



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

111 West Fox Street • Rooms 209 and 210 • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

AGENDA

July 1, 2024 – 7:00 p.m.

CALL TO ORDER – ZONING BOARD OF APPEALS

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

MINUTES: Approval of Minutes from the May 28, 2024, Zoning Board of Appeals Hearing/Meeting (Pages 2-12)

PETITIONS:

1. **Petition 24 – 10 – Alex M. Schuster (Pages 13-86)**
Request: Special Use Permit for a Landscaping Business
PIN: 03-22-400-001
Location: 2142 Wooley Road, Oswego in Oswego Township
Purpose: Petitioner Would Like to Operate a Landscaping Business; Property is Zoned A-1
2. **Petition 24 – 11 – James W. Filotto on Behalf of Oakland Avenue Storage, LLC (Pages 87-169)**
Request: Map Amendment Rezoning the Subject Property from A-1 Agricultural District to B-3 Highway Business District
PIN: 09-13-400-011
Location: Between 276 and 514 Route 52, Minooka in Seward Township
Purpose: Petitioner Wants to Rezone the Property in Order to Operate a Construction/Contractor's Office

NEW BUSINESS/ OLD BUSINESS

None

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

1. Petition 24-06 Map Amendment for 7789 Route 47
2. Petition 24-09 Major Amendment to a Special Use at 14719 O'Brien Road

PUBLIC COMMENT:

ADJOURN ZONING BOARD OF APPEALS- Next hearing/meeting on July 29, 2024

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.

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)
YORKVILLE, IL 60560
May 28, 2024 – 7:00 p.m.

CALL TO ORDER

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

ROLL CALL:

Members Present: Scott Cherry (Arrived at 7:02 p.m.) Cliff Fox, Tom LeCuyer, Randy Mohr, Jillian Prodehl, and Dick Thompson, and Dick Whitfield

Members Absent: None

Staff Present: Matthew Asselmeier, AICP, CFM, Director and Wanda Rolf, Office Assistant

Others Present: Tim O'Brien, Joan Soltwisch, Ron Miller, Pete Fleming, Bruce Miller, Rao Addepalli, and Gloria Foxman

MINUTES:

Member LeCuyer made a motion, seconded by Member Fox, to approve the minutes of the April 29, 2024, hearing/meeting.

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

Mr. Asselmeier reported that the Brighter Daze Banquet Facility on Crimmin Road has been annexed into Millington.

Scott Cherry arrived at 7:02 p.m.

Chairman Mohr swore in Tim O'Brien, Joan Soltwisch, Ron Miller, Pete Fleming, Bruce Miller, Rao Addepalli, and Gloria Foxman.

Chairman Mohr announced that Petition 24-10 would not be heard this evening because the Petitioner did not post notice in newspaper in a timely manner.

Member Whitfield made a motion seconded by Member Prodehl, to table Petition 24-10 until July 1, 2024. With a voice vote of seven (7) ayes the motion carried.

The Zoning Board of Appeals started their review of Petition 24-11 at 7:03 p.m.

PETITIONS:

Petition 24 – 11 – James W. Filotto on Behalf of Oakland Avenue Storage, LLC

Request: Map Amendment Rezoning the Subject Property from A-1 Agricultural District to B-3 Highway Business District

PIN: 09-13-400-011
Location: Between 276 and 514 Route 52, Minooka in Seward Township
Purpose: Petitioner Wants to Rezone the Property in Order to Operate a Construction/Contractor's Office

Mr. Asselmeier reported that the Petitioner requested a continuance in order to address concerns raised by the Village of Shorewood.

Member Fox made a motion, seconded by Member Thompson, to continue the hearing to July 1, 2024. With a voice vote of seven (7) ayes the motion carried.

The proposal will be on the July 1, 2024, Zoning Board of Appeals agenda.

The Zoning Board of Appeals concluded their review of Petition 24-11 at 7:03 p.m.

The Zoning Board of Appeals started their review of Petition 24-13 at 7:04 p.m.

Petition 24 – 13 – James C. Marshall on Behalf of TurningPointEnergy, LLC Through TPE IL KE240 (Tenant) and Frank J. Santoro (Owner)

Request: Special Use Permit for a Commercial Solar Energy Facility and Variance to Section 7:01.D.17.a of the Kendall County Zoning Ordinance to Allow a Commercial Solar Energy Facility on Land within One Point Five (1.5) Miles of Municipality without an Annexation Agreement

PIN: 03-26-300-006

Location: East of 2025 Simons Road, Oswego in Oswego Township

Purpose: Petitioner Would Like to Install a Commercial Solar Energy Facility; Property is Zoned A-1

Mr. Asselmeier reported that the Petitioner requested a continuance.

Member LeCuyer made a motion, seconded by Member Whitfield, to continue the hearing to July 1, 2024.

The votes were as follows:

Ayes (7): Fox, LeCuyer, Mohr, Prodehl, Thompson, Cherry and Whitfield

Nays (0): None

Abstain (0): None

Absent (0): None

The proposal will be on the July 1, 2024, Zoning Board of Appeals agenda.

The Zoning Board of Appeals completed their review of Petition 24-13 at 7:05 p.m.
ZBA Meeting Minutes 5.28.24

The Zoning Board of Appeals started their review of Petition 24-09 at 7:05 p.m.

Petition **24 – 09 – Tim O’Brien on Behalf of Seward Township**
Request: Major Amendment to the Special Use Permit for a Governmental Building and Facility
 Granted by Ordinance 2009-31 by Changing the Site Plan
PIN: 09-17-400-005
Location: 14719 O’Brien Road, Minooka in Seward Township
Purpose: Petitioner Wants to Construct a Building Addition and Related Infrastructure; Property is
 Zoned A-1 with a Special Use Permit

Mr. Asselmeier summarized the request.

On August 18, 2009, the County Board approved Ordinance 2009-31, granting a special use permit for a governmental building and facility at 14719 O’Brien Road.

The Petitioner is proposing to amend the site plan approved in Ordinance 2009-31 by a constructing an approximately eight thousand four hundred (8,400) square foot pole-type maintenance/storage building to the west of the existing Seward Township building and installing an asphalt driveway connecting the existing parking lot to the new building. For reference, the existing building is approximately nine thousand six hundred (9,600) square feet in size and is used for maintenance, storage, and offices.

Though not shown on the site plan approved in 2009, Seward Township received a permit and installed a sign on the property in 2010. The sign is shown on the proposed site plan.

No other changes to the site were proposed.

The application materials, proposed site plan, and Ordinance 2009-31 were provided.

The property was approximately five (5) acres in size.

The existing land use was Public/Institutional.

The future land use was Commercial.

O’Brien Road was a Township Road classified as a Local Road.

There were no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent properties were used as Agricultural.

The adjacent properties were zoned A-1.

ZBA Meeting Minutes 5.28.24

Page 3 of 10

The Land Resource Management Plan calls for the area to be Commercial, Rural Estate Residential, and Rural Residential.

Properties within one half (1/2) of a mile were zoned A-1 and A-1 SU.

There is one (1) home located within one half (1/2) mile of the subject property.

The special use to the west is for a banquet facility and related uses.

EcoCat submitted on April 23, 2024, and consultation was terminated.

A NRI application was submitted on April 30, 2024. The LESA Score was 191 indicating a low level of protection.

Seward Township was emailed information on April 30, 2024.

The Lisbon-Seward Fire Protection District was emailed information on April 30, 2024. No comments received. No comments were received.

ZPAC reviewed the proposal at their meeting on May 7, 2024. ZPAC recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on May 22, 2024. It was noted that the Petitioner was working on incorporating stormwater detention into the site plan. Member Wilson felt that Seward Township was not transparent in how they obtained approval from the Township electors for this project; she still supported the major amendment. Discussion also occurred regarding salt storage at the property; salt was already stored indoors. The Kendall County Regional Planning Commission recommended approval of the requested major amendment with conditions proposed by Staff and the addition to stormwater detention infrastructure on the site plan by a vote of eight (8) in favor and zero (0) in opposition with two (2) members absent. The minutes of the meeting were provided.

The proposed building will have to obtain applicable building permits.

As required in the special use permit from 2009, the subject property has fifteen (15) parking spaces, including one (1) handicapped parking space. Given that the proposed amendment will not increase public visitation at the property, the number of parking spaces should be adequate.

The Petitioner submitted an application for a stormwater permit.

In 2009, the Petitioner was granted a variance to the stormwater runoff storage facilities by Ordinance 2009-26, which was provided. An amendment to this variance, the installation of stormwater storage facilities, submittal of a fee-in-lieu payment, or some combination thereof will be required. A letter
ZBA Meeting Minutes 5.28.24

from WBK Engineering was provided. The Petitioner was considering a variance to the Stormwater Management Ordinance, but they were looking to add a stormwater detention, which was not shown on the site plan.

In 2009, the Petitioner was granted a variance to the stormwater runoff storage facilities by Ordinance 2009-26, which was provided. An amendment to this variance, the installation of stormwater storage facilities, submittal of a fee-in-lieu payment, or some combination thereof will be required. A letter from WBK Engineering was provided. The Petitioner was considering a variance to the Stormwater Management Ordinance. However, they were working on an alteration to the site plan to include stormwater detention.

The proposed Findings of Fact were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The expansion will improve the public health, safety, comfort, and general welfare because the new building will allow the township to do its work inside a new facility.

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 existing use has been in place since 2009. The adjacent land uses are agricultural and the construction of a maintenance building will not injury the use and enjoyment of neighboring land owners.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true except for drainage. Drainage concerns can be addressed through a stormwater permit.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. This is true.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. Seward Township has used the subject property for public/institutional purposes since 2009. Accordingly, allowing the Township expand its facilities is consistent with a goal found on Page 9-20 of the Kendall County Land Resource Management

Plan which calls for “mutually supportive, non-adversarial team of municipal, township, . . . county, and other governments working toward the benefit of everyone in Kendall County.”

Staff recommended approval of the requested amendments to the existing special use permit for a governmental building and facility, pending resolution of Kendall County Stormwater Ordinance issues subject to the following conditions and restrictions:

1. The site plan attached as Group Exhibit A of Ordinance 2009-31 is hereby amended to include the submitted site plan. **Stormwater detention related information may be added to the site plan without the need to obtain an amendment to the site plan. (Added at RPC).**
2. None of the buildings or structures allowed by this major amendment to an existing special use permit shall be considered agricultural structures and must secure applicable permits.
3. The remaining conditions and restrictions contained in Ordinance 2009-31 shall remain valid and effective.
4. The use allowed by this major amendment to an existing special use permit shall follow all applicable federal, state, and local laws.
5. 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.
6. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property

Chairman Mohr opened the public hearing at 7:11 p.m.

No one testified regarding the Petition.

Chairman Mohr adjourned the public hearing at 7:12 p.m.

Member LeCuyer made a motion, seconded by Member Cherry, to approve the Findings of Fact.

The votes were as follows:

Ayes (7):	Cherry, Fox, LeCuyer, Mohr, Prodehl, Thompson, and Whitfield
Nays (0):	None
Abstain (0):	None
Absent (0):	None

The motion carried.

Member Whitfield made a motion, seconded by Member Fox, to recommend approval of the major amendment to an existing special use with the conditions proposed by Staff with the revised site plan submitted by Seward Township on May 28, 2024.

The votes were as follows:

Ayes (7): Cherry, Fox, LeCuyer, Mohr, Prodehl, Thompson, and Whitfield
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

The proposal goes to the Kendall County Planning, Building and Zoning Committee on June 10, 2024.

The Zoning Board of Appeals completed their review of Petition 24-09 at 7:14 p.m.

The Zoning Board of Appeals started their review of Petition 24-14 at 7:14 p.m.

Petition **24 – 14 – Tim O’Brien on Behalf of Seward Township**
Request: Amendment to the Future Land Use Map Contained in the Land Resource Management Plan by Adopting a New Future Land Use Map for Seward Township and Related Text Changes
Location: Seward Township
Purpose: Petitioner Wants to Adopt a New Future Land Use Map for Seward Township

Mr. Asselmeier summarized the request.

In an effort to preserve the agricultural character of the Township and protect the Aux Sable Creek Watershed, Seward Township has proposed a new Future Land Use Map. The existing Future Land Use Map was also provided.

The proposed changes were as follows:

1. All of the land west Arbeiter and Hare Roads will be reclassified to Agricultural. The Commercial area at the intersection of Route 52 and Grove Road will be retained and the Commercial area at the intersection of Arbeiter Road and Route 52 will also be retained.
2. The Seward Township Building on O’Brien Road, the church on Van Dyke Road, and lands owned by the Kendall County Forest Preserve District and Conservation Foundation west of Arbeiter and Hare Roads will be classified as Public/Institutional.
3. The residentially planned areas east of Arbeiter and Hare Roads will be reclassified to Rural

Estate Residential.

4. The floodplain of the Aux Sable Creek was added to the map.
5. Text contained in the Land Resource Management Plan in conflict the above changes will be amended.

The Seward Township Planning Commission approved this proposal at their meeting on February 5, 2024. The Seward Township Board approved this proposal at their meeting on March 12, 2024. Seward Township held a community forum on the proposal on April 18, 2024. The Kendall County Comprehensive Land Plan and Ordinance Committee also reviewed the proposal at their meetings in February and April 2024.

A composite future land use map of the County and the municipalities' comprehensive plans was provided.

This proposal was sent to Plattville, Minooka, Shorewood, and Joliet on April 30, 2024. This proposal was sent to the Bristol-Kendall, Lisbon-Seward, Minooka, Troy, and Joliet Fire Departments on April 30th. To date, no comments have been received.

ZPAC reviewed this proposal at their meeting on May 7, 2024. Mr. Guritz said that he attended the forum in Seward Township and felt that the meeting was well attended and attendees seemed in favor of the proposal. ZPAC recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission held a public hearing on this proposal on May 22, 2024. Other than the Petitioner, no other person testified in favor or in objection to the proposal. One (1) person asked what a comprehensive plan was and another person requested clarification regarding the land use classifications along Route 52 between County Line and Ridge Roads. Seward Township explained the public's involvement in the proposal, to date. Discussion occurred regarding the removal of the Commercial area near the intersection of Route 52, O'Brien, and McKanna Roads and the retention of the Commercial area at the intersection of Grove Road and Route 52; the area was retained for traffic and trail reasons. Discussion occurred regarding the impact of property owners to ask for map amendments, if the proposal was approved. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of six (6) in favor, one (1) in opposition, and three (3) absent. The minutes of the hearing were provided.

Pete Fleming, Chairman of The Seward Township Planning Commission, stated that the Township has been working on this map for years. It has been a long but good process.

Chairman Mohr asked Mr. Fleming if he saw the 1994 Seward Township Plan. Mr. Fleming said he did not see the 1994 plan. Chairman Mohr stated that the 1994 plan was very similar to the current

proposed plan. The 1994 plan allowed municipalities to expand without pushback. Landowners would have to annex into Joliet, Plainfield, or Minooka in order to develop their properties. Mr. Fleming stated that county style subdivisions with large lots were not being establishing due to costs. Chairman Mohr agreed and asked Mr. Asselmeier how many building permits were issued in Seward Township in the last three (3) years. Mr. Asselmeier stated that in 2023 there were three (3) homes built and in 2022 four (4) homes built in Seward Township. Member Prodehl asked if those homes were following the rule of (1) house per forty (40) acres. Mr. Asselmeier replied there was some rezoning on Brisbin Road and O' Brien Road.

Member Cherry asked Mr. Fleming if there was any pushback from residents regarding the proposal. Mr. Fleming stated there was none. The Township had meetings, open forums, and public hearings to make the residents aware of the proposal.

Joan Soltwisch noted the many people from the nearby municipalities that attended meetings regarding this proposal. She felt this proposal was a good fit for the Township. They want to preserve farmland.

Mr. Fleming spoke about the floodplains and lands owned by the Conservation Foundation. Chairman Mohr asked if there was a way to set apart the floodplains so that no one builds on it. Mr. Asselmeier stated that there are rules in place for building in a floodplain. The homes would have to be elevated or prove they were not in a floodplain.

Member Prodehl asked, if once this map was approved and a request comes in to the County to rezone, how will it be addressed. Mr. Asselmeier stated that if the request was inconsistent with the plan, Staff would recommend denial of the request.

Member Prodehl made a motion, seconded by Member LeCuyer, to forward the proposal to the Planning, Building and Zoning Committee.

The votes were as follows:

Ayes (7):	Cherry, Fox, LeCuyer, Mohr, Prodehl, Thompson, and Whitfield
Nays (0):	None
Abstain (0):	None
Absent (0):	None

The proposal will go to the Planning, Building and Zoning Committee on June 10, 2024.

The Zoning Board of Appeals completed their review of Petition 24-14 at 7:45 p.m.

NEW BUSINESS/OLD BUSINESS

None

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petition 24-04 was approved by the County Board for the new YMCA.

Mr. Asselmeier said Petitions 24-10, 24-11, and 24-13 will be on the agenda for the July 1, 2024, hearing/meeting.

PUBLIC COMMENTS

Gloria Foxman, on behalf of Petition 24-13 James C. Marshall on Behalf of TurningPointEnergy, LLC Through TPE IL KE240 (Tenant) and Frank J. Santoro (Owner), asked if they could continue the hearing one (1) additional month to July 29, 2024, instead of July 1, 2024. Member LeCuyer made a motion, seconded by Member Whitfield, to rescind the previous motion to continue Petition 24-13 to July 1, 2024. With a voice vote of seven (7) ayes, the motion carried. Member LeCuyer made a motion, seconded by Member Whitfield, to continue the hearing on Petition 24-13 to July 29, 2024. With a voice vote of seven (7) ayes, the motion carried.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Whitfield made a motion, seconded by Member LeCuyer, to adjourn.

With a voice vote of seven (7) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 7:55 p.m.

The next regularly scheduled meeting/hearing will be on July 1, 2024.

Respectfully submitted by,
Wanda A. Rolf
Administrative Assistant

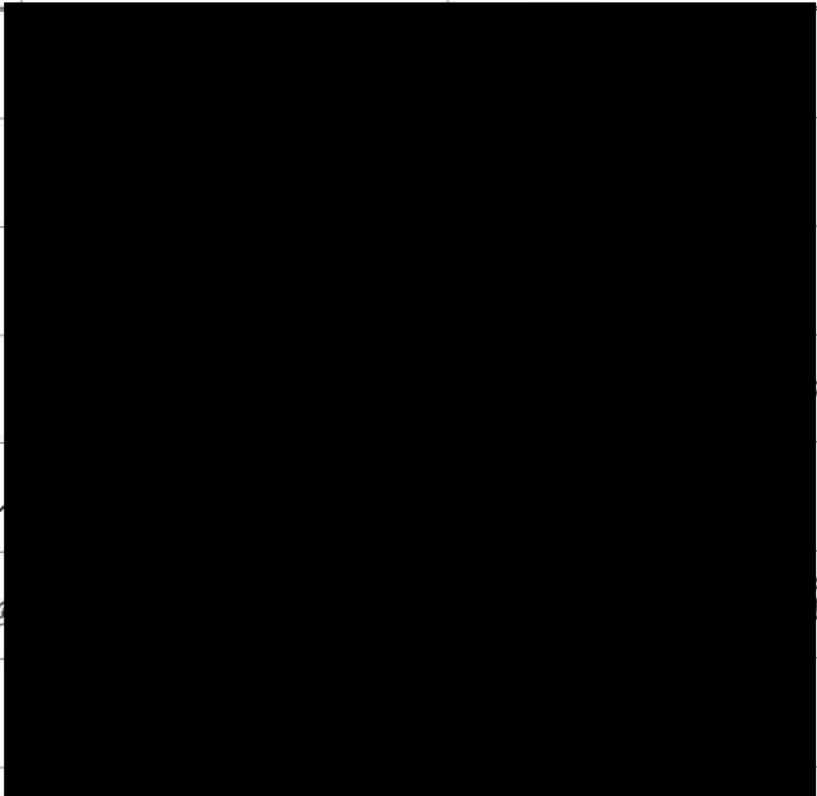
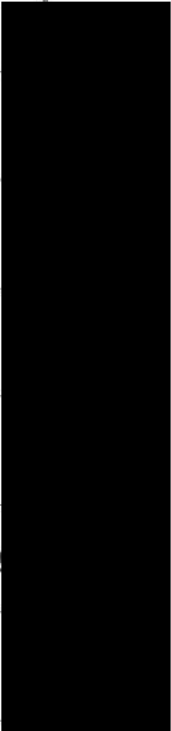
Exhibits

1. Memo on Petition 24-09 Dated May 23, 2024
2. Certificate of Publication and Certified Mail Receipts for Petition 24-06 (Not Included with Report but on file in Planning, Building and Zoning Office)
3. Amended Site Plan for Petition 24-09
4. Memo on Petition 24-14 Dated May 23, 2024
5. Memo on Petition 24-11 Dated May 23, 2024
6. Certificate of Publication and Certified Mail Receipts for Petition 24-11 (Not Included with Report but on file in Planning, Building and Zoning Office)
7. Email from Gloria Foxman Requesting a Continuance of Petition 24-13 Dated May 24, 2024
8. Certificate of Publication and Certified Mail Receipts for Petition 24-13 (Not Included with Report but on file in Planning, Building and Zoning Office)

KENDALL COUNTY
ZONING BOARD OF APPEALS

MAY 28, 2024

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

NAME	ADDRESS	SIGNATURE
Jim O'Brien		
RAO ADDEPALI		
Ron Miller		
Pete Fleming		
BRUCE MILLER		
Joan Seltman		
Gloria Foxman		



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 24-10

Alex M. Schuster

A-1 Special Use Permit for Landscaping Business

INTRODUCTION

The Petitioner is seeking a special use permit for a landscaping business, including allowing outdoor storage of materials.

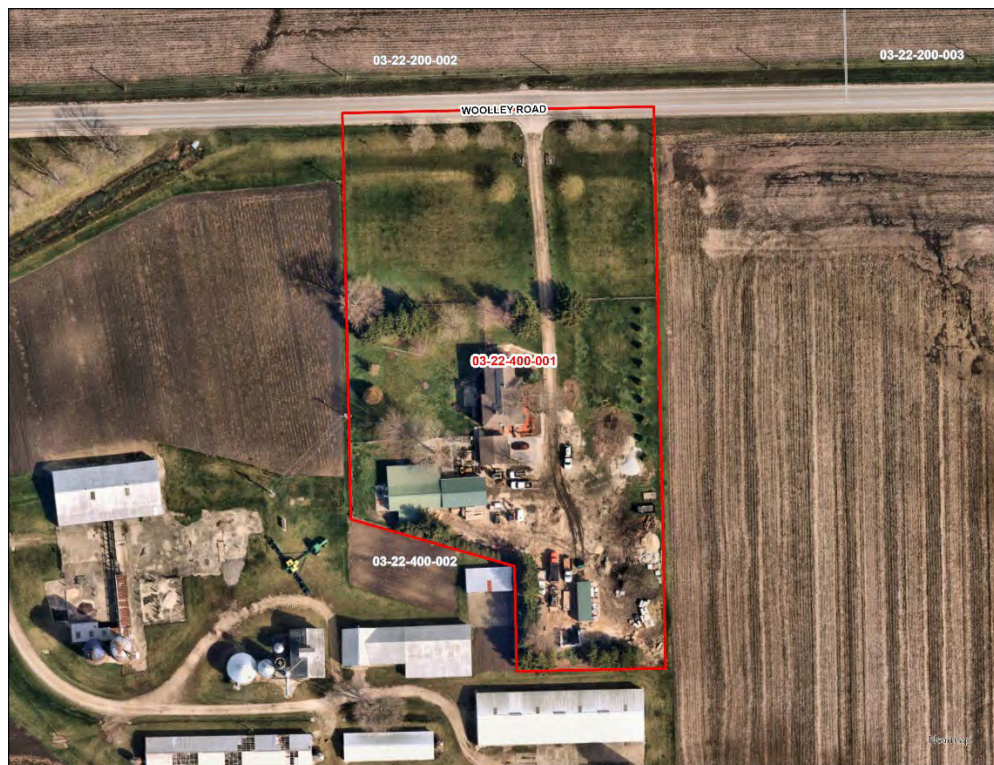
The application materials are included as Attachment 1. The plat of survey is included as Attachment 2. The current conditions plat is included as Attachment 3. The revised proposed site plan reflecting WBK Engineering's comments is included as Attachment 4. The proposed landscaping plan is included as Attachment 5. Pictures of the property and vicinity are included as Attachments 6-11.

SITE INFORMATION

PETITIONER: Alex M. Schuster

ADDRESS: 2142 Wooley Road, Oswego

LOCATION: Approximately 0.25 Miles East of Douglas Road on the South Side of Wooley Road



TOWNSHIP: Oswego

PARCEL #: 03-22-400-001

LOT SIZE: 3.07 +/- Acres

EXISTING LAND USE: Improved Residential/Farmstead

ZONING: A-1

LRMP:	Future Land Use	Rural Estate Residential (Max 0.45 DU/Acre) (County) Large Lot Residential (Oswego)
	Roads	Wooley Road is a Minor Collector maintained by Oswego Township.
	Trails	The Village of Oswego has a trail planned along Wooley Road.
	Floodplain/ Wetlands	There are no floodplains or wetlands on the property.

REQUESTED ACTIONS: Special Use Permit for a Landscaping Business

APPLICABLE REGULATIONS: Section 7:01.D.32 – A-1 Special Uses
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/Farmstead	A-1	Rural Estate Residential (County) Large Lot Residential (Oswego)	A-1
South	Agricultural/Farmstead	A-1	Rural Estate Residential (County) Large Lot Residential (Oswego)	A-1
East	Agricultural	A-1	Rural Estate Residential (County) Large Lot Residential (Oswego)	A-1
West	Agricultural/Farmstead	A-1	Commercial (County) Large Lot Residential (Oswego)	A-1 (County) B-3 (Oswego)

Approximately three (3) houses are located within a half mile (0.5) miles of the subject property.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report was submitted on March 14, 2024 and consultation was terminated, see Attachment 1, Page 9.

NATURAL RESOURCES INVENTORY

The NRI application was submitted on April 29, 2024, see Attachment 1, Page 8. The LESA Score was 173 indicating a low level of protection. The NRI Report is included as Attachment 13.

ACTION SUMMARY

OSWEGO TOWNSHIP

Petition information was sent to Oswego Township on May 1, 2024. Prior to formal application submittal, Oswego Township submitted an email requesting a thirty-three foot (33') deep right-of-way dedication from the center of Wooley Road. This email is included as Attachment 12.

VILLAGE OF OSWEGO

Petition information was sent to the Village of Oswego on May 1, 2024.

OSWEGO FIRE PROTECTION DISTRICT

Petition information was sent to the Oswego Fire Protection District on May 1, 2024. The Oswego Fire Protection District submitted an email stating no objections to the proposal. This email was provided as Attachment 14.

ZPAC

ZPAC reviewed this proposal at their meeting on May 7, 2024. Discussion occurred regarding the size and location of the septic system. The right-of-way dedication was raised to forty feet (40'). ZPAC recommended approval of the request with the additional condition related to the septic system and increasing the right-of-way dedication by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting were included as Attachment 15.

RPC

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on June 26, 2024. Discussion occurred regarding the future land use map for properties in the area and the distance of the house to road. Discussion also occurred regarding the business starting at the property before a special use permit was issued. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting are included as Attachment 18.

GENERAL INFORMATION

Per Section 7:01.D.32 of the Kendall County Zoning Ordinance, landscaping businesses can be special uses on A-1 zoned property subject to the following conditions:

1. All vehicles, equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.
2. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County's LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use.
3. No landscape waste generated off the property can be burned on this site.

If the County Board approves the outdoor storage of materials, the above conditions have been met.

BUSINESS OPERATIONS

As noted in the project narrative contained in Attachment 1 on Page 2, the Petitioners would like to operate ASE Illini-Scapes at the subject property.

They would use the site for storage of landscaping materials, equipment, offices, and related operations. Employees would visit the site to get materials. The site would not be open to customers.

The business would be open from 6:00 a.m. until 6:00 p.m. Monday through Friday during the growing season and everyday for twenty-four hours (24) during snow events in the winter. The business has a maximum of fifteen (15) employees, during the busy season, and two (2) employees year-round. Employees either report to the subject property or report directly to job sites.

The site plan (Attachment 4, Pages 3 and 4) shows one (1) approximately one thousand three hundred seventy (1,370) square foot material bin area and one (1) approximately three thousand five hundred (3,500) square foot hard goods storage area near the eastern property line. One (1) approximately five hundred (500) square foot material storage bin was shown near the southern property line. One (1) additional approximately three thousand three hundred (3,300) square foot equipment and storage area is shown south of the existing accessory buildings. The Petitioner indicated that the piles of materials would not exceed ten feet (10') in height.

Equipment would be stored outdoors, when the business is closed.

The Petitioner intends to grow nursery stock in the future.

BUILDINGS AND BUILDING CODES

The subject property presently has one (1) approximately three thousand three hundred (3,300) square foot house, constructed in 1875, one (1) frame garage, two (2) metal frame accessory buildings, and one (1) outhouse onsite that is used as decoration and gardening shed.

The site plan (Attachment 4, pages 3 and 4) shows two (2) future greenhouses, one (1) approximately one thousand one hundred (1,100) square feet in size and one (1) approximately one thousand fifty (1,050) square feet in size.

Any structures related to the landscaping business, other than the greenhouses, would be required to obtain applicable building permits. However, at this time, no additional structures, besides the greenhouses, are proposed.

ENVIRONMENTAL HEALTH

The well is located southwest of the house. The septic area is located east of the house, between the proposed employee parking area and the southern most greenhouse. The property is served by electricity and natural gas.

One (1) dumpster area is proposed east of the western most equipment and storage area. Given its location on the property and proposed perimeter screening around the property, the Petitioner did not propose any screening specifically for the dumpster area.

STORMWATER

The property drains towards Wooley Road.

The site plan (Attachment 4, Page 3) shows a drainage system along the east and northeast side of the property.

The Petitioners submitted an application for a stormwater management permit. WBK submitted a review letter requesting additional information and clarification. This letter is included as Attachment 16. The Petitioner's Engineer submitted a response on June 5, 2024, including a revised site plan addressing WBK's comments. This letter is included as Attachment 17. WBK submitted an additional on June 24, 2024, requesting additional information. This letter is included as Attachment 19.

