FIRM Panels
-  Street Centerlines
-  Ownership Parcels
-  1% Annual Chance Flood Hazard

USA Flood Hazard Areas

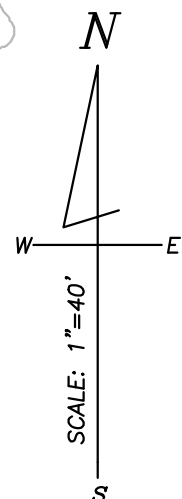


These layers do not represent a survey. No accuracy is assumed for the data delineated herein, either expressed or implied by Kendall County or its employees. These layers are compiled from official records, including plats, surveys, recorded deeds, contracts, and



# PLAT OF SURVEY

OF  
THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 18 ALL IN TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE CENTER LINE OF ILLINOIS ROUTE 126 BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 260.00 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335.00 FEET; THENCE SOUTH 1 DEGREE 39 MINUTES 11 SECONDS EAST, 677.39 FEET TO THE CENTER LINE OF SAID ROUTE 126; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST, ALONG SAID CENTER LINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 1 DEGREE 40 MINUTES 39 SECONDS WEST, ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA+AU-SAY, KENDALL COUNTY, ILLINOIS, EXCEPT THAT PART DEDICATED FOR ROAD PURPOSES PER DOCUMENT NUMBER 2001-24468, RECORDED DECEMBER 18, 2001.



REFERENCE BENCHMARK: KENDALL COUNTY MARKER DESIGNATION NO. 708, BRASS MARKER ON TOP OF WEST SIDE OF THE CONCRETE BOX CULVERT UNDER GROVE ROAD CROSSING OVER A TRIBUTARY BRANCH TO THE EAST AUX SABLE CREEK, 1 MILE NORTH OF ROUTE 126 ELEVATION = 687.53 NGVD 29

SITE ADDRESS: 3485 ROUTE 126  
OSWEGO IL 60543  
Owner Name DTG INVESTMENTS LLC  
Owner Address PO BOX 7453  
AURORA IL 60507

ORDERED BY: BRUMMEL PROPERTIES

STATE OF ILLINOIS S. S.

THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL AT OSWEGO, ILLINOIS, THIS 12TH DAY OF DECEMBER, A. D., 2019.



3485 ROUTE 126.DWG  
● = found iron stake  
○ = set iron stake  
0 1/4" 1/2" 3/4" 1"

FIELD WORK COMPLETED, BUILDINGS AND OTHER IMPROVEMENTS LOCATED AS SHOWN ON THE 12TH OF DECEMBER, A. D., 2019.

ORDER NO. 19 L 71

FILE NO. 191062

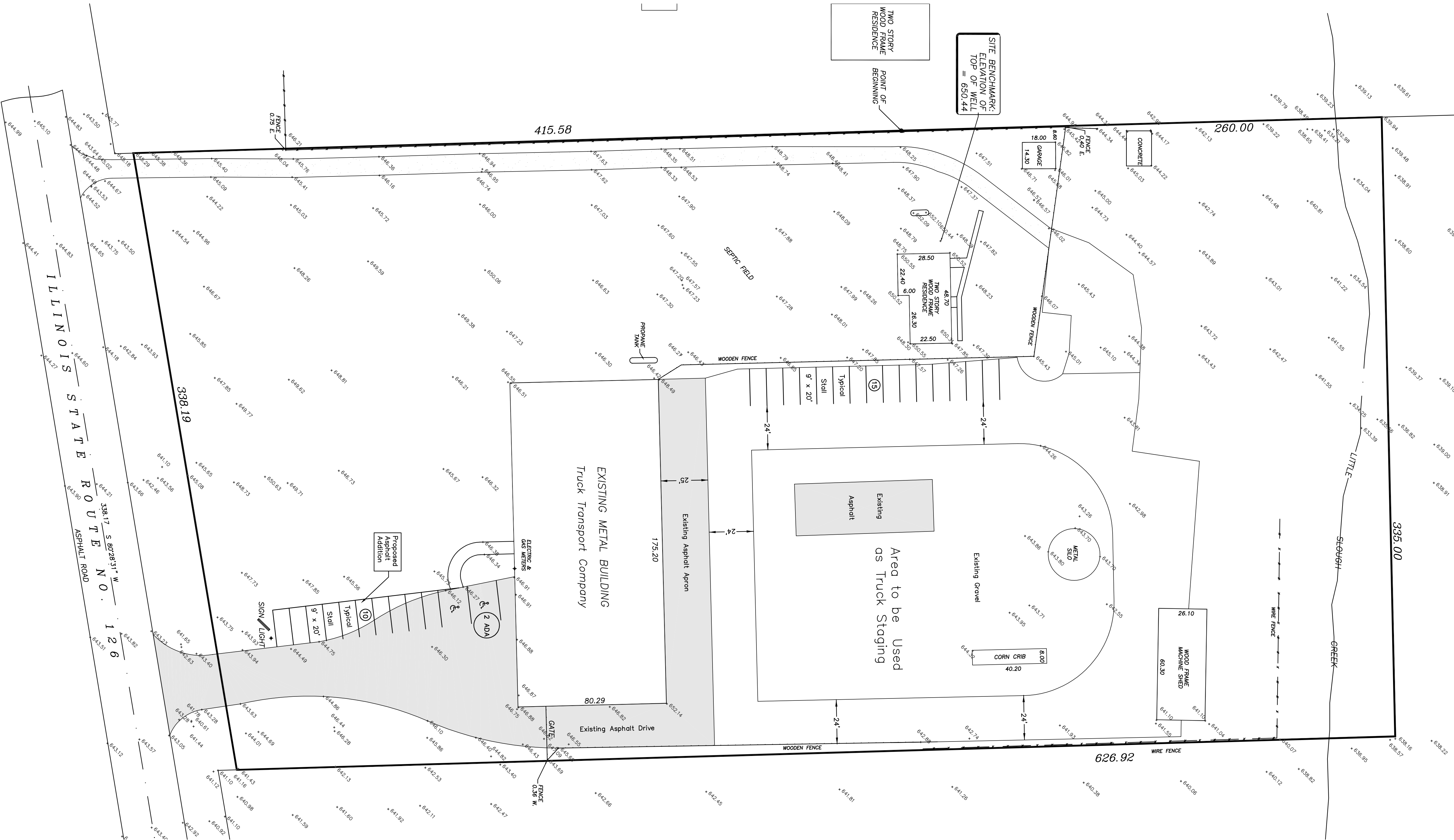
**WILLIAM M. WINGSTEDT**  
ILLINOIS PROFESSIONAL LAND SURVEYOR  
329 WHITE PINES CT., OSWEGO, ILLINOIS 60543  
PHONE: (630) 554-8209 FAX (630) 551-1207





# 3485 Rte 126 Special Use Site Plan

OF  
THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 18 ALL IN TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE CENTER LINE OF ILLINOIS ROUTE 126 BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 260.00 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335.00 FEET; THENCE SOUTH 1 DEGREE 39 MINUTES 11 SECONDS EAST, 677.39 FEET TO THE CENTER LINE OF SAID ROUTE 126; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 1 DEGREE 40 MINUTES 39 SECONDS WEST, ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS, EXCEPT THAT PART DEDICATED FOR ROAD PURPOSES PER DOCUMENT NUMBER 2001-24468, RECORDED DECEMBER 18, 2001.



## Site Data

SITE ADDRESS: 3485 ROUTE 126  
OSWEGO IL 60543

Owner Name DTG INVESTMENTS LLC  
Owner Address PO BOX 7453  
AURORA IL 60507

PRESENTLY ZONED A1-SU  
Total Area = ±5.0098 ACRES  
Metal Subject Bldg Area = 14,067 sq.ft.  
Metal Subject Bldg Use =  
Truck Transport & Logistics  
With Truck Mechanic facility

25 Parking Stalls  
2 ADA Parking Stalls  
Site is currently landscaped  
with berms, mature trees, bushes  
and board on board security fence

Rynear & Son, Inc.

Consulting Engineers  
Professional Design Firm  
Licenses No. 184-004637

595 BUTTONWOOD CIRCLE  
NAPERVILLE, ILLINOIS 60540

(630) 355-9889 PHONE  
(630) 355-5362 FAX

ISSUE:

# Date Description

PROJECT:

Site Plan  
Special Use Permit  
3485 Rte. 126

Oswego, Illinois

Client:  
Brummel Properties

Date:

Design/Drawn:

WAR

Approved:

CWR

Book No.:

File No.:

SHEET TITLE:

Site Plan  
3485 Rte. 126  
Oswego, IL  
Special Use

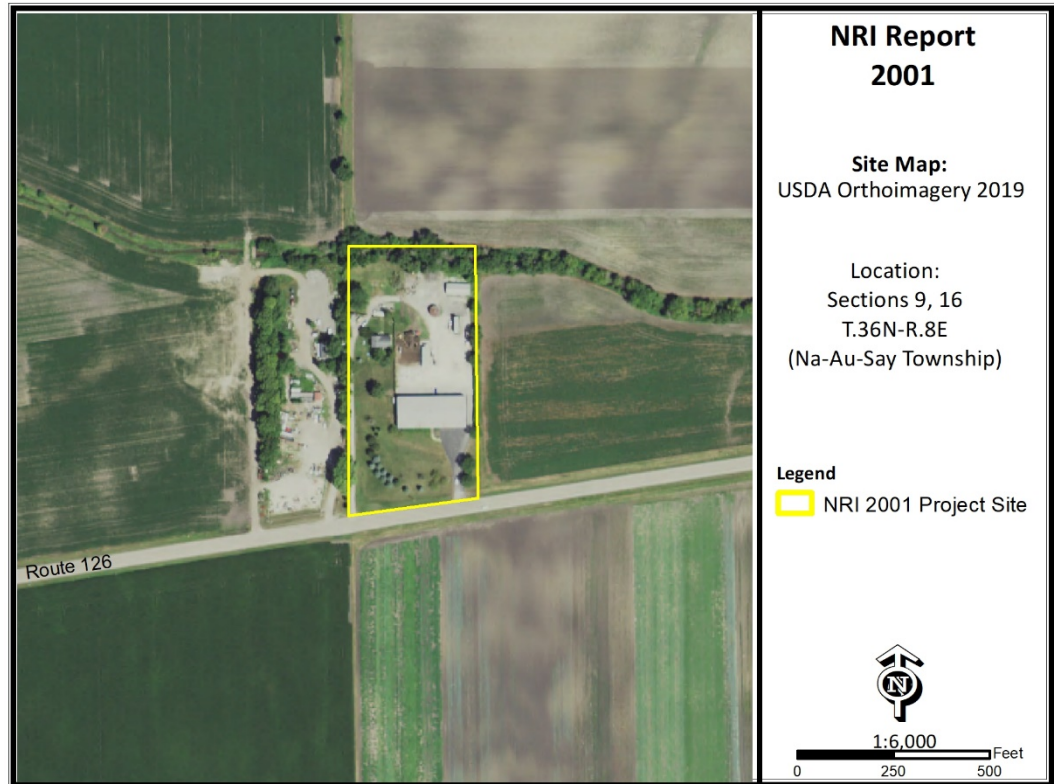
SHEET NUMBER:

C-1

SHEET 1 OF

Project No.:

# NATURAL RESOURCE INFORMATION (NRI) EXECUTIVE SUMMARY REPORT: 2001



January 2020

Petitioner: DTG Investments, LLC  
Contact: Greg Dady

Prepared by:



**Kendall County Soil & Water  
Conservation District**

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

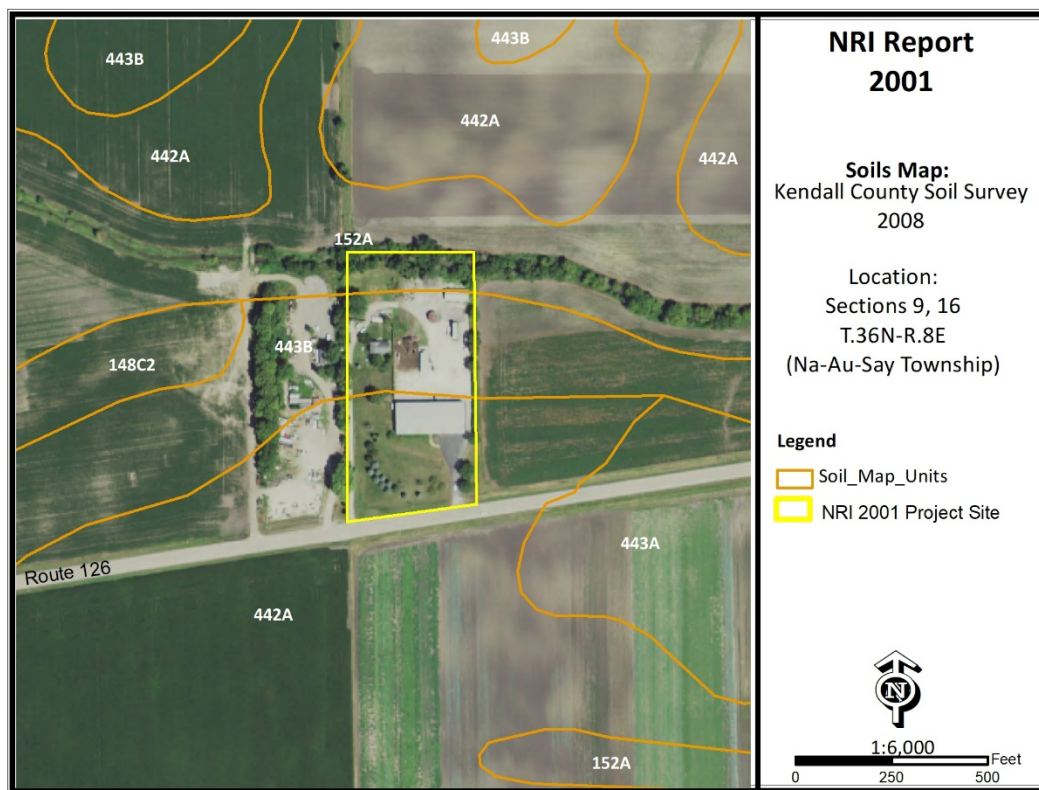
2001

## Executive Summary

January 2020

**Petitioner:** DTG Investments, LLC**Contact Person:** Greg Dady**County or Municipality the petition is filled with:** Kendall County**Location of Parcel:** SE 1/4 Section 9; NE ¼ Section 16 T.36N.-R.8E. (Oswego Township), 3<sup>rd</sup> Principal Meridian in Kendall Co., IL**Project or Subdivision Name:** N/A**Existing Zoning & Land Use:** A-1; Buildings, Parking, Outdoor Storage, Creek**Proposed Zoning & Land Use:** A-1 Special Use**Proposed Water Source:** Well**Proposed Type of Sewage Disposal System:** Septic**Proposed Type of Storm Water Management:** Not Provided**Size of Site:** 5.0 acres**Land Evaluation Site Assessment Score:** 189 (Land Evaluation: 92; Site Assessment: 97)

## Natural Resource Considerations

Soil Map:**SOIL INFORMATION:**

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



Table 1:

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
152A	Drummer silty clay loam, 0-2% slopes	Poorly drained	B/D	Hydric Soil	Prime Farmland (if drained)
442A	Mundelein silt loam, 0-2% slopes	Somewhat poorly drained	B/D	Hydric Inclusions Likely	Prime Farmland
443B	Barrington silt loam, 2-4% slopes	Moderately well drained	C	Non-hydric	Prime Farmland

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

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

**Hydric Soils:** A soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile. Of the soils found onsite, one soil, 152A Drummer silty clay loam, is classified as a hydric soil and one, 442A Mundelein silt loam, is designated as having the potential for hydric inclusions.

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

Table 2:

Map Unit	Surface Runoff	Water Table	Ponding	Flooding
152A	Negligible	January - May Upper Limit: 0.0'-1.0' Lower Limit: >6.0'	January - May Surface Water Depth & Duration: 0.0'-0.5' Frequency: Brief, Frequent	January - May None
442A	Negligible	January - May Upper Limit: 1.0'-2.0' Lower Limit: >6.0'	January - May Surface Water Depth & Duration: -- Frequency: None	January - May None
443B	Low	February - April Upper Limit: 2.0'-3.5' Lower Limit: >6.0'	February - April Surface Water Depth & Duration: -- Frequency: None	February - April None

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

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

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

#### **SOIL LIMITATIONS:**

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

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

#### **Conventional Septic System Rating Criteria:**

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

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

**Table 3a: Building Limitations**

<b>Soil Type</b>	<b>Dwellings without Basements</b>	<b>Dwellings with Basements</b>	<b>Small Commercial Building</b>	<b>Onsite Conventional Sewage Disposal System</b>
152A	<b>Very Limited:</b> Ponding, Depth to saturated zone, Shrink-swell	<b>Very Limited:</b> Ponding, Depth to saturated zone, Shrink-swell	<b>Very Limited:</b> Ponding, Depth to saturated zone, Shrink-swell	<b>Unsuitable: wet</b>
442A	<b>Somewhat Limited:</b> Depth to saturated zone	<b>Very Limited:</b> Depth to saturated zone	<b>Somewhat Limited:</b> Depth to saturated zone	<b>Suitable</b>
443B	<b>Somewhat Limited:</b> Shrink-swell	<b>Somewhat Limited:</b> Depth to saturated zone	<b>Somewhat Limited:</b> Shrink-swell	<b>Suitable</b>

**Table 3b: Building Limitations**

Soil Type	Shallow Excavations	Lawns & Landscaping
152A	<b>Very Limited:</b> Ponding, Depth to saturated zone, Dusty, Unstable excavation walls	<b>Very Limited:</b> Ponding, Depth to saturated zone, Dusty
442A	<b>Very Limited:</b> Depth to saturated zone, Dusty, Unstable excavation walls	<b>Somewhat Limited:</b> Depth to saturated zone, Dusty
443B	<b>Somewhat Limited:</b> Depth to saturated zone, Dusty, Unstable excavation walls	<b>Somewhat Limited:</b> Dusty

