

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
April 5, 2022 – Approved Meeting Minutes**

PBZ Chairman Scott Gengler called the meeting to order at 9:00 a.m.

Present:

Matt Asselmeier – PBZ Department
Meagan Briganti – GIS Department
Scott Gengler – PBZ Committee Chair
Fran Klaas – Highway Department
Commander Jason Langston – Sheriff's Department
Aaron Rybski – Health Department

Absent:

Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Brian Holdiman – PBZ Department
Alyse Olson – Soil and Water Conservation District

Audience:

None

AGENDA

Mr. Klaas made a motion, seconded by Ms. Briganti, to approve the agenda as presented.

With a voice vote of six (6) ayes, the motion carried.

MINUTES

Mr. Klaas made a motion, seconded by Ms. Briganti, to approve the March 1, 2022, meeting minutes.

With a voice vote of six (6) ayes, the motion carried.

PETITIONS

Petition 22-08 Jonathan A. Bieritz on Behalf of JB Architecture Group, Inc. and Eric and Lisa Weires (Property Owners)

Mr. Asselmeier summarized the request.

A five foot (5') public utility and drainage easement exists on the east and west lot lines of Lots 12 and 13 in the Grove Estates Subdivision (7327 and 7301 Fitkins Drive, Oswego) in Na-Au-Say Township.

Eric and Lisa Weires would like to merge the two (2) lots and construct a new house over the easements.

The application materials and the plat of vacation were provided.

The properties were approximately one point five (1.5) acres and the vacation area was approximately five hundredths (0.05) of an acre.

The property was zoned RPD-2 and was wooded.

Fitkins Drive is a local road maintained by Na-Au-Say Township.

There were no trails, floodplains, or wetlands on the property.

The adjacent land uses are wooded lots.

The adjacent properties were zoned RPD-2.

The Future Land Use Map calls for the area to be Rural Residential (max 0.65 du/acre).

The zoning districts within one half (1/2) mile are A-1 and RPD-2.

Na-Au-Say Township was emailed information on March 22, 2022.

The Village of Oswego was emailed information on March 22, 2022.

The Oswego Fire Protection District was emailed information on March 22, 2022.

Staff requested that the Petitioners provide information stating that none of the utilities were in opposition to the request. Mr. Asselmeier provided emails from Comcast and Comed stating they had no objections to the request.

The homeowners' association submitted an email, which was provided, stating they were not in opposition to this request.

Mr. Asselmeier presented a letter from WBK Engineering stating they had no objections to the request.

Staff recommended approval of the requested vacation with the following conditions:

1. Lots 12 and 13 of Grove Estates Subdivision shall not be sold as individual lots upon the successful recording of the plat of vacation. Within ninety (90) days of the effective date of this ordinance, the Petitioners shall submit a parcel consolidation request to Kendall County.
2. This vacation shall become effective upon the successful recording of the plat of vacation in the timeframe outlined in Section 7.06.H of the Kendall County Subdivision Control Ordinance unless an extension is granted by the Kendall County Board.

It was noted that the Petitioners own the land to east.

Mr. Klaas asked if any utilities were in the easement. Mr. Asselmeier said a JULIE Locate occurred and no utilities were presently located in the easements.

No comments had been submitted by NICOR or AT&T.

Mr. Rybski made a motion, seconded by Commander Langston, to recommend approval of the requested vacation.

With a voice vote of six (6) ayes, the motion carried.

The proposal goes to the Kendall County Planning, Building and Zoning Committee on April 11, 2022.

Petition 22-09 Kendall County Regional Planning Commission

Mr. Asselmeier summarized the request.

In October 2020, the Kendall County Comprehensive Land Plan and Ordinance Committee initiated discussions regarding changing the Future Land Use Map for properties located along the Eldamain Road Corridor south of the Fox River, in light of the funding for the Eldamain Road Bridge and the abandonment of the centerline for the Prairie Parkway. In particular, the Committee discussed possible commercial and/or manufacturing investment in this area.

The Kendall County Future Land Use Map currently calls for this area to be Rural Residential (Max Density 0.65 DU/Acre) and Mixed Use Business. A copy of the existing Future Land Use Map was provided.

The Yorkville Future Land Use Map currently calls for this area to be Estate Residential. The Millbrook Future Land Use Map currently calls for this area to be Business Park Office and Commercial with Industrial near the former Prairie Parkway alignment. The Plano Future Land Use Map currently calls for the area in their planning jurisdiction to be Estate Residential (0-0.8 DU/Acre). Copies of all of the Future Land Use Maps for this area were provided.