ACCESS

Per the site plan (Attachment 4, Pages 3 and 4), the property has a gravel driveway. The Petitioner plans to install a turnaround area at the south end of the driveway.

PARKING AND INTERNAL TRAFFIC CIRCULATION

According to the site plan (Attachment 4, Pages 3 and 4), the Petitioner proposes a gravel parking lot with ten (10) parking spaces located north of the turnaround area. One (1) ADA accessible parking space is required. The Petitioner intends to use a vehicular rated permeable paver to meet this requirement.

In addition, the Petitioner proposes an approximately one thousand seven hundred fifty square foot (1,750) truck and trailer parking area south of the turnaround area. This lot would also be gravel.

LIGHTING

No lighting was planned for the property.

SIGNAGE

No signage was proposed.

SECURITY

The property presently has a fence along the perimeter as shown in several of the pictures and the landscaping plan (Attachment 5).

LANDSCAPING

The landscaping plan (Attachment 5) shows six (6) existing maple trees, two (2) existing willow, thirty-two (32) existing spruce trees, two (2) existing birch trees, two (2) existing oak trees, and several existing evergreen trees.

The Petitioner proposes to add twenty-six (26) purple coneflowers, three (3) six foot (6') service berries, trellised English ivy, and five (5) six foot (6') Nigra arborvitae.

The Petitioner plans to install landscaping within one (1) year of the approval of special use permit.

NOISE CONTROL

No information was provided regarding noise control.

ODORS

No information was provided regarding odor control.

RELATION TO OTHER SPECIAL USES

If approved, this would be the twenty-first (21st) special use permit for a landscaping business in unincorporated Kendall County.

FINDINGS OF FACT-SPECIAL USE PERMIT

§ 13:08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to 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:

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. Numerous landscaping businesses have been approved throughout unincorporated Kendall County, including one (1) at 655 Wooley Road. The proposed use is along Wooley Road, which is classified as a minor collector. Reasonable restrictions can be placed in the special use permit to ensure the health, safety, and general welfare of the area are protected.

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 makes 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 subject property is in a large A-1 Agricultural District. The use will not impede farms or residential uses on the adjoining properties. Reasonable restrictions may be placed on the special use permit to address hours of operation, noise, landscaping, and site layout to prevent neighboring property owners are not negatively impacted by the proposed use.

Adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. The proposal states that customers will not come to the property. Given the limited number of employees reporting to the property, adequate utilities, access roads, and ingress/egress exists. A stormwater permit and conditions in the special use permit can address concerns related to drainage.

The special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. This is true.

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 proposal is also consistent with a goal and objective found on page 6-34 of the Land Resource Management Plan, "A strong base of agriculture, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents." "Encourage opportunities for locally owned business." In addition, the future land use map calls for this property to be Mixed Use Business. Similar types of uses were planned for the subject property and properties in the vicinity of the subject property.

RECOMMENDATION

Staff recommends approval of the requested special use permit subject to the following conditions and restrictions. As of the date of this memo, the Petitioner has not agreed to these conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached site plan (Attachment 4) and landscaping plan (Attachment 5).
2. Within ninety (90) days of the approval of the special use permit, the owners of the subject property shall dedicate a strip of land ~~thirty-three feet (33')~~ **forty feet (40')** in depth along the northern property line to Oswego Township. The Kendall County Planning, Building and Zoning Committee may grant an extension to this deadline. **(Amended at ZPAC)**
3. The location and size of the septic system should be assessed to determine if the system is placed and sized properly for the use allowed by this special use permit. **(Added at ZPAC)**
4. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors at the subject property when the business is closed.
5. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
6. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
7. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored and items stored on the subject property and shall promptly clean up the site if leaks occur.
8. Except for the purposes of loading and unloading, all landscape related materials shall be stored at the designated storage areas shown on the attached site plan (Attachment 4). The maximum height of the piles of landscaping related material shall be ten feet (10'). **(Clarified at ZPAC)**

9. A maximum of fifteen (15) employees of the business allowed by this special use permit, including the

owners of the business allowed by this special use permit, may report to this site for work.

10. No customers of the business allowed by the special use permit shall be invited onto the subject property for matters related to the business allowed by the special use permit.
11. The hours of operation of the business allowed by this special use permit shall be Monday through Friday from 6:00 a.m. until 6:00 p.m. and the business shall be open twenty-four (24) hours to address snow events. The owners of the business allowed by this special use permit may reduce these hours of operation.
12. Any structures constructed, installed, or used related to the business allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits. This restriction does not apply to greenhouses.
13. No signs are shown on the site plan. The owner of the business allowed by the special use permit may request a sign in the future using the minor amendment process, provided that the proposed sign meets the requirements of the Kendall County Zoning Ordinance.
14. Only lighting related to security may be installed outdoors at the subject property.
15. Damaged or dead plantings described on the landscaping plan (Attachment 5) shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
16. The vegetation described in the landscaping plan (Attachment 5) shall be installed within one (1) year of the approval of the special use permit. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the vegetation. Materials and vegetation stored in the greenhouses and material storage area shall not be subject to this requirement and shall not be considered part of the landscaping plan.
17. No landscape waste generated off the property can be burned on the subject property.
18. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

Only homes permitted prior to the date of the issuance of the special use permit shall have standing to file noise complaints.

19. At least one (1) functioning fire extinguisher and one (1) first aid kit shall be on the subject property. Applicable signage stating the location of the fire extinguisher and first aid kit shall be placed on the subject property.
20. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
21. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business, including,

but not limited to, installed the applicable number of ADA required parking spaces.

22. 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.
23. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
24. This special use permit 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.

ATTACHMENTS

1. Application Materials (Including Petitioner's Findings of Fact, and EcoCat)
2. Plat of Survey
3. Current Conditions Plat
4. Revised Proposed Site Plan
5. Proposed Landscaping Plan
6. Picture of Existing Driveway
7. Picture of Culvert at Existing Driveway
8. Looking Southeast
9. Looking Southwest
10. Looking Northwest
11. Looking Northeast
12. April 24, 2024, Oswego Township Email
13. NRI Report
14. May 7, 2024, Oswego Fire Protection District Email
15. May 7, 2024, ZPAC Meeting Minutes (This Petition Only)
16. May 14, 2024, Letter from WBK Engineering
17. June 5, 2024, Letter from Rivercrest Consulting, LLC
18. June 26, 2024, Kendall County Regional Planning Commission Minutes (This Petition Only)
19. June 24, 2024, Letter from WBK Engineering



DEPARTMENT OF PLANNING, BUILDING & ZONING

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

APPLICATION

PROJECT NAME _____ FILE #: _____

NAME OF APPLICANT (Including First, Middle Initial, and Last Name)

Alex M Schuster

CURRENT LANDOWNER/NAME(s)

Alex M and Wendy A Schuster

SITE INFORMATION

SITE ADDRESS OR LOCATION

ASSESSOR'S ID NUMBER (PIN)

ACRES

2142 Wooley Road, Oswego, IL 60543

03-22-400-001

3.07

EXISTING LAND USE

CURRENT ZONING

LAND CLASSIFICATION ON LRMP

farmstead

A1

Farmstead

REQUESTED ACTION (Check All That Apply):

☒ SPECIAL USE

☐ MAP AMENDMENT (Rezone to _____)

☐ VARIANCE

☐ ADMINISTRATIVE VARIANCE

☐ A-1 CONDITIONAL USE for: _____

☐ SITE PLAN REVIEW

☐ TEXT AMENDMENT

☐ RPD (☐ Concept; ☐ Preliminary; ☐ Final)

☐ ADMINISTRATIVE APPEAL

☐ PRELIMINARY PLAT

☐ FINAL PLAT

☐ OTHER PLAT (Vacation, Dedication, etc.)

☐ AMENDMENT TO A SPECIAL USE (Major, Minor)

¹ PRIMARY CONTACT

PRIMARY CONTACT MAILING ADDRESS

PRIMARY CONTACT EMAIL

Alex Schuster

PRIMARY CONTACT PHONE #

PRIMARY CONTACT FAX #

PRIMARY CONTACT OTHER #(Cell, etc.)

² ENGINEER CONTACT

ENGINEER MAILING ADDRESS

ENGINEER EMAIL

ENGINEER PHONE #

ENGINEER FAX #

ENGINEER OTHER # (Cell, etc.)

I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.

I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE DATE OF THE APPLICATION.

SIGNATURE OF APPLICANT

DATE

FEE PAID: \$ _____

CHECK #: _____

¹ Primary Contact will receive all correspondence from County

² Engineering Contact will receive all correspondence from the County's Engineering Consultants

**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

APPLICATION

PROJECT NAME _____ FILE #: _____

NAME OF APPLICANT (Including First, Middle Initial, and Last Name) Alex M Schuster		
CURRENT LANDOWNER/NAME(s) Alex M and Wendy A Schuster		
SITE INFORMATION ACRES 3.07	SITE ADDRESS OR LOCATION 2142 Wooley Rd, Oswego Il 60543	ASSESSOR'S ID NUMBER (PIN) 03-22-400-001
EXISTING LAND USE farmstead	CURRENT ZONING A1	LAND CLASSIFICATION ON LRMP Farmstead
REQUESTED ACTION (Check All That Apply): ☐ SPECIAL USE ☐ MAP AMENDMENT (Rezone to _____) ☒ VARIANCE ☐ ADMINISTRATIVE VARIANCE ☐ A-1 CONDITIONAL USE for: _____ ☐ SITE PLAN REVIEW ☐ TEXT AMENDMENT ☐ RPD (☐ Concept; ☐ Preliminary; ☐ Final) ☐ ADMINISTRATIVE APPEAL ☐ PRELIMINARY PLAT ☐ FINAL PLAT ☐ OTHER PLAT (Vacation, Dedication, etc.) AMENDMENT TO A SPECIAL USE (☐ Major, ☐ Minor)		
¹ PRIMARY CONTACT Alex Schuster	PRIMARY CONTACT MAILING ADDRESS [REDACTED]	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE # [REDACTED]	PRIMARY CONTACT FAX # [REDACTED]	PRIMARY CONTACT OTHER #(Cell, etc.) [REDACTED]
² ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE APPLICATION DATE.		
SIGNATURE OF APPLICANT [REDACTED]		DATE 4-23-24

FEE PAID: \$ _____
CHECK #: _____¹ Primary Contact will receive all correspondence from County² Engineering Contact will receive all correspondence from the County's Engineering Consultants

Detailed description of proposed use including business plan

ASE Illini-Scapes is an independent, family owned and operated, local landscaping company.

During the peak season we can have up to 15 field employees some reporting to the shop and some reporting directly to the job site on a seasonal basis and two year-round employees. During the growing season the hours of operation are 6:00 AM – 6:00 PM, Monday through Friday. There are limited operations during snow events that would necessitate 24 hour operation during the winter. The property is used as a base of operations for storage of equipment and bulk materials. We intend in the future to grow container nursery stock.



WARRANTY DEED
ILLINOIS STATUTORY
INDIVIDUAL

202200002016

DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL

RECORDED: 1/25/2022 03:16 PM
WD: 57.00 RHPFS FEE: 10.00
STATE TAX: 495.00
COUNTY TAX: 247.50
PAGES: 4

FIRST AMERICAN TITLE
FILE # [REDACTED]

FATIC No.: [REDACTED]

THE GRANTOR(S) Peter G. Praetz and Robyn Draper-Praetz, A Married Couple, of [REDACTED] of the [REDACTED] County of Kendall, [REDACTED] for and in consideration of Ten and 00/100 Dollars, and other good and valuable consideration in hand paid, CONVEY(S) and WARRANT(S) to Alex Schuster and Wendy Schuster, A Married Couple, Tenants by the entirety, all interest in the following described Real Estate situated in the County of Kendall in the State of Illinois, to wit: X Mark X Ann

See Exhibit "A" attached hereto and made a part hereof

SUBJECT TO:

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Real Estate Index Number(s): 03-22-400-001-0000

Address(es) of Real Estate: 2142 Wooley Road
Oswego, Illinois 60543

Dated this 30th day of November, 2021

[REDACTED]
Peter G. Praetz

[REDACTED]
Robyn Draper-Praetz



First American
Title Insurance Company

STATE OF ILLINOIS)
) SS
 COUNTY OF Kendall)

I, Erin O'Connell the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT, Peter G. Praetz and Robyn Draper- Praetz, A Married Couple, personally known to me to be the same person(s) whose name(s) are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal this 30th day of November, 2021.




 Notary Public

Prepared by:
 Blacha Law Office LLC
 One Energy Center 40 Shuman Bl Suite 118
 Naperville, IL 60563

Mail to:

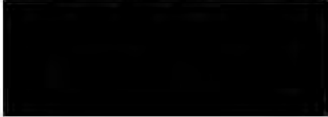
↓
 Name and Address of Taxpayer: / Grantee
Alex Schuster + Wendy Schuster




Exhibit "A" – Legal Description

THAT PART OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH WEST CORNER OF THE SOUTH EAST 1/4 OF SAID SECTION 22, THENCE SOUTH 89 DEGREES, 50 MINUTES, 30 SECONDS EAST 1417.6 FEET FOR THE POINT OF BEGINNING, THENCE SOUTH 89 DEGREES 50 MINUTES 30 SECONDS EAST 287.12 FEET, THENCE SOUTH 00 DEGREES 09 MINUTES 30 SECONDS WEST 517.87 FEET, THENCE NORTH 89 DEGREES 50 MINUTES 30 SECONDS WEST 137.22 FEET, THENCE NORTH 000 DEGREES 09 MINUTES 30 SECONDS EAST 96.87 FEET, THENCE NORTH 072 DEGREES 37 MINUTES 30 SECONDS WEST 156.93 FEET, THENCE NORTH 000 DEGREES 09 MINUTES 30 SECONDS EAST 374.54 FEET TO THE POINT OF BEGINNING IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.





Debbie Gillette

Kendall County Clerk & Recorder

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)
)SS
 COUNTY OF KENDALL)

Joe Nasti c/o First American Title Ins. Co., being duly sworn on oath, states that affiant resides at
 [REDACTED]. And further states that: (please check the appropriate box)

- A. ☒ That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being part of a larger tract of land; or
 B. ☐ That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons:
 (please circle the appropriate number)

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

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

SUBSCRIBED AND SWORN TO BEFORE ME

This 27 day of January, 20 22.

Signature of Notary Public

Signature of Affiant



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



Kendall County Soil & Water
Conservation District

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



www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Alex Schuster

Contact Person: Alex Schuster

Address: _____

City, State, Zip: _____³

Phone Number: _____

Email: _____

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

Site Location & Proposed Use

Township Name Oswego

Township 37 N, Range 8 E, Section(s) 22

Parcel Index Number(s) 03-22-400-001

Project or Subdivision Name _____

Number of Acres 3.07

Current Use of Site Ag/ Residential

Proposed Use Landscape business/ Residential

Proposed Number of Lots 1

Proposed Number of Structures 2

Proposed Water Supply well

Proposed type of Wastewater Treatment septic

Proposed type of Storm Water Management Existing overland flow to drainage ditch along the road

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

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 1st of each month to be on that month's SWCD Board Meeting Agenda. Applications can be emailed to Alyse.Olson@il.nacdnet.net and checks mailed separately. Once a completed application is submitted, including NRI fee, 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.

Petitioner or Authorized Agent

Date

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

FOR OFFICE USE ONLY

NRI# _____ Date initially rec'd _____ Date all rec'd _____ Board Meeting _____

Fee Due \$ _____ Fee Paid \$ _____ Check # _____ Over/Under Payment _____ Refund Due _____



Applicant: Alex Schuster

Contact: Alex Schuster

Address: [REDACTED]

IDNR Project Number: 2411803

Date: 03/14/2024

Project: 2142 Wooley Road

Address: 2142 Wooley Rd, Oswego

Description: Updating zoning to A1 with special use for landscape business

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:
37N, 8E, 22



IL Department of Natural Resources

Contact

Bradley Hayes
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction

Kendall County Planning, Building & Zoning
Brian Holdeman
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.

Findings of Fact – Special Use Permit Application for 2142 Wooley Road, Oswego, IL

1. 2142 Wooley Road, (herein after referred to as the Property) is currently zoned A1 for agricultural use.
2. Alex M Schuster, (herein after referred to as the Petitioner) has applied for special use permitting to allow a landscape business to be run from the subject Property.
3. The allowance of said special use permitting does not change the general character of the subject Property.
4. The allowance of said special use permitting both encourages the natural use of the land as farmland as well as enhances the economic base of the area by introducing another small business into the county and region.
5. Agriculture related businesses assist in shaping the economic viability of the county per county zoning ordinance Section 7:01-B-4, consistent with the Land Resource Management Plan.
6. County zoning ordinance Section 7:01-D-32 refers specifically to landscaping businesses as a special use for zoning A1, showing the special use shall in all other respects conform to the applicable regulations of the district in which it is located.
7. The use of the Property by the Petitioner as a landscape business is in line with the intention of the A1 zoning as nursery materials will be grown on the site for use by said landscape business.
8. According to the Eco-Cat report, there are no endangered or threatened species on the Property.
9. The establishment of this special use permit will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the public or surrounding areas.
10. 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 since similar properties within 1 mile of the subject Property have been granted and are operating under the same special use.
11. Adequate utilities and access are already established at the subject Property.

Attachment 1, Page 1
Please fill out the following findings of fact to the best of your capabilities. § 13:04 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals shall take into consideration the extent to which the following conditions have been established by the evidence:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out.

THE CURRENT ROAD CLASSIFICATION IS INSUFFICIENT FOR THE PROPOSED DELIVERIES TO THE PROPOSED SITE

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification.

A VARIANCE HAS ALREADY BEEN GRANTED FOR A SIMILAR BUSINESS ON WOOLEY RD PRIOR TO THIS REQUEST

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.

WE HAD NO INPUT INTO THE CURRENT ROAD CLASSIFICATION

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located.

NO NOTICEABLE IMPACT TO EXISTING TRAFFIC

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood.

NO NOTICEABLE CHANGE ARE ANTICIPATED

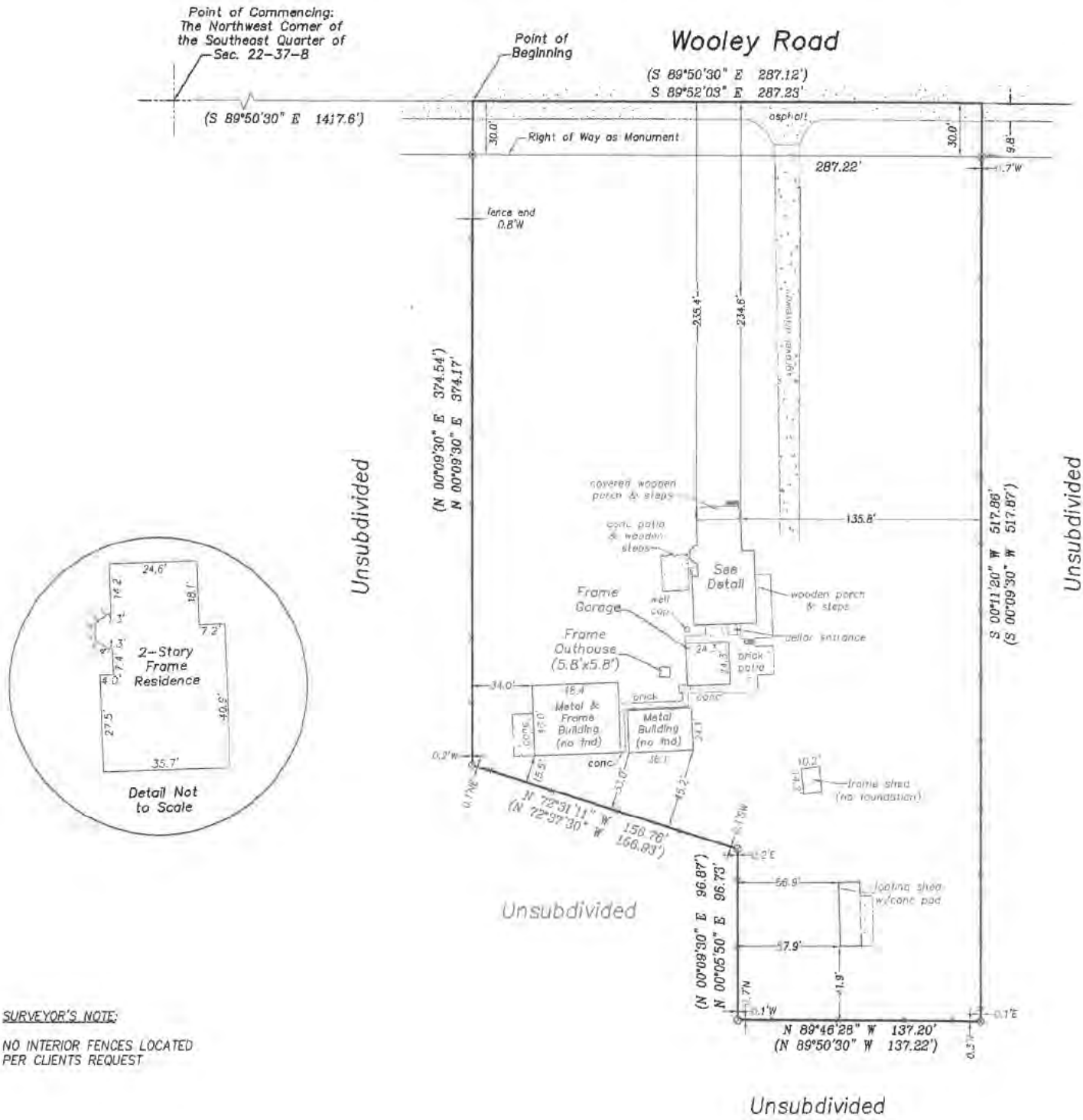
PLAT OF SURVEY

THAT PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 22, THENCE SOUTH 89 DEGREES 50 MINUTES 30 SECONDS EAST 1417.6 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 50 MINUTES 30 SECONDS EAST, 287.12 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES 30 SECONDS WEST, 517.87 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 30 SECONDS WEST, 137.22 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 30 SECONDS EAST, 96.87 FEET; THENCE NORTH 72 DEGREES 37 MINUTES 30 SECONDS WEST, 156.93 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 30 SECONDS EAST 374.54 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 2142 WOOLEY ROAD, OSWEGO, ILLINOIS.

PROPERTY CONTAINS: 3.0 ACRES (130,648.3 SQUARE FEET), MORE OR LESS.



SURVEYOR'S NOTE:
NO INTERIOR FENCES LOCATED
PER CLIENTS REQUEST

STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

WE, CORNERSTONE SURVEYING, P.C., AN ILLINOIS PROFESSIONAL DESIGN FIRM LAND SURVEYOR CORPORATION NO. 184.006522, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.

DATED AT YORKVILLE, ILLINOIS ON NOVEMBER 29, 2021.



Michel C. Ensalaco, P.L.S. 2768, Exp. 11/30/2022
Eric C. Pokorny, P.L.S. 3818, Exp. 11/30/2022

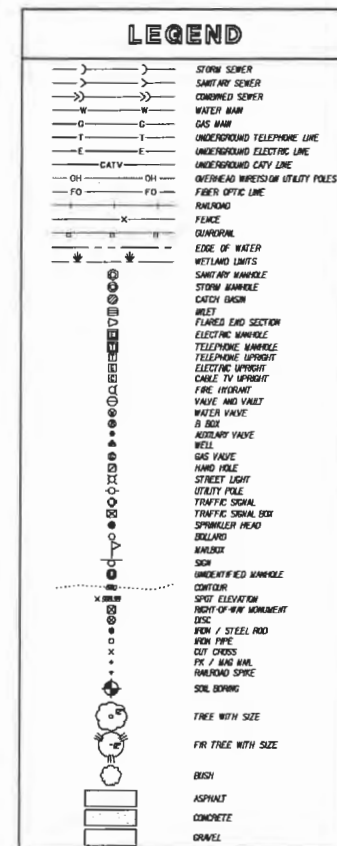
TODD SURVEYING
Professional Land Surveying Services
"Cornerstone Surveying PC"
759 John Street, Suite D
Yorkville, IL 60560
Phone: 630-892-1309 Fax: 630-892-5544

Survey is only valid if original seal is shown in red.

Client:	Blocha Law Office, LLC
Book #	2517 (Drawn By: J.H.T.) (Plat # 853-4)
Reference:	2013-0761
Field Work Completed:	11/24/2021
Rev. Date	Rev. Description
Project Number:	2021-1594

Scale: 1" = 50'

⊙=Found 1/2" Dia. Iron Pipe
⊙=Found 1/2" Dia. Iron Rod
⊙=Found 1" Dia. Square Iron Rod
(XX.XX)=Record Distance
XX.XX=Measured Distance
N=North E=East
S=South W=West
-X-X-X=Fence
[]=Concrete/Asphalt



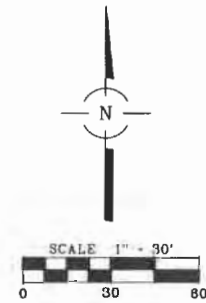
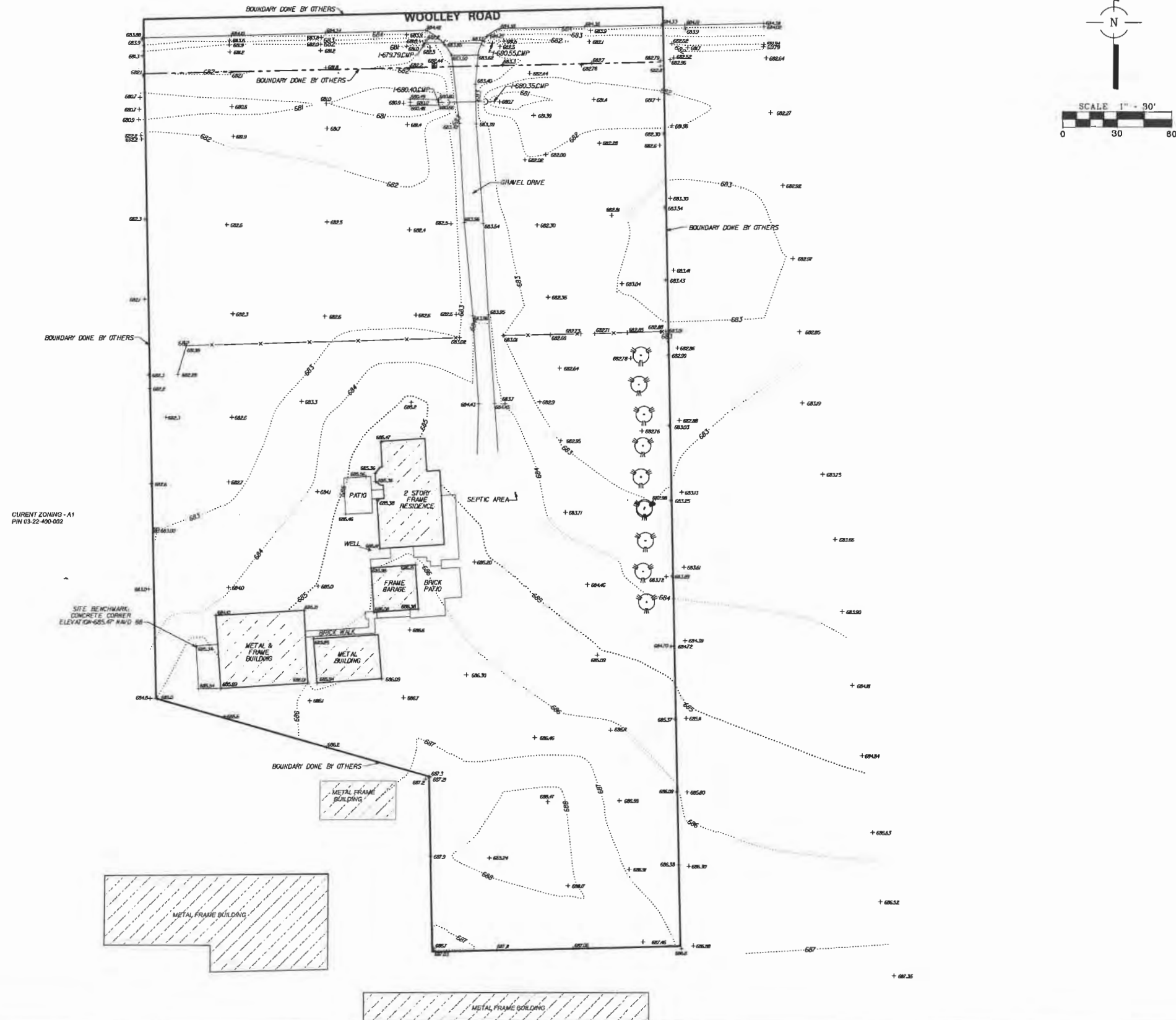
NOTE :

UNDERGROUND UTILITIES ARE SHOWN BY USING PHYSICAL EVIDENCE FOUND ON THE SURFACE AND/OR FROM UTILITY COMPANY FIELD STAKES AND, THEREFORE, THEIR LOCATIONS ARE APPROXIMATE AND SUSPECTED AND MAY NOT BE COMPLETELY ACCURATE. FOR MORE ACCURATE LOCATION, FIELD EXCAVATE.

PIPE FLOW DIRECTIONS, IF SHOWN, ARE BASED ON FIELD INVERT ELEVATIONS UNLESS EXISTING PLANS INDICATE OTHERWISE, IN WHICH CASE THE EXISTING PLAN FLOW DIRECTION IS SHOWN.

LAST DATE OF FIELD WORK: MARCH 8, 2022.

SNOW CONDITIONS EXISTED OVER THE SITE AT THE TIME OF FIELD WORK. ADDITIONAL IMPROVEMENTS MAY EXIST, BUT WERE NOT VISIBLE AT THE TIME OF SURVEY DUE TO SNOW.