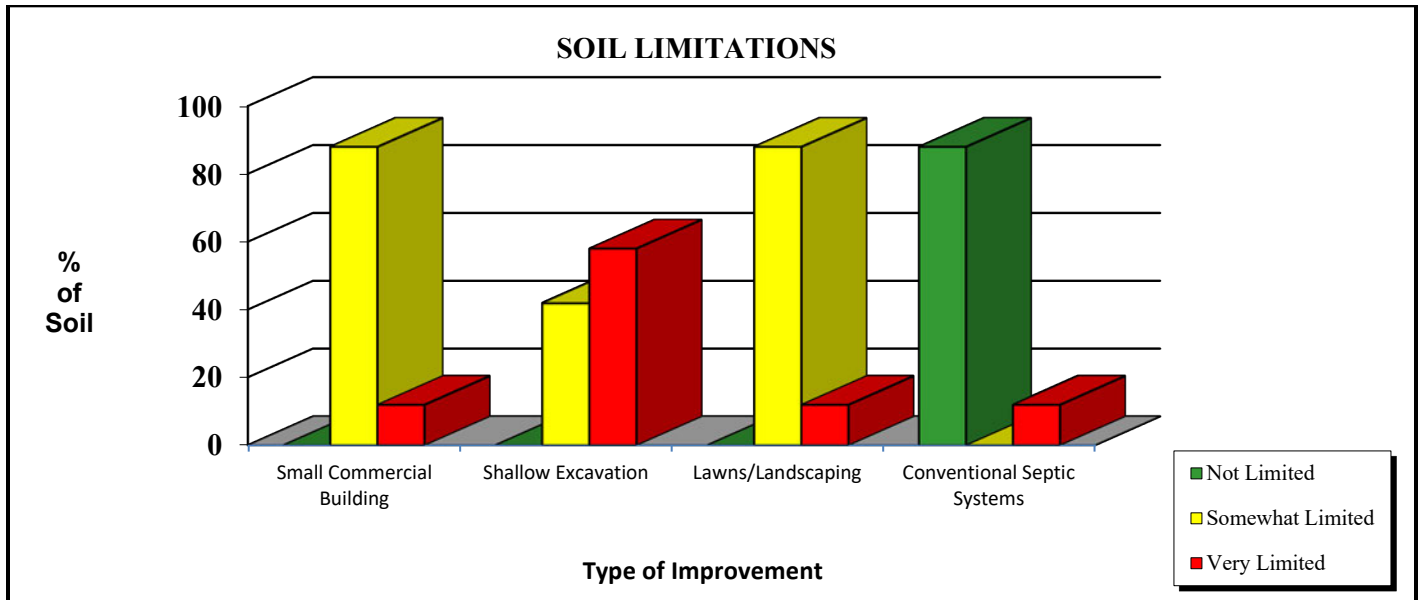
**Building Limitations Maps:**

Figure 2a: Small Commercial Building

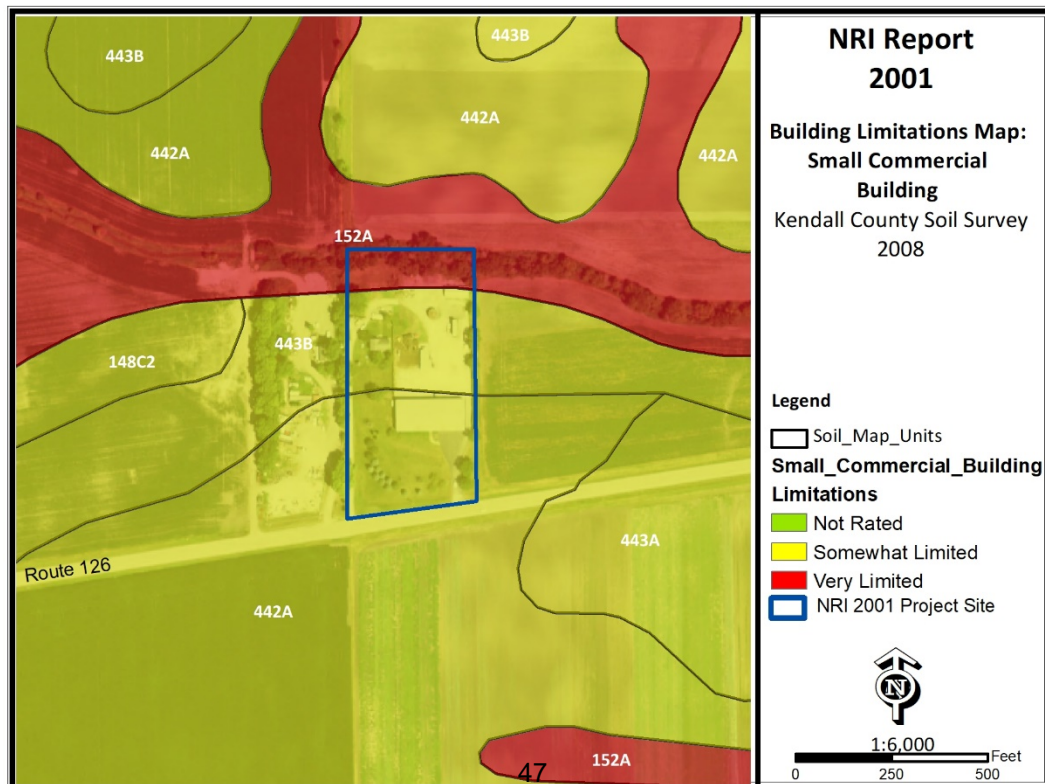


Figure 2b: Shallow Excavations

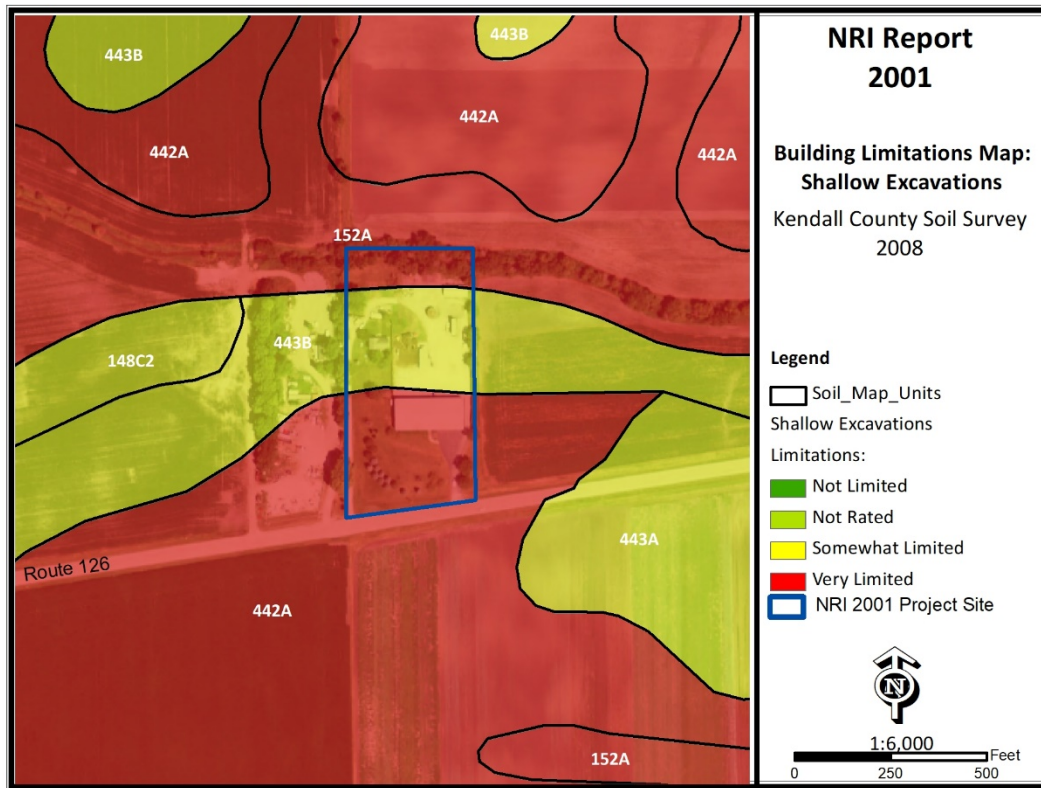
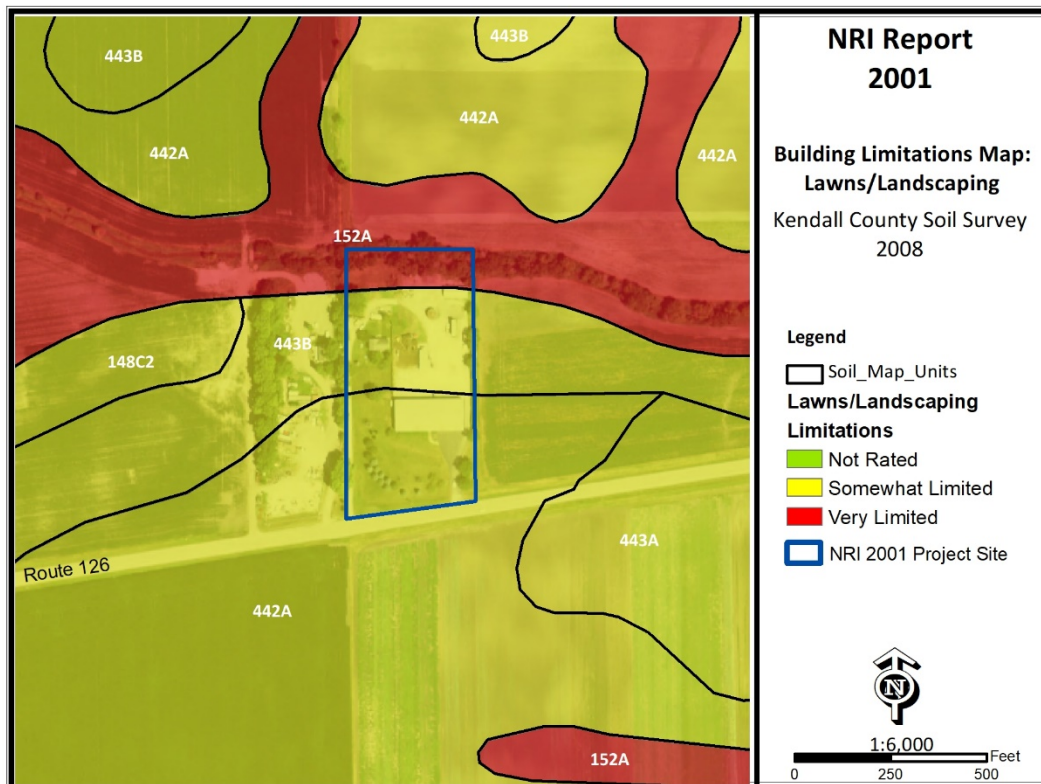


Figure 2c: Lawns/Landscaping



**Kendall County Land Evaluation and Site Assessment (LESA):**

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

- **LAND EVALUATION (LE)** – The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
- **SITE ASSESSMENT (SA)** – The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.

**Table 4a: Land Evaluation Computation**

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
152A	1	100	0.6	60.0
442A	2	94	2.3	216.2
443B	3	87	2.1	182.7
<b>Totals</b>			<b>5.0</b>	<b>458.9</b>
<b>LE Score</b>		<b>LE= 458.9/5.0</b>		<b>LE = 92</b>

The Land Evaluation score for this site is **92**, indicating that this site is predominately prime farmland well suited for agricultural production.

**Table 4b: Site Assessment Computation**

A.	Agricultural Land Uses	Points
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current use adjacent to site. (30-20-15-10-0)	20
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	0
	4. Size of site. (30-15-10-0)	0
B.	Compatibility / Impact on Uses	
	1. Distance from city or village limits. (20-10-0)	20
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	0
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	0
C.	Existence of Infrastructure	
	1. Availability of public sewage system. (10-8-6-0)	10
	2. Availability of public water system. (10-8-6-0)	10
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	10
	<b>Site Assessment Score:</b>	<b>97</b>

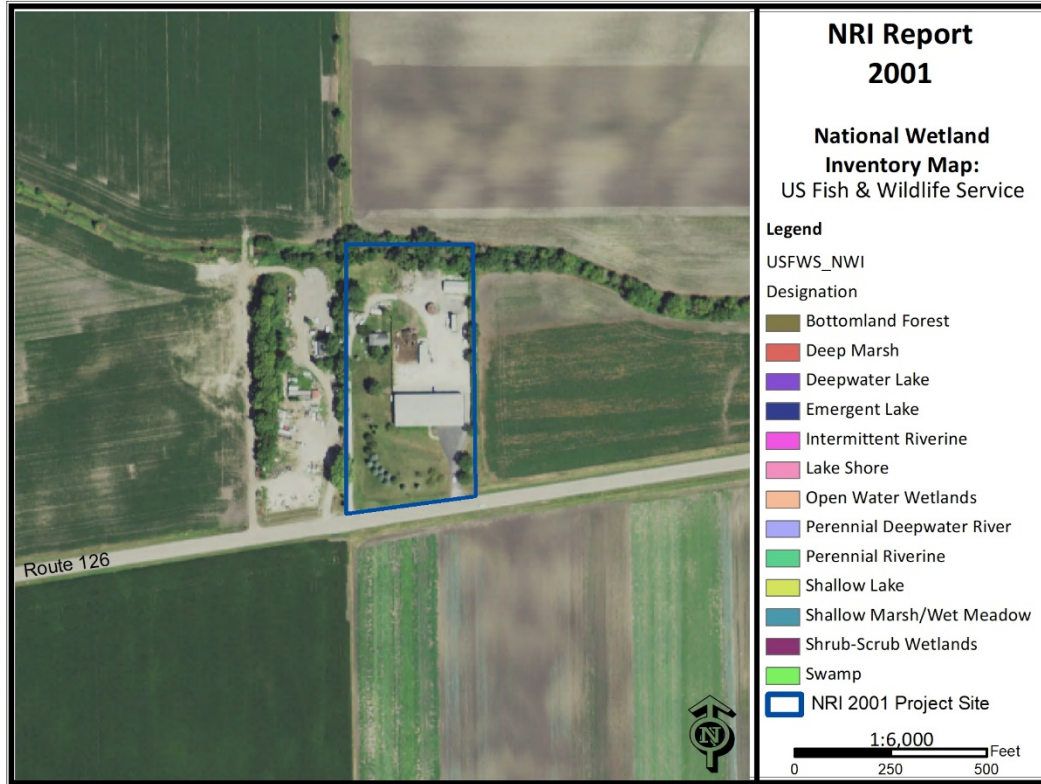
**Land Evaluation Value: 92 + Site Assessment Value: 97 = LESA Score: 189**

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

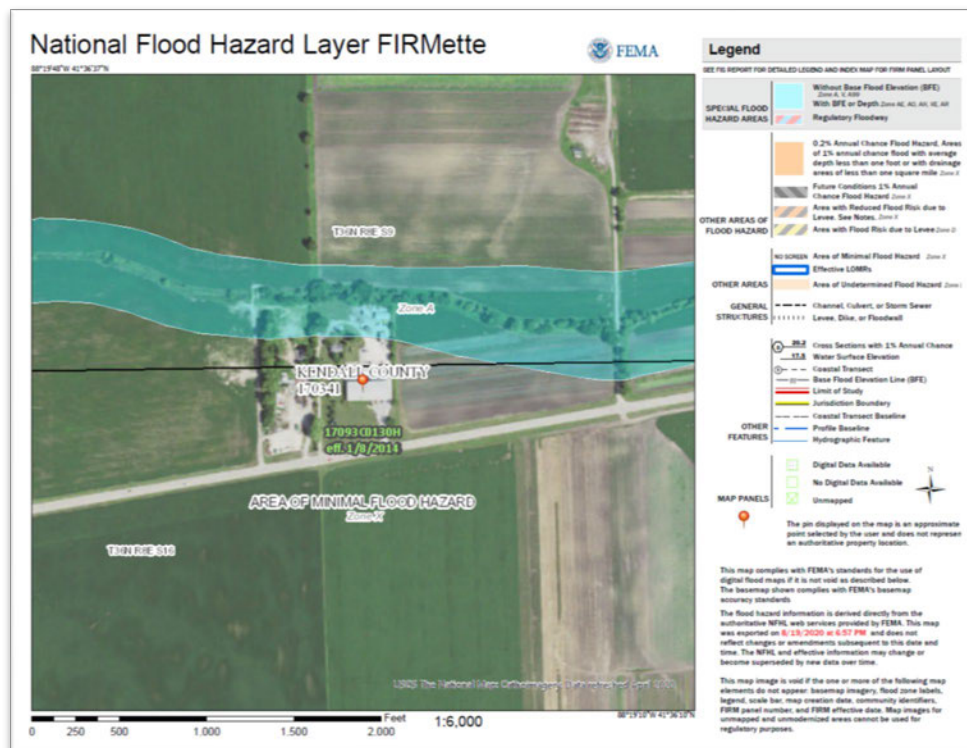
The **LESA Score for this site is 189 which indicates a low level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.



**Wetlands:** The U.S. Fish & Wildlife Service's National Wetland Inventory map **does not indicate** the potential presence of a wetland on the project site. If a wetland is present and will be impacted by the project, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.



**Floodplain:** The parcel is located within the floodplain.



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

#### **LAND USE OPINION:**

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner DTG Investments, LLC at the request of their contact Greg Dady for the proposed A-1 Special Use petition. This parcel is located in Sections 9 & 16 of Na-Au-Say Township (T.36N.-R.8E. of the 3<sup>rd</sup> Principal Meridian) in Kendall County. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board has the following opinions and recommendations.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. A land evaluation, which is a part of the Land Evaluation and Site Assessment (LESA) was conducted on this parcel; the soils on this parcel scored an 92 out of a possible 100 points indicating the soils found on the project site are predominately prime farmland well suited for agricultural production. The overall LESA Score for this site is 189 which indicates a low level of protection for the proposed project site. Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production and is an important resource to Kendall County; of the three soil types identified onsite, all are designated as prime farmland. A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile; one of the soil types found onsite, is designated as a hydric soil and one soil type has the potential to have hydric inclusions.

For proposed land uses, soils can have potential limitations. This report indicates, if the following uses were to be included as part of future site development or expansion, that for soils located on the parcel, 58% are very limited for shallow excavations and 12% are unsuitable for onsite conventional septic systems, small commercial building, and lawns/landscaping. This information is based on the soil in an undisturbed state and does not replace the need for site specific soil testing. Some soil reclamation, special design, or maintenance may be required to obtain suitable soil conditions to support development with significant limitations. Additionally, if the scope of the project includes the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Illinois River Watershed.

If development should occur onsite, a soil erosion sediment control plan should be implemented during construction. Sediment may become a primary non-point source of pollution. Eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense project uses it may be necessary to have a drainage tile survey completed on the parcel to locate any subsurface drainage tile if suspected onsite. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

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

  
SWCD Board Representative

January 6, 2020  
Date





08/20/2020 11:08





08/20/2020 11:08





01/27/2020 10:02





08/20/2020 11:08





08/20/2020 11:10





08/20/2020 11:10





08/20/2020 11:08



MAY 08 2001

SHIRLEY R. LEE  
Circuit Clerk Kendall Co.