Following meetings with property owners in the area in October and December 2021, the Committee decided to limit changes to three (3) properties along the railroad tracks west of Fox Road. Letters to impacted property owners were mailed in mid-December 2021, mid-February 2022, and mid-March 2022.

At their meeting on February 23, 2022, the Comprehensive Land and Ordinance Committee voted to forward the proposal to the Kendall County Regional Planning Commission.

At their meeting on March 24, 2022, the Kendall County Regional Planning Commission voted to initiate the amendment to the Future Land Use Map.

A copy of the updated map was provided.

Petition information will be sent to Fox Township, the Village of Millbrook, and the United City of Yorkville on March 29, 2022.

Mr. Klaas asked if Yorkville and Plano had a boundary agreement in this area. Mr. Asselmeier responded that Yorkville's boundary is Highpoint Road and Plano's extraterritorial planning area did not extend to the subject properties. Yorkville did not have a boundary agreement with Millbrook.

Mr. Klaas felt that any commercial and industrial developments in this area would probably be annexed to a municipality.

Mr. Asselmeier noted that to reclassify the property to Residential would be easier than to obtain that a Mixed Use Business classification.

Commander Langston asked if the owners of the house at 12565 Fox Road objected to the request. Mr. Asselmeier responded that no objections had been received.

Mr. Rybski clarified the request was for a reclassification on the Future Land Use Map and not the rezoning of the properties.

Mr. Rybski made a motion, seconded by Ms. Briganti, to recommend approval of the requested change to the Future Land Use Map.

With a voice vote of six (6) ayes, the motion carried.

The proposal goes to the Kendall County Regional Planning Commission on April 27, 2022.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petitions 22-03 and 22-04 were approved by the County Board.

OLD BUSINESS/NEW BUSINESS

Follow-Up from February 5th Kendall County Regional Planning Commission Annual Meeting

Mr. Asselmeier reported the summary for 2021 and 2022 future projects and goals.

Fifty-one (51) petitions filed in 2021; thirty-two (32); petitions filed in 2020; forty-six (46) petitions filed in 2019; thirty-three (33) petitions filed in 2018 and 2017.

Thirty-two (32) new housing starts in 2021; thirty-four (34) new housing starts in 2020; twenty (20) new housing starts in 2019.

Three hundred fifty-four (354) Total Permits in 2021; three hundred twenty-six (326) total Permits in 2020; two fifty-seven (257) Total Permits in 2019.

Total deposits (Building Fees, Zoning Fees, Land Cash Fees, and Off-Site Roadway) for the FY2021 were Two Hundred Ninety-Three Thousand, Nine Hundred Forty-One Dollars (\$293,941), the Highest Since 2006.

Department had two (2) months (June and November) with revenues in excess of Forty-Two Thousand Dollars (\$42,000); in 2020, the Department had one (1) month (June) with revenues in excess of Forty Thousand Dollars (\$40,000); this was the first time monthly revenues had exceeded Forty Thousand Dollars (\$40,000) since the mid-2000s.

Kendall County's population increased to one hundred thirty-one thousand, eight hundred sixty-nine (131,869) in the 2020 Census, an increase of approximately fourteen point nine percent (14.9%) from the 2010 Census making Kendall County the fastest growing county in Illinois by percent change.

The Census stated that the population of the unincorporated area was twenty-four thousand, one hundred thirty-eight (24,138).

County Board approved the update to the Transportation Plan in Land Resource Management Plan to match the Long Range Transportation Plan.

County submitted the Notice of Intent for Renewal of General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4's).

WBK Engineering reviewed FEMA Floodplain Management Bulletin P-2140 Floodplain Management Requirements for Agricultural Structures and Accessory Structures and recommended no changes to Kendall County's Stormwater Management Ordinance.

County Board approved amendments to the Kendall County Stormwater Management Ordinance related to Bulletin 75.

Continued doing annual NPDES surveys to the townships.

Noxious weed related documents and notices drafted and approved by the County Board.

Soils information added to the GIS.

Planning, Building and Zoning Committee reaffirmed the Department's voluntary compliance policy in cases of ordinance violations.

Planning, Building and Zoning Committee held a special committee meeting in Boulder Hill.

Kendall County became a Certified Local Government.

County Board requested and the State approved the Certification of the Kendall County Historic Preservation Ordinance for the purposes of the Property Tax Freeze Assessment Program through the Illinois Department of Natural Resources.

Kendall County Historic Preservation Commission held a special meeting at Lyon Farm.

Submitted Certified Local Government Grant for historic structure survey in unincorporated Kendall and Bristol Townships.

Continued Historic Preservation Commission awards.

Senior Planner Assisted with the codification process.