[illegible][illegible]

EXISTING CONDITIONS

2142 WOOLLEY ROAD
OSWEGO, ILLINOIS

**CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS**

224 ½ N. Liberty Street,
Morris, Illinois 60450
941-0260 Fax: (815) 941-0263

**SPACECO INC.**

FILENAME:
11985TOPO-01

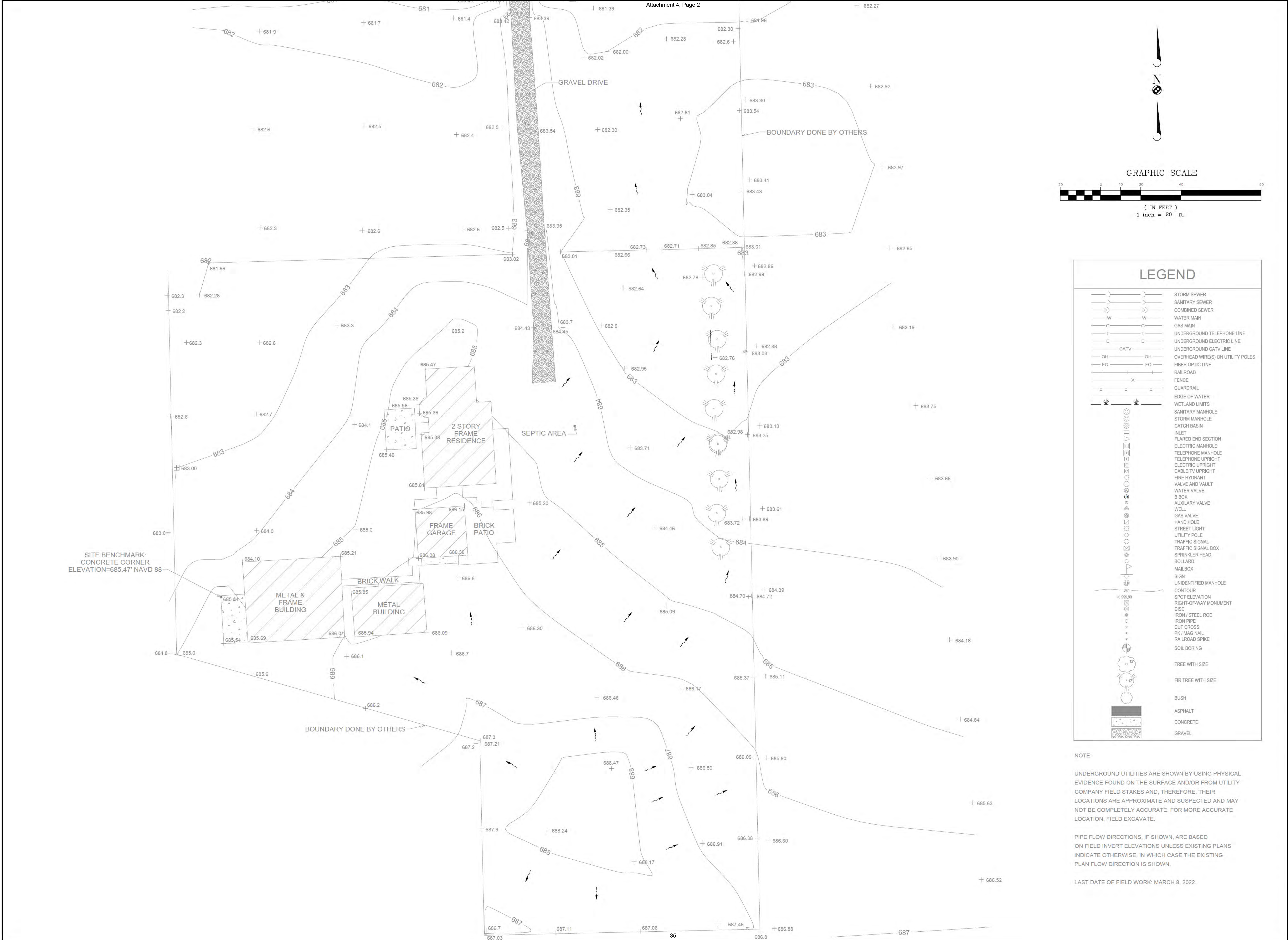
DATE:
03/11/2022

JOB NO.
11985

SHEET
E1
1 OF 1

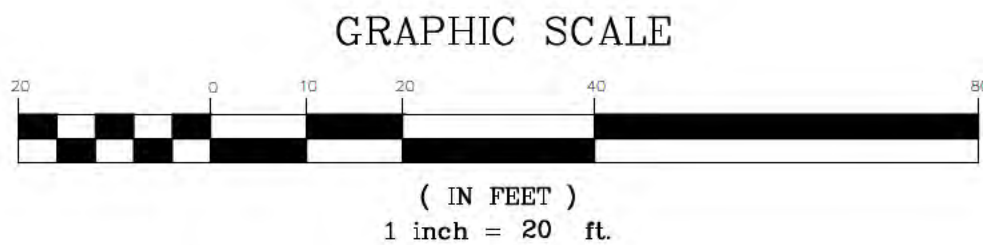
06/05/24	REVISED PER COUNTY COMMENTS
----------	-----------------------------

CONSTRUCTION NOTE	
1.	A SET OF THE FINAL APPROVED ENGINEERING PLANS SHALL BE ON SITE DURING ANY CONSTRUCTION ACTIVITIES AT ALL TIMES. FAILURE TO DO SO MAY RESULT IN A NOTICE TO STOP CONSTRUCTION ACTIVITIES.



EXISTING CONDITIONS & PLAT OF SURVEY		SCHUSTER RESIDENCE		2142 WOOLEY ROAD, OSWEGO, IL	
RIVERCREST CONSULTING, LLC		Civil Engineering Stormwater Management Entitlements		B952 HANSLIK COURT, UNIT 13 NAPERVILLE, IL 60564 (630) 538-5108	
REVISIONS		REVISED PER COUNTY COMMENTS		06/05/24	
PROJ. MGR.:		TGC		SHEET NO.	
PROJ. ENG.:		TGC		C2.0	
DRAWN BY:		TGC		PROJ. NUMBER:	
DATE:		04/18/24		22119	
SCALE:		1"=20'		PENDING APPROVAL - NOT FOR CONSTRUCTION	

TOTAL PROPOSED NEW COVERAGE = 3,550 SF
TOTAL LOT COVERAGE = 10,959 SF
TOTAL LOT COVERAGE % = 8.39%



GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE OF BUILDING UNLESS OTHERWISE INDICATED.
2. ALL DISTURBED LANDSCAPE AREAS ARE TO BE RESTORED TO EX. CONDITION. 6" TOPSOIL RESPREAD AND SEEDING.
3. STOCKPILES SHALL BE PROVIDED WITH PERIMETER SILT FENCE AT ALL TIMES DURING CONSTRUCTION.
4. STOCKPILES TO REMAIN IN PLACE MORE THAN THREE (3) DAYS SHALL BE PROVIDED WITH SOIL EROSION AND SEDIMENTATION CONTROL.
5. LAND DISTURBANCE ACTIVITIES IN STREAMS AND DITCHES SHALL BE AVOIDED WHERE POSSIBLE.
6. SOIL STOCKPILES SHALL NOT BE LEFT OVERNIGHT IN DITCHES OR WITHIN FLOODPLAINS.
7. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED WITH THIRTY (30) DAYS AFTER FINAL STABILIZATION IS ACHIEVED. TRAPPED SEDIMENT AND OTHER SOILS RESULTING FROM TEMPORARY MEASURES SHALL BE PROPERLY DISPOSED OF PRIOR TO PERMANENT STABILIZATION.
8. A MASONRY TREATMENT OR DROP SIDING MAY BE REQUIRED TO ENSURE THAT NO MORE THAN SIX INCHES OF THE FOUNDATION REMAIN EXPOSED IN ANY LOCATION.
9. A CONCRETE WASHOUT AREA SHOULD BE PROVIDED ONSITE. CONCRETE CANNOT BE WASHED OUT INTO THE PUBLIC RIGHT OF WAY OR STORM SEWER SYSTEM.
10. INSPECTION OF UTILITY TAPS AND DISCONNECTS SHALL BE INSPECTED BY CITY OF NAPERVILLE STAFF PRIOR TO BACKFILL. 24 HOUR NOTICE SHALL BE REQUIRED AHEAD OF INSPECTIONS.
11. PROPOSED SIDEWALK SHALL MATCH EXISTING GRADE AT THE LIMITS OF REPLACEMENT WHERE ABUTTING TO EXISTING WALK.
12. SPECIAL CARE SHALL BE TAKEN TO MINIMIZE COMPACTION OF THE PROPOSED PERMEABLE GRASSPAVE SUBGRADE AREAS. PRIOR TO CONSTRUCTION OF ANY PERMEABLE PAVER SYSTEMS, CITY OF OSWEGO ENGINEERING SHALL BE CONTACTED TO OBSERVE RELATED WORK TO ENSURE PROPER INSTALLATION.
13. PUMPING OF SEDIMENT LADEN WATER INTO ANY STORMWATER FACILITY OR DRAINAGE-WAY NOT DESIGNATED TO BE A SEDIMENT TRAP IS PROHIBITED.

[illegible]

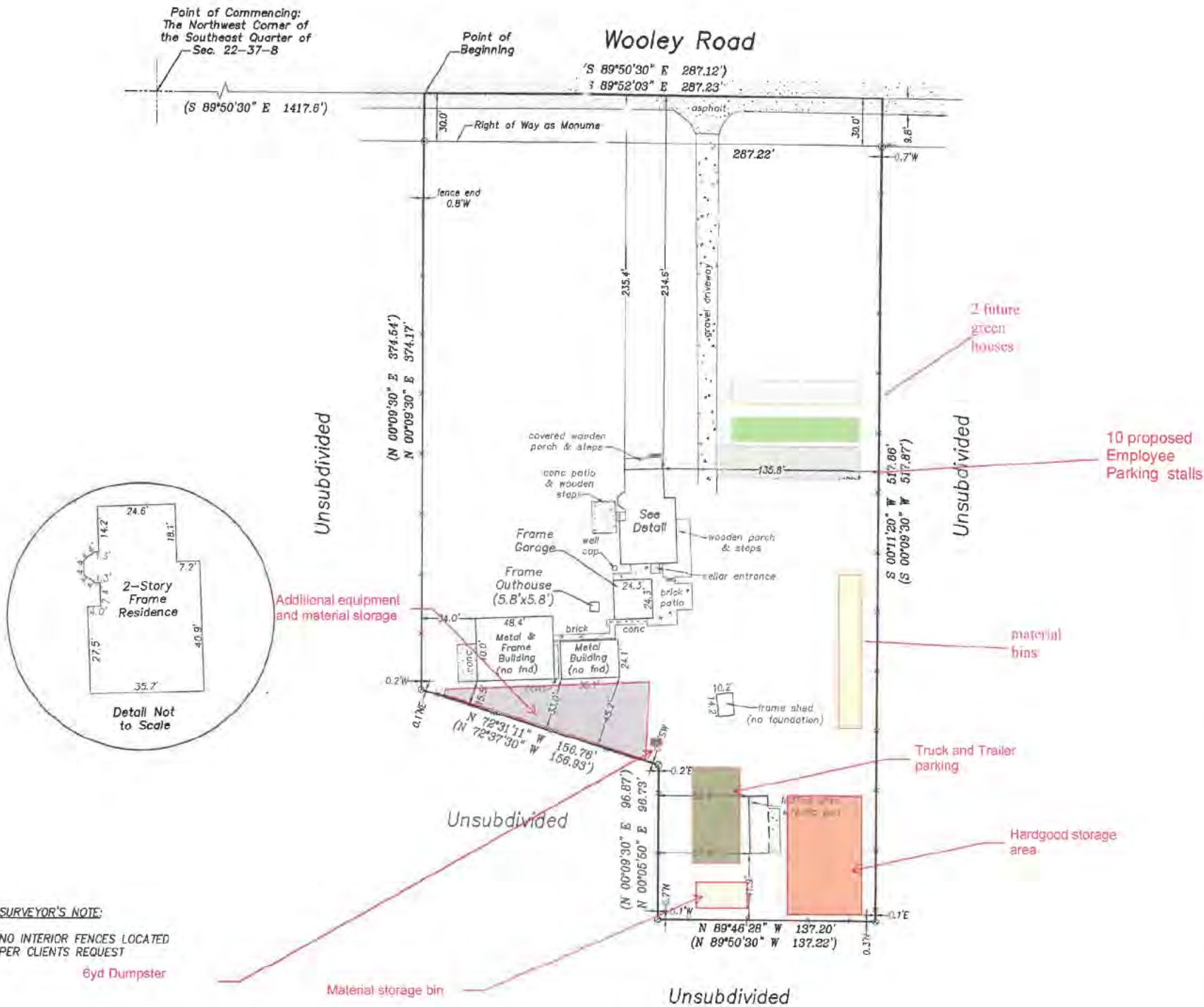
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COMMONLY KNOWN AS: 2142 WOOLEY ROAD, OSWEGO, ILLINOIS.

PROPERTY CONTAINS: 3.0 ACRES (30,648.3 SQUARE FEET), MORE OR LESS.



SURVEYOR'S NOTE:
NO INTERIOR FENCES LOCATED
PER CLIENTS REQUEST
6yd Dumpster

STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

WE, CORNERSTONE SURVEYING, P.C., AN ILLINOIS PROFESSIONAL DESIGN FIRM LAND SURVEYOR CORPORATION NO. 184.006522, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.

DATED AT YORKVILLE, ILLINOIS ON NOVEMBER 29, 2021.



Michel C. Ensalaco, P.L.S. 2768, Exp. 11/30/2022
Eric C. Pokorny, P.L.S. 3818, Exp. 11/30/2022

TODD SURVEYING
Professional Land Surveying Services
"Cornerstone Surveying PC"
759 John Street, Suite D
Yorkville, IL 60560
Phone: 630-892-1309 Fax: 630-892-5544

Survey is only valid if original seal is shown in red.

Scale: 1" = 50'
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⊙ = Found 1/2" Dia. Iron Rod
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(XX.XX)' = Record Distance
XX.XX' = Measured Distance
N = North E = East
S = South W = West
--- = Fence
--- = Concrete/Asphalt

Client: Blacha Law Office, LLC
Book #: 2517 Drawn By: JJJ:TT Plot #: 2517-1
Reference: 2013-0761
Field Work Completed: 11/24/2021
Rev. Date Rev. Description
Project Number: 2021-1594

Landscape Design by:
Alex Schuster
ASE Illini-Scapes Inc

Date: 4/23/2024

Landscape Plan: L-1

2142 Wooley Rd

Scale: 1" = 30'
Revision #:















Matt Asselmeier

From: Claude Ainsworth <cainsworth@oswegotownship.com>
Sent: Wednesday, April 24, 2024 3:38 PM
To: Matt Asselmeier
Subject: RE: [EXTERNAL] 2142 Wooley Road Question

Yes please. The same 33 feet from the center of the road.
Thanks.

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Wednesday, April 24, 2024 3:33 PM
To: Claude Ainsworth <cainsworth@oswegotownship.com>
Cc: Christina Burns <cburns@kendallcountyil.gov>; Seth Wormley <swormley@kendallcountyil.gov>; Fran Klaas <FKlaas@kendallcountyil.gov>
Subject: [EXTERNAL] 2142 Wooley Road Question

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Claude:

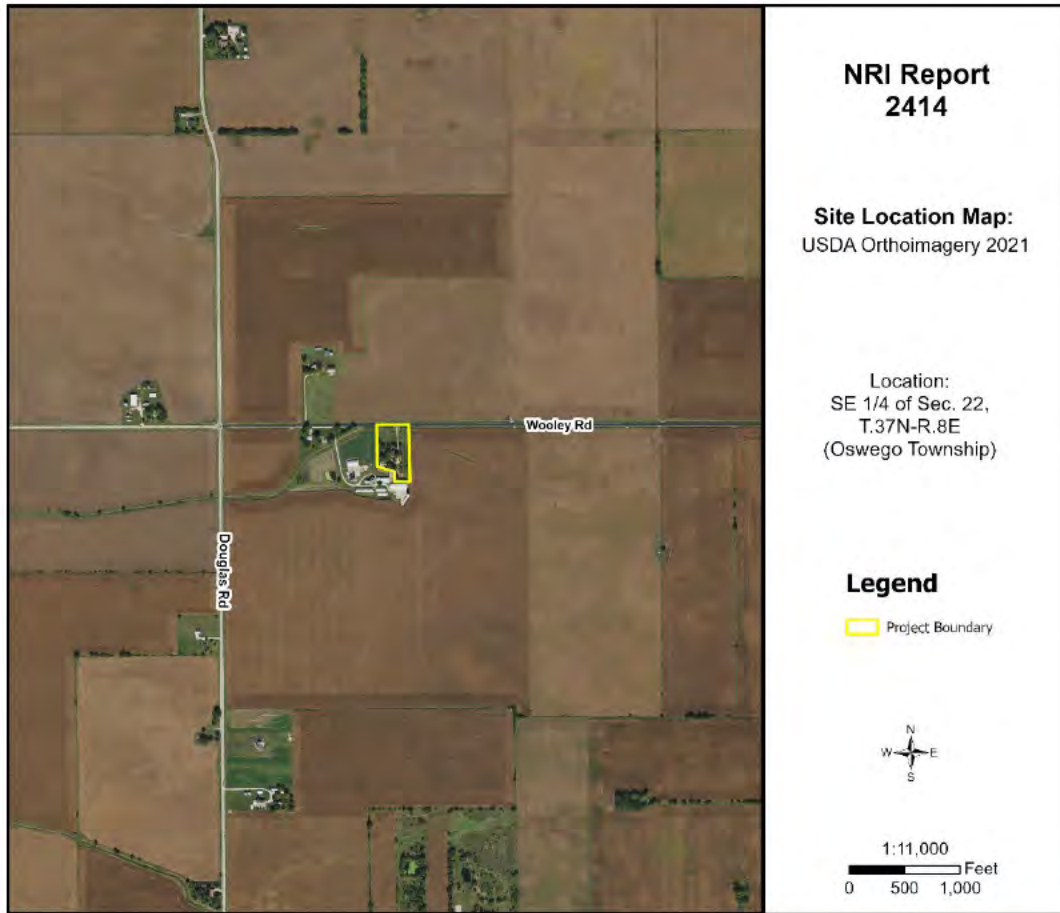
The County received an application for a special use permit and variance for a landscaping business at 2142 Wooley.

Does Oswego Township want any right-of-way dedications?

Thanks,

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

NATURAL RESOURCES INFORMATION (NRI) EXECUTIVE SUMMARY REPORT: #2414



May
2024

Petitioner: Alex Schuster
Contact: Alex Schuster

Prepared By:



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

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EXECUTIVE SUMMARY

Natural Resource Information Report Number	#2414
Petitioner	Alex Schuster
Contact Person	Alex Schuster
County or Municipality the Petition is Filed With	Kendall County
Location of Parcel	Southeast ¼ of Section 22, Township 37 North, Range 8 East (Oswego Township) of the 3 rd Principal Meridian
Project or Subdivision Name	ASE Illini-Scapes Landscaping Business
Existing Zoning & Land Use	A-1 Agricultural; Improved Residential/Farmstead
Proposed Zoning & Land Use	A-1 Agricultural Special Use; Farmstead & Landscaping Business
Proposed Water Source	Existing well
Proposed Type of Sewage Disposal System	Existing septic
Proposed Type of Storm Water Management	Overland flow to roadside ditch
Size of Site	(+/-) 3.07 acres
Land Evaluation Site Assessment Score	173 (Land Evaluation: 98; Site Assessment: 75)

NATURAL RESOURCE CONSIDERATIONS

SOIL INFORMATION

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this project area contains the soil types shown in Figure 1 and Table 1. Please note this does not replace the need for or results of onsite soil testing. If completed, please refer to onsite soil test results for planning/engineering purposes.

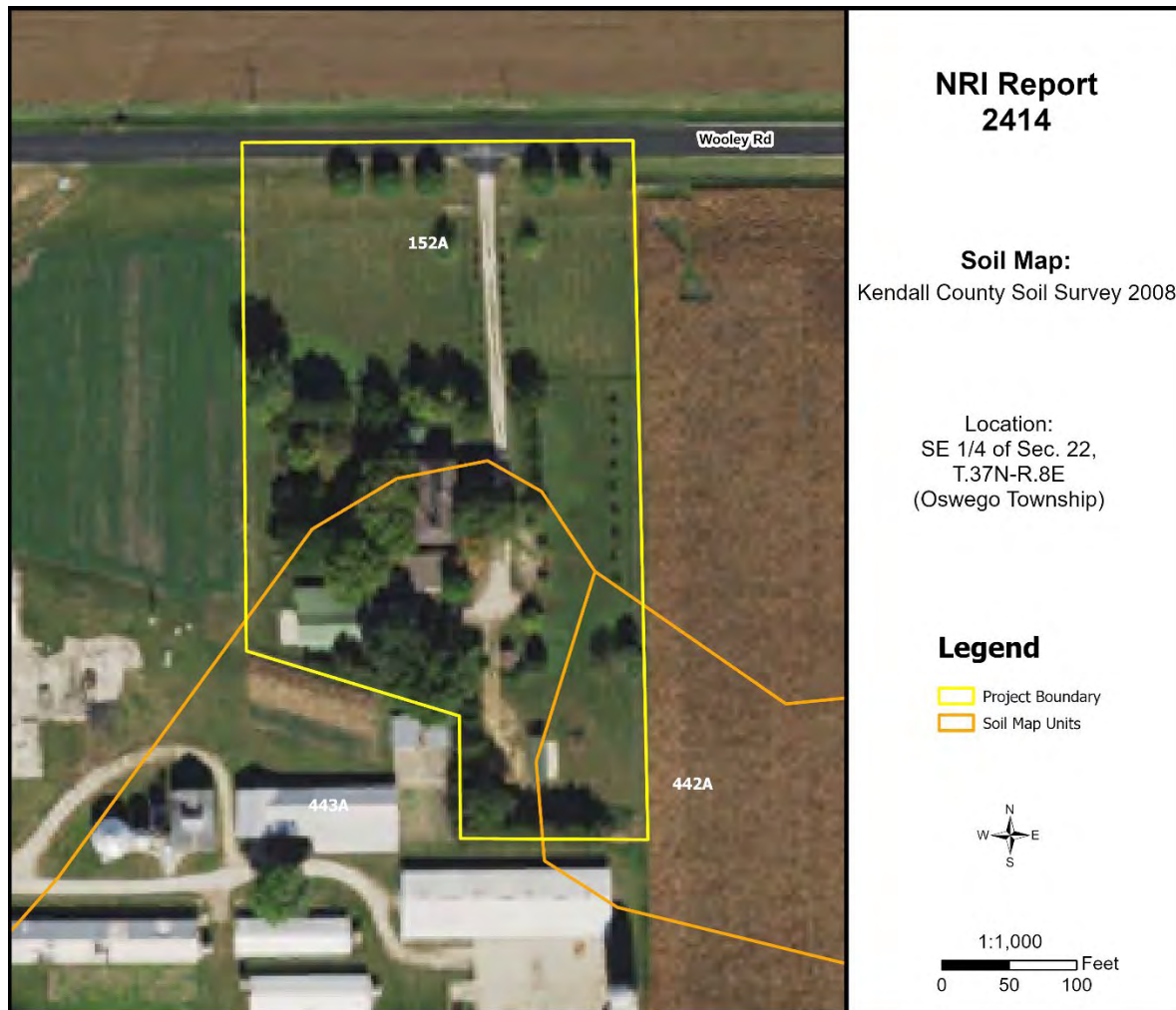


Figure 1: Soil Map

Table 1: Soils Information

Soil Type	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation	Acres	% Area
152A	Drummer silty clay loam, 0-2% slopes	Poorly Drained	B/D	Hydric	Prime Farmland If Drained	1.8	60.3%
442A	Mundelein silt loam, 0-2% slopes	Somewhat Poorly Drained	B/D	Non-Hydric w/ Hydric Inclusions	Prime Farmland	0.3	9.2%
443A	Barrington silt loam, 0-2% slopes	Moderately Well Drained	C	Non-Hydric	Prime Farmland	0.9	30.5%

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

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

Hydric Soils – A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, one is classified as hydric soil (152A Drummer silty clay loam), one is classified as non-hydric soil (443A Barrington silt loam), and one is classified as non-hydric soil with hydric inclusions likely (442A Mundelein silt loam).

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, two are designated as prime farmland (442A Mundelein silt loam & 443A Barrington silt loam) and one is designated as prime farmland if drained (152A Drummer silty clay loam).

Soil Water Features – Table 2, below, gives estimates of various soil water features that should be taken into consideration when reviewing engineering for a land use project.

Table 2: Water Features

Map Unit	Hydrologic Group	Surface Runoff	Water Table	Ponding	Flooding
152A	B/D	Negligible	January - May Upper Limit: 0.0'-1.0' Lower Limit: 6.0'	January – May Surface Water Depth: 0.0'-0.5' Duration: Brief (2 to 7 days) Frequency: Frequent	January – December Frequency: None
442A	B/D	Negligible	January - May Upper Limit: 1.0'-2.0' Lower Limit: 6.0'	January – December Frequency: None	January – December Frequency: None
443A	C	Low	February - April Upper Limit: 2.0'-3.5' Lower Limit: 6.0'	January – December Frequency: None	January – December Frequency: None

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

Months – The portion of the year in which a water table, ponding, and/or flooding is most likely to be a concern.

Water Table – Water table refers to a saturated zone in the soil and the data indicates, by month, depth to the top (upper limit) and base (lower limit) of the saturated zone in most years. These estimates are based upon observations of the water table at selected sites and on evidence of a saturated zone (grayish colors or mottles (redoximorphic features)) in the soil. Note: A saturated zone that lasts for less than a month is not considered a water table.

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

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

SOIL LIMITATIONS

According to the USDA-NRCS, soil properties influence the development of 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.

Limitations are listed below for shallow excavations, lawns/landscaping, and conventional septic 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. This does not replace the need for site specific soil testing or results of onsite soil testing.

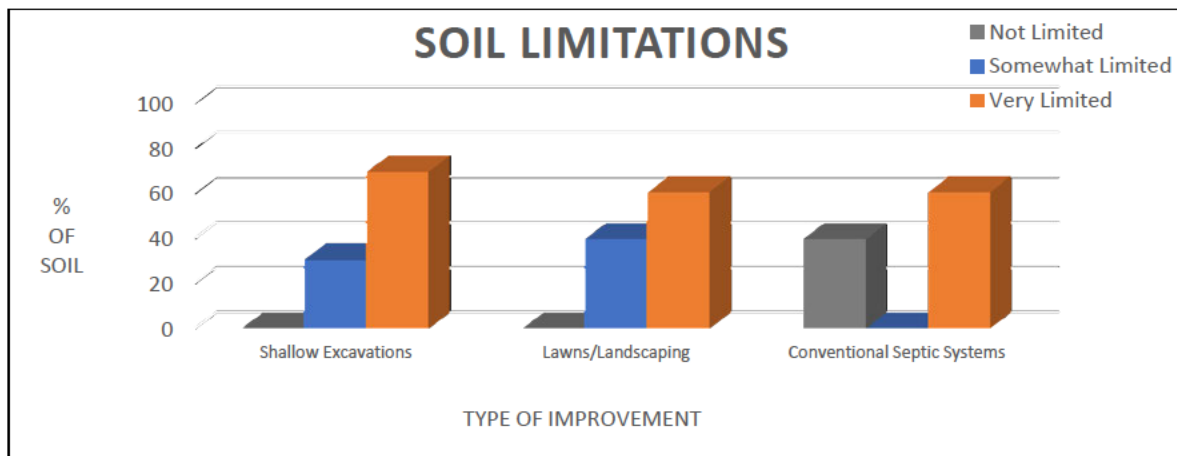


Figure 2: Soil Limitations

Table 3: Building Limitations

Soil Type	Shallow Excavations	Lawns & Landscaping	Conventional Septic Systems*	Acres	%
152A	Very Limited: Ponding Depth to saturated zone Dusty Unstable excavation walls Too clayey	Very Limited: Ponding Depth to saturated zone Dusty	Unsuitable / Very Limited: Wet	1.8	60.3%
442A	Very Limited: Depth to saturated zone Dusty Unstable excavation walls Ponding	Somewhat Limited: Depth to saturated zone Dusty Low exchange capacity	Suitable / Not Limited	0.3	9.2%
443A	Somewhat Limited: Depth to saturated zone Dusty Unstable excavation walls	Somewhat Limited: Dusty	Suitable / Not Limited	0.9	30.5%
% Very Limited	69.5%	60.3%	60.3%		

*This column indicates soils that are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Please consult with the Kendall County Health Department to verify the limitations of your site for onsite sewage disposal.