IN THE CIRCUIT COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT  
: KENDALL COUNTY, ILLINOIS

COUNTY OF KENDALL, a Body Politic,  
Plaintiff,  
vs.  
STEVEN FREEMAN and JEAN FREEMAN,  
Defendants.

)  
)  
)  
)  
) GEN. NO. 99-OV-18  
)  
)  
)

This cause comes before the Court for hearing on the Complaint filed herein by the County alleging violations of the Kendall County Zoning Ordinance and the Kendall County Soil and Erosion Control Ordinance as such Ordinances apply to the real estate owned by the Defendants, STEVEN FREEMAN and JEAN FREEMAN.

The real estate which is the subject matter of these proceedings and is the subject of this Order is described on Exhibit "A" attached hereto and made a part hereof and consists of the tract of land containing 2.4396 acres of land and presently improved with a metal building, silo and corn crib.

The Court is advised that a building permit was issued for the construction of an Equipment Storage Building on the real estate on September 3, 1997, and that subsequent thereto the building was constructed by the Defendants and was thereafter used continuously for the storage of trucks and earthmoving equipment used by the Defendants in their excavating business.

The Court is further advised that the County and the Defendants have agreed to the terms of this Order settling between the parties all matters in controversy in this proceeding.

which permits the continued use of the building by the Defendants, subject, however, to the terms and restrictions contained in this Order.

NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:

1. The real estate described herein shall remain classified A-1, Agricultural, under the Kendall County Zoning Ordinance. Defendants shall withdraw their pending Petition for Special Use filed on October 13, 2000.
2. Defendants shall be permitted to continue to use the real estate and the improvements situated thereon for the storage of the trucks and equipment used in their excavating business, or for other uses normally permitted in the A-1 Zoning District, subject, however, to the following restrictions:
  - a. All trucks and earthmoving equipment used in the Defendants' excavating business shall be stored inside the metal equipment storage building.
  - b. Nothing other than agricultural products may be stored on the 2.4396 acre parcel of real estate outside of the metal equipment storage building, the silo, and the corn crib, depicted on Exhibit "A".
  - c. No additional building or buildings shall be constructed on the real estate, nor shall the size of the metal equipment storage building be increased.
  - d. In the event that the metal equipment storage building sustains damages, due to fire or other causes, in excess of 50% of its value, then the building may only be rebuilt and restored if the structure meets all required building set back requirements for principal buildings (100 feet from the dedicated road right of way) in the A-1 Zoning District and the building, when rebuilt, shall not be greater than 10,000 square feet in size.
  - e. The maximum quantity of fuel which may be stored on-site shall be 2,000 gallons, and all fuel shall be stored in compliance with the rules and regulations of the Office of the Illinois State Fire Marshall.
  - f. No portion of the adjoining acreage owned by the Defendants and depicted on Exhibit "A", containing the frame residence and barn, shall be used for storage of any equipment used by the Defendants in their excavating business. The use of said adjoining parcel shall be limited to uses permitted in the A-1 Zoning District.

- g. The metal equipment storage building shall be maintained in accordance with the building code and building use codes and shall be subject to periodic inspection by the Kendall County Planning, Building & Zoning Department. Said building shall not be used for office purposes.
  - h. Defendants shall blacktop that portion of the gravel driveway on the South side of the metal equipment storage building prior to May 1, 2002.
  - i. Defendants shall comply with the County Stormwater Control Ordinances and shall make such site improvements as are required by the County in order to comply therewith.
  - j. Defendants shall apply for a site development permit, including all required fees and submittal of required engineering plans, for the berms constructed on site, no later than 60 days from the date of entry of this Order.
  - k. Defendants shall request a reinspection of the completed structure to ensure it meets all building code requirements. All applicable inspection fees, including the difference between a 14,000 square foot and a 9,000 square foot structure, shall be paid to the County within 60 days from the date of entry of this Order.
  - l. Defendants shall dedicate to the State of Illinois, or to the County of Kendall, as directed by the County, a 50 feet of Right of Way for roadway purposes along the South line of the entire 5.398 acres described on Exhibit "A" to accommodate future expansion of Illinois Route 126.
  - m. All dirt and material piles shall be removed from the property no later than 30 days from the date of entry of this Order.
- 3. The use of the land for storage of trucks and equipment and for an excavating business shall only continue as long as the Defendants own and personally use the property. Once the property is sold, leased or transferred, the use as described must cease.
  - 4. Defendants shall pay a fine and Court Costs of \$2,500.00, within 14 days from the date of entry of this Order.
  - 5. The Kendall County Planning, Building & Zoning Department is authorized to monitor the use of the premises to insure compliance with the terms of this Order.

6. This Court shall retain jurisdiction of the subject matter hereof and the parties hereto for the purpose of enforcing the terms and provisions hereof.

Approved: County of Kendall

By: [REDACTED]

[REDACTED] Jean Freeman

[REDACTED] Jean Freeman

Entered as an Agreed Order this 8<sup>th</sup> day of May, 2001

[REDACTED]  
Judge

H:\SBuening\FREEMAN.AGREEDORD3.doc

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 16 LYING NORTHERLY OF THE CENTERLINE OF ILLINOIS ROUTE #126 ALL IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 260 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335 FEET; THENCE SOUTH 01 DEGREE 39 MINUTES 11 SECONDS EAST 148.39 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREE 39 MINUTES 11 SECONDS EAST, 529.00 FEET TO SAID CENTER LINE OF ROAD; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST ALONG SAID CENTERLINE, 211.04 FEET; THENCE NORTH 01 DEGREE 39 MINUTES 11 SECONDS WEST, 392.85 FEET; THENCE NORTH 88 DEGREES 40 MINUTES 35 SECONDS EAST, 60.0 FEET; THENCE NORTH 01 DEGREE 39 MINUTES 11 SECONDS WEST, 200.0 FEET; THENCE SOUTH 78 DEGREES 36 MINUTES 35 SECONDS EAST, 153.0 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS.

Exhibit "A" - Page 1 of 2



State of Illinois  
County of Kendall

Zoning Petition  
#14-23

ORDINANCE NUMBER 2014 - 29

GRANTING A SPECIAL USE FOR  
3485 ROUTE 126  
FOR A CLEAN-UP RESTORATION SERVICE/ BUSINESS

WHEREAS, DTG Investments LLC, has filed a petition for a Special Use within the A-1 Agricultural Zoning District for a 5.93 acre property located on the north side of Route 126, 0.45 miles west of Schlapp Road, commonly known as 3485 Route 126 (PIN#06-09-400-005), in NaAuSay Township, and;

WHEREAS, said petition is to allow the operation of a clean-up restoration service/business; and

WHEREAS, petition #14-22 was approved on September 16, 2014 as Ordinance 2014-27 as the text amendment to allow such a use as a special use in the A-1 Agricultural district; and

WHEREAS, said property is currently zoned A-1 Agricultural with an existing Special Use for the operation of a landscape business; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 2007-10 on March 20, 2007; and

WHEREAS, said property is legally described as:

THAT PART OF THE WEST ½ OF THE SOUTHEAST ¼ OF SECTION 9 AND PART OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 16 ALL IN TOWNSHIP 36N, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE CENTERLINE OF ILLINOIS ROUTE NO. 126 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST ¼ OF SECTION 9; THENCE NORTH 01 DEGREES, 36 MINUTES, 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST ¼, 260 FEET; THENCE NORTH 88 DEGREES, 44 MINUTES, 53 SECONDS EAST, 335 FEET; THENCE SOUTH 01 DEGREES, 39 MINUTES, 11 SECONDS EAST, 677.39 FEET TO THE CENTERLINE OF SAID ROAD; THENCE SOUTH 80 DEGREES, 28 MINUTES, 31 SECONDS, WEST ALONG SAID CENTERLINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST ¼; THENCE NORTH 01 DEGREES, 40 MINUTES, 39 SECONDS WEST ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NAAUSAY, KENDALL COUNTY, ILLINOIS.

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on September 3, 2014 & on September 29, 2014; and

WHEREAS, the findings of fact were approved as follows (on both dates):

*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 property was previously used for a landscaping business and this new use will be less noticeable as everything takes place inside the buildings including storage of the vehicles.*

State of Illinois  
County of Kendall

Zoning Petition  
#14-23

*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 site will not be modified in any way and is surrounded by farmland and a special use for ag implement sales next door to the east.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **Nothing is being modified on this site and access already exists.***

*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 Hearing Officer. **Assuming the text amendment passes to allow this type of use in the A-1 district it will conform to all applicable regulations.***

*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. **The special use is consistent with the LRMP.***

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this special use shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit to operate a clean-up restoration service/business in accordance to the submitted Site Plan included as "Exhibit A" attached hereto and incorporated herein subject to the following conditions:

1. Must meet all the conditions of the text amendment:
  - a. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.
  - b. All commercial vehicles are to be stored inside an accessory structure when not in use unless outdoor storage is screened from adjacent and surrounding properties and screening and storage is shown on the approving site plan.
  - c. All operations are to take place inside an enclosed structure.
  - d. A waste management plan must be submitted and an exhibit to the approving ordinance. (Exhibit B)
  - e. A material management plan must be submitted including where items will be stored on site including but not limited to chemicals and belongings. (Exhibit C)
  - f. No materials that are brought in can be burned on this site.
  - g. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations).
  - h. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.

State of Illinois  
County of Kendall

Zoning Petition  
#14-23

2. No outdoor storage except employee's cars.
3. No activity including parking or storage is permitted in the floodplain.
4. If any future expansion is proposed a major amendment to the special use will need to be filed.

Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 7<sup>th</sup> day of October, 2014.

Attest:



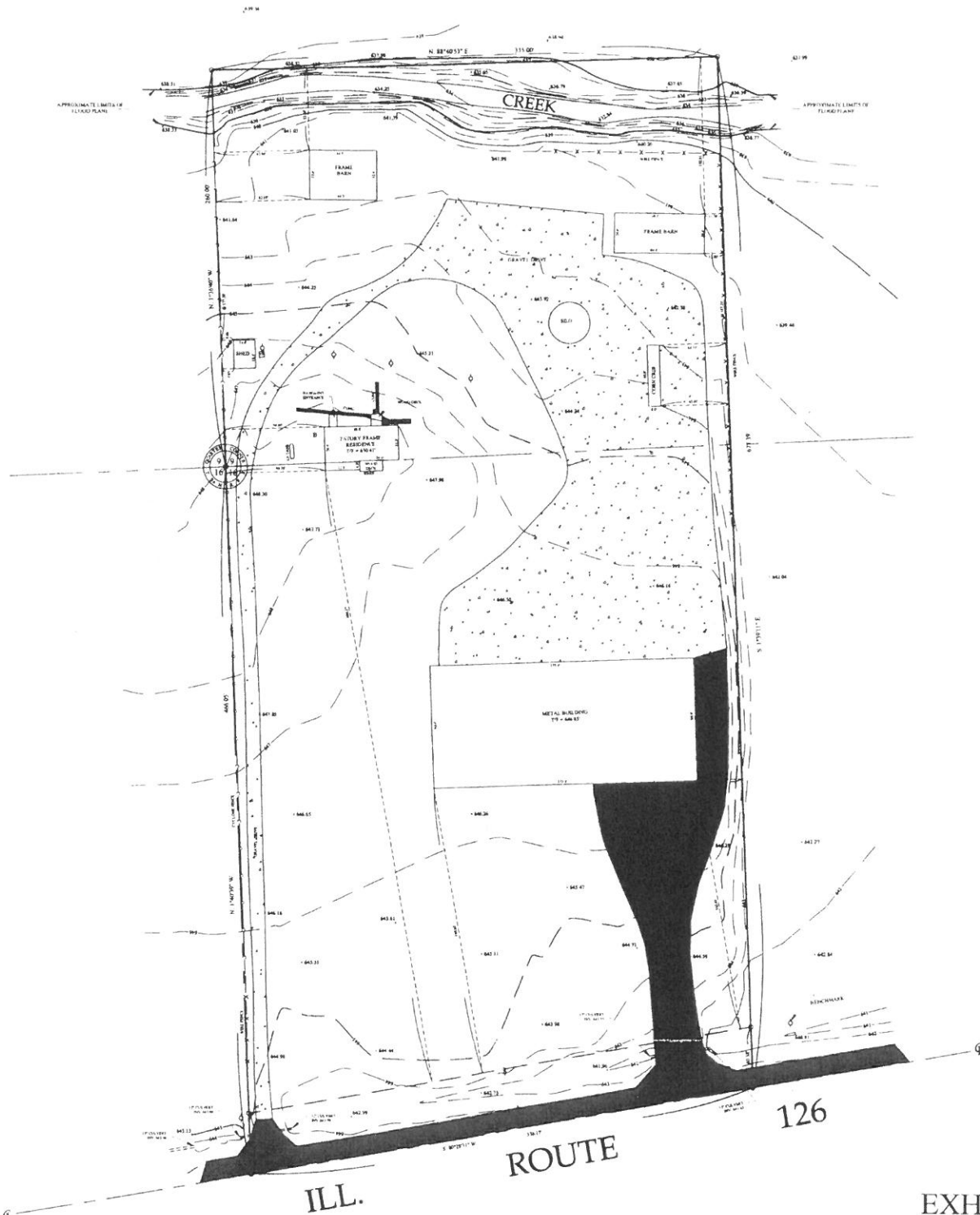
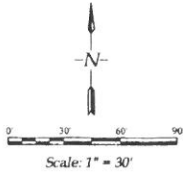
Debbie Gillette  
Kendall County Clerk