Senior Planner drafted a letter to local legislators requesting that townships be allowed to apply for grants through the Abandoned Property Program if the Illinois Housing Development Authority offers grants in the future.

Reviewed future land uses along Eldamain Road from the Fox River to Route 71.

Reviewed future land uses along Route 47 in Kendall and Lisbon Townships.

Continued adjustments of departmental operations due to the COVID-19 pandemic, including the issuance of permits and the performance of inspections.

Code Compliance Official issued permits at the former CAT Property, ANR Pipeline, Go Pro Sports Dome, and Four Seasons Storage.

Code Compliance Official held a community event at Ace Hardware in Oswego.

Items for 2022 including the following:

Continue to assist with the codification process.

Continue to implement the citation policies for the various ordinances.

Work with the Village of Montgomery to ensure that information related to the former CAT property is transferred to the Village.

Assist with the historic structure survey in unincorporated Kendall and Bristol Townships if grant funding is approved.

Work with Kendall County EMA to pursue disaster related grants and other funding.

Continue to meet with townships regarding their role in the development approval process.

Work with WBK Engineering to review the County's stormwater regulations and recommend appropriate changes based on changes in Federal and State stormwater regulations.

Continue to monitor changes to zoning related regulations at the State level.

Continue to work with GIS to ensure correct zoning information for each parcel.

Continue to work with GIS to connect parcels to the applicable special use and map amendment ordinances.

Continue to work to ensure special use permits that require renewals and reviews are examined in a timely manner.

Ensure that noxious weed and NPDES Permit documents are submitted to the State in a timely manner.

Work with the Illinois Historic Preservation Agency and Historic Preservation Commission on Certified Local Government projects.

Increase the visibility and activities of the Historic Preservation Commission through collaboration with other historic preservation organizations and events.

Continue working with the Northwest Water Planning Alliance.

Participate with Implementation of CMAP's 'On To 2050 Plan' for the Chicago Region.

Continue reviewing and addressing potential changes to the Zoning Ordinance and departmental operations for increased efficiency.

There were eight (8) new special use permits.

There were two (2) major amendments to existing special use permits.

There were three (3) minor amendments to existing special use permits.

There was one (1) revocation of an existing special use permit.

There was one (1) special use permit renewal.

There were (4) variances not part of a special use permit.

There eight (8) administrative variances.

There was one (1) variance to the Stormwater Management Ordinance.

There were zero (0) conditional use permits.

There were zero (0) temporary use permits.

There were six (6) site plan reviews.

There zero (0) plats of vacation, preliminary plats, or final plats.

There were three (3) text amendments.

There were two (2) amendments to the Land Resource Management Plan.

There were nine (9) map amendments.

There was one (1) Stormwater Ordinance related amendment.

There were zero (0) amendments to the Historic Preservation Ordinance and zero (0) landmarks.

There was one (1) other for historic preservation, the tax freeze for historic properties.

There was one (1) building and zoning other, the amendment to the citation form.

There were fifty-one (51) petitions in 2021.

There were eleven (11) ZPAC meetings.

There were eleven (11) Regional Planning Commission meetings.

There were nine (9) Zoning Board of Appeals meetings.

There were twelve (12) Historic Preservation Commission meetings.

There was one (1) Stormwater Management Oversight Committee meeting.

There were six (6) Comprehensive Land Plan and Ordinance Committee meetings.

There were thirteen (13) Planning, Building and Zoning Committee meetings.

Of the thirty-five (35) ordinances approved by the County Board in 2021, nineteen (19) were Planning, Building and Zoning related. Of the twenty-six (26) ordinances approved by the County Board in 2020, thirteen (13) were Planning, Building and Zoning related. Of the thirty-nine (39) ordinances approved by the County Board in 2019, twenty-two (22) were Planning, Building and Zoning related.

The Department investigated zero (0) noxious weed violations in 2021 compared to zero (0) noxious weed violation investigation in 2020 and 2019.

There were thirty-two (32) single-family dwelling units permitted in 2021. The breakdowns by township and subdivision were provided.

The Code Officials conducted nine hundred eighty-three (983) field visits and inspections. A breakdown of inspections was provided.

The Code Officials reviewed and issued thirty hundred sixty-five (365) permits and ninety-six (96) plumbing inspections occurred.

The Code Official's goals for 2022 include:

Renew International Code Council Certifications.

Test and implement permit tracking site created by GIS.

Provide an education program during the Kendall County Fair.

Mr. Asselmeier noted that the Village of Oswego was considering annexing the Hide-A-Way Lakes Campground.

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Klaas made a motion, seconded by Mr. Rybski, to adjourn.

With a voice vote of six (6) ayes, the motion carried.

The ZPAC, at 9:27 a.m., adjourned.

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