Figure 3A: Map of Building Limitations - Shallow Excavations

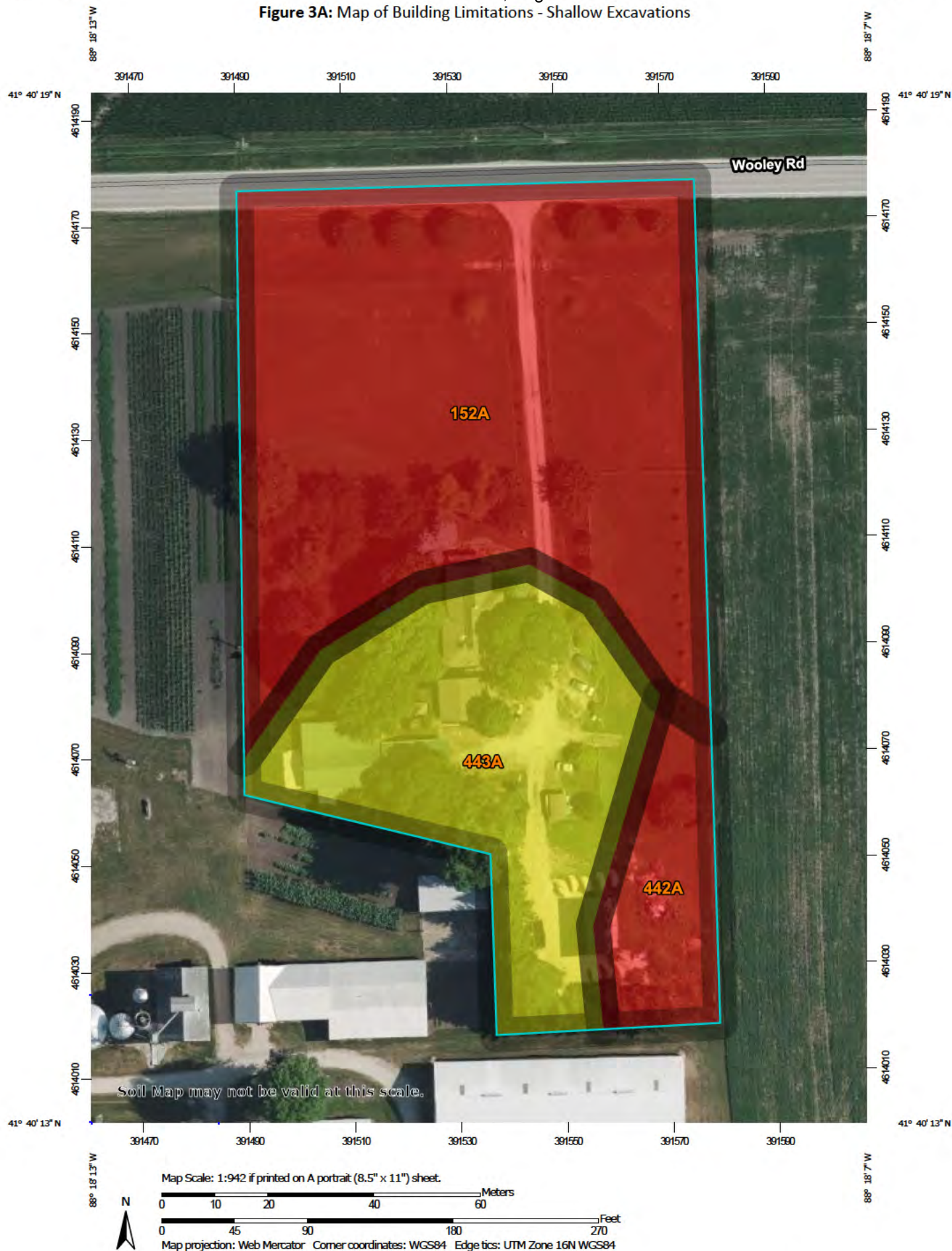
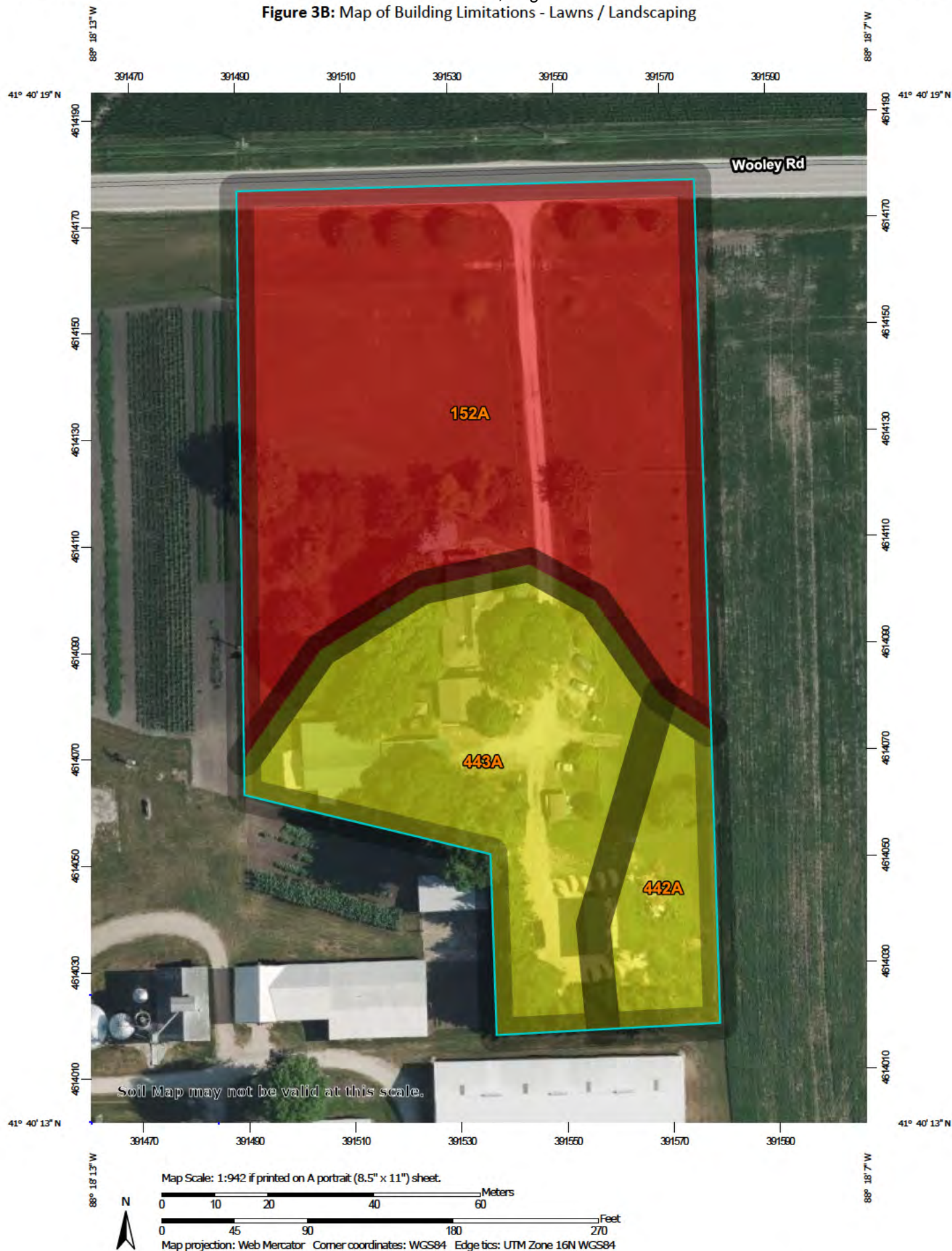


Figure 3B: Map of Building Limitations - Lawns / Landscaping



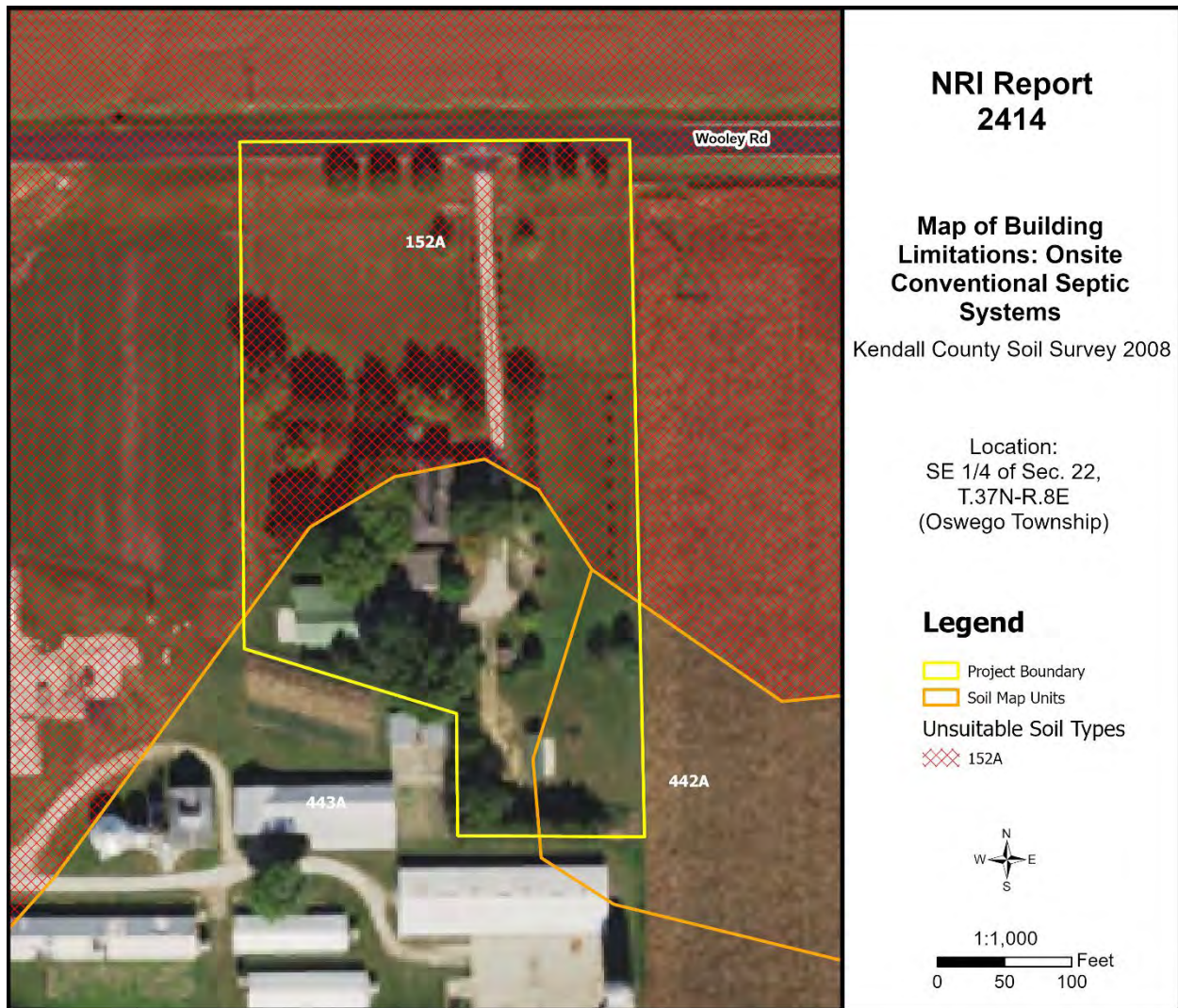


Figure 3C: Map of Building Limitations – Onsite Conventional Septic Systems

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 value accounts for 1/3 of the total score and 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 Site Assessment value is based on a 200-point scale and accounts for 2/3 of the total score. 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	1.8	180.0
442A	2	94	0.3	28.2
443A	2	94	0.9	84.6
Totals			3.0	292.8
LE Calculation			(Product of relative value / Total Acres) 292.8 / 3.0 = 97.6	
LE Score			LE = 98	

*Acreage listed in this chart provides a generalized representation and may not precisely reflect exact acres of each soil type.

The Land Evaluation score for this site is 98, indicating that this site is currently designated as land that is well suited for agricultural uses considering the Land Evaluation score is above 80.

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 land use adjacent to site. (30-20-15-10-0)	30
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	0
	4. Size of site. (30-15-10-0)	0
B.	Compatibility / Impact on Uses	
	1. Distance from city or village limits. (20-10-0)	0
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	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)	8
	2. Availability of public water system. (10-8-6-0)	8
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	2
	Site Assessment Score:	75

Land Evaluation Value: 98 + Site Assessment Value: 75 = LESA Score: 173

The table below shows the level of protection for the proposed project site based on the LESA Score.

Table 5: LESA Score Summary

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

The LESA Score for this site is 173, which indicates a low level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

WETLANDS

The U.S. Fish & Wildlife Service's National Wetland Inventory map indicates that mapped wetlands/waters are not present on the proposed project site. A riverine waterway and freshwater pond are mapped to the west of the site. To determine if a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

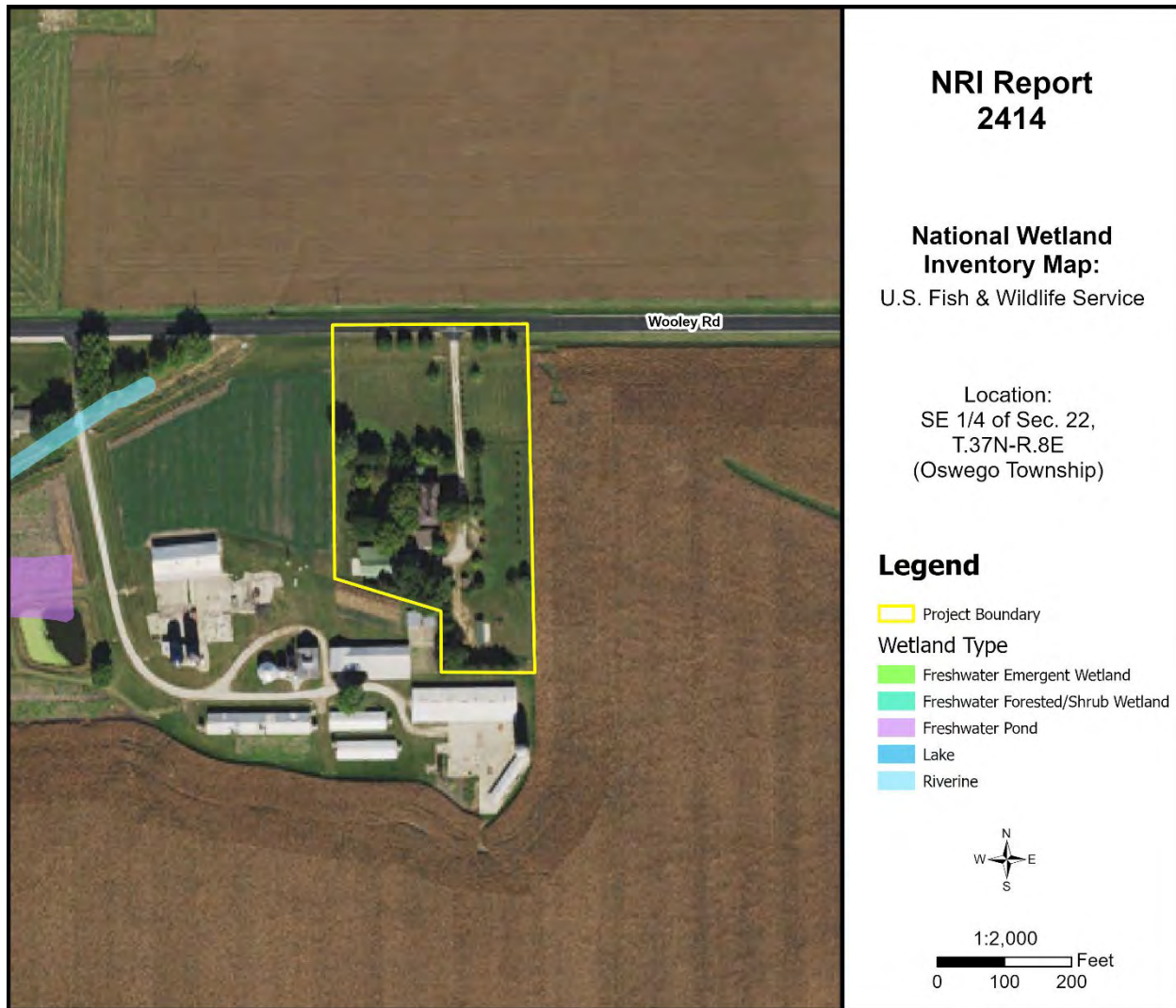


Figure 4: Wetland Map

FLOODPLAIN

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) for Kendall County, Community Panel No. 17093C0070G (effective date February 4, 2009) was reviewed to determine the presence of floodplain and floodway areas within the project site. According to the map, the parcel does not contain areas of floodplain or floodway. It is mapped as Zone X, an area of minimal flood hazard determined to be outside of the 0.2% annual chance flood.

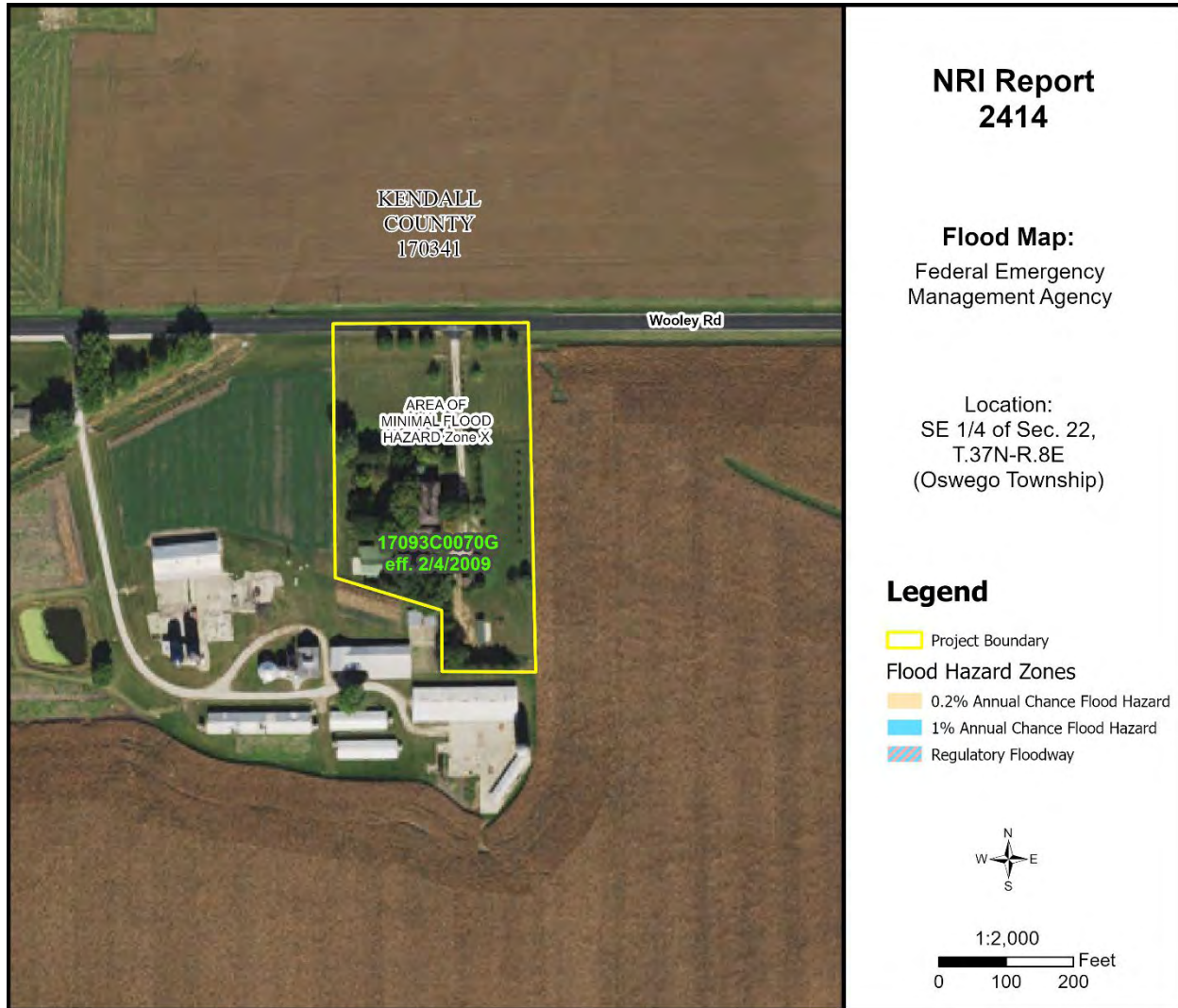


Figure 5: Flood Map

TOPOGRAPHY

The parcel is on minimal topography (slopes 0-2%) and at an elevation of approximately 682'-688' above sea level. The highest point is at the southern end and the lowest point is at the northern end. The property drains north toward Wooley Road.

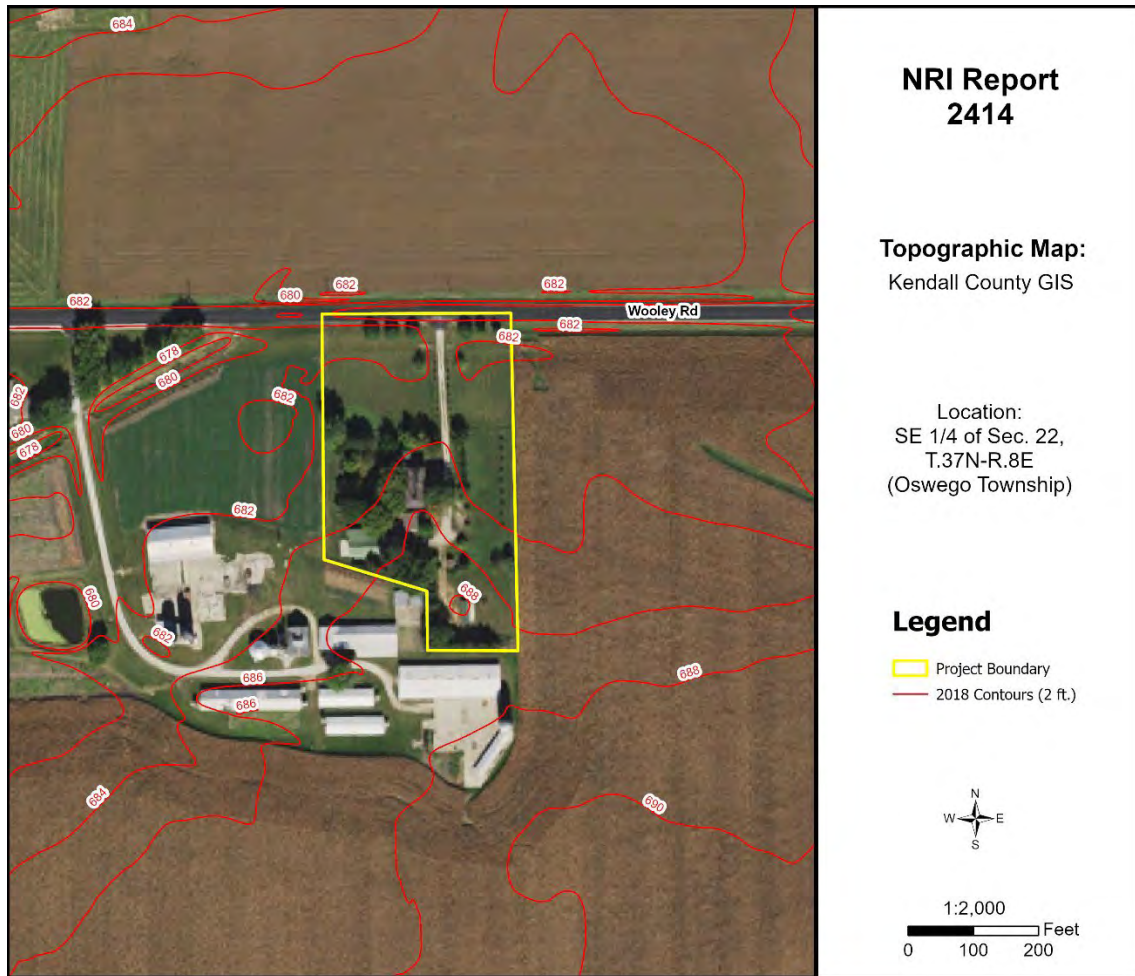


Figure 6: Topographic Map

SEDIMENT AND EROSION CONTROL

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

STORMWATER POLLUTION

A National Pollutant Discharge Elimination System (NPDES) permit (Permit No. ILR10) from the Illinois Environmental Protection Agency (IEPA) is required for stormwater discharges from construction sites that will disturb 1 or more acres of land. Conditions of the NPDES ILR10 permit require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce stormwater pollutants on the construction site before they can cause environmental issues.

LAND USE FINDINGS

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed site plans for petitioner Alex Schuster. The petitioner is requesting a Special Use Permit from Kendall County to operate a landscaping business on one parcel (Parcel Index Number 03-22-400-001) on an existing farmstead. The site is located in Section 22 of Oswego Township (T.37N – R.8E), Kendall County in the 3rd Principal Meridian. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible due to their highly productive qualities for growing agriculturally important crops in our community. This site is a farmstead that hasn't been farmed in many years, however, the soils onsite are designated as prime farmland or prime farmland if drained. A land evaluation (LE), which is a part of the Land Evaluation and Site Assessment (LESA), was conducted on this parcel. The soils on this parcel scored a 98 out of a possible 100 points indicating that the soils are well suited for agricultural uses. The total LESA score for this site is 173 out of a possible 300, which indicates a low level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

Soils found on the project site are rated for specific uses and can have potential limitations. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use, but it is important to note the limitation that may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 69.5% are classified as very limited for supporting shallow excavations and 60.3% are classified as very limited for supporting lawns/landscaping. The remaining soils are considered somewhat limited for these types of uses. Additionally, 60.3% of the soils are classified as unsuitable for supporting conventional septic systems. This information is based on the soil in an undisturbed state. If the scope of the project may include the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Lower Fox River watershed and the Waubonsie Creek sub watershed. If development occurs on this site, please ensure that a soil erosion and sediment control plan be implemented during construction. It is critical to have vegetative cover during and after construction to protect the soil from erosion. Sediment may become a primary non-point source of pollution; eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

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

The information that is included in this Natural Resources Information Report is to assure that the landowners take into full consideration the limitations of the site. 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

5/24/2024
Date

Matt Asselmeier

From: Alec Keenum <akeenum@oswegofire.com>
Sent: Tuesday, May 7, 2024 6:00 AM
To: Matt Asselmeier
Subject: [External]RE: Kendall County Petition 24-10

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks Matt,

Normal stuff, Oswego FD does not have issue with the Special Use. Shal be noted that:

- Default is sprinkler & fire alarm protection for new construction
- In general Converting residence to business use, as long as its "office" type use and not mercantile, would not trigger addition of sprinkler nor fire alarm

Regards,

Capt. Alec J Keenum
Fire Marshal
Oswego Fire Protection District

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Wednesday, May 1, 2024 9:34 AM
To: Alec Keenum <akeenum@oswegofire.com>; Claude Ainsworth (cainsworth@oswegotownship.com) <cainsworth@oswegotownship.com>; Joe West (jwest@oswegotownship.com) <jwest@oswegotownship.com>; FireChief <firechief@oswegofire.com>; Ken Holmstrom <khholmstrom@oswegotownship.com>; Rod Zinner (rzenner@oswegoil.org) <rzenner@oswegoil.org>; ttouchette@oswegoil.org
Subject: Kendall County Petition 24-10

To All:

The Kendall County ZPAC will meet on Tuesday, May 7th, at 9:00 a.m., in the County Boardroom, at 111 W. Fox Street, Yorkville, to consider the following Petition:

1. **Petition 24 – 10 – Alex M. Schuster**
Request: Special Use Permit for a Landscaping Business
PIN: 03-22-400-001
Location: 2142 Wooley Road, Oswego in Oswego Township
Purpose: Petitioner Would Like to Operate a Landscaping Business; Property is Zoned A-1

Petition information is attached.

The Petitioner can be reached at alex@illini-scapes.com.

If you have any questions, please let me know.

Thanks,

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
May 7, 2024 – Unapproved Meeting Minutes**

PBZ Chairman Seth Wormley called the meeting to order at 9:00 a.m.

Present:

Matt Asselmeier – PBZ Department
Meagan Briganti – GIS Department
David Guritz – Forest Preserve (Arrived at 9:02 a.m.)
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Commander Jason Langston – Sheriff's Department
Alyse Olson – Soil and Water Conservation District (Arrived at 9:02 a.m.)
Aaron Rybski – Health Department
Seth Wormley – PBZ Committee Chair

Absent:

Greg Chismark – WBK Engineering, LLC

Audience:

Tim O'Brien, Pete Fleming, Michael Korst, Jim Filotto, Ryan Solum, Bruce Miller, Alex Schuster, and Gloria Foxman

PETITIONS

Petition 24-10 Alex M. Schuster

Mr. Asselmeier summarized the request.

The Petitioner was seeking a special use permit for a landscaping business, including allowing outdoor storage of materials.

The application materials, plat of survey, current conditions plat, proposed site plan, proposed landscaping plan and pictures of the property and vicinity were provided.

The address of the property was 2142 Wooley Road.

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

The current land use was Improve Residential/Farmstead.

The County's Future Land Use Map called for the property to be Rural Estate Residential. The Village of Oswego's Future Land Use Map called for the property to be Large Lot Residential.

Wooley Road was a Minor Collector maintained by Oswego Township.

The Village of Oswego has a trail planned along Wooley Road.

There were no floodplains or wetlands on the property.

The adjacent properties were used as Agricultural and Farmstead.

The adjacent properties were zoned A-1.

The County's Future Land Use Map called for the area to be Rural Estate Residential and Commercial. The Village of Oswego's Future Land Use Map called for the area to be Large Lot Residential.

Properties within one half (1/2) of a mile were zoned A-1 in the County and B-3 in the Village of Oswego.

Approximately three (3) houses are located within a half mile (0.5) miles of the subject property.

EcoCAT Report was submitted on March 14, 2024.

The NRI application was submitted on April 29, 2024.

Petition information was sent to Oswego Township on May 1, 2024. Prior to formal application submittal, Oswego Township submitted an email requesting a thirty-three foot (33') deep right-of-way dedication from the center of Wooley Road. This email was provided.

Petition information was sent to the Village of Oswego on May 1, 2024.

Petition information was sent to the Oswego Fire Protection District on May 1, 2024. The Oswego Fire Protection District submitted an email stating no objections to the proposal.

Per Section 7:01.D.32 of the Kendall County Zoning Ordinance, landscaping businesses can be special uses on A-1 zoned property subject to the following conditions:

1. All vehicles, equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.
2. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County's LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use.
3. No landscape waste generated off the property can be burned on this site.

If the County Board approves the outdoor storage of materials and variances, the above conditions have been met.

As noted in the project narrative, the Petitioners would like to operate ASE Illini-Scapes at the subject property.

They would use the site for storage of landscaping materials, equipment, offices, and related operations. Employees would visit the site to get materials. The site would not be open to customers.

The business would be open from 6:00 a.m. until 6:00 p.m. Monday through Friday during the growing season and everyday for twenty-four hours (24) during snow events in the winter. The business has a maximum of fifteen (15) employees, during the busy season, and two (2) employees year-round. Employees either report to the subject property or report directly to job sites.

The site plan shows one (1) approximately one thousand three hundred seventy (1,370) square foot material bin area and one (1) approximately three thousand five hundred (3,500) square foot hard goods storage area near the eastern property line. One (1) approximately five hundred (500) square foot material storage bin was shown near the southern property line. One (1) additional approximately three thousand three hundred (3,300) square foot equipment and storage area is shown south of the existing accessory buildings. The Petitioner indicated that the piles of materials would not exceed ten feet (10') in height.