John Shaw  
Kendall County Board Chairman

# PLAT OF TOPOGRAPHY

OF  
THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 16 LYING NORTHERLY OF THE CENTER LINE OF ILLINOIS ROUTE 126 ALL IN TOWNSHIP 16 NORTH RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 200.00 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 11 SECONDS EAST, 133.90 FEET; THENCE SOUTH 1 DEGREE 36 MINUTES 11 SECONDS EAST, 679.39 FEET TO THE CENTER LINE OF SAID ROUTE 126; THENCE SOUTH 80 DEGREES 25 MINUTES 11 SECONDS WEST ALONG SAID CENTER LINE, 138.17 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 1 DEGREE 41 MINUTES 19 SECONDS WEST ALONG SAID WEST LINE, 455.05 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS



## SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS  
COUNTY OF KENDALL

THIS IS TO CERTIFY TO STEVE AND JEAN FREEMAN, THAT I, RONALD D. BAUER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR IN AFORESAID COUNTY AND STATE, HAVE COMPLETED A PLAT OF TOPOGRAPHY ON THE GROUND OF THE PROPERTY DESCRIBED TO THE CURRENT APPLICABLE ILLINOIS PROFESSIONAL LAND SURVEYOR ASSOCIATION STANDARDS AND THAT THE PLAT HEREON DRAWN REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY. EASEMENTS AND OR SETBACKS SHOWN ARE EITHER THOSE DESIGNATED ON THE RECORDED SUBDIVISION PLAT OR THOSE PROVIDED TO US BY OTHER DOCUMENTATION.

GIVEN UNDER MY HAND AND SEAL AT PLANO, ILLINOIS THIS 12th DAY OF FEBRUARY, 2007.

*Ronald D. Bauer*  
ILLINOIS PROFESSIONAL LAND SURVEYOR #2132  
REGISTRATION EXPIRES 11-30-2008

REFERS TO A CURRENT TITLE INSURANCE POLICY FOR EASEMENTS NOT PROVIDED. THIS DRAWING IS THE PROPERTY OF R.B. & ASSOCIATES LAND SURVEYORS, INC. AND SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN SET-OUT WITHOUT THE WRITTEN CONSENT OF AN AUTHORIZED AGENT OF R.B. & ASSOCIATES LAND SURVEYORS, INC.

LEGEND:  
— CONTOUR LINES  
— POWER POLE  
— TELEPHONE BOX  
— TRANSFORMER  
— WELL  
— SPOT ELEVATION  
— EDGE OF PAVEMENT

BENCHMARK:  
BX SPIKE IN POWER POLE AT  
SOUTHEAST CORNER OF OUR  
PROPERTY  
ELEV. = 642.16

BRIDGE DECK:  
TOP OF BRIDGE DECK OVER CREEK  
2150 TO EAST ELEV. = 632.54  
ACCORDING TO EXISTING 1987  
PLANS. FLOOD LEVEL AT CULVERT  
BASED ON THE 50-YR FLOOD SECTION 5  
ELEVATION 626.24



EXHIBIT A

**R B & ASSOCIATES  
LAND SURVEYORS, INC.**

4 West Main Street  
Plano, Illinois 60545  
(630) 562-7482

DESIGN FIRM NO. 184-004475

DWG# 20067-13281-001 C (TOPO)



**EXHIBIT B**

**Waste Management Plan**

1) All debris from operating a business, including any debris that is brought back from a job site, will be disposed of by a commercial garbage company that will remove it on an as needed basis. The garbage will be stored in a dumpster until it is removed.

**EXHIBIT C**

**Material Management Plan**

2) If there are any household items brought back to the facility, they will be stored inside. If any chemicals are used, they will be used inside of the building and they will also be stored inside.

## Matt Asselmeier

---

**From:** Alec Keenum <akeenum@oswegofire.com>  
**Sent:** Thursday, August 27, 2020 7:13 AM  
**To:** Matt Asselmeier  
**Cc:** Mike Veseling  
**Subject:** [External]RE: Kendall County Zoning Petition 20-05

Matt,

Comments from the Oswego Fire Protection District:

- No specific concerns with requested amended petition
- If this hearing hasn't yet taken place, how is it that the business is already operating
- Regardless of use, owner/representative of location is expected to maintain good housekeeping, including the operation and service of the existing fire alarm system. As of earlier this week, it has been learned that the fire alarm system at this location was not in operation

Regards,

Capt. Alec J Keenum  
Fire Marshal  
Oswego Fire Protection District



**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)  
September 1, 2020 – Unapproved Meeting Minutes**

PBZ Chairman Matthew Prochaska called the meeting to order at 9:03 a.m.

Present:

Matt Asselmeier – PBZ Department  
Brian Holdiman – PBZ Department (Attended Remotely)  
Commander Jason Langston – Sheriff's Department (Attended Remotely)  
Alyse Olson – Soil and Water Conservation District (Attended Remotely)  
Matthew Prochaska – PBZ Committee Chair  
Aaron Rybski – Health Department

Absent:

Meagan Briganti – GIS  
Greg Chismark – WBK Engineering, LLC  
David Guritz – Forest Preserve  
Fran Klaas – Highway Department

Audience:

Greg Dady and Mary Murray

**AGENDA**

Mr. Rybski made a motion, seconded by Chairman Prochaska, to approve the agenda as presented.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

**MINUTES**

Mr. Rybski made a motion, seconded by Chairman Prochaska, to approve the August 4, 2020, meeting minutes.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

**PETITIONS**

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

Mr. Asselmeier summarized the request.

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

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

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

ZPAC Meeting Minutes 9.1.20

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

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

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

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

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

The Agricultural Zoning Map with road classifications was provided.

Mr. Asselmeier noted that Fran Klaas requested that proposed use be restricted to roads classified as Minor Arterials of higher as designated by the Illinois Department of Transportation's Five (5) Year Functional Classification Map. Mr. Klaas had no objection to the proposed use going in at 3485 Route 126.

Mr. Rybski made a motion, seconded by Mr. Holdiman, to recommend approval of the request text amendment with the restriction that use be placed on roads classified as Minor Arterials of higher as designated by the Illinois Department of Transportation's Five (5) Year Functional Classification Map.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

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

Mr. Asselmeier summarized the request.

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

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

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

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

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

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

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

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

ZPAC Meeting Minutes 9.1.20



The adjacent uses are agricultural or agricultural related.

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

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

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

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

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

Pictures of the property and area were provided.

EcoCAT Report submitted and consultation was terminated.

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

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

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

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

The Oswego Fire Protection District was sent information on August 25, 2020. The Oswego Fire Protection District noted that the fire alarm system at the property was not functioning. Other than that concern, they had no objections to the proposal.

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

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

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

Any new structures would require applicable building permits.

The property is served by well and septic.

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

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

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

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

The site plan shows fifteen (15) additional parking spaces to the north of the metal building and ten (10) parking spaces south of the metal building, including two (2) handicapped accessible spaces. A proposed asphalt addition is shown on the site plan. No information was provided regarding a timetable for installing the parking addition.

No information was provided regarding a plan to address spills or other motor vehicle related leaks.

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

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

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

A berm and several mature trees are between the metal building and Route 126. No specific landscaping information was provided.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

Before issuing a recommendation, Staff would like comments from Na-Au-Say Township, the Village of Oswego, the Village of Plainfield, and ZPAC members.

Mr. Rybski asked about the septic assessment and catching spills in the maintenance bays. Greg Dady responded that a triple catch basin exists in the maintenance bays and then into the tank. A soil analysis may be necessary.

Mr. Holdiman noted that a change of occupancy is required for the office and maintenance building.

Mr. Asselmeier noted that parking is not allowed in the front yard setback. Mr. Dady stated that no parking signs would be installed on the east side of the parking lot, rear of the property, and in front of the building. Mr. Dady was agreeable to have the parking lot asphalted within ninety (90) days of approval of the special use permit.

Mr. Dady said that the hours of operation could be impacted if an emergency breakdown occurred.

Mr. Dady will provide information on the berm and number of trees on the berm.

Mr. Dady noted that nobody will sleep at the site.

Chairman Prochaska noted that flyovers have increased and Mr. Asselmeier noted that Mr. Dady needs to make sure that the conditions in the special use permit were workable.

Mr. Asselmeier made a motion, seconded by Mr. Rybski, to recommend approval of the special use permit.

The votes were as follows:

Ayes (6):	Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0):	None
Present (0):	None
Absent (4):	Briganti, Chismark, Guritz, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

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

Mr. Asselmeier summarized the request.

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

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

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

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

In summary, the proposed changes are as follows:

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

17. The minimum lot size of twenty (20) acres was changed to minimum parcel size of twenty (20) acres (Section e).
18. The twenty percent (20%) maximum forest clearance was changed to exempt the clearing of invasive species. The definition of invasive species would be set by the Illinois Department of Natural Resources (Section k).
19. The reference to the Kendall County Soil and Erosion Ordinance was changed to Stormwater Management Ordinance (Section n).
20. Lots in park or campground would need to be clearly marked on the ground with landmarks on the lot corners and lot signage would be approved by the local fire protection district (Section dd).
21. The requirement that campgrounds and parks not cause demands that increase additional public funds to be expended for fire or police services was deleted because this requirement was difficult to quantify (Section hh). The subsequent sections of would be re-lettered to reflect this deletion.
22. The requirement that no permanent resident is allowed to live at a campground or recreational vehicle park was added and a recreational vehicle or tent would not be considered a location within a recreational vehicle park or campground. A camp caretaker would be exempt from the permanent resident requirement (Section jj).
23. The penalties section from the 1983 regulations was removed because a penalties section already exists in the Zoning Ordinance.
24. The requirement that recreational vehicle parks and campgrounds provide their registers to the Planning, Building and Zoning Department, Health Department, law enforcement agencies with jurisdiction, and the local fire protection district upon request was added. The register would be required to be updated daily at minimum. The register shall include campers, picnickers, and other visitors (Section kk.3).
25. A reasonable notice requirement for inspections was added (Section kk.4).
26. The Health Department standards were clarified to apply to all Health Department standards (Section ll).
27. Applicants must seek approval from fire and police departments at the time of application submittal for the special use permit (Section mm).
28. A street sign requirement was added and all trails shall be marked at their beginnings and ends (Section nn).
29. Submitting a map to KenCom and a timeline for changing the map was added (Section oo).
30. The maximum continuous stay requirement that is currently in Zoning Ordinance was deleted.
31. Section 9.05.C.15, regarding recreational camps and recreational vehicle parks as special uses in the B-4, M-1, and M-2 District was changed to reference the A-1 special use requirements.

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

Mr. Rybski requested clarification regarding Health Department as stated in the proposal. Mr. Asselmeier noted that the proposal applies to the Kendall County Health Department.

The proposal applies to new campgrounds and campgrounds that amend their special use permits.

Chairman Prochaska made a motion, seconded by Mr. Rybski, to recommend approval of the text amendment.

The votes were as follows:

Ayes (6):	Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0):	None
Present (0):	None
Absent (4):	Briganti, Chismark, Guritz, and Klaas



The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

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

None

**OLD BUSINESS/NEW BUSINESS**

Mr. Asselmeier informed the Committee that upcoming meetings will be at the Historic Courthouse because of renovations to the County Board Room.

**CORRESPONDENCE**

None

**PUBLIC COMMENT**

None

**ADJOURNMENT**

Mr. Rybski made a motion, seconded by Chairman Prochaska, to adjourn.