Equipment would be stored outdoors, when the business is closed.

The Petitioner intends to grow nursery stock in the future.

The subject property presently has one (1) approximately three thousand three hundred (3,300) square foot house, constructed in 1875, one (1) frame garage, two (2) metal frame accessory buildings, and one (1) outhouse onsite that is used as decoration and gardening shed.

The site plan shows two (2) future greenhouses, one (1) approximately one thousand one hundred (1,100) square feet in size and one (1) approximately one thousand fifty (1,050) square feet in size.

Any structures related to the landscaping business, other than the greenhouses, would be required to obtain applicable building permits. However, at this time, no additional structures, besides the greenhouses, are proposed.

The well is located southwest of the house. The septic area is located east of the house, between the proposed employee parking area and the southern most greenhouse. The property is served by electricity and natural gas.

One (1) dumpster area is proposed east of the western most equipment and storage area. Given its location on the property and proposed perimeter screening around the property, the Petitioner did not propose any screening specifically for the dumpster area.

The property drains towards Wooley Road.

The site plan shows a drainage system along the east and northeast side of the property.

The Petitioners submitted an application for a stormwater management permit.

Per the site plan, the property has a gravel driveway. The Petitioner plans to install a turnaround area at the south end of the driveway.

According to the site plan, the Petitioner proposes a gravel parking lot with ten (10) parking spaces located north of the turnaround area. One (1) ADA accessible parking space is required. The Petitioner intends to use a vehicular rated permeable paver to meet this requirement.

In addition, the Petitioner proposes an approximately one thousand seven hundred fifty square foot (1,750) truck and trailer parking area south of the turnaround area. This lot would also be gravel.

No lighting was planned for the property.

No signage was proposed.

The property presently has a fence along the perimeter as shown in several of the pictures and the landscaping plan .

The landscaping plan shows six (6) existing maple trees, two (2) existing willow thirty-two (32) existing spruce trees, two (2) existing birch trees two (2) existing oak trees, and several existing evergreen trees.

The Petitioner proposes to add twenty-six (26) purple coneflowers, three (3) six foot (6') service berries, trellised English ivy, and five (5) six (6') Nigra arborvitae.

The Petitioner plans to install landscaping within one (1) year of the approval of special use permit.

No information was provided regarding noise control.

No information was provided regarding odor control.

If approved, this would be the twenty-first (21st) special use permit for a landscaping business in unincorporated Kendall County.

The proposed Findings of Fact were as follows:

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. Numerous landscaping businesses have been approved throughout unincorporated Kendall County, including one (1) at 655 Wooley Road. The proposed use is along Wooley Road, which is classified as a minor collector. Reasonable restrictions can be placed in the special use permit to ensure the health, safety, and general welfare of the area are protected.

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 makes 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 subject property is in a large A-1 Agricultural District. The use will not impede farms or residential uses on the adjoining properties. Reasonable restrictions may be placed on the special use permit to address hours of operation, noise, landscaping, and site layout to prevent neighboring property owners are not negatively impacted by the proposed use.

Adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. The proposal states that customers will not come to the property. Given the limited number of

employees reporting to the property, adequate utilities, access roads, and ingress/egress exists. A stormwater permit and conditions in the special use permit can address concerns related to drainage.

The special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. This is true.

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 proposal is also consistent with a goal and objective found on page 6-34 of the Land Resource Management Plan, "A strong base of agriculture, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents." "Encourage opportunities for locally owned business." In addition, the future land use map calls for this property to be Mixed Use Business. Similar types of uses were planned for the subject property and properties in the vicinity of the subject property.

Staff recommended approval of the requested special use permit subject to the following conditions and restrictions. To date, the Petitioner has not agreed to these conditions and restrictions:

1. The site shall be developed substantially in accordance with the submitted site plan and landscaping plan.
2. Within ninety (90) days of the approval of the special use permit, the owners of the subject property shall dedicate a strip of land thirty-three feet (33') in depth along the northern property line to Oswego Township. The Kendall County Planning, Building and Zoning Committee may grant an extension to this deadline.
3. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors at the subject property when the business is closed.
4. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
5. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
6. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored and items stored on the subject property and shall promptly clean up the site if leaks occur.
7. Except for the purposes of loading and unloading, all landscape related materials shall be stored at the designated storage areas shown on the submitted site plan. The maximum height of the piles of landscaping related material shall be ten feet (10') in height.
8. A maximum of fifteen (15) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work.
9. No customers of the business allowed by the special use permit shall be invited onto the subject property for matters related to the business allowed by the special use permit.
10. The hours of operation of the business allowed by this special use permit shall be Monday through Friday from 6:00 a.m. until 6:00 p.m. and the business shall be open twenty-four (24) hours to address snow events. The owners of the business allowed by this special use permit may reduce these hours of operation.
11. Any structures constructed, installed, or used related to the business allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits. This restriction does not apply to greenhouses.
12. No signs are shown on the site plan. The owner of the business allowed by the special use permit may request a sign in the future using the minor amendment process, provided that the proposed sign meets the requirements of the Kendall County Zoning Ordinance.
13. Only lighting related to security may be installed outdoors at the subject property.
14. Damaged or dead plantings described on the landscaping plan shall be replaced on a timeframe approved by the

Kendall County Planning, Building and Zoning Department.

15. The vegetation described in the landscaping plan shall be installed within one (1) year of the approval of the special use permit. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the vegetation. Materials and vegetation stored in the greenhouses and material storage area shall not be subject to this requirement and shall not be considered part of the landscaping plan.
16. No landscape waste generated off the property can be burned on the subject property.
17. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

Only homes permitted prior to the date of the issuance of the special use permit shall have standing to file noise complaints.
18. At least one (1) functioning fire extinguisher and one (1) first aid kit shall be on the subject property. Applicable signage stating the location of the fire extinguisher and first aid kit shall be placed on the subject property.
19. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
20. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business, including, but not limited to, installed the applicable number of ADA required parking spaces.
21. 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.
22. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
23. This special use permit 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.

Mr. Rybski questioned the location of the septic system. He noted that greenhouses or parking could not be in the area of septic system. He requested that the septic system be assessed in terms of location and size.

Mr. Klaas recommended that right-of-way dedication be raised to forty feet (40').

To date, no comments were received from neighbors.

Mr. Klaas made a motion, seconded by Mr. Rybski, to recommend approval of the proposal with the additional recommendation that the size and location of the septic system be examined and that the right-of-way dedication be increased to forty feet (40').

The votes were follows:

Ayes (9):	Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Olson, Rybski, and Wormley
Nays (0):	None
Abstain (0):	None

Absent (1): Chismark

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on May 22, 2024.

PUBLIC COMMENT

None

ADJOURNMENT

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

With a voice vote of nine (9) ayes, the motion carried.

The ZPAC, at 9:54 a.m., adjourned.

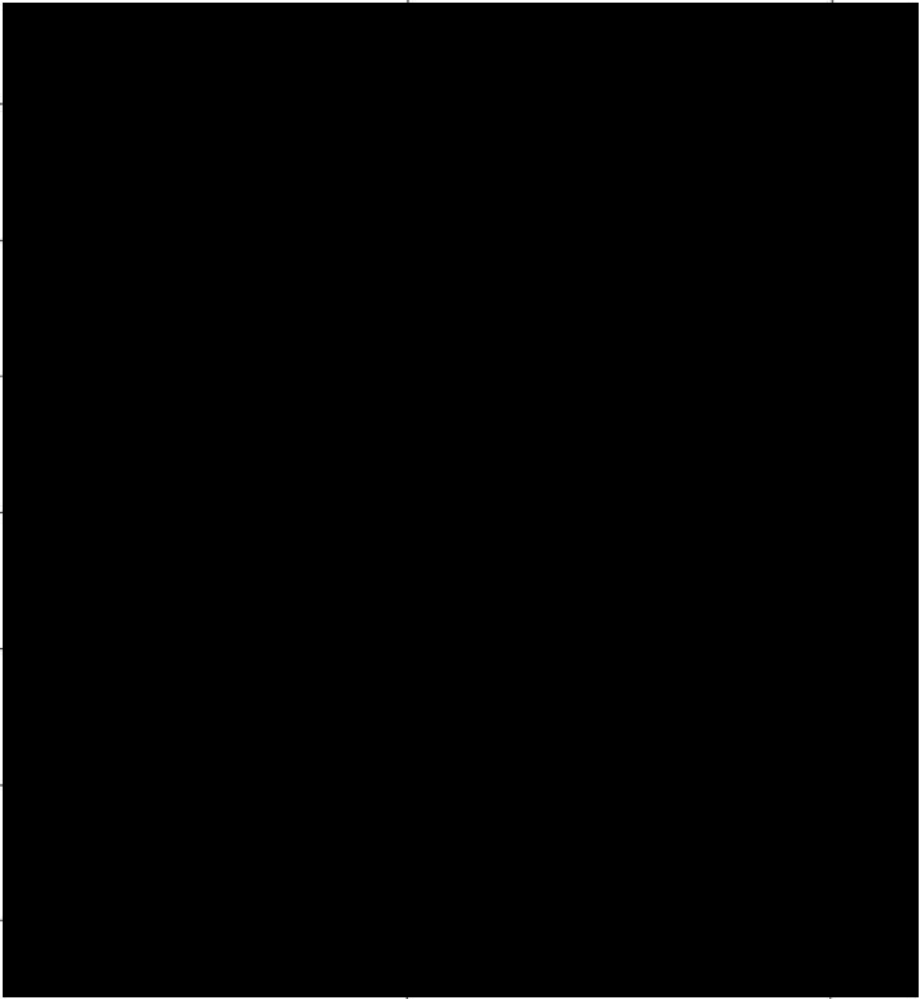
Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Director

Enc.

/

**KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
MAY 7, 2024**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Tim O'Brien		
Pete Fleming		
Michael Korst		
Jim Filotto		
Ryan Solum		
BRUCE MILLER		
Alex Schuster		

Matt Asselmeier

From: Alec Keenum <akeenum@oswegofire.com>
Sent: Tuesday, May 7, 2024 6:00 AM
To: Matt Asselmeier
Subject: [External]RE: Kendall County Petition 24-10

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks Matt,

Normal stuff, Oswego FD does not have issue with the Special Use. Shal be noted that:

- Default is sprinkler & fire alarm protection for new construction
- In general Converting residence to business use, as long as its "office" type use and not mercantile, would not trigger addition of sprinkler nor fire alarm

Regards,

Capt. Alec J Keenum
Fire Marshal
Oswego Fire Protection District

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Wednesday, May 1, 2024 9:34 AM
To: Alec Keenum <akeenum@oswegofire.com>; Claude Ainsworth (cainsworth@oswegotownship.com) <cainsworth@oswegotownship.com>; Joe West (jwest@oswegotownship.com) <jwest@oswegotownship.com>; FireChief <firechief@oswegofire.com>; Ken Holmstrom <holmstrom@oswegotownship.com>; Rod Zinner (rzenner@oswegoil.org) <rzenner@oswegoil.org>; ttouchette@oswegoil.org
Subject: Kendall County Petition 24-10

To All:

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PIN: 03-22-400-001
Location: 2142 Wooley Road, Oswego in Oswego Township
Purpose: Petitioner Would Like to Operate a Landscaping Business; Property is Zoned A-1

Petition information is attached.

The Petitioner can be reached at alex@illini-scapes.com.

If you have any questions, please let me know.

Thanks,



May 14, 2024

Mr. Matt Asselmeier
Kendall County Planning, Building, & Zoning
111 West Fox Street
Yorkville, IL 60560-1498

Subject: 2142 Wooley Road- WBK Project 19-102.CA

Dear Mr. Asselmeier:

We have received and reviewed the following information for the subject project:

- Site Improvement Plans – Shuster Residence prepared by Rivercrest Consulting dated April 18, 2024 and received May 2, 2024
- Plat of Survey prepared by Todd Surveying dated November 29, 2021 and received May 2, 2024
- Conceptual Site Plan on Plat of Survey with no preparer identified and not dated

The following comments require resolution prior to plan approval and our recommendation for issuance of a stormwater permit.

Stormwater Permit

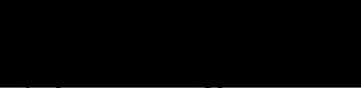
1. Submit a stormwater report with the following:
 - a. A brief narrative identifying the scope of proposed improvements
 - b. Identify existing and proposed drainage patterns.
 - c. Identify existing and proposed impervious surface comparison.
 - d. Identify the total extent of disturbed area.
 - e. Identify off-site areas draining on to the site.
 - f. Describe purpose and function of underdrain and sizing.

Engineering Plans – *Please provide pdf versions of plans submittals to facilitate review*

1. Provide additional elevations of storage and parking areas identified on the plan. Provide corner elevation with flow arrows.
2. Depict locations of any wells within the site. A well is located on one of the surveys but not the others submitted. Verify the location of all wells and locate them on the proposed conditions plan.
3. Clearly depict and locate the extent of septic tanks and septic field within the project limits. It appears proposed improvements may impact existing facilities.

The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details, and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve applicant's design professionals of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications. If you have any questions or comments, please contact us at (630) 443-7755.

Sincerely,



WBK Engineering, LLC

Rivercrest Consulting, LLC

12249 S. Rhea Drive
Suite 2
Plainfield, IL 60585
www.alpineridge.net

June 5, 2024

Via Email

Kendall County Planning, Building & Zoning; C/O
WBK Engineering
116 W. Main Street, Suite 201
St. Charles, IL 60174
Attn: Mr. Greg Chismark, P.E.
President

**RE: Comment Response Letter
Proposed Site Improvements – WBK Project 19-102.CA
2142 Wooley Road
Oswego, IL**

Dear Mr. Chismark,

We are in receipt of your comment letter dated May 14, 2024, prepared by WBK Engineering related to the above captioned proposed improvements. On behalf of Mr. Alex Schuster, we offer the following in response:

Stormwater Permit

WBK Comment #1:

A brief narrative identifying the scope of the proposed improvements.

Rivercrest Response #1:

Property owner intends to improve the existing layout to accommodate additional parking, storage, lay down and greenhouse facilities within the property limits. This work will necessitate modified grading, particularly along the eastern property line, to contain and direct flows accordingly.

WBK Comment #2:

Identify existing and proposed drainage patterns.

Rivercrest Response #2:

Drainage patterns have been added to both the existing and proposed layout sheets as requested.

WBK Comment #3:

Identify existing and proposed impervious surface comparison

Rivercrest Response #3:

An impervious area comparison chart has been added to the plans as requested.

WBK #4:

Identify total extent of disturbed area.

**Rivercrest Response #4:**

Total disturbed area is approximately 38,800 SF, encompassing generally the extent of proposed improvements; including the underdrain extension to the ROW area.

WBK Comment #5:

Identify off-site areas draining on to the site.

Rivercrest Response #5:

See accessory exhibit provided under separate cover.

WBK Comment #6:

Describe purpose and function of underdrain and sizing.

Rivercrest Response #6:

Drainage along the east property line is meant to contain property runoff within the limits of the subject parcel. The gradient (or available pitch) along that property line starts to flatten out as we progress north towards the road from the rear PL. Eventually, an existing high point is encountered that straddles the property line, limiting substantially any regrading needed to continue overland flow along the property line. With that said, flow at that point is being redirected northwest as shown into the existing overland flow path. Essentially, what is being proposed is an “end” to the new overland flow route at or in the vicinity of the above mentioned sideyard high point where surface flow can no longer continue north in a standard way. A yard inlet is proposed in this area to capture and convey perched waters following rain events below grade to the driveway culvert area via the proposed underdrain structure where they can continue conveyance downstream as normal. During active rain events, this area will overflow atop the shown overflow into the existing overland flow route to the north. The underdrain is meant to dry this area following these events and finish conveying remaining waters via pressure flow along the proposed underdrain route. It’s essentially meant to stop this area from becoming perpetually wet given that the property flattens out substantially on the north half.

Engineering Plans:**WBK Comment #1:**

Provide additional elevations of storage and parking areas identified on the plan. Provide corner elevation with flow arrows.

Rivercrest Response #1:

Additional elevations and drainage flow arrows have been added to the plans as requested.

WBK Comment #2:

Depict locations of any wells within the site. A well is located on one of the surveys but not the others submitted. Verify the location of all wells and locate them on the proposed conditions plan.

Alpine Ridge Builders Response #2:

The existing domestic well location has been added to the plans as requested.

WBK Comment #3:

Clearly depict and locate the extent of septic tanks and septic field within the project limits. It appears proposed improvements may impact existing facilities.

Rivercrest Response #3:

Septic tank location outlined on the supplied topographic survey is the only information relevant to the septic system made available to this office. As such, no further detail on the system layout or function can be provided under this cover. It is our understanding that the homeowner is currently



working directly with the Health Department to address this matter further. All associated detail and information will be supplied by Mr. Schuster related to the septic system and any needed improvements thereof.

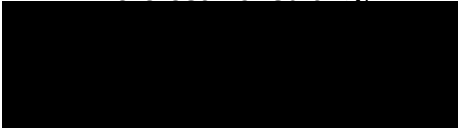
Included herewith, please find for your review and consideration and in accordance with the above comments and responses, the following:

- Revised civil plans, dated 06/05/24
- Supplemental off-site drainage area exhibit, furnished under separate cover
- Supplemental septic system information, furnished under separate cover

Should you have any questions, concerns or require any additional information please do not hesitate to contact me directly at (630) 538-5651 or via email at tom@alpineridge.net.

Yours truly,

Rivercrest Consulting, LLC



Thomas G. Crnkovich, P.E.
Managing Partner

/Encl.

Cc: Alex Schuster – Homeowner (Via Email)
Matt Juntunen – Alpine Ridge Builders, LLC (Via Email)

Attachment 18, Page 1
**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

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

Unapproved - Meeting Minutes of June 26, 2024 - 7:00 p.m.

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

ROLL CALL

Members Present: Bill Ashton, Eric Bernacki, Tom Casey, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Bob Stewart, Claire Wilson, and Seth Wormley (Arrived at 7:03 p.m.)

Members Absent: Ruben Rodriguez

Staff Present: Matthew H. Asselmeier, Director, and Wanda A. Rolf, Office Assistant

Others Present: Alex Schuster, Marcia Rousonelos, Ray Jackinowski, Michael Korst, and Jim Filotto

PETITIONS

Petition 24-10 Alex M. Schuster

Mr. Asselmeier summarized the request.

The Petitioner was seeking a special use permit for a landscaping business, including allowing outdoor storage of materials.

The application materials, plat of survey, current conditions plat, revised proposed site plan reflecting WBK Engineering's comments, proposed landscaping plan and pictures of the property and vicinity were provided.

The address of the property was 2142 Wooley Road.

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

The current land use was Improve Residential/Farmstead.

The County's Future Land Use Map called for the property to be Rural Estate Residential. The Village of Oswego's Future Land Use Map called for the property to be Large Lot Residential.

Wooley Road was a Minor Collector maintained by Oswego Township.

The Village of Oswego has a trail planned along Wooley Road.

There were no floodplains or wetlands on the property.

The adjacent properties were used as Agricultural and Farmstead.

The adjacent properties were zoned A-1.

The County's Future Land Use Map called for the area to be Rural Estate Residential and Commercial. The Village of Oswego's Future Land Use Map called for the area to be Large Lot Residential.

Properties within one half (1/2) of a mile were zoned A-1 in the County and B-3 in the Village of Oswego.

Approximately three (3) houses are located within a half mile (0.5) miles of the subject property.

EcoCAT Report was submitted on March 14, 2024, and consultation was terminated.

The NRI application was submitted on April 29, 2024. The LESA Score was 173 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Oswego Township on May 1, 2024. Prior to formal application submittal, Oswego Township submitted an email requesting a thirty-three foot (33') deep right-of-way dedication from the center of Wooley Road. This email was provided.

Petition information was sent to the Village of Oswego on May 1, 2024. No comments were received.

Petition information was sent to the Oswego Fire Protection District on May 1, 2024. The Oswego Fire Protection District submitted an email stating no objections to the proposal. This email was provided.

ZPAC reviewed this proposal at their meeting on May 7, 2024. Discussion occurred regarding the size and location of the septic system. The right-of-way dedication was raised to forty feet (40'). ZPAC recommended approval of the request with the additional condition related to the septic system and increasing the right-of-way dedication by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting were provided.

Per Section 7:01.D.32 of the Kendall County Zoning Ordinance, landscaping businesses can be special uses on A-1 zoned property subject to the following conditions:

1. All vehicles, equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.
2. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County's LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use.
3. No landscape waste generated off the property can be burned on this site.

If the County Board approves the outdoor storage of materials, the above conditions have been met.

As noted in the project narrative, the Petitioners would like to operate ASE Illini-Scapes at the subject property.

They would use the site for storage of landscaping materials, equipment, offices, and related operations. Employees would visit the site to get materials. The site would not be open to customers.

The business would be open from 6:00 a.m. until 6:00 p.m. Monday through Friday during the growing season and everyday for twenty-four hours (24) during snow events in the winter. The business has a maximum of fifteen (15) employees, during the busy season, and two (2) employees year-round. Employees either report to the subject property or report directly to job sites.

The site plan shows one (1) approximately one thousand three hundred seventy (1,370) square foot material bin area and one (1) approximately three thousand five hundred (3,500) square foot hard goods storage area near the eastern property line. One (1) approximately five hundred (500) square foot material storage bin was shown near the southern property line. One (1) additional approximately three thousand three hundred (3,300) square

foot equipment and storage area is shown south of the existing accessory buildings. The Petitioner indicated that the piles of materials would not exceed ten feet (10') in height.

Equipment would be stored outdoors, when the business is closed.

The Petitioner intends to grow nursery stock in the future.

The subject property presently has one (1) approximately three thousand three hundred (3,300) square foot house, constructed in 1875, one (1) frame garage, two (2) metal frame accessory buildings, and one (1) outhouse onsite that is used as decoration and gardening shed.

The site plan shows two (2) future greenhouses, one (1) approximately one thousand one hundred (1,100) square feet in size and one (1) approximately one thousand fifty (1,050) square feet in size.

Any structures related to the landscaping business, other than the greenhouses, would be required to obtain applicable building permits. However, at this time, no additional structures, besides the greenhouses, are proposed.

The well is located southwest of the house. The septic area is located east of the house, between the proposed employee parking area and the southern most greenhouse. The property is served by electricity and natural gas.

One (1) dumpster area is proposed east of the western most equipment and storage area. Given its location on the property and proposed perimeter screening around the property, the Petitioner did not propose any screening specifically for the dumpster area.

The property drains towards Wooley Road.

The site plan shows a drainage system along the east and northeast side of the property.

The Petitioners submitted an application for a stormwater management permit. WBK submitted a review letter requesting additional information and clarification. This letter was provided. The Petitioner's engineer submitted a response on June 5, 2024, including a revised site plan addressing WBK's comments. This letter was provided. WBK Engineering submitted a second letter requesting additional information. This letter was provided.

Per the site plan, the property has a gravel driveway. The Petitioner plans to install a turnaround area at the south end of the driveway.

According to the site plan, the Petitioner proposes a gravel parking lot with ten (10) parking spaces located north of the turnaround area. One (1) ADA accessible parking space is required. The Petitioner intends to use a vehicular rated permeable paver to meet this requirement.

In addition, the Petitioner proposes an approximately one thousand seven hundred fifty square foot (1,750) truck and trailer parking area south of the turnaround area. This lot would also be gravel.

No lighting was planned for the property.

No signage was proposed.

The property presently has a fence along the perimeter as shown in several of the pictures and the landscaping plan.

The landscaping plan shows six (6) existing maple trees, two (2) existing willow thirty-two (32) existing spruce trees, two (2) existing birch trees two (2) existing oak trees, and several existing evergreen trees.

The Petitioner proposes to add twenty-six (26) purple coneflowers, three (3) six foot (6') service berries, trellised English ivy, and five (5) six foot (6') Nigra arborvitae.

The Petitioner plans to install landscaping within one (1) year of the approval of special use permit.

No information was provided regarding noise control.

No information was provided regarding odor control.

If approved, this would be the twenty-first (21st) special use permit for a landscaping business in unincorporated Kendall County.

The proposed Findings of Fact were as follows:

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. Numerous landscaping businesses have been approved throughout unincorporated Kendall County, including one (1) at 655 Wooley Road. The proposed use is along Wooley Road, which is classified as a minor collector. Reasonable restrictions can be placed in the special use permit to ensure the health, safety, and general welfare of the area are protected.

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 makes 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 subject property is in a large A-1 Agricultural District. The use will not impede farms or residential uses on the adjoining properties. Reasonable restrictions may be placed on the special use permit to address hours of operation, noise, landscaping, and site layout to prevent neighboring property owners are not negatively impacted by the proposed use.

Adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. The proposal states that customers will not come to the property. Given the limited number of employees reporting to the property, adequate utilities, access roads, and ingress/egress exists. A stormwater permit and conditions in the special use permit can address concerns related to drainage.

The special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. This is true.

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 proposal is also consistent with a goal and objective found

on page 6-34 of the Land Resource Management Plan, “A strong base of agriculture, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents.” “Encourage opportunities for locally owned business.” In addition, the future land use map calls for this property to be Mixed Use Business. Similar types of uses were planned for the subject property and properties in the vicinity of the subject property.

Staff recommended approval of the requested special use permit subject to the following conditions and restrictions. As of the date of this memo, the Petitioner has not agreed to these conditions and restrictions:

1. The site shall be developed substantially in accordance with the submitted site plan and landscaping plan.
2. Within ninety (90) days of the approval of the special use permit, the owners of the subject property shall dedicate a strip of land ~~thirty-three feet (33')~~ **forty feet (40')** in depth along the northern property line to Oswego Township. The Kendall County Planning, Building and Zoning Committee may grant an extension to this deadline. **(Amended at ZPAC)**
3. The location and size of the septic system should be assessed to determine if the system is placed and sized properly for the use allowed by this special use permit. **(Added at ZPAC)**
4. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors at the subject property when the business is closed.
5. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
6. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
7. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored and items stored on the subject property and shall promptly clean up the site if leaks occur.
8. Except for the purposes of loading and unloading, all landscape related materials shall be stored at the designated storage areas shown on the submitted site plan. The maximum height of the piles of landscaping related material shall be ten feet (10') in height. **(Clarified at ZPAC)**
9. A maximum of fifteen (15) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work.
10. No customers of the business allowed by the special use permit shall be invited onto the subject property for matters related to the business allowed by the special use permit.
11. The hours of operation of the business allowed by this special use permit shall be Monday through Friday from 6:00 a.m. until 6:00 p.m. and the business shall be open twenty-four (24) hours to address snow events. The owners of the business allowed by this special use permit may reduce these hours of operation.
12. Any structures constructed, installed, or used related to the business allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits. This restriction does not apply to greenhouses.

13. No signs are shown on the site plan. The owner of the business allowed by the special use permit may request a sign in the future using the minor amendment process, provided that the proposed sign meets the requirements of the Kendall County Zoning Ordinance.
14. Only lighting related to security may be installed outdoors at the subject property.
15. Damaged or dead plantings described on the landscaping plan shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
16. The vegetation described in the landscaping plan shall be installed within one (1) year of the approval of the special use permit. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the vegetation. Materials and vegetation stored in the greenhouses and material storage area shall not be subject to this requirement and shall not be considered part of the landscaping plan.
17. No landscape waste generated off the property can be burned on the subject property.
18. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

Only homes permitted prior to the date of the issuance of the special use permit shall have standing to file noise complaints.

19. At least one (1) functioning fire extinguisher and one (1) first aid kit shall be on the subject property. Applicable signage stating the location of the fire extinguisher and first aid kit shall be placed on the subject property.
20. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
21. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business, including, but not limited to, installed the applicable number of ADA required parking spaces.
22. 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.

23. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

24. This special use permit 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.

Member Bernacki asked if the parcel to the west of the subject property was Residential. Mr. Asselmeier responded that the parcel was Commercial on the Land Resource Management Plan.

Member Casey asked if the Petitioner lived in the house. Alex Schuster, Petitioner responded yes.

Member Casey asked the length of the driveway. Mr. Schuster responded that the house was approximately one hundred eighty feet (180') from the road.

Member Wilson asked if the business was currently operating at the property. Mr. Schuster responded yes. Member Wilson asked how long the business had been operating at the property. Mr. Schuster responded they moved in December 2022. Member Wilson asked if the Petitioner attempted to make an application for a special use permit prior to the current application. Mr. Schuster responded no; he was under the impression from his Realtor that a landscaping business was allowed at the property. Mr. Schuster said that the County notified him that a special use permit was required to operate a landscaping business at the property.

Member Wormley made a motion, seconded by Member Nelson, to recommend approval of the special use permit.

The votes were as follows:

Ayes (9): Ashton, Bernacki, Casey, Hamman, McCarthy-Lange, Nelson, Stewart, Wilson, and Wormley
Nays (0): None
Absent (1): Rodriguez
Abstain (0): None

The motion carried

The proposal goes to the Kendall County Zoning Board of Appeals on July 1, 2024.

CITIZENS TO BE HEARD/PUBLIC COMMENT

None

OTHER BUSINESS/ANNOUNCEMENTS

Chairman Ashton announced that a proposed amendment to the pipeline depth regulations will be on the agenda for the July meeting. Member Nelson discussed the TransCanada project in Kendall County. The proposal would require pipelines to be buried at least five feet (5') in the ground as measured from the top of the pipe.

Mr. Asselmeier reported that the owner of 7789 Route 47 wants a waiver to the landscaping requirements as part of site plan review.

Member Casey asked about an asphalt business on Route 52. Mr. Asselmeier responded that the Department was investigating the matter.

Member Bernacki reported that the Village of Plainfield discussed a development at the northwest corner of Ridge Road and Johnson Road. The proposal was condos and mixed use with industrial on the western portion; the proposal was denied by the Village Trustees. Discussion occurred regarding industrial going west of Ridge Road and planned infrastructure improvements in the area.

Member Nelson reported that the City of Plano has hired Teska Associates to update their Comprehensive Plan. Member Nelson was of the opinion that, since the Microsoft data center announcement, the drive for more solar panels outside of Plano will slow. Discussion occurred regarding a new transformer along the railroad tracks near Corneils Road.