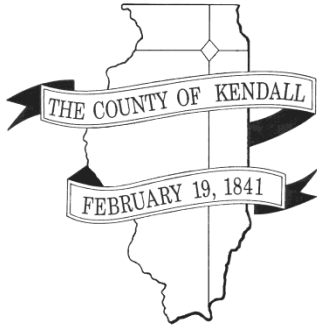
The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

The ZPAC, at 9:34 a.m., adjourned.

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



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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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**MEMORANDUM**

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**To:** Kendall County Regional Planning Commission

**From:** Matthew H. Asselmeier, AICP, CFM Senior Planner

**Date:** 9/16/2020

**Subject:** Petition 20-01 Amendment to the Kendall County Recreational Vehicle Park and Campground Regulations

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

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

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

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

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

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

In summary, the proposed changes are as follows:

1. Repeals the 1983 Recreational Vehicle Park and Campground regulations in their entirety.
2. The purpose section from 1983 regulations was not incorporated into the Zoning Ordinance because a purpose section already exists in the Zoning Ordinance.
3. The definitions of Camper, Sanitary Station, Service Buildings, and Tent were added to the Zoning Ordinance from the 1983 regulations.
4. The definition of Collector Streets or Collector Roads was added to the Zoning Ordinance, but requires discussion.
5. The definition of Minor Streets was added to the Zoning Ordinance, but requires discussion.

6. The definition of Picnicker was added to the Zoning Ordinance.
7. The definition of Recreational Vehicle Park or Campground was added from the 1983 regulations and additional language was added regarding permanent place of abode.
8. The definition of Register was added to the Zoning Ordinance.
9. The definition of Accessory Building or Use was amended.
10. The definition of Lot was amended.
11. The definition of Recreational Areas was amended.
12. The definition of Recreational Vehicles was amended by incorporating the language from the 1983 regulations combined with the existing definition found in the Zoning Ordinance. Also, the reference to pickup campers was deleted. Finally, the reference to jet skis, boats, snowmobiles, and other similar vehicles was clarified to apply to the parking regulations only.
13. Section 2 from the 1983 regulations was placed inside the Zoning Ordinance with an amendment that the reference to the Kendall County ACSC office was changed to the Soil and Water Conservation District (Section a.6.xv).
14. Throughout the regulation, reference to the Zoning Department was changed to the Planning, Building and Zoning Department.
15. Throughout the regulation, numbers are spelled out completely.
16. Section 3 from the 1983 regulation was placed inside the Zoning Ordinance.
17. The minimum lot size of twenty (20) acres was changed to minimum parcel size of twenty (20) acres (Section e).
18. The twenty percent (20%) maximum forest clearance was changed to exempt the clearing of invasive species. The definition of invasive species would be set by the Illinois Department of Natural Resources (Section k).
19. The reference to the Kendall County Soil and Erosion Ordinance was changed to Stormwater Management Ordinance (Section n).
20. Lots in park or campground would need to be clearly marked on the ground with landmarks on the lot corners and lot signage would be approved by the local fire protection district (Section dd).
21. The requirement that campgrounds and parks not cause demands that increase additional public funds to be expended for fire or police services was deleted because this requirement was difficult to quantify (Section hh). The subsequent sections of would be re-lettered to reflect this deletion.

22. The requirement that no permanent resident is allowed to live at a campground or recreational vehicle park was added and a recreational vehicle or tent would not be considered a location within a recreational vehicle park or campground. A camp caretaker would be exempt from the permanent resident requirement (Section jj).
23. The penalties section from the 1983 regulations was removed because a penalties section already exists in the Zoning Ordinance.
24. The requirement that recreational vehicle parks and campgrounds provide their registers to the Planning, Building and Zoning Department, Health Department, law enforcement agencies with jurisdiction, and the local fire protection district upon request was added. The register would be required to be updated daily at minimum. The register shall include campers, picnickers, and other visitors (Section kk.3).
25. A reasonable notice requirement for inspections was added (Section kk.4).
26. The Health Department standards were clarified to apply to all Health Department standards (Section ll).
27. Applicants must seek approval from fire and police departments at the time of application submittal for the special use permit (Section mm).
28. A street sign requirement was added and all trails shall be marked at their beginnings and ends (Section nn).
29. Submitting a map to KenCom and a timeline for changing the map was added (Section oo).
30. The maximum continuous stay requirement that is currently in Zoning Ordinance was deleted.
31. Section 9.05.C.15, regarding recreational camps and recreational vehicle parks as special uses in the B-4, M-1, and M-2 District was changed to reference the A-1 special use requirements.

A copy of the 1983 regulations and the redlined version of this proposal are attached.

If you have any questions, please let me know.

Thanks,

MHA

Encs.: 1983 Regulations  
Redlined Proposal  
September 1, 2020 ZPAC Minutes



KENDALL COUNTY  
RECREATIONAL VEHICLE PARK  
AND CAMPGROUND REGULATIONS

1.00 PURPOSE

This ordinance is designed to:

- 1.01 Protect and maintain productive agricultural lands;
- 1.02 Protect and maintain the future development of agricultural operations by protecting existing agricultural operations from incompatible uses;
- 1.03 Prevent excessive increases in public service costs by directing proposed campgrounds to areas served by or adjacent to public service facilities;
- 1.04 Protect the County's high quality recreational resource areas including wooded areas, natural watercourses, ponds, wetlands, unique topographic features, and slopes exceeding 10%, and,
- 1.05 Insure that Recreational Vehicle Parks and Campgrounds maintain the high quality of the County's recreational resource areas.

2.00 DEVELOPMENT APPLICATION AND SITE PLAN REQUIREMENTS

2.01 All applications for a permit to operate a recreational vehicle park or campground shall contain the following:

- a. Name, address and telephone number of applicant.
- b. Percentage of interest of the applicant and/or owners in the proposed campground.
- c. Name and address of all persons holding an interest or having an interest in the proposed campground.
- d. Location, address and legal description of the entire proposed campground.
- e. Existing zoning of subject property and all adjacent properties.
- f. Complete engineering plans and specifications of the proposed campground showing:
  1. The area and dimensions of the entire tract of land;
  2. The number, location and size of all lots intended for use by recreational vehicles or tents;
  3. The number, location and size of all unimproved, partially improved and fully improved lots;
  4. The location, right-of-way and surfaced roadway width and surfacing materials of roadways and walkways;
  5. The location of proposed interior vehicular and pedestrian circulation patterns;
  6. The location of service buildings, sanitary stations and any other existing or proposed structures;
  7. The location of water and sewer lines;
  8. Plans and specifications of all buildings constructed or to be constructed within the campground;
  9. Plans and specifications of the water supply, refuse and sewage disposal facilities, pet exercise and sanitation areas;

10. The location and details of lighting and electrical systems;
11. The location of fire hydrants, if provided;
12. Location of all drainage easements to comply with County drainage plans.
13. Quantity and point or area of departure of storm water runoff prior to and subsequent to construction of the proposed RV park.
14. Erosion control and landscaping plans;
15. Kendall County ASCS soils report;
16. The calendar months of the year during which the applicant will operate the proposed campground.

Where a campground development is proposed for construction in a series of stages, a master plan for the development of the entire tract of land shall be submitted along with the detailed plans and specifications for the initial stage, as well as any subsequent stages.

2.02 Every application for the construction, operation, maintenance and occupancy for a campground shall be accompanied with plans and specifications, fully setting out the trailer spaces, the position of each RV, motor vehicle parking spaces, the driveway giving access thereto and a plan of landscaping. Before any permit is issued for a campground and the use thereof, the plans and specifications shall first be approved by the Kendall County Building and Zoning Department and the Kendall County Health Department, taking into account all the provisions as set out herein, as well as such special conditions as may be imposed by the Kendall County Board or its specified subcommittee, and provided further that said plans and specifications are in accordance with State regulations governing campgrounds.

2.03 After completing the necessary zoning requirements and when upon review of the application, the Building and Zoning Department has determined that the proposed plan meets all requirements of this Ordinance, a permit shall be issued.

### 3.00 CRITERIA TO BE USED IN EVALUATING RECREATIONAL VEHICLE PARKS

- 3.01 Compatibility with nearby agricultural and other land uses;
- a. The park or campground must be screened from nearby agricultural and other land uses by a vegetative buffer other than multiflora rose or honeysuckle. The width of the buffer should vary in proportion to the maximum campground or park population up to a maximum of 300 feet.
  - b. The periphery of the park or campground, except at designated access roads, must be completely enclosed and maintained by a fence which will not permit people or farm animals to pass through it;
  - c. The park or campground must maintain litter control and refuse collection so as to prevent litter or refuse from blowing onto or otherwise being deposited on nearby lands;
  - d. Traffic from the park or campground must not seriously impair the movement of or cause hazard to agricultural and vehicular traffic.
- 3.02 Maintaining and protecting high quality recreational resource areas;
- a. All lands classified as floodplains shall remain in permanent open space;
  - b. No more than 20% of any forest shall be cleared or developed and the remaining 80% shall be retained in permanent open space;
  - c. All ponds, wetlands, and watercourses shall be left in permanent open space and no dredging, filling, or diversion of water shall be permitted;

- d. Storm water runoff shall be limited to the rate which would occur under natural conditions;
  - e. All ponds, wetlands, and watercourses are to be protected from erosion and sedimentation in accordance with the Kendall County Soil and Erosion ordinance;
  - f. Areas with slopes greater than 15% are to be retained in permanent open space;
  - g. Scenic views from public highways or adjoining lands must be maintained.
- 3.03 Insuring high quality recreational vehicle parks or campgrounds.
- a. The park or campground should provide separate circulation systems for vehicles and pedestrians;
  - b. Access to the park must be safe and convenient;
  - c. To insure adequate open space and protection of resource areas, lots within the park or campground should be clustered;
  - d. Internal roads, except one main collector road, should be one way and no wider than 18';
  - e. Collector roads should be no wider than 24';
  - f. Recreation facilities within the park should be in proportion to the maximum park population;
  - g. Recreational space within the park should be in proportion to the maximum park population and may include up to 60% of the park or campground;
  - h. Water supply and waste disposal facilities shall be designed, constructed and maintained in accordance with Health Department regulations.
  - i. The storage, collection and disposal of refuse shall be performed as to minimize accidents, fire hazards, air pollution, odors, insects, rodents or other nuisance conditions;
  - j. No parking is permitted on interior roads;
  - k. All outdoor cooking facilities shall be located, constructed, and maintained to minimize fire hazard and smoke nuisance;
  - l. All accessory uses should be limited to park residents;
  - m. There shall be no indication of retail accessory uses visible from any public road or street;
  - n. Lots in the park or campground must be at least 1500 square feet;
  - o. Trailers and accessory structures must be separated from one another by at least 10 feet in all directions;
  - p. Off street parking is to be provided at the rate of 2.25 parking spaces per lot.
- 3.04 Prevent excessive increases in Public Service Costs.
- a. Traffic generated by the maximum park or campground population must not exceed capacities of the local traffic network or cause public funds to be used for traffic safety or control improvements;
  - b. Demands produced by the park or campground for fire or police service must not cause additional public funds to be used to maintain current service levels;
  - c. Demands for public water or sanitary waste disposal must not overburden current facilities;
  - d. No recreational vehicle or trailer shall be used as a permanent place of abode. Continuous occupancy beyond three months is considered to be permanent.

#### 4.00 PENALTIES

Any person who violates any provision of this Ordinance shall upon conviction be punished by a fine of not less than \$200 nor more than \$500; each day's failure of compliance with any such provision shall constitute a separate violation.

#### 5.00 INSPECTION OF RECREATIONAL VEHICLE PARK OR CAMPGROUND

5.01 The Building and Zoning Department and the Health Department are hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this Ordinance, but in no case shall such inspection take place less than once per year.

5.02 The Zoning Department and the Health Department shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this Ordinance.

5.03 The Zoning Department and the Health Department shall have the power to inspect the register containing a record of all campers and picnickers of the park.

5.04 It shall be the duty of the park management to give the Zoning Department and the Health Department free access to all lots and other areas at reasonable times for the purpose of inspection.

5.05 It shall be the duty of every camper or picnicker in the park to give the owner thereof or his agent or employee access to any part of such recreational vehicle park at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this Ordinance and to facilitate inspections.

#### 6.00 DEFINITIONS

ACCESSORY BUILDINGS. Those buildings which house facilities or services relating to recreational uses at the park or campground.

CAMPER. Any person or persons occupying a recreational vehicle and/or tent for recreational purposes.

COLLECTOR STREETS. Any park street which extends from a park entrance street and intersects with three or more other streets or any street which intersects with five or more other streets or any street which extends for more than 1200 feet.

DAILY USER. Any person or persons using the park for recreational purposes on a daily basis.

GROUP CAMPING. The assembly of not more than 30 recreational vehicles and/or tents when registered as a group in advance with the park management. Normally, these groups are youth, scouting and clubs in an approved designated area for the purpose of recreational camping.

HEALTH AUTHORITY. The Kendall County Health Department or the Illinois Department of Public Health.

LOT. A parcel of land designated on the official plot plan for the placement of a single recreational vehicle or tent and for the exclusive use of its occupants.

MINOR STREETS. Any park street which is not a collector street.

Kendall County Recreational Vehicle Park and Campground Regulations

RECREATIONAL AREA. Area which is set aside for non-camping use. Recreational areas may include space for service buildings and/or accessory buildings as well as natural open space, children's playgrounds and other recreational facilities.

RECREATIONAL VEHICLE (RV). A vehicular portable structure designed as a temporary dwelling for travel, recreational or vacation uses, and to be used without a permanent foundation.

RECREATIONAL VEHICLE PARK OR CAMPGROUND. A contiguous parcel of land which has been developed for the non-permanent placement of recreational vehicles and/or tents. Recreational Vehicle Parks may not be operated in whole or in part for the lease or rent of such vehicles by the park owner(s) or operator(s), nor can any such vehicle be inhabited for purposes of permanent year-round dwelling units.


SANITARY STATION. Facility used for removing and disposing of wastes from RV holding tanks.

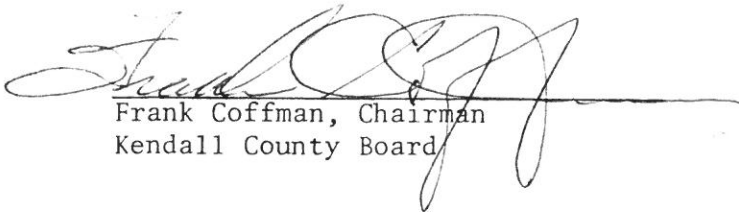
SERVICE BUILDINGS. Those required in all parks or campground, including those which house sanitary facilities, shelters.

TENT. Collapsible shelter of canvas or other material stretched and sustained by poles fixed in the ground and used for a temporary outdoor camping shelter.

PASSED THIS 14th day of  
June, 1983.

ATTEST:

  
Jean P. Brady, Clerk

  
Frank Coffman, Chairman  
Kendall County Board



## RV Park and Campground Amendments (8-31-20)

Repeal 1983 Recreational Vehicle Park and Campground Regulations in their entirety.

Amend Section 3.02 by adding the following terms and definitions:

**CAMPER.** Any person or persons occupying a recreational vehicle and/or tent for recreational purposes.

**CAMPGROUND AND RECREATIONAL VEHICLE PARK COLLECTOR STREETS OR COLLECTOR ROADS.** Any park street which extends from a park entrance street and intersects with three or more other streets or any street which intersects with five or more streets or any street which extends for more than **one thousand two hundred feet (1200') feet.**

**CAMPGROUND AND RECREATIONAL VEHICLE PARK MINOR STREETS.** Any park street which is not a collector street.

**CAMPGROUND AND RECREATIONAL VEHICLE PARK SANITARY STATION.** Facility used for removing and disposing of wastes from RV holding tanks.

**CAMPGROUND AND RECREATION VEHICLE PARK SERVICE BUILDINGS.** Those required in all parks or campground, including those which house sanitary facilities, shelters.

**PICNICKER.** Any person or persons that visits the recreational vehicle park or campground, but does not stay overnight and is not employed by the recreational vehicle park or campground.

**RECREATIONAL VEHICLE PARK OR CAMPGROUND.** A contiguous parcel of land which has been developed for the non-permanent placement of recreational vehicles and/or tents. Recreational Vehicle Parks may not be operated in whole or in part for the lease or rent of such vehicles by the park owner(s) or operator(s), nor can any such vehicle be inhabited **as a permanent place of abode as defined in Section 7:01.D.**

**REGISTER.** In cases of recreational vehicle parks and campgrounds, a listing of the names, make of car, and license plate number of all campers and picnickers. Said list shall identify each person as a camper or a picnicker, the date the person arrived on the property, and the date that the person left the property. In the case of campers, the register shall also list which lot(s) the person camped.

**TENT.** Collapsible shelter of canvas or other material stretched and sustained by poles fixed in the ground and used for a temporary outdoor camping shelter.

Amend Section 3.02 by changing the following terms and definitions:

ACCESSORY BUILDINGS OR USE. An "accessory building or use" is one which:

1. Is subordinate to the principal building or principal use served in terms of area and function; and
2. Contributes to the comfort, convenience, or necessity of occupants of the principal use served.

**In cases of recreational vehicle parks and campgrounds**, accessory buildings or **accessory structures** are those buildings which house facilities or services relating to recreational uses at the park or campground.

LOT. A parcel of land legally described as a distinct portion or piece of land of record.

**In cases of recreational vehicle parks and campgrounds**, a lot is a parcel of land designated on the official plot plan for the placement of a single recreational vehicle or tent and for the exclusive use of its occupants.

RECREATIONAL AREAS. Parks and open space devoted primarily to the pursuit of outdoor recreational activities such as golf courses, fishing lakes, playgrounds, trails and nature preserves; does not include outdoor commercial sporting activities. **In cases of recreational vehicle parks and campgrounds**, areas which are set aside for non-camping use. Recreational areas may include space for service buildings and/or accessory buildings as well as natural open space, children's playgrounds and other recreational facilities.

RECREATIONAL VEHICLE (RV). A vehicular portable structure designed as a temporary dwelling for travel, recreational or vacation uses, and to be used without a permanent foundation or a vehicle that is built on a single chassis, designed to be self-propelled or permanently towable by a light duty vehicle, and designed primarily for recreation, camping, travel or seasonal use. For purposes of regulation in this code, **pickup campers**, jet skis, boats, snowmobiles, or similar vehicles shall also be considered to be recreational vehicles **for the purposes of parking regulations**.

Delete Section 7.01.D.43 and Replace with the Following:

7.01.D.43 (Special Uses in the A-1)

Recreational camps and recreational vehicle parks subject to the following conditions:

- a. All applications for a permit to operate a recreational vehicle park or campground shall contain the following:
  1. Name, address and telephone number of applicant.
  2. Percentage of interest of the applicant and/or owners in the proposed campground.
  3. Name and address of all persons holding an interest or having an interest in the proposed campground.

4. Location, address and legal description of the entire proposed campground.
5. Existing zoning of subject property and all adjacent properties.
6. Complete engineering plans and specifications of the proposed campground showing:
  - i. The area and dimensions of the entire tract of land;
  - ii. The number, location and size of all lots intended for use by recreational vehicles or tents;
  - iii. The number, location and size of all unimproved, partially improved and fully improved lots;
  - iv. The location, right-of-way and surfaced roadway width and surfacing materials of roadways and walkways;
  - v. The location of proposed interior vehicular and pedestrian circulation patterns;
  - vi. The location of service buildings, sanitary stations and any other existing or proposed structures;
  - vii. The location of water and sewer lines;
  - viii. Plans and specifications of all buildings constructed or to be constructed within the campground;
  - ix. Plans and specifications of the water supply, refuse and sewage disposal facilities, pet exercise and sanitation areas;
  - x. The location and details of lighting and electrical systems;
  - xi. The location of fire hydrants, if provided;
  - xii. Location of all drainage easements to comply with County drainage plans.
  - xiii. Quantity and point or area of departure of storm water runoff prior to and subsequent to construction of the proposed RV park.
  - xiv. Erosion control and landscaping plans;
  - xv. Kendall County **ASCS Soil and Water Conservation District** soils report;
  - xvi. The calendar months of the year during which the applicant will operate the proposed campground.
- b. Where a campground development is proposed for construction in a series of stages, a master plan for the development of the entire tract of land shall be submitted along with the detailed plans and specifications for the initial stage, as well as any subsequent stages.
- c. Every application for the construction, operation, maintenance and occupancy for a campground shall be accompanied with plans and specifications, fully setting out the trailer spaces, the position of each RV, motor vehicle parking spaces, the driveway giving access thereto and a plan of landscaping. Before any permit is issued for a campground and the use thereof, the plans and specifications shall first be approved by the Kendall County **Planning**, Building and Zoning Department and the Kendall County Health Department, taking into account all the provisions as set out herein, as well as such special conditions as may be

imposed by the Kendall County Board or its specified subcommittee, and provided further that said plans and specifications are in accordance with State regulations governing campgrounds.

- d. After completing the necessary zoning requirements and when upon review of the application, the **Planning**, Building and Zoning Department has determined that the proposed plan meets all requirements of this Ordinance, a permit shall be issued.
- e. The minimum **lot parcel** size must be **twenty** (20) acres.
- f. The park or campground must be screened from nearby agricultural and other land uses by a vegetative buffer other than multiflora rose or Honeysuckle. The width of the buffer should vary in proportion to the maximum campground or park population up to a maximum of **three hundred feet (300') feet**.
- g. The periphery of the park or campground, except at designated access roads, must be completely enclosed and maintained by a fence which will not permit people or farm animals to pass through it;
- h. The park or campground must maintain litter control and refuse collection so as to prevent litter or refuse from blowing onto or otherwise being deposited on nearby lands;
- i. Traffic from the park or campground must not seriously impair the movement of or cause hazard to agricultural and vehicular traffic.
- j. All lands classified as floodplains shall remain in permanent open space;
- k. No more than **twenty percent (20%)** of any forest shall be cleared or developed and the remaining **eighty percent (80%)** shall be retained in permanent open space; **this provision does not apply to the clearing of invasive species. Invasive species shall be defined by the Illinois Department of Natural Resources.**
- l. All ponds, wetlands, and watercourses shall be left in permanent open space and no dredging, filling, or diversion of water shall be permitted;
- m. Storm water runoff shall be limited to the rate which would occur under natural conditions;
- n. All ponds, wetlands, and watercourses are to be protected from erosion and sedimentation in accordance with the Kendall County **Soil and Erosion ordinance Stormwater Management Ordinance**;

- o. Areas with slopes greater than **fifteen percent (15%)** are to be retained in permanent open space;
- p. Scenic views from public highways or adjoining lands must be maintained.
- q. The park or campground should provide separate circulation systems for vehicles and pedestrians;
- r. Access to the park must be safe and convenient;
- s. To insure adequate open space and protection of resource areas, lots within the park or campground should be clustered;
- t. Internal roads, except one main collector road, should be one way and no wider than **eighteen feet (18')**;
- u. Collector roads should be no wider than **twenty-four feet (24')**;
- v. Recreation facilities within the park should be in proportion to the maximum park population;
- w. Recreational space within the park should be in proportion to the maximum park population and may include up to **sixty percent (60%)** of the park or campground;
- x. Water supply and waste disposal facilities shall be designed, constructed and maintained in accordance with Health Department regulations.
- y. The storage, collection and disposal of refuse shall be performed as to minimize accidents, fire hazards, air pollution, odors, insects, rodents or other nuisance conditions;
- z. No parking is permitted on interior roads;
- aa. All outdoor cooking facilities shall be located, constructed, and maintained to minimize fire hazard and smoke nuisance;
- bb. All accessory uses should be limited to park residents;
- cc. There shall be no indication of retail accessory uses visible from any public road or street;



dd. Lots in the park or campground must be at least **one thousand five hundred (1500) square feet and clearly marked on the ground with landmarks on the lot corners and lot signage approved by the local fire protection district;**

ee. Trailers and accessory structures must be separated from one another by at least **ten feet (10') feet** in all directions;

ff. Off street parking is to be provided at the rate of **two point two five (2.25)** parking spaces per lot.

gg. Traffic generated by the maximum park or campground population must not exceed capacities of the local traffic network or cause public funds to be used for traffic safety or control improvements;

~~hh. Demands produced by the park or campground for fire or police service must not cause additional public funds to be used to maintain current service levels;~~

ii. Demands for public water or sanitary waste disposal must not overburden current facilities;