Member Bernacki asked about the proposed solar farm on Simons Road. Mr. Asselmeier stated that the proposal was laid over at the Petitioner's request until the July 29, 2024, zoning hearing.

ADJOURNMENT

Member Bernacki made a motion, seconded by Member McCarthy-Lange, to adjourn. With a voice vote of nine (9) ayes, the motion carried.

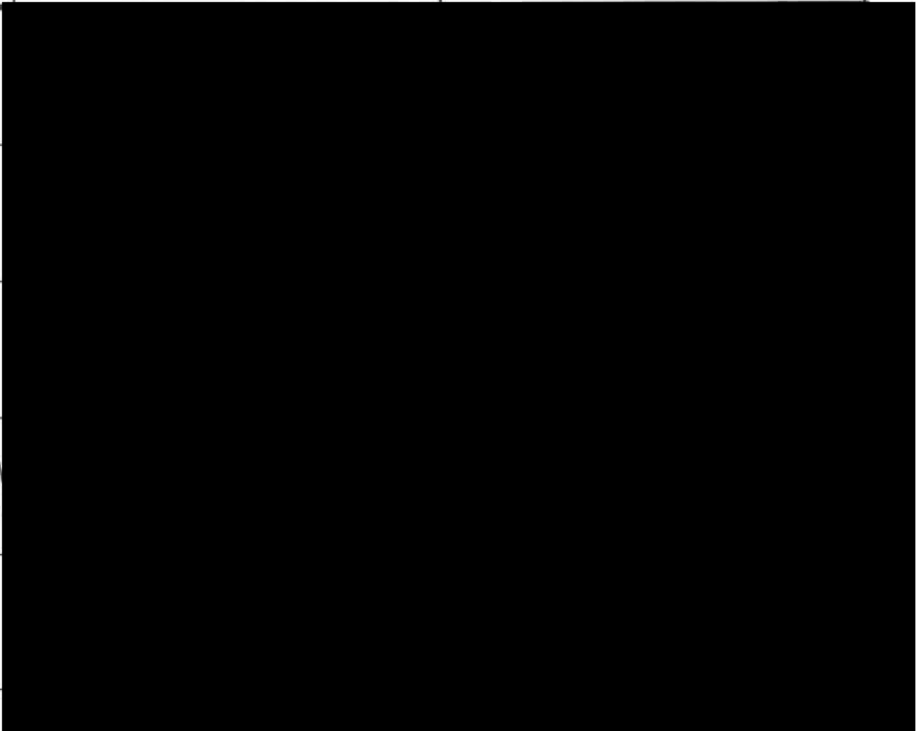
The Kendall County Regional Planning Commission meeting adjourned at 7:56 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP, CFM, Director
Encs.

11

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
JUNE 26, 2024**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
ALEX SCHUSTER		
Michael Korst		
Jim Filotto		
Marcia Ransom		
By [Signature]		



June 24, 2024

Mr. Matt Asselmeier
Kendall County Planning, Building, & Zoning
111 West Fox Street
Yorkville, IL 60560-1498

Subject: 2142 Wooley Road- WBK Project 19-102.CA

Dear Mr. Asselmeier:

We have received and reviewed the following information for the subject project:

- Site Improvement Plans – Shuster Residence prepared by Rivercrest Consulting dated April 18, 2024 and received June 11, 2024
- Response Letter prepared by Riverside Consulting dated June 5, 2024 and received June 11, 2024

The following comments require resolution prior to plan approval and our recommendation for issuance of a stormwater permit.

1. Submit a stormwater permit application (see attached).
2. Gravel is considered an impervious surface particularly when used as a driving surface or for parking. Revise the charts accordingly.
3. Depict the swale cross section along the east property line and calculate design flows and swale capacity.
4. Revise grading so the southernmost portion of the site (Proposed 525 Sf material storage bin and hardwood storage area) drain towards the proposed gravel turn around and not off-site.
5. Yard inlets are noted in the response letter but clean outs are called out on the plan along with a bubbler. Provide details for these elements so the intent is clear.
6. Depict silt fence along the east property line and at the southerly end where flow is directed. Also provide inlet protection for any yard drains or inlets.
7. Clearly depict and locate the extent of septic tanks and septic field within the project limits. It appears proposed improvements may impact existing facilities.

The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details, and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve applicant's design professionals of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications. If you have any questions or comments, please contact us at (630) 443-7755.

Sincerely,


Greg Chismark PE
WBK Engineering, LLC



June 24, 2024

Mr. Matt Asselmeier
Kendall County Planning, Building, & Zoning
111 West Fox Street
Yorkville, IL 60560-1498

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Sincerely,


Greg Chismark PE
WBK Engineering, LLC



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 24-11

**James W. Filotto on Behalf of Oakland Avenue Storage, LLC
Map Amendment Rezoning from A-1 to B-3**

INTRODUCTION

The Petitioner would like a map amendment rezoning approximately eleven more or less (11 +/-) acres located on south side of Route 52 between 276 and 514 Route 52 on the south side of Route 52 from A-1 Agricultural District to B-3 Highway Business District in order to operate a contractor's office at the property.

The Petitioner has also submitted an application for a conditional use permit for construction services business at the property (see Petition 24-12).

If the requested map amendment and conditional use permit are approved, the Petitioner will submit an application for site plan approval.

The application materials are included as Attachment 1. The zoning plat is included as Attachment 2.

SITE INFORMATION

PETITIONERS: James W. Filotto on Behalf of Oakland Avenue Storage, LLC

ADDRESS: Between 276 and 514 Route 52

LOCATION: South Side of Route 52 Approximately 0.4 Miles West of County Line Road



TOWNSHIP: Seward

PARCEL #s: 09-13-400-011

LOT SIZE: 11.0 +/- Acres

EXISTING LAND
USE: Agricultural

ZONING: A-1 Agricultural District

LRMP:	Future Land Use	Commercial (County) Mixed Use (Shorewood)
	Roads	Route 52 is a State maintained Arterial Road.
	Trails	There is a trail planned along Route 52
	Floodplain/ Wetlands	There are no floodplains or wetlands on the property.

REQUESTED
ACTION: Map Amendment Rezoning Property from A-1 Agricultural District to B-3 Highway Business

APPLICABLE
REGULATIONS: Section 13:07 – Map Amendment Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural and Single-Family Residential	A-1	Public/Institutional (County)	A-1
			Mixed Use and School (Shorewood)	
South	Agricultural	A-1	Suburban Residential (Max 1.0 DU/Acre) (County)	A-1
			Single-Unit Residential Detached (Shorewood)	
East	Landscaping Business	A-1 SU	Commercial (County) Mixed Use (Shorewood)	A-1, A-1 SU, B-2, B-3 SU, B-4, and Will County Zoning
West	Agricultural and Single	A-1	Commercial (County)	A-1, A-1 SU, and

The A-1 special use permits to east are for a landscaping business and fertilizer plant.

The A-1 special use permit to the west is for a landing strip.

The B-3 special use permit to the east is for indoor and outdoor storage.

The property to the north of the subject property is planned to be a school.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report submitted and consultation was terminated (see Attachment 1, Pages 9-10).

NATURAL RESOURCES INVENTORY

The application for NRI was submitted on April 22, 2024 (see Attachment 1, Page 8). The LESA Score was 196 indicating a low level of protection. The NRI Report is included as Attachment 3.

ACTION SUMMARY

SEWARD TOWNSHIP

Petition information was sent to Seward Township on April 30, 2024. The Seward Township Planning Commission reviewed the proposal at their meeting on May 14, 2024, and approved the requested map amendment. The proposal goes to the Seward Township Board in July. An email with this information is included as Attachment 4.

VILLAGE OF SHOREWOOD

Petition information was sent to the Village of Shorewood on April 30, 2024. On May 22, 2024, the Village of Shorewood submitted an email requesting that the Kendall County Regional Planning Commission recommend denial. This email is included as Attachment 7. On June 20, 2024, the Village of Shorewood submitted an email stating they would not object to the map amendment and requested no outdoor storage at the property. This email is included as Attachment 8.

MINOOKA FIRE PROTECTION DISTRICT

Petition information was sent to the Minooka Fire Protection District on April 30, 2024.

ZPAC

ZPAC reviewed this proposal at their meeting on May 7, 2024. Seward Township's proposed new Future Land Use Map did not change the classification of this property. ZPAC recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes are included as Attachment 5.

RPC

The Kendall County Regional Planning Commission started their review of this proposal their meeting on May 22, 2024. The proposal was laid over at the Petitioner's request until the Village of Shorewood's concerns could be addressed. The Kendall County Regional Planning Commission finished their review of the proposal at their meeting on June 26, 2024. Discussion occurred regarding traffic at the property. The final location of the building had not been determined. Outdoor storage would not occur at the property. One (1) neighbor said that he did not want the use at the property and another neighbor expressed concerns about the appearance of the neighborhood and concerns about property values. Discussion also occurred regarding other uses that might go on the property. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the May 22, 2024, are included as Attachment 10 and the minutes of the June 26, 2024, meeting are included as Attachment 11.

ZBA

The Kendall County Zoning Board of Appeals initiated a public hearing on this proposal on May 28, 2024. The hearing was continued until July 1, 2024, at the Petitioner's request, see Attachment 9.

GENERAL INFORMATION

The Petitioner would like to rezone the property to operate a construction services/contractor service at the subject property.

BUILDING CODES

The site is currently farmed. Any future buildings would have to meet applicable building codes.

UTILITIES

No utilities are onsite.

ACCESS

The property fronts Route 52. Access would have to be approved by IDOT. IDOT submitted an email expressing no objections to this request. The email is included as Attachment 6.

PARKING AND INTERNAL TRAFFIC CIRCULATION

Parking and driving aisles would be evaluated as part of the site plan review process.

ODORS

Based on the proposed uses, no new odors are foreseen. The owners of the property would have to follow applicable odor control regulations based on potential other future B-3 allowable uses.

LIGHTING

Lighting would need to be evaluated as part of site plan review.

LANDSCAPING AND SCREENING

Landscaping would need to be evaluated as part of site plan review.

SIGNAGE

Any signage would have to meet applicable regulations and secure permits.

NOISE CONTROL

The owners of the property would have to follow applicable noise control regulations based on future land uses. Noise control measures would need to be evaluated as part of site plan approval.

STORMWATER

Stormwater control would be evaluated as part of site plan review.

FINDINGS OF FACT

§13:07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on map amendment applications. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes, single-family residential, and a landscaping business.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 and A-1 with a special use permit for a landscaping business. Other properties in the vicinity possess business zoning classifications.

The suitability of the property in question for the uses permitted under the existing zoning classification. The Petitioners proposed use of the property, for the operation of a construction/contractor business, is not allowed in the A-1 Zoning District.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the

interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural, commercial, and public/institutional.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The subject property is classified as Commercial on the Future Land Use Map and the B-3 Zoning District is consistent with this land classification.

RECOMMENDATION

Staff recommends approval of the proposed map amendment.

ATTACHMENTS

1. Application Materials
2. Zoning Plat
3. NRI Report
4. May 14, 2024, Seward Township Email
5. May 7, 2024, ZPAC Meeting Minutes (This Petition Only)
6. May 8, 2024, IDOT Email
7. May 22, 2024, Shorewood Email
8. June 20, 2024, Shorewood Email
9. May 28, 2024, Zoning Board of Appeals Minutes (This Petition Only)
10. May 22, 2024, Kendall County Regional Planning Commission Minutes (This Petition Only)
11. June 26, 2024, Kendall County Regional Planning Commission Minutes (This Petition Only)


DEPARTMENT OF PLANNING, BUILDING & ZONING

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

APPLICATION

PROJECT NAME _____ FILE #: _____

NAME OF APPLICANT (Including First, Middle Initial, and Last Name)		
James William Filotto		
CURRENT LANDOWNER/NAME(s)		
Oakland Avenue Storage, LLC		
SITE INFORMATION	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
ACRES 10.3089	Rt 52 & County Line Rd, Minooka	09-13-400-011
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
Farming	A-1	commercial
REQUESTED ACTION (Check All That Apply):		
☐ SPECIAL USE	☒ MAP AMENDMENT (Rezzone to _____)	☐ VARIANCE
☐ ADMINISTRATIVE VARIANCE	☐ A-1 CONDITIONAL USE for: _____	☐ SITE PLAN REVIEW
☐ TEXT AMENDMENT	☐ RPD (____ Concept; ____ Preliminary; ____ Final)	☐ ADMINISTRATIVE APPEAL
☐ PRELIMINARY PLAT	☐ FINAL PLAT	☐ OTHER PLAT (Vacation, Dedication, etc.)
AMENDMENT TO A SPECIAL USE (____ Major; ____ Minor)		
1PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Mike Korst	[REDACTED]	[REDACTED]
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER # (Cell, etc.)
[REDACTED]	[REDACTED]	[REDACTED]
2ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
Thomas Carroll, Geotech	[REDACTED]	[REDACTED]
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
[REDACTED]	[REDACTED]	[REDACTED]
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. THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE DATE OF THE APPLICATION.		
SIGNATURE OF APPLICANT [REDACTED]		DATE 4/23/24

 FEE PAID:\$ _____
 CHECK #: _____

¹Primary Contact will receive all correspondence from County

²Engineering Contact will receive all correspondence from the County's Engineering Consultants

Please fill out the following findings of fact to the best of your capabilities. § 13:07.F of the Zoning Ordinance lists the Finding of Fact criteria the Zoning Board of Appeals must answer in order to make a recommendation to the County Board on any **map amendment** request. They are as follows:

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

Farming

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

A-1

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

Existing area is agriculture trending towards commercial

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

A mini storage warehouse and a sports dome exist across route 52 with a current zoning of B-4 and B-3 respectively.

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

LRMP map shows this property as commercial.

THE WEST HALF OF THE NORTH 806.65 FEET OF THE WEST 1296.0 FEET OF THE
SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 35 NORTH, RANGE 8 EAST OF
THE THIRD PRINCIPAL MERIDIAN, EXCEPT THE SOUTH 80.67 FEET THEREOF, IN
KENDALL COUNTY, ILLINOIS

PIN; 09-13-400-011

copy

WARRANTY DEED

THIS INDENTURE WITNESSETH,
That the Grantor,

**ERB PROPERTIES, LLC, an
Illinois Limited Liability Company,**

of the Village of Minooka in the
County of Kendall and State of Illinois
for and in consideration of the sum of
One Dollar and other good and valuable
considerations, the receipt of which is
hereby acknowledged, **CONVEY** and
WARRANT to:

202400000717**DEBBIE GILLETTE****RECORDER - KENDALL COUNTY, IL****RECORDED: 01/22/2024 12:28 PM****RECORDING FEE 57.00****RHSP 19.00****STATE TAX 300.00****COUNTY TAX 150.00****PAGES: 3**

OAKLAND AVE. STORAGE, LLC, an Illinois Limited Liability Company

whose address is [REDACTED]

the following described real estate to-wit:

THE NORTH 806.65 FEET OF THE WEST 1296.00 FEET OF THE SOUTHEAST ^{1/4} QUARTER OF
SECTION 13, TOWNSHIP 35 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN,
EXCEPT THE SOUTH 80.67 FEET THEREOF AND EXCEPT THE EAST HALF OF THE NORTH 806.65
FEET OF THE WEST 1296.00 FEET, OF SAID SOUTHEAST QUARTER, IN KENDALL COUNTY,
ILLINOIS.

SUBJECT TO covenants, conditions and restrictions of record, public and utility easements, general
taxes for the tax year 2023.

PIN #: 09-13-400-011

COMMON ADDRESS: 11.34 acres, Route 52, Minooka, IL 60447 ^{County Line Rd}

situated in Kendall County, Illinois, hereby releasing and waiving all rights under and by virtue of
the Homestead Exemption Laws of the State of Illinois.

Dated this 16 day of January, 2024.

ERB PROPERTIES, LLC

BY: [REDACTED]

EDWARD J. BALTZ

ITS: MANAGER and as Trustee of the EDWARD J. BALTZ DESCENDANT TRUST

BY: [REDACTED]

ROBERT D. BALTZ

MANAGER and as Trustee of the ROBERT D. BALTZ DESCENDANT TRUST

Fidelity
Title [REDACTED]

Kendall County [REDACTED]

Page 1 of 3

STATE OF ILLINOIS)
COUNTY OF GRUNDY)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, DO HEREBY CERTIFY THAT **EDWARD J. BALTZ, MANAGER OF ERB PROPERTIES, LLC AND TRUSTEE OF THE EDWARD J. BALTZ DESCENDANT TRUST**, personally known to me to be the same person whose name is subscribed to the foregoing instrument, as having executed the same, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and Notarial Seal this 16 day of January, 2024.

"OFFICIAL SEAL"
NICOLE A BILLINGSLEY
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 9/27/2026

STATE OF ILLINOIS)
COUNTY OF GRUNDY)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, DO HEREBY CERTIFY THAT **ROBERT D. BALTZ, MANAGER OF ERB PROPERTIES, LLC AND TRUSTEE OF THE ROBERT D. BALTZ DESCENDANT TRUST**, personally known to me to be the same person whose name is subscribed to the foregoing instrument, as having executed the same, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and Notarial Seal this 16 day of January, 2024.

"OFFICIAL SEAL"
NICOLE A BILLINGSLEY
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 9/27/2026

FUTURE TAXES

NOTARY PUBLIC

RETURN THIS DOCUMENT TO:

MICHAEL KORST

THIS INSTRUMENT WAS PREPARED BY:
IC LAWSON

STATE OF ILLINOIS)
) SS.
COUNTY OF GRUNDY)

1. The division of subdivision of land is into parcels or tracts of five acres or more in size which does not involve any new streets or easements of access.
2. The division is of lots or blocks of less than one acre in any recorded subdivision which does not involve any new streets or easements of access.
3. The sale or exchange of parcels of land is between owners of adjoining and contiguous land.
4. The conveyance is of parcels of land or interest therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easements of access.
5. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
6. The conveyance is of land for highway or other public purposes or grants of conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
7. The conveyance is made to correct descriptions in prior conveyances.
8. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing in July 17, 1959 and not involving any new streets or easements of access.
9. The sale is of a single lot of less than five acres from a large tract, the dimensions and configurations of said larger tract having been determined by the dimensions and configuration of said larger tract on October 1, 1973, and no sale prior to this sale, or any lot or lots from said larger tract having taken place since October 1, 1973 and a survey of said single lot having been made by a registered land surveyor.
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

THE APPLICABLE STATEMENT OR STATEMENTS ABOVE ARE CIRCLED.

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 this 16 day of January 2024

NOTARY PUBLIC

"OFFICIAL SEAL"
NICOLE A BILLINGSLEY
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 9/27/2026

KENDALL COUNTY DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Oakland Avenue Storage, LLC
 Address [REDACTED]
 City [REDACTED] State [REDACTED] Zip [REDACTED]
2. Nature of Benefit Sought Rezone to B-3 for construction of contractors yard
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:
LLC
5. If your answer to Section 3 you have checked letter b, c, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:

NAME	ADDRESS	INTEREST
James Filotto	[REDACTED]	50
Penny Filotto	[REDACTED]	50
6. Name, address, and capacity of person making this disclosure on behalf of the applicant:
James Filotto, member

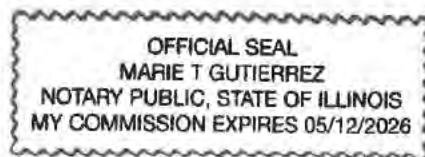
VERIFICATION

I, James Filotto, 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 23 day of April, A.D. 2024

(seal)

Notary Public





**Kendall County Soil & Water
Conservation District**

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

www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Oakland Ave. Storage, L.L.C. Contact Person: Michael Korst
 Address: [REDACTED]
 City, State, Zip: [REDACTED] IL 60446
 Phone Number: [REDACTED] 041
 Email: [REDACTED]
 Please select: How would you like to receive a copy of the NRI Report? ☒ Email ☐ Mail

Site Location & Proposed Use

Township Name Seward Township 35 N, Range 8 E, Section(s) 13
 Parcel Index Number(s) 09-13-400-011
 Project or Subdivision Name _____ Number of Acres 10.3089
 Current Use of Site Farm Proposed Use Contractor's Yard
 Proposed Number of Lots 1 Proposed Number of Structures 1
 Proposed Water Supply Well Proposed type of Wastewater Treatment Private Septic
 Proposed type of Storm Water Management _____

Type of Request

- ☒ Change in Zoning from A-1 to B-3
☐ 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: _____

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

- ☒ Plat of Survey/Site Plan - showing location, legal description and property measurements
☒ Concept Plan - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
☒ If available: topography map, field tile map, copy of soil boring and/or wetland studies
☒ NRI fee (Please make checks payable to Kendall County SWCD)

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

Full Report: \$375.00 for five acres and under, plus \$18.00 per acre for each additional acre or any fraction thereof over five.
Executive Summary Report: \$300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under	\$ <u>375.00</u>
Additional Acres at \$18.00 each	\$ <u>108.00</u>
Total NRI Fee	\$ <u>483.00</u>

NOTE: Applications are due by the 1st 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

4/22/2024
 Date

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

FOR OFFICE USE ONLY

NRI# _____ Date initially rec'd _____ Date all rec'd _____ Board Meeting _____
 Fee Due \$ _____ Fee Paid \$ _____ Check # _____ Over/Under Payment _____ Refund Due _____



Applicant: Oakland Ave. Storage, L.L.C.
Contact: Michael J Korst
Address: [REDACTED]

IDNR Project Number: 2413596
Date: 04/23/2024

Project: Rezoning
Address: Route 52 and County Line Road, Minooka

Description: Rezoning from A1 to B3 to allow Contractor's Yard

Natural Resource Review Results

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

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

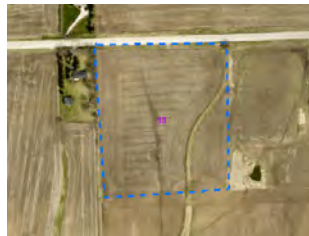
Consultation is terminated. This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented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

Location

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

County: Kendall

Township, Range, Section:
 35N, 8E, 13



IL Department of Natural Resources

Contact

Bradley Hayes
 217-785-5500
 Division of Ecosystems & Environment

Government Jurisdiction

Kendall County
 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.

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.

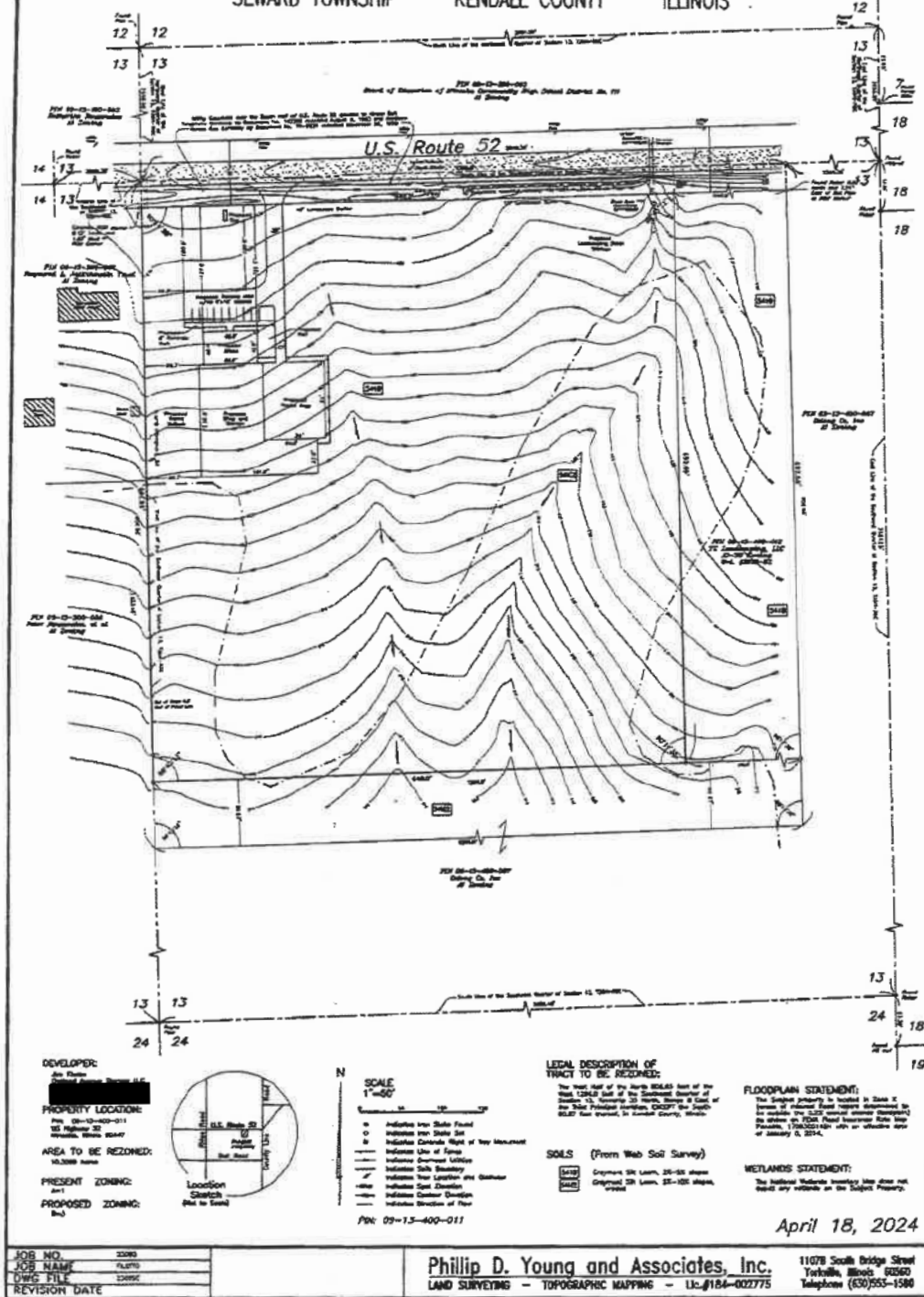
Security

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.

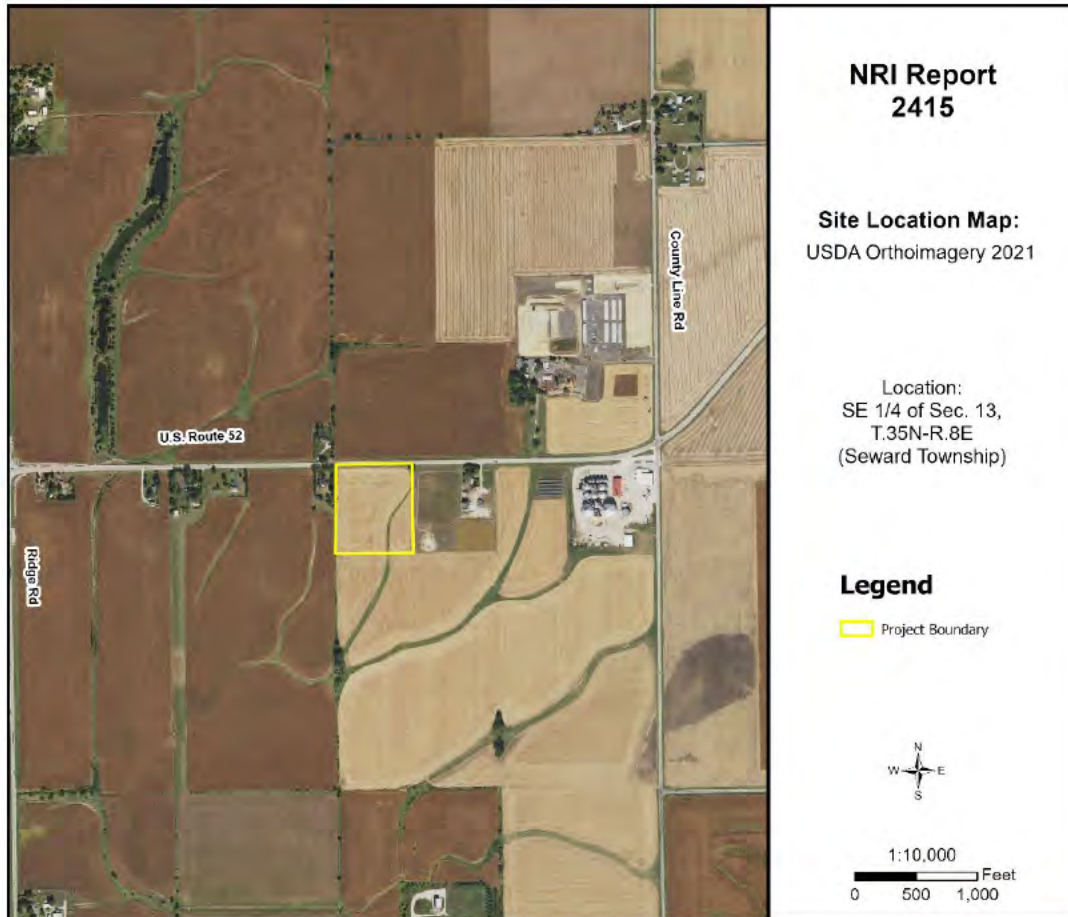
Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement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



NATURAL RESOURCES INFORMATION (NRI) REPORT: #2415



May
2024

Petitioner: Oakland Ave. Storage, LLC
Contact: Michael Korst

Prepared By:



7775A Route 47
Yorkville, Illinois 60560
Phone: (630) 553-5821 x3
www.kendallswcd.org

KENDALL COUNTY SOIL AND WATER CONSERVATION DISTRICT NATURAL RESOURCES INFORMATION (NRI) REPORT

Natural Resources Information Report Number	2415
Date District Board Reviews Application	May 2024
Applicant's Name	Oakland Ave. Storage, LLC
Size of Parcel	(+/-) 10.3 acres
Current Zoning & Use	A-1 Agricultural; Cropland
Proposed Zoning & Use	B-3 Highway Business; Contractor Yard
Parcel Index Number(s)	09-13-400-011
Contact Person	Michael Korst

Copies of this report or notification of the proposed land-use change was provided to:	Yes	No
The Applicant	X	
The Applicant's Legal Representation	X	
The Local/Township Planning Commission	X	
The Village/City/County Planning and Zoning Department or Appropriate Agency	X	
The Kendall County Soil and Water Conservation District Files	X	

Report Prepared By: *Alyse Olson* Position: *Resource Conservationist*

PURPOSE AND INTENT

The purpose of this report is to provide officials of the local governing body and other decision-makers with natural resource information. This information may be useful when undertaking land use decisions concerning variations, amendments or relief of local zoning ordinances, proposed subdivision of vacant or agricultural lands and the subsequent development of these lands. This report is a requirement under Section 22.02a of the Illinois Soil and Water Conservation Districts Act.

The intent of this report is to present the most current natural resource information available in a readily understandable manner. It contains a description of the present site conditions, the present resources, and the potential impacts that the proposed change may have on the site and its resources. The natural resource information was gathered from standardized data, on-site investigations and information furnished by the petitioner. This report must be read in its entirety so that the relationship between the natural resource factors and the proposed land use change can be fully understood.

Due to the limitations of scale encountered with the various resource maps, the property boundaries depicted in the various exhibits in this report provide a generalized representation of the property location and may not precisely reflect the legal description of the PIQ (Parcel in Question).

This report, when used properly, will provide the basis for proper land use change decisions and development while protecting the natural resource base of the county. It should not be used in place of detailed environmental and/or engineering studies that are warranted under most circumstances, but in conjunction with those studies.

The conclusions of this report in no way indicate that a certain land use is not possible, but it should alert the reader to possible problems that may occur if the capabilities of the land are ignored. Any questions on the technical data supplied in this report or if anyone feels that they would like to see more additional specific information to make the report more effective, please contact:

Kendall County Soil and Water Conservation District
7775A Route 47, Yorkville, IL 60560
Phone: (630) 553-5821 ext. 3
E-mail: Alyse.Olson@il.nacdnet.net

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EXECUTIVE SUMMARY

Natural Resources Information Report Number	2415
Petitioner	Oakland Ave. Storage, LLC
Contact Person	Michael Korst
County or Municipality the Petition is Filed With	Kendall County
Location of Parcel	Southeast ¼ of Section 13, Township 35 North, Range 8 East (Seward Township) of the 3 rd Principal Meridian
Project or Subdivision Name	Oakland Ave. Storage, LLC Contractor Yard
Existing Zoning & Land Use	A-1 Agricultural; Cropland
Proposed Zoning & Land Use	B-3 Highway Business; Contractor Yard
Proposed Water Source	Well
Proposed Type of Sewage Disposal System	Septic
Proposed Type of Storm Water Management	Surface flow to onsite grassed waterway
Size of Site	(+/-) 10.3 acres
Land Evaluation Site Assessment (LESA) Score	196 (Land Evaluation: 90; Site Assessment: 106)

NATURAL RESOURCE CONSIDERATIONS

SOIL INFORMATION

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this project area contains the soil types shown in Figure 1 and Table 1. Please note this does not replace the need for or results of onsite soil testing. If completed, please refer to onsite soil test results for planning/engineering purposes.

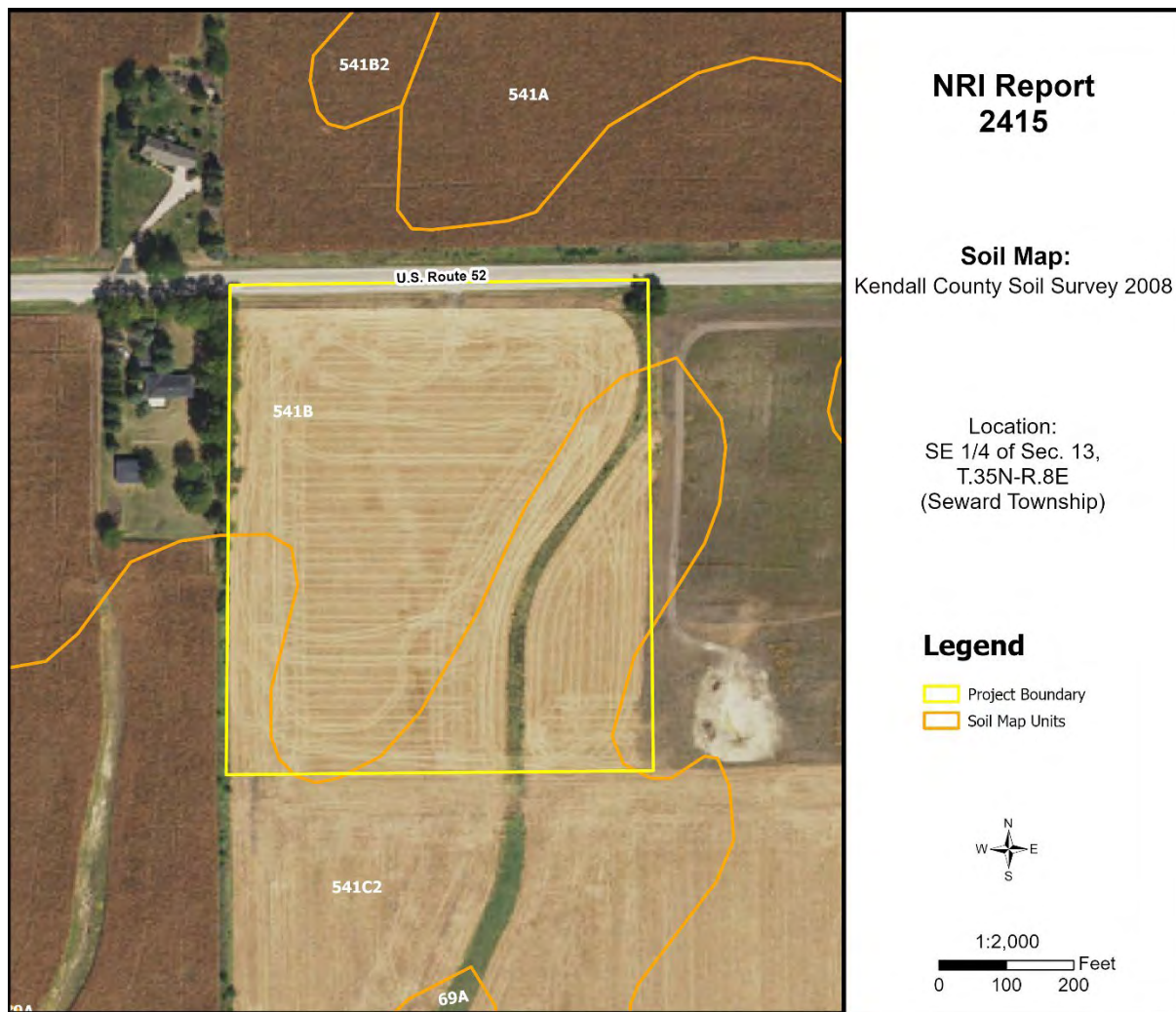


Figure 1: Soil Map

Table 1: Soils Information

Soil Type	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation	Acres	%
541B	Graymont silt loam, 2-5% slopes	Moderately Well Drained	C	Non-Hydric with Hydric Inclusions	Prime Farmland	6.7	64.8%
541C2	Graymont silt loam, 5-10% slopes, eroded	Moderately Well Drained	C	Non-Hydric with Hydric Inclusions	Farmland of Statewide Importance	3.6	35.2%

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

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

Hydric Soils – A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, both are classified as non-hydric soil with hydric inclusions likely (541B & 541C2 Graymont silt loam).

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, one is designated as prime farmland (541B Graymont silt loam), and one is designated as farmland of statewide importance (541C2 Graymont silt loam).

Soil Limitations – The USDA-NRCS Web Soil Survey rates the limitations of soils for dwellings, small commercial buildings, solar arrays, shallow excavations, lawns/landscaping, local roads and streets, etc. Soils have different properties which influence the development of building sites. The USDA-NRCS classifies soils as Not Limited, Somewhat Limited, and Very Limited. Soils that are Not Limited indicates that the soil has properties that are favorable for the specified use. They will perform well and will have low maintenance. Soils that are Somewhat Limited are moderately favorable, and their limitations can be overcome through special planning, design, or installation. Soils that are Very Limited have features that are unfavorable for the specified use, and their limitations cannot easily be overcome.

Septic Systems – The factors considered for determining suitability are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. The major features considered are soil permeability, percolation rate, groundwater level, depth to bedrock, flooding hazards, and slope. Soils are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Installation of an on-site sewage disposal system in soils designated as unsuitable may necessitate the

installation of a non-conventional onsite sewage disposal system. For more information, please contact the Kendall County Health Department (811 W. John Street, Yorkville, IL; (630) 553-9100 ext. 8026).

Table 2: Soil Limitations

Soil Type	Small Commercial Buildings	Shallow Excavations	Lawns/Landscaping	Local Roads & Streets	Onsite Conventional Septic Systems
541B	Somewhat Limited	Somewhat Limited	Somewhat Limited	Very Limited	Suitable / Not Limited
541C2	Somewhat Limited	Very Limited	Somewhat Limited	Very Limited	Suitable / Not Limited

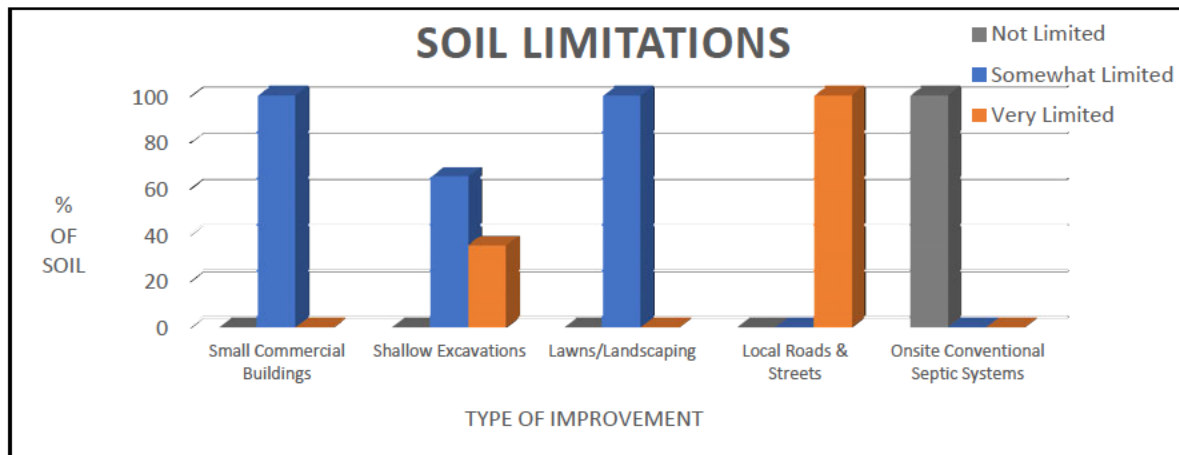


Figure 2: Soil Limitations

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.
 - The Land Evaluation score for this site is **90 out of 100**, indicating that the soils are **well suited** for agricultural uses.
- 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 Site Assessment value is based on a 200-point scale and accounts for 2/3 of the total score. The Kendall County LESA Committee is responsible for this portion of the LESA system.
 - The Site Assessment score for this site is **106 out of 200**.

The **LESA Score for this site is 196 out of a possible 300, which indicates a low level of protection** for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

WETLANDS

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

FLOODPLAIN

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) for Kendall County, Community Panel No. 17093C0145H (effective date 1/8/2014) was reviewed to determine the presence of floodplain and floodway areas within the project site. According to the map, the site does not appear to be located within the floodway or 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 as 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.

STORMWATER POLLUTION

A National Pollutant Discharge Elimination System (NPDES) permit (Permit No. ILR10) from the Illinois Environmental Protection Agency (IEPA) is required for stormwater discharges from construction sites that will disturb 1 or more acres of land. Conditions of the NPDES ILR10 permit require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce stormwater pollutants on the construction site before they can cause environmental issues.

LAND USE FINDINGS:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed site plans for Oakland Ave. Storage, LLC. The petitioner is requesting a change in zoning from A-1 Agricultural to B-3 Highway Business District on one, approximately 10.3-acre, parcel (Parcel Index Number 09-13-400-011) to utilize the site as a contractor's yard. The parcel is in Section 13 of Seward Township (T.35N-R.8E) of the 3rd Principal Meridian in Kendall County, IL. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that prime farmland soils should be preserved whenever feasible due to their highly productive qualities for growing agriculturally important crops in our community. Of the soils found onsite, 64.8% are designated as prime farmland. A land evaluation (LE), which is a part of the Land Evaluation and Site Assessment (LESA), was conducted on this parcel. The soils on this parcel scored a 90 out of a possible 100 points indicating that the soils are well suited for agricultural uses. The total LESA score for this site is 196 out of a possible 300, which indicates a low level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

Soils found on the project site are rated for specific uses and can have potential limitations for development. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use, but it is important to note that the limitation may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 100% are considered very limited for supporting local roads & streets and 35.2% are considered very limited for supporting shallow excavations. The remaining 64.8% of the site contains soils that are considered somewhat limited for supporting shallow excavations. For uses such as small commercial buildings or lawns/landscaping, 100% of soils are considered somewhat limited for supporting those uses. Additionally, 100% of the soils are considered suitable for conventional septic systems. This information is based on the soil in an undisturbed state. If the scope of the project may include the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Upper Illinois River watershed and the Town of Seward – Aux Sable Creek sub watershed. This development should include a soil erosion and sediment control plan to be implemented during construction. It is critical to have vegetative cover during and after construction to protect the soil from erosion. Sediment may become a primary non-point source of pollution. Eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality, and destroy aquatic ecosystems lower in the watershed.

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

The information that is included in this Natural Resources Information Report is to assure that the Land Developers take into full consideration the limitations of 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

5/24/2024

Date

PARCEL LOCATION

Located in the southeast ¼ of Section 13, Township 35 North, Range 8 East (Seward Township). This parcel contains approximately 10.3 acres and is located on the south side of U.S. Route 52, east of Ridge Road, north of Bell Road, and west of County Line Road in Minooka, IL.

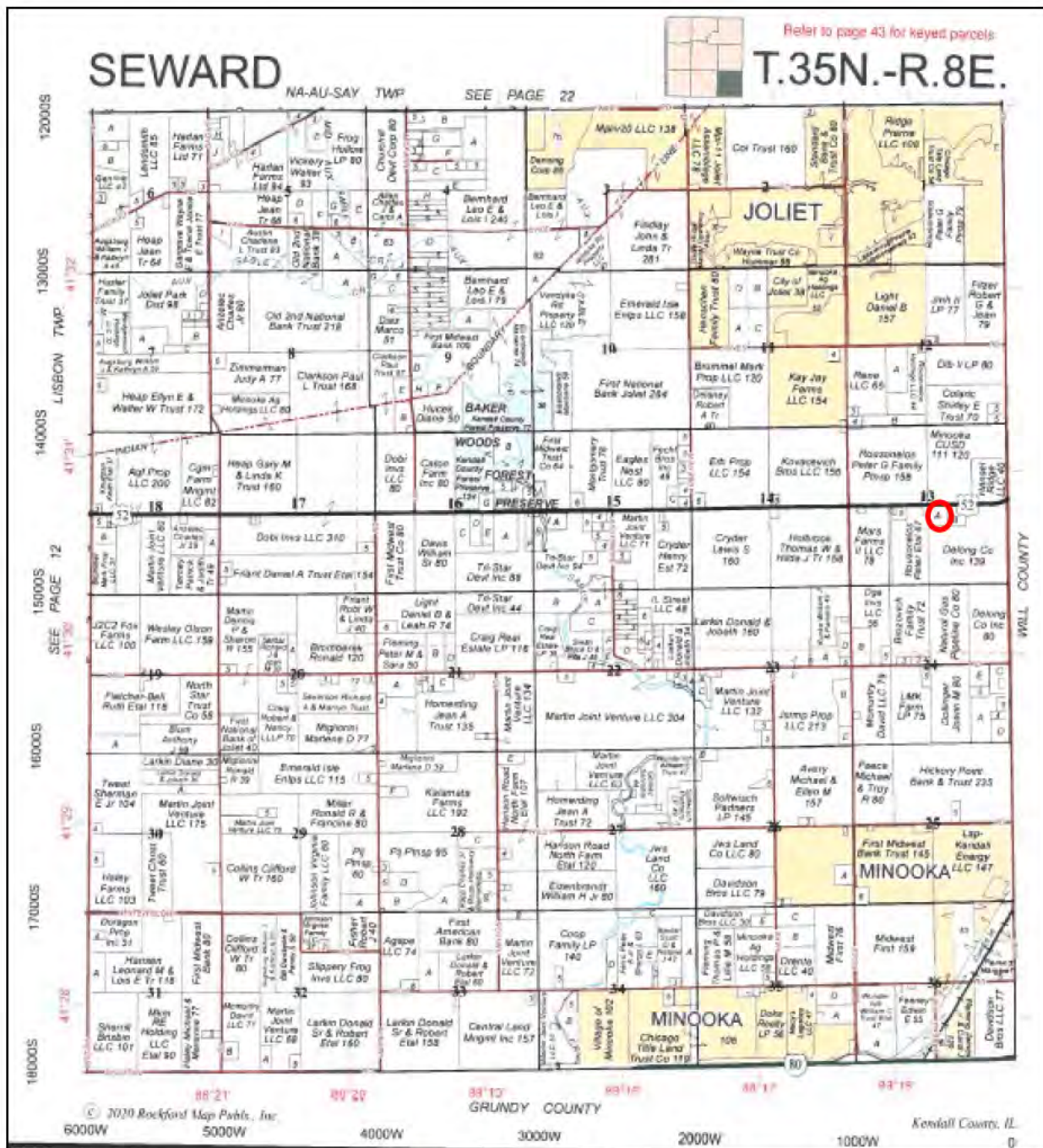


Figure 3: 2021 Plat Map

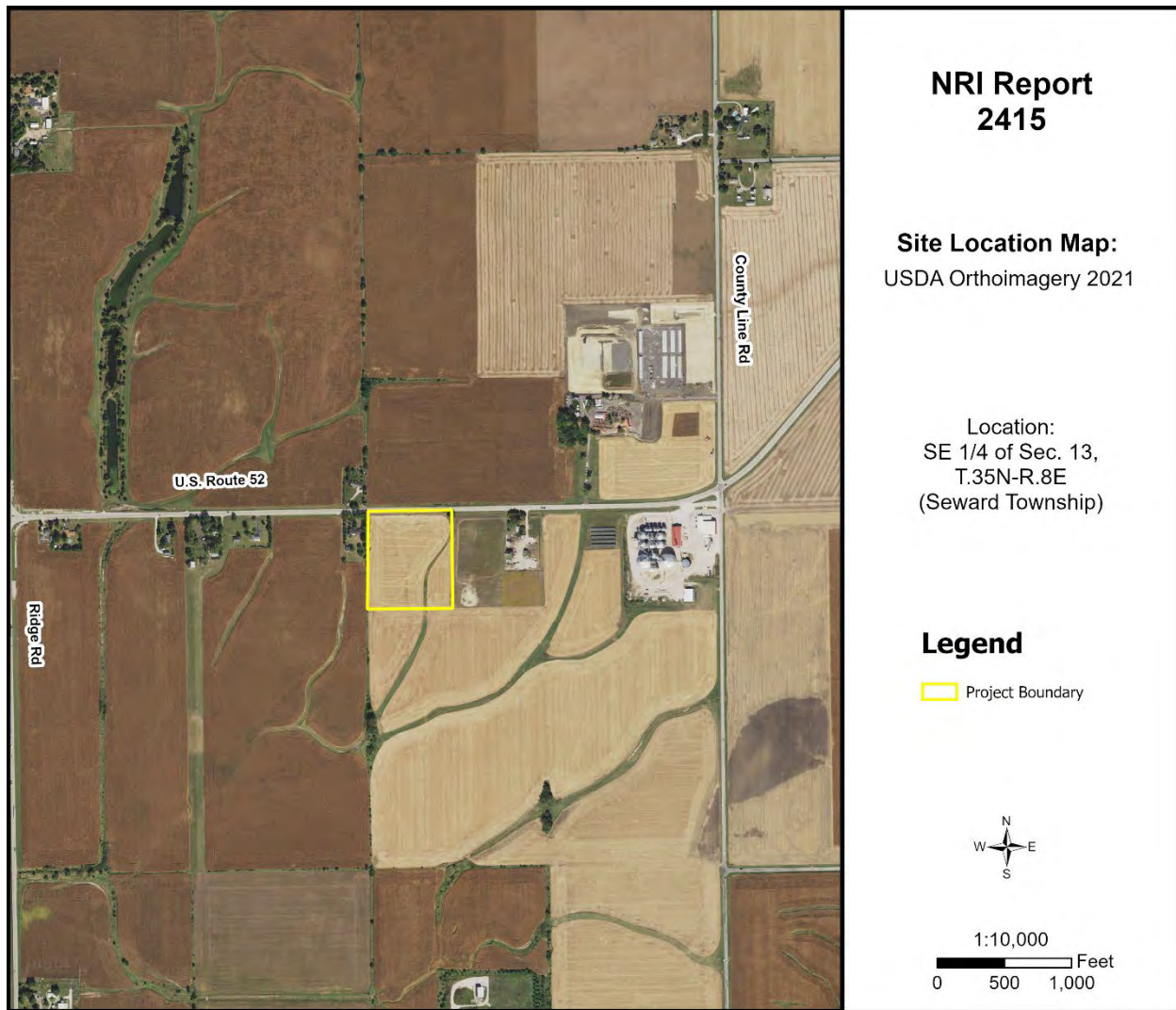


Figure 4: Aerial Map with NRI Project Boundary

ARCHAEOLOGIC/CULTURAL RESOURCES INFORMATION

Simply stated, cultural resources are all the past activities and accomplishments of people. They include the following: buildings; objects made or used by people; locations; and less tangible resources, such as stories, dance forms, and holiday traditions.

The Soil and Water Conservation District most often encounters cultural resources as historical properties. These may be prehistoric or historical sites, buildings, structures, features, or objects. The most common type of historical property that the Soil and Water Conservation District may encounter is non-structural archaeological sites. These sites often extend below the soil surface and must be protected against disruption by development or other earth moving activity if possible. Cultural resources are *non-renewable* because there is no way to “grow” a site to replace a disrupted site.

Landowners with historical properties on their land have ownership of that historical property. However, the State of Illinois owns all the following: human remains, grave markers, burial mounds, and artifacts associated with graves and human remains.

Non-grave artifacts from archaeological sites and historical buildings are the property of the landowner. The landowner may choose to disturb a historical property but may not receive federal or state assistance to do so. If an earth moving activity disturbs human remains, the landowner must contact the county coroner within 48 hours.

The Illinois State Historic Preservation Office has not been notified of the proposed land use change by the Kendall County SWCD. There may be historic features in the area. The applicant may need to contact them according to current Illinois law.

ECOLOGICALLY SENSITIVE AREAS

WHAT IS BIOLOGICAL DIVERSITY AND WHY SHOULD IT BE CONSERVED?¹

Biological diversity, or biodiversity, is the range of life on our planet. A more thorough definition is presented by botanist Peter H. Raven: “At the simplest level, biodiversity is the sum total of all the plants, animals, fungi and microorganisms in the world, or in a particular area; all of their individual variation; and all of the interactions between them. It is the set of living organisms that make up the fabric of the planet Earth and allow it to function as it does, by capturing energy from the sun and using it to drive all of life’s processes; by forming communities of organisms that have, through the several billion years of life’s history on Earth, altered the nature of the atmosphere, the soil and the water of our Planet; and by making possible the sustainability of our planet through their life activities now” (Raven 1994).

It is not known how many species occur on our planet. Presently, about 1.4 million species have been named. It has been estimated that there are perhaps 9 million more that have not been identified. What is known is that they are vanishing at an unprecedented rate. Reliable estimates show extinction occurring at a rate several orders of magnitude above “background” in some ecological systems (Wilson 1992, Hoose 1981).

The reasons for protecting biological diversity are complex, but they fall into four major categories. First, loss of diversity generally weakens entire natural systems. Healthy ecosystems tend to have many natural checks and balances. Every species plays a role in maintaining this system. When simplified by the loss of diversity, the system becomes more susceptible to natural and artificial perturbations. The chances of a system-wide collapse increase. In parts of the midwestern United States, for example, it was only the remnant areas of natural prairies that kept soil intact during the dust bowl years of the 1930s (Roush 1982).

Simplified ecosystems are almost always expensive to maintain. For example, when synthetic chemicals are relied upon to control pests, the target species are not the only ones affected. Their predators are almost always killed or driven away, exasperating the pest problem. In the meantime, people are unintentionally breeding pesticide-resistant pests. A process has begun where people become perpetual guardians of the affected area, which requires the expenditure of financial resources and human ingenuity to keep the system going.

A second reason for protecting biological diversity is that it represents one of our greatest untapped resources. Great benefits can be reaped from a single species. About 20 species provide 90% of the world’s food. Of these 20, just three, wheat, maize, and rice supply over one half of that food. American wheat farmers need new varieties every five to 15 years to compete with pests and diseases. Wild strains of wheat are critical genetic reservoirs for these new varieties.

Further, every species is a potential source of human medicine. In 1980, a published report identified the market value of prescription drugs from higher plants at over \$3 billion. Organic alkaloids, a class of

chemical compounds used in medicines, are found in an estimated 20% of plant species. Yet only 2% of plant species have been screened for these compounds (Hoose 1981).

The third reason for protecting diversity is that humans benefit from natural areas and depend on healthy ecosystems. The natural world supplies our air, our water, our food and supports human economic activity. Further, humans are creatures that evolved in a diverse natural environment between forest and grasslands. People need to be reassured that such places remain. When people speak of “going to the country,” they generally mean more than getting out of town. For reasons of their own sanity and wellbeing, they need a holistic, organic experience. Prolonged exposure to urban monotony produces neuroses, for which cultural and natural diversity cure.

Historically, the lack of attention to biological diversity, and the ecological processes it supports, has resulted in economic hardships for segments of the basin’s human population.

The final reason for protecting biological diversity is that species and natural systems are intrinsically valuable. The above reasons have focused on the benefits of the natural world to humans. All things possess intrinsic value simply because they exist.

BIOLOGICAL RESOURCES CONCERNING THE SUBJECT PARCEL

As part of the Natural Resources Information Report, staff checks office maps to determine if any nature preserves or ecologically sensitive areas are in the general vicinity of the parcel in question. If there is a nature preserve in the area, then that resource will be identified as part of the report. The SWCD recommends that every effort be made to protect that resource. Such efforts should include, but are not limited to erosion control, sediment control, stormwater management, and groundwater monitoring.

Office maps indicate that ecologically sensitive area(s) are not located on or near the parcel in question (PIQ).

¹Taken from *The Conservation of Biological Diversity in the Great Lakes Ecosystem: Issues and Opportunities*, prepared by the Nature Conservancy Great Lakes Program 79W. Monroe Street, Suite 1309, Chicago, IL 60603, January 1994.

SOILS INFORMATION

IMPORTANCE OF SOILS INFORMATION

Soils information comes from the Natural Resources Conservation Service Soil Maps and Descriptions for Kendall County. This information is important to all parties involved in determining the suitability of the proposed land use change.

Each soil polygon is given a number, which represents its soil type. The letter found after the soil type number indicates the soils slope class.

Each soil map unit has limitations for a variety of land uses such as septic systems, buildings with basements, and buildings without basements. It is important to remember that soils do not function independently of each other. The behavior of a soil depends upon the physical properties of adjacent soil types, the presence of artificial drainage, soil compaction, and its position in the local landscape.

The limitation categories (not limited, somewhat limited, or very limited) indicate the potential for difficulty in using that soil unit for the proposed activity and, thus, the degree of need for thorough soil borings and engineering studies. A limitation does not necessarily mean that the proposed activity cannot be done on that soil type. It does mean that the reasons for the limitation need to be thoroughly understood and dealt with to complete the proposed activity successfully. Very limited indicates that the proposed activity will be more difficult and costly to do on that soil type than on a soil type with a somewhat limited or not limited rating.

Soil survey interpretations are predictions of soil behavior for specified land uses and specified management practices. They are based on the soil properties that directly influence the specified use of the soil. Soil survey interpretations allow users of soil surveys to plan reasonable alternatives for the use and management of soils.

Soil interpretations do not eliminate the need for on-site study and testing of specific sites for the design and construction for specific uses. They can be used as a guide for planning more detailed investigations and for avoiding undesirable sites for an intended use. The scale of the maps and the range of error limit the use of the soil delineation.

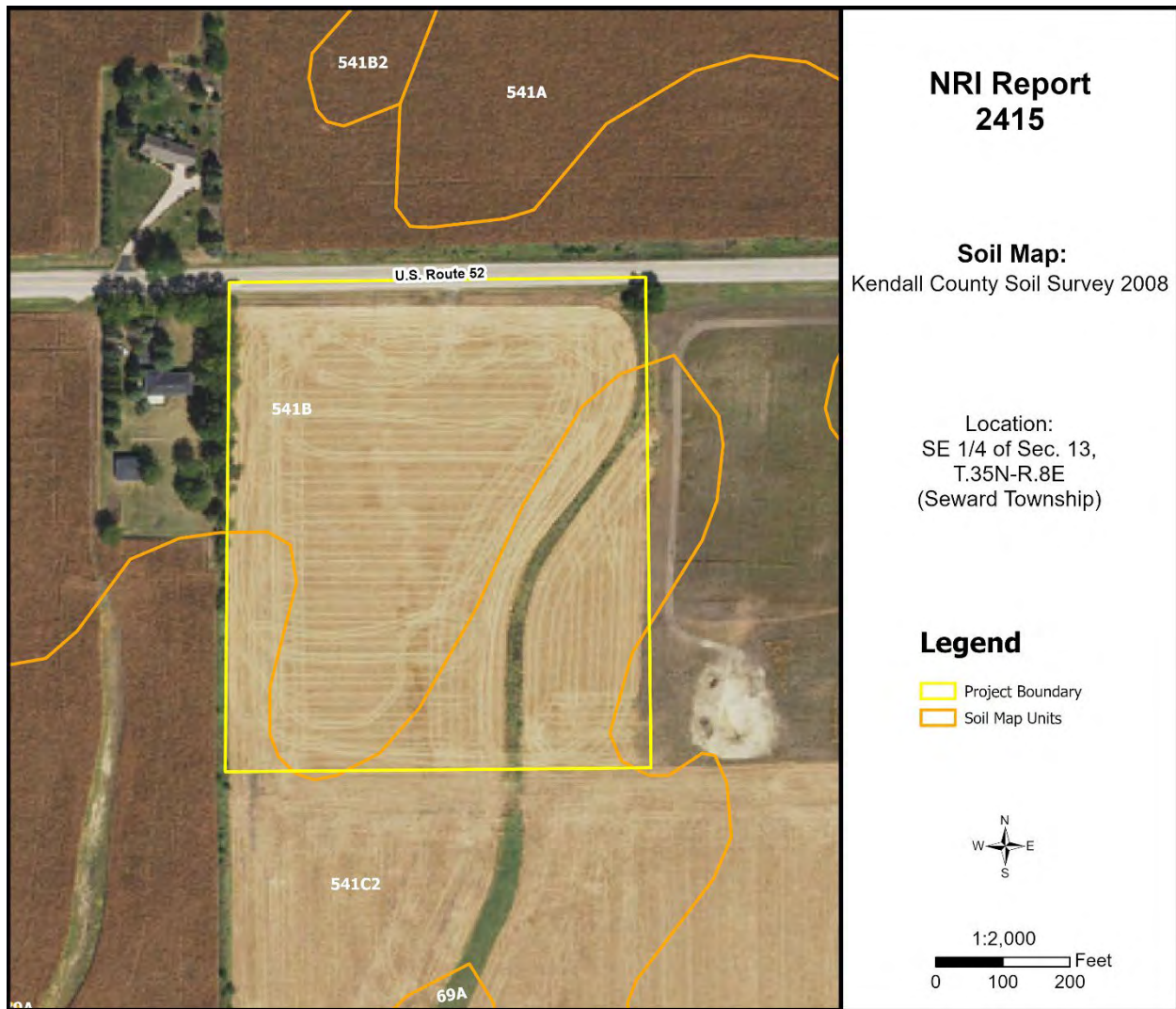


Figure 5: Soil Map

Table 3: Soil Map Unit Descriptions

Soil Type	Soil Name	Acreage	Percent
541B	Graymont silt loam, 2-5% slopes	6.7	64.8%
541C2	Graymont silt loam, 5-10% slopes, eroded	3.6	35.2%

Source: National Cooperative Soil Survey – USDA-NRCS

SOILS INTERPRETATIONS EXPLANATION

GENERAL – NONAGRICULTURAL

These interpretative ratings help engineers, planners, and others to understand how soil properties influence behavior when used for nonagricultural uses such as building site development or construction materials. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features.

Other features may need treatment to overcome soil limitations for a specific purpose. Ratings come from the soil's "natural" 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. Most of these practices, however, are costly. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance. Soil properties influence development of building sites, including the selection of the site, the design of the structure, construction, performance after construction, and maintenance. Soil limitation ratings of not limited, somewhat limited, and very limited are given for the types of proposed improvements that are listed or inferred by the petitioner as entered on the report application and/or zoning petition. The most common types of building limitation that this report gives limitations ratings for is septic systems. It is understood that engineering practices can overcome most limitations for buildings with and without basements, and small commercial buildings. Limitation ratings for these types of buildings are not commonly provided. Organic soils, when present on the parcel, are referenced in the hydric soils section of the report. This type of soil is considered unsuitable for all types of construction.

LIMITATIONS RATINGS

- **Not Limited:** This soil has favorable properties for the use. The degree of limitation is minor. The people involved can expect good performance and low maintenance.
- **Somewhat Limited:** This soil has moderately favorable properties for the use. Special planning, design, or maintenance can overcome this degree of limitation. During some part of the year, the expected performance is less desirable than for soils rated slight.
- **Very Limited:** This soil has one or more properties that are unfavorable for the rated use. These may include the following: steep slopes, bedrock near the surface, flooding, high shrink-swell potential, a seasonal high water table, or low strength. This degree of limitation generally requires major soil reclamation, special design, or intensive maintenance, which in most situations is difficult and costly.

BUILDING LIMITATIONS

BUILDING ON POORLY SUITED OR UNSUITABLE SOILS

Building on poorly suited or unsuitable soils can present problems to future property owners such as cracked foundations, wet basements, lowered structural integrity and high maintenance costs associated with these problems. The staff of the Kendall County SWCD strongly urges scrutiny by the plat reviewers when granting parcels with these soils exclusively.

Small Commercial Buildings – Ratings are for structures that are less than three stories high and do not have basements. The foundation is assumed to be spread footings of reinforced concrete built on disturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper. The ratings are based on soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs.

Shallow Excavations – Trenches or holes dug to a maximum depth of 5 or 6 feet for utility lines, open ditches, or other purposes. Ratings are based on soil properties that influence the ease of digging and the resistance to sloughing.

Lawns and Landscaping – Require soils on which turf and ornamental trees and shrubs can be established and maintained (irrigation is not considered in the ratings). The ratings are based on the soil properties that affect plant growth and trafficability after vegetation is established.

Local Roads and Streets – They have an all-weather surface and carry automobile and light truck traffic all year. They have a subgrade of cut or fill soil material, a base of gravel, crushed rock or soil material stabilized by lime or cement; and a surface of flexible material (asphalt), rigid material (concrete) or gravel with a binder. The ratings are based on the soil properties that affect the ease of excavation and grading and the traffic-supporting capacity.

Onsite Conventional Sewage Disposal – The factors considered are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. The major features considered are soil permeability, percolation rate, groundwater level, depth to bedrock, flooding hazards, and slope. The table below indicates soils that are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Installation of an on-site sewage disposal system in soils designated as unsuitable may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact the Kendall County Health Department – Environmental Health at (630) 553-9100 x8026.

Table 4: Building Limitations

Soil Type	Small Commercial Buildings	Shallow Excavations	Lawns & Landscaping	Local Roads & Streets	Onsite Conventional Sewage Systems*	Acres	%
541B	Somewhat Limited: Shrink-swell	Somewhat Limited: Depth to saturated zone Dusty Unstable excavation walls	Somewhat Limited: Dusty	Very Limited: Frost action Low strength Shrink-swell Ponding Depth to saturated zone	Suitable/Not Limited	6.7	64.8%
541C2	Somewhat Limited: Slope Shrink-swell	Very Limited: Depth to saturated zone Dusty Unstable excavation walls Ponding	Somewhat Limited: Dusty	Very Limited: Frost action Low strength Shrink-swell Ponding Depth to saturated zone	Suitable/Not Limited	3.6	35.2%
% Very Limited	0%	35.2%	0%	100%	0%		

*This column indicates soils that are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Please consult with the Kendall County Health Department to verify the limitations of your site for onsite conventional sewage disposal.

Figure 6A: Map of Building Limitations - Small Commercial Buildings & Lawns / Landscaping

Figure 6B: Map of Building Limitations - Shallow Excavations



Attachment 3, Page 24
Figure 6C: Map of Building Limitations - Local Roads & Streets



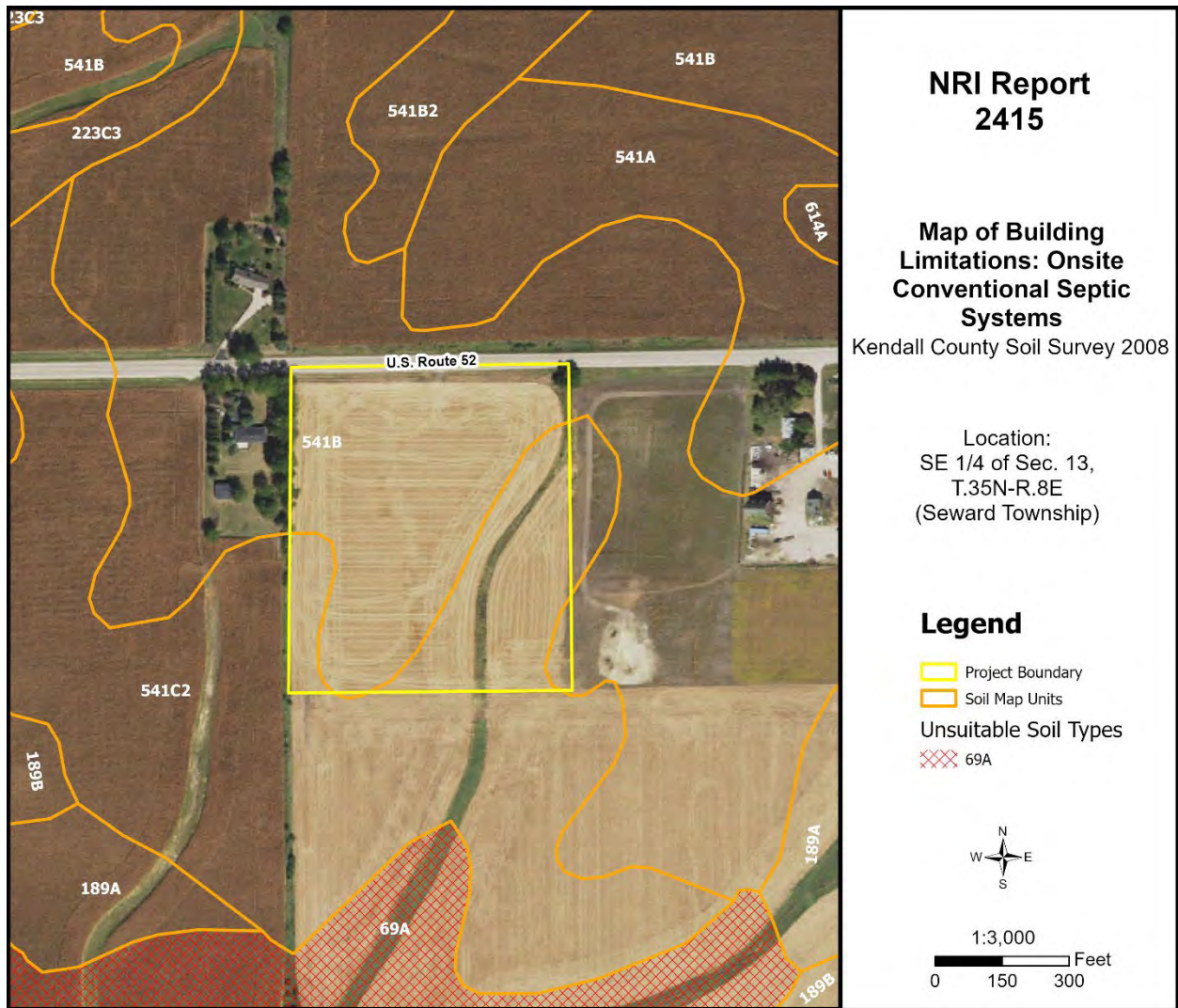


Figure 6D: Map of Building Limitations – Onsite Conventional Septic Systems

SOIL WATER FEATURES

Table 5, below, gives estimates of various soil water features that should be taken into consideration when reviewing engineering for a land use project.

HYDROLOGIC SOIL GROUPS (HSGs) – The groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

- **Group A:** Soils having 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.
- **Group B:** Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained, or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.
- **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.
- **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, soils that 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.

Note: 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 is for undrained areas.

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

MONTHS – The portion of the year in which a water table, ponding, and/or flooding is most likely to be a concern.

WATER TABLE – Water table refers to a saturated zone in the soil and the data indicates, by month, depth to the top (upper limit) and base (lower limit) of the saturated zone in most years. These estimates are based upon observations of the water table at selected sites and on evidence of a saturated zone (grayish colors or mottles (redoximorphic features)) in the soil. Note: A saturated zone that lasts for less than a month is not considered a water table.

PONDING – Ponding refers to standing water in a closed depression, and the data indicates surface water depth, duration, and frequency of ponding.

- **Duration:** Expressed as *very brief* if less than 2 days, *brief* if 2 to 7 days, *long* if 7 to 30 days and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* meaning ponding is not possible; *rare* means unlikely but possible under unusual weather conditions (chance of ponding is 0-5% in any year); *occasional* means that it occurs, on the average, once or less in 2 years (chance of ponding is 5 to 50% in any year); and frequent means that it occurs, on the average, more than once in 2 years (chance of ponding is more than 50% in any year).

FLOODING – The 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: *extremely brief* if 0.1 hour to 4 hours; *very brief* if 4 hours to 2 days; *brief* if 2 to 7 days; *long* if 7 to 30 days; and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* means flooding is not probable; *very rare* means that it is very unlikely but possible under extremely unusual weather conditions (chance of flooding is less than 1% in any year); *rare* means that it is unlikely but possible under unusual weather conditions (chance of flooding is 1 to 5% in any year); *occasional* means that it occurs infrequently under normal weather conditions (chance of flooding is 5 to 50% in any year but is less than 50% in all months in any year); and *very frequent* means that it is likely to occur very often under normal weather conditions (chance of flooding is more than 50% in all months of any year).

Note: The information is based on evidence in the soil profile. In addition, consideration is also given to local information about the extent and levels of flooding and the relation of each soil on the landscape to historic floods. Information on the extent of flooding based on soil data is less specific than that provided by detailed engineering surveys that delineate flood-prone areas at specific flood frequency levels.

Table 5: Water Features

Soil Type	Hydrologic Group	Surface Runoff	Water Table	Ponding	Flooding
541B	C	Low	February – April Upper Limit: 2.0'-3.5' Lower Limit: 2.2'-4.3'	January – December Frequency: None	January – December Frequency: None
541C2	C	Medium	February – April Upper Limit: 2.0'-3.5' Lower Limit: 2.2'-4.3'	January – December Frequency: None	January – December Frequency: None

SOIL EROSION AND SEDIMENT CONTROL

Erosion is the wearing away of the soil by water, wind, and other forces. Soil erosion threatens the Nation's soil productivity and contributes the most pollutants in our waterways. Water causes about two thirds of erosion on agricultural land. Four properties, mainly, determine a soil's erodibility: texture, slope, structure, and organic matter content.

Slope has the most influence on soil erosion potential when the site is under construction. Erosivity and runoff increase as slope grade increases. The runoff then exerts more force on the particles, breaking their bonds more readily and carrying them farther before deposition. The longer water flows along a slope before reaching a major waterway, the greater the potential for erosion.

Soil erosion during and after this proposed construction can be a primary non-point source of water pollution. Eroded soil during the construction phase can create unsafe conditions on roadways, decrease the storage capacity of lakes, clog streams and drainage channels, cause deterioration of aquatic habitats, and increase water treatment costs. Soil erosion also increases the risk of flooding by choking culverts, ditches, and storm sewers and by reducing the capacity of natural and man-made detention facilities.

The general principles of erosion and sedimentation control measures include:

- Reducing/diverting flow from exposed areas, storing flows, or limiting runoff from exposed areas
- Staging construction to keep disturbed areas to a minimum
- Establishing or maintaining temporary or permanent groundcover
- Retaining sediment on site
- Properly installing, inspecting, and maintaining control measures

Erosion control practices are useful controls only if they are properly located, installed, inspected, and maintained. Soil erosion and sedimentation control plans, including maintenance responsibilities, should be clearly communicated to all contractors working on the site.

The SWCD recommends an erosion and sediment control plan for all building sites, especially if there is a wetland or stream nearby. Additionally, a National Pollutant Discharge Elimination System (NPDES) permit (Permit No. ILR10) from the Illinois Environmental Protection Agency (IEPA) is required for stormwater discharges from construction sites that will disturb 1 or more acres of land. Conditions of the NPDES ILR10 permit require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce stormwater pollutants on the construction site before they can cause environmental issues.

Table 6: Soil Erosion Potential

Soil Type	Slope	Rating	Acreage	Percent
541B	2-5%	Slight	6.7	64.8%
541C2	5-10%	Moderate	3.6	35.2%

PRIME FARMLAND SOILS

Prime farmland soils are an important resource to Kendall County. Some of the most productive soils in the United States occur locally. Each soil map unit in the United States is assigned a prime or non-prime rating. Prime agricultural land does not need to be in the production of food & fiber.

Section 310 of the NRCS general manual states that urban or built-up land on prime farmland soils is not prime farmland. The percentages of soil map units on the parcel reflect the determination that urban or built-up land on prime farmland soils is not prime farmland.

Table 7: Prime Farmland Soils

Soil Type	Prime Designation	Acreage	Percent
541B	Prime Farmland	6.7	64.8%
541C2	Farmland of Statewide Importance	3.6	35.2%
% Prime Farmland	64.8%		

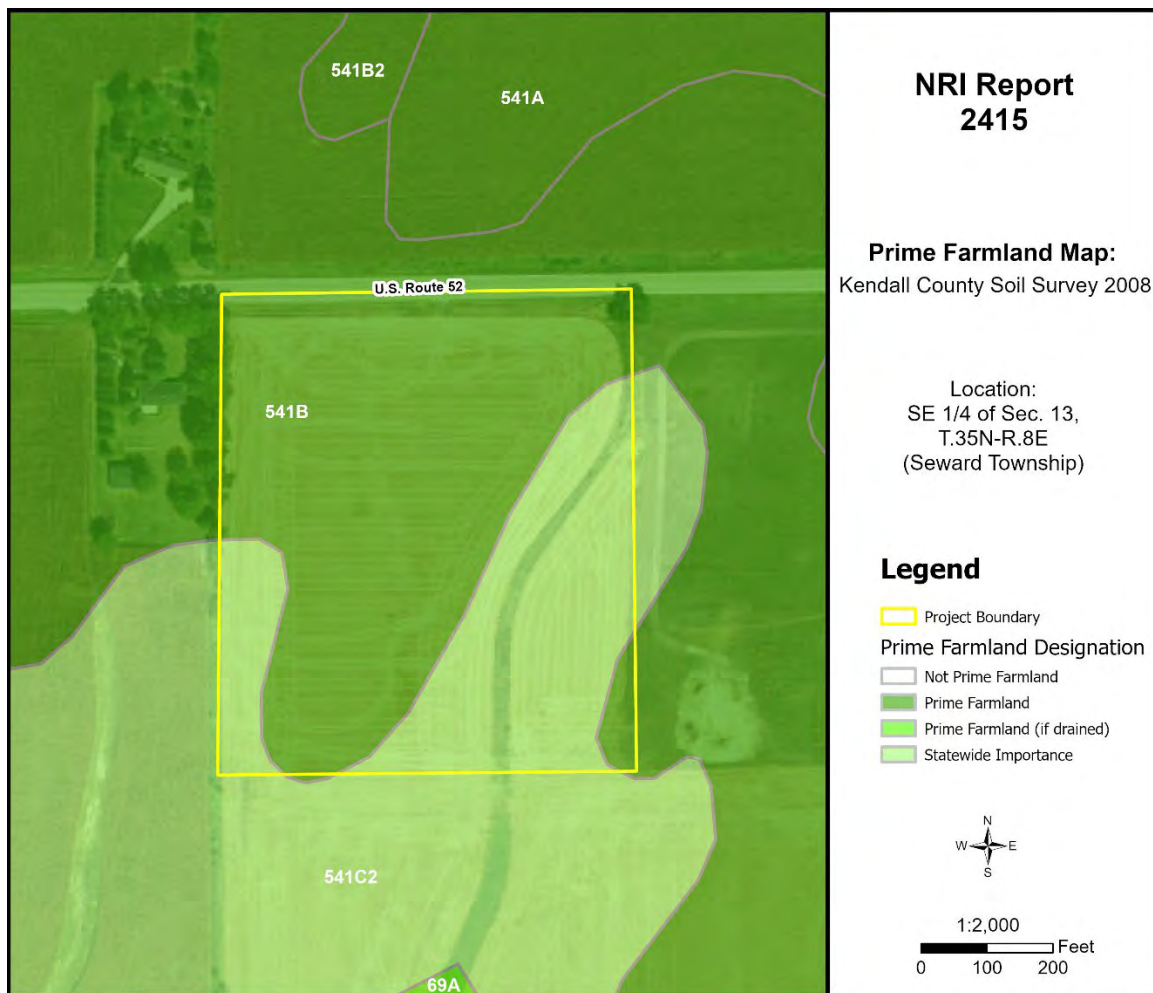


Figure 7: Map of Prime Farmland Soils

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 LE score is calculated by multiplying the relative value of each soil type by the number of acres of that soil. The sum of the products is then divided by the total number of acres; the answer is the Land Evaluation score on this site. 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 value group is a predetermined value based upon prime farmland designation. The Kendall County LESA Committee is responsible for this portion of the LESA system.

Please Note: A land evaluation (LE) score will be compiled for every project parcel. However, when a parcel is located within municipal planning boundaries, a site assessment (SA) score is not compiled as the scoring factors are not applicable. As a result, only the LE score is available, and a full LESA score is unavailable for the parcel.

Table 8A: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres*	Product (Relative Value x Acres)
541B	2	94	6.7	629.8
541C2	5	82	3.6	295.2
			10.3	925.0
LE Calculation			(Product of relative value / Total Acres) 925.0 / 10.3 = 89.8	
LE Score			LE = 90	

*Acreage listed in this chart provides a generalized representation and may not precisely reflect exact acres of each soil type.

The Land Evaluation score for this site is 90, indicating that this site is designated as land that is well suited for agricultural uses considering the Land Evaluation score is above 80.

Table 8B: 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 land 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)	20
	4. Size of site. (30-15-10-0)	0
B.	Compatibility / Impact on Uses	
	1. Distance from city or village limits. (20-10-0)	10
	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)	7
C.	Existence of Infrastructure	
	1. Availability of public sewage system. (10-8-6-0)	8
	2. Availability of public water system. (10-8-6-0)	8
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	6
	Site Assessment Score:	106

Land Evaluation Value: 90 + Site Assessment Value: 106 = LESA Score: 196

Table 9: LESA Score Summary

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

The LESA Score for this site is 196 which indicates a low level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

LAND USE PLANS

Many counties, municipalities, villages, and townships have developed land-use plans. These plans are intended to reflect the existing and future land-use needs of a given community. Please contact Kendall County Planning, Building & Zoning for information regarding their comprehensive land use plan and map.

DRAINAGE, RUNOFF, AND FLOOD INFORMATION

U.S.G.S Topographic maps give information on elevations, which are important mostly to determine slopes, drainage directions, and watershed information.

Elevations determine the area of impact of floods of record. Slope information determines steepness and erosion potential. Drainage directions determine where water leaves the PIQ, possibly impacting surrounding natural resources.

Watershed information is given for changing land use to a subdivision type of development on parcels greater than 10 acres.

WHAT IS A WATERSHED?

Simply stated, a watershed is the area of land that contributes water to a certain point. The watershed boundary is important because the area of land in the watershed can now be calculated using an irregular shape area calculator such as a dot counter or planimeter.

Using regional storm event information, and site-specific soils and land use information, the peak stormwater flow through the point marked "O" for a specified storm event can be calculated. This value is called a "Q" value (for the given storm event) and is measured in cubic feet per second (CFS).

When construction occurs, the Q value naturally increases because of the increase in impermeable surfaces. This process decreases the ability of soils to accept and temporarily hold water. Therefore, more water runs off and increases the Q value.

Theoretically, if each development, no matter how large or small, maintains their preconstruction Q value after construction by the installation of stormwater management systems, the streams and wetlands and lakes will not suffer damage from excessive urban stormwater.

For this reason, the Kendall County SWCD recommends that the developer for intense uses, such as a subdivision, calculate the preconstruction Q value for the exit point(s). A stormwater management system

should be designed, installed, and maintained to limit the postconstruction Q value to be at or below the preconstruction value.

IMPORTANCE OF FLOOD INFORMATION

A floodplain is defined as land adjoining a watercourse (riverine) or an inland depression (non-riverine) that is subject to periodic inundation by high water. Floodplains are important areas demanding protection since they have water storage and conveyance functions which affect upstream and downstream flows, water quality and quantity, and suitability of the land for human activity. Since floodplains play distinct and vital roles in the hydrologic cycle, development that interferes with their hydrologic and biologic functions should be carefully considered.

Flooding is both dangerous to people and destructive to their properties. The following maps, when combined with wetland and topographic information, can help developers and future homeowners to “sidestep” potential flooding or ponding problems.

Flood Insurance Rate Maps (FIRMs), produced by the Federal Emergency Management Agency (FEMA), define flood elevation adjacent to tributaries and major bodies of water and superimpose that onto a simplified USGS topographic map. The scale of the FIRM maps is generally dependent on the size and density of parcels in that area. This is to correctly determine the parcel location and floodplain location. The FIRM map has three (3) zones. Zone A includes the 100-year flood (1% annual chance flood), Zone B or Zone X (shaded) is the 100 to 500-year flood (between limits of the 1% and the 0.2% annual chance flood), and Zone C or Zone X (unshaded) is outside the floodplain (outside the 0.2% annual chance flood).

The Hydrologic Atlas (H.A.) Series of the Flood of Record Map is also used for the topographic information. This map is different from the FIRM map mainly because it will show isolated or pocketed flooded areas. Kendall County uses both these maps in conjunction with each other for flooded area determinations. The Flood of Record maps show the areas of flood for various years. Both maps stress that the recurrence of flooding is merely statistical. A 100-year flood may occur twice in one year, or twice in one week, for that matter.

It should be noted that greater floods than those shown on the two maps are possible. The flood boundaries indicated provide a historic record only until the map publication date. Additionally, these flood boundaries are a function of the watershed conditions existing when the maps were produced. Cumulative changes in runoff characteristics caused by urbanization can result in an increase in flood height of future flood episodes.

Floodplains play a vital role in reducing the flood damage potential associated with an urbanizing area and, when left in an undisturbed state, also provide valuable wildlife habitat benefits. If it is the petitioner's intent to conduct floodplain filling or modification activities, the petitioner, and the Unit of Government responsible need to consider the potentially adverse effects this type of action could have on adjacent properties. The change or loss of natural floodplain storage often increases the frequency and severity of flooding on adjacent property.

If the available maps indicate the presence of a floodplain on the PIQ, the petitioner should contact the IDNR-OWR and FEMA to delineate a floodplain elevation for the parcel. If a portion of the property is indeed floodplain, applicable state, county, and local regulations will need to be reflected in the site plans. Another indication of flooding potential can be found in the soils information. Hydric soils indicate the presence of drainage ways, areas subject to ponding, or a naturally occurring high water table. These need to be considered along with the floodplain information when developing the site plan and the stormwater management plan. Development on hydric soils can contribute to the loss of water storage within the soil and the potential for increased flooding in the area.

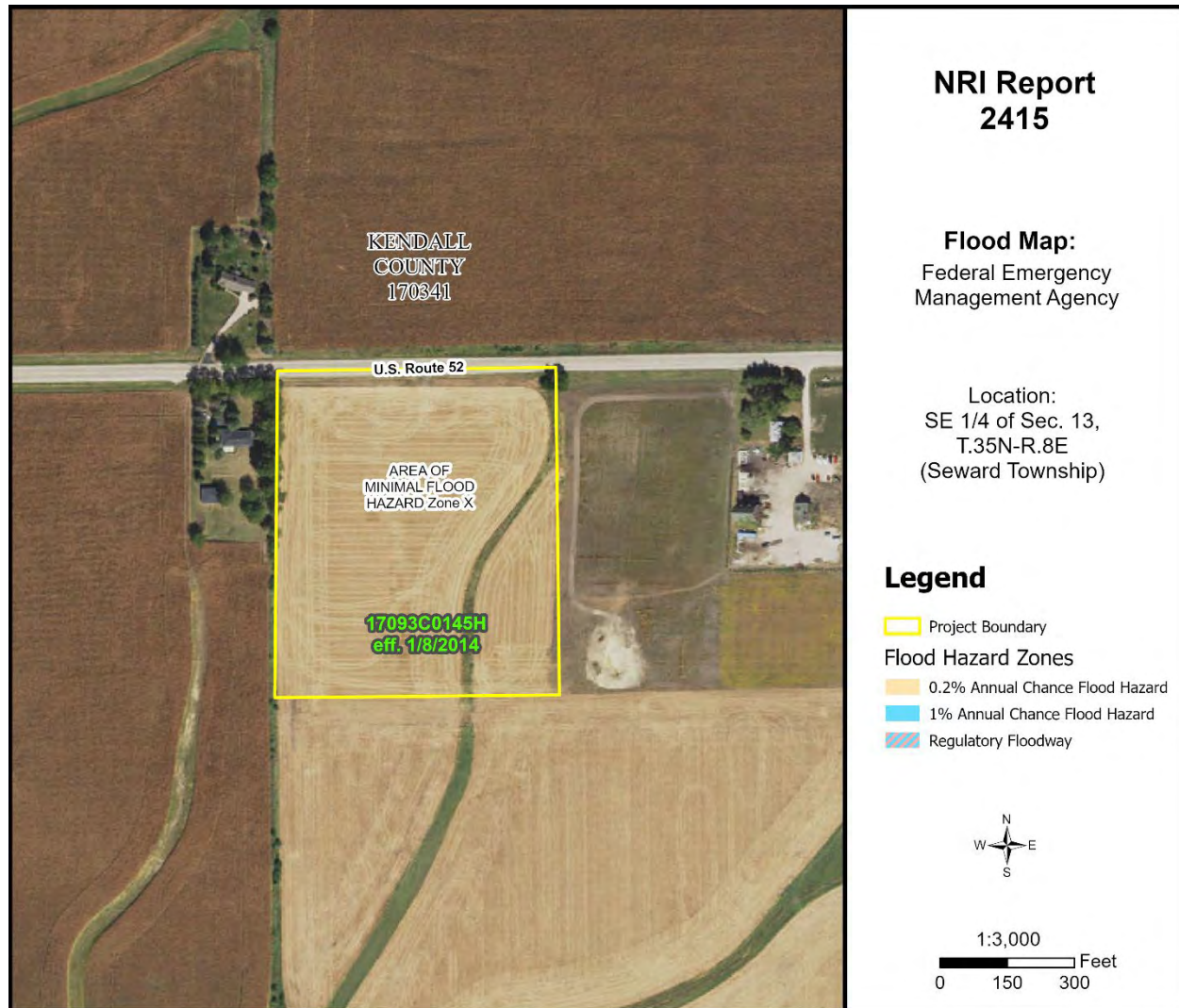


Figure 8: Flood Map