~~jj. No recreational vehicle or trailer tent, or other location within a recreational vehicle park or campground shall be used as a permanent place of abode. Continuous occupancy within the recreational vehicle park or campground beyond three (3) months is considered to be permanent. If the address of the recreational vehicle park or campground is listed as a person's address on any government issued document, including, but not limited to, any government roll or registry (such as a voter roll or registry), or any application or enrollment information for a public, private, or parochial educational institution, the recreational vehicle park or campground shall be considered that person's permanent place of abode, regardless of the length of that person's occupancy. This provision shall not apply to campground caretakers.~~

kk. Inspections

1. The **Planning**, Building and Zoning Department and the Health Department are hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this Ordinance, but in no case shall such inspection take place less than once per year.
2. The **Planning, Building and** Zoning Department and the Health Department shall have the power to enter at reasonable times **and upon reasonable notice** upon any private ~~or public~~ property for the purpose of inspecting and investigating conditions relating to the enforcement of this Ordinance.
3. **The owner of the recreational vehicle park or campground, or his agent or employee, shall be required to maintain a register containing a record of all campers, picnickers, and visitors in the park or campground. The**

**Planning, Building and Zoning Department ~~and the~~ Health Department, law enforcement agency with jurisdiction, and the local fire protection district** shall have the power to inspect the register **upon request.** ~~containing a record of all campers and picnickers of the park.~~ **The register shall be updated daily at minimum.**

4. It shall be the duty of the park management to give the **Planning, Building and Zoning Department and the Health Department** free access to all lots and other areas at reasonable times **and upon reasonable notice** for the purpose of inspection.
  5. It shall be the duty of every camper or picnicker in the park to give the owner thereof or his agent or employee access to any part of such recreational vehicle park at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this Ordinance and to facilitate inspections.
- II. All standards of the Health Department **are shall be** met ~~in accordance with the requirements set forth in the most recent version of the Kendall County Food Establishment Sanitation Ordinance and Kendall County Food Establishment Sanitation Ordinance.~~
- mm. Must seek approval from the **F**ire and police departments **at the time of application submittal for the special use permit.**
- nn. Adequate directional signage must be throughout the property, **including street signs. All trails shall be marked at their beginnings and ends.**
- oo. **A map of the recreational vehicle park or campground shall be supplied to KenCom. At minimum, the map shall show the location and names or numbers of all lots and trails in the recreational vehicle park or campground and the location and names of all streets and trails. Changes to the map or any identification information on the map shall be reported to KenCom within thirty (30) days of the change.**
- ~~pp. Maximum continuous stay shall not exceed 90 days.~~

Delete Section 9.05.C.15 and Replace with the Following: (Special Uses in B-4, M-1, and M-2 Districts).

Recreational camps and recreational vehicle parks subject to the conditions contained in Section 7.01.D

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)**  
**September 1, 2020 – Unapproved Meeting Minutes**

PBZ Chairman Matthew Prochaska called the meeting to order at 9:03 a.m.

**Present:**

Matt Asselmeier – PBZ Department  
Brian Holdiman – PBZ Department (Attended Remotely)  
Commander Jason Langston – Sheriff's Department (Attended Remotely)  
Alyse Olson – Soil and Water Conservation District (Attended Remotely)  
Matthew Prochaska – PBZ Committee Chair  
Aaron Rybski – Health Department

**Absent:**

Meagan Briganti – GIS  
Greg Chismark – WBK Engineering, LLC  
David Guritz – Forest Preserve  
Fran Klaas – Highway Department

**Audience:**

Greg Dady and Mary Murray

**AGENDA**

Mr. Rybski made a motion, seconded by Chairman Prochaska, to approve the agenda as presented.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

**MINUTES**

Mr. Rybski made a motion, seconded by Chairman Prochaska, to approve the August 4, 2020, meeting minutes.

The votes were as follows:

Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

**PETITIONS**

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

Mr. Asselmeier summarized the request.

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

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

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

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

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

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

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

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

The Agricultural Zoning Map with road classifications was provided.

Mr. Asselmeier noted that Fran Klaas requested that proposed use be restricted to roads classified as Minor Arterials of higher as designated by the Illinois Department of Transportation's Five (5) Year Functional Classification Map. Mr. Klaas had no objection to the proposed use going in at 3485 Route 126.

Mr. Rybski made a motion, seconded by Mr. Holdiman, to recommend approval of the request text amendment with the restriction that use be placed on roads classified as Minor Arterials of higher as designated by the Illinois Department of Transportation's Five (5) Year Functional Classification Map.

The votes were as follows:

Ayes (6):	Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0):	None
Present (0):	None
Absent (4):	Briganti, Chismark, Guritz, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

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

Mr. Asselmeier summarized the request.

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

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

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

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

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

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

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

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

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The adjacent uses are agricultural or agricultural related.

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

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

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

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

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

Pictures of the property and area were provided.

EcoCAT Report submitted and consultation was terminated.

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

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

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

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

The Oswego Fire Protection District was sent information on August 25, 2020. The Oswego Fire Protection District noted that the fire alarm system at the property was not functioning. Other than that concern, they had no objections to the proposal.

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

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

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

Any new structures would require applicable building permits.

The property is served by well and septic.

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

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



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

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

The site plan shows fifteen (15) additional parking spaces to the north of the metal building and ten (10) parking spaces south of the metal building, including two (2) handicapped accessible spaces. A proposed asphalt addition is shown on the site plan. No information was provided regarding a timetable for installing the parking addition.

No information was provided regarding a plan to address spills or other motor vehicle related leaks.

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

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

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

A berm and several mature trees are between the metal building and Route 126. No specific landscaping information was provided.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

Before issuing a recommendation, Staff would like comments from Na-Au-Say Township, the Village of Oswego, the Village of Plainfield, and ZPAC members.

Mr. Rybski asked about the septic assessment and catching spills in the maintenance bays. Greg Dady responded that a triple catch basin exists in the maintenance bays and then into the tank. A soil analysis may be necessary.

Mr. Holdiman noted that a change of occupancy is required for the office and maintenance building.

Mr. Asselmeier noted that parking is not allowed in the front yard setback. Mr. Dady stated that no parking signs would be installed on the east side of the parking lot, rear of the property, and in front of the building. Mr. Dady was agreeable to have the parking lot asphalted within ninety (90) days of approval of the special use permit.

Mr. Dady said that the hours of operation could be impacted if an emergency breakdown occurred.

Mr. Dady will provide information on the berm and number of trees on the berm.

Mr. Dady noted that nobody will sleep at the site.

Chairman Prochaska noted that flyovers have increased and Mr. Asselmeier noted that Mr. Dady needs to make sure that the conditions in the special use permit were workable.

Mr. Asselmeier made a motion, seconded by Mr. Rybski, to recommend approval of the special use permit.

The votes were as follows:

Ayes (6):	Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0):	None
Present (0):	None
Absent (4):	Briganti, Chismark, Guritz, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

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

Mr. Asselmeier summarized the request.

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

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

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

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

In summary, the proposed changes are as follows:

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

17. The minimum lot size of twenty (20) acres was changed to minimum parcel size of twenty (20) acres (Section e).
18. The twenty percent (20%) maximum forest clearance was changed to exempt the clearing of invasive species. The definition of invasive species would be set by the Illinois Department of Natural Resources (Section k).
19. The reference to the Kendall County Soil and Erosion Ordinance was changed to Stormwater Management Ordinance (Section n).
20. Lots in park or campground would need to be clearly marked on the ground with landmarks on the lot corners and lot signage would be approved by the local fire protection district (Section dd).
21. The requirement that campgrounds and parks not cause demands that increase additional public funds to be expended for fire or police services was deleted because this requirement was difficult to quantify (Section hh). The subsequent sections of would be re-lettered to reflect this deletion.
22. The requirement that no permanent resident is allowed to live at a campground or recreational vehicle park was added and a recreational vehicle or tent would not be considered a location within a recreational vehicle park or campground. A camp caretaker would be exempt from the permanent resident requirement (Section jj).
23. The penalties section from the 1983 regulations was removed because a penalties section already exists in the Zoning Ordinance.
24. The requirement that recreational vehicle parks and campgrounds provide their registers to the Planning, Building and Zoning Department, Health Department, law enforcement agencies with jurisdiction, and the local fire protection district upon request was added. The register would be required to be updated daily at minimum. The register shall include campers, picnickers, and other visitors (Section kk.3).
25. A reasonable notice requirement for inspections was added (Section kk.4).
26. The Health Department standards were clarified to apply to all Health Department standards (Section ll).
27. Applicants must seek approval from fire and police departments at the time of application submittal for the special use permit (Section mm).
28. A street sign requirement was added and all trails shall be marked at their beginnings and ends (Section nn).
29. Submitting a map to KenCom and a timeline for changing the map was added (Section oo).
30. The maximum continuous stay requirement that is currently in Zoning Ordinance was deleted.
31. Section 9.05.C.15, regarding recreational camps and recreational vehicle parks as special uses in the B-4, M-1, and M-2 District was changed to reference the A-1 special use requirements.

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

Mr. Rybski requested clarification regarding Health Department as stated in the proposal. Mr. Asselmeier noted that the proposal applies to the Kendall County Health Department.

The proposal applies to new campgrounds and campgrounds that amend their special use permits.

Chairman Prochaska made a motion, seconded by Mr. Rybski, to recommend approval of the text amendment.

The votes were as follows:

Ayes (6):	Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0):	None
Present (0):	None
Absent (4):	Briganti, Chismark, Guritz, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on September 23, 2020.

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

None

**OLD BUSINESS/NEW BUSINESS**

Mr. Asselmeier informed the Committee that upcoming meetings will be at the Historic Courthouse because of renovations to the County Board Room.

**CORRESPONDENCE**

None

**PUBLIC COMMENT**

None

**ADJOURNMENT**

Mr. Rybski made a motion, seconded by Chairman Prochaska, to adjourn.

The votes were as follows:

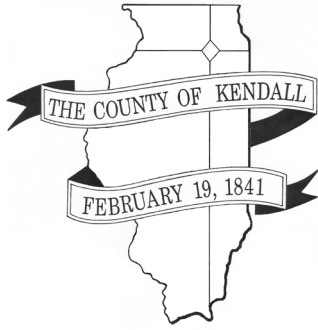
Ayes (6): Asselmeier, Holdiman, Langston, Olson, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (4): Briganti, Chismark, Guritz, and Klaas

The motion passed.

The ZPAC, at 9:34 a.m., adjourned.

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





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**KENDALL COUNTY REGIONAL PLANNING COMMISSION**

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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September 24, 2020

Mayor Richard Chapman  
Village of Shorewood  
1 Town Center Blvd  
Shorewood, IL 60404

**RE: Go Pro Sports Subdivision**

Dear Mayor Richard Chapman:

The members of the Kendall County Regional Planning Commission would like to express our displeasure over the Village of Shorewood's recent reviews of the Go Pro Sports and Four Seasons Storage facilities.

While we certainly understand that review of proposed new developments is necessary for the successful growth of our community, requiring detailed engineering information in addition to the information already required by the County is excessive. Also, requiring additional traffic lanes when a traffic study, the local township, or the Illinois Department of Transportation does not require additional lanes seems like an intentional, costly barrier to development. Did receiving or not receiving this information really impact the Village's decision on these projects? In future, if the Village wishes to impose strict information requirements for development, we encourage you to exercise the powers granted to the Village and do a Chatham annexation.

The Kendall County Regional Planning Commissions wishes to work with all government boards to promote sound economic development throughout Kendall County. We believe that excessive development requirements will create a disincentive for people and businesses wishing to invest in our County. We hope that the Village will re-examine their development requirements and will work with businesses and residents to remove costly barriers that hamper quality economic development.

We would appreciate an opportunity to discuss this matter with the Village before a similar situation arises in the future. We invite the Village to contact the Kendall County Senior Planner, Matt Asselmeier, to schedule such a discussion.

If you have any questions regarding this letter, please contact Mr. Asselmeier at 630-553-4134 or [masselmeier@co.kendall.il.us](mailto:masselmeier@co.kendall.il.us).

Sincerely,

William Ashton, Chairman  
Kendall County Regional Planning Commission

**Listing of KCRPC Dates for 2021**  
**7:00PM (4<sup>th</sup> Wednesday of the**  
**Month Unless Otherwise Noted)**

December 9, 2020 (Second Wednesday 7:00 pm)

January 27, 2021

February 6, 2021 (Annual Meeting 9am)

February 24, 2021

March 24, 2021

April 28, 2021

May 26, 2021

June 23, 2021

July 28, 2021

August 25, 2021

September 22, 2021

October 27, 2021

November 2021-No Meeting

December 8, 2021 (Second Wednesday 7:00 pm)

#### ARTICLE IX. ELECTION OF OFFICERS

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

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

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

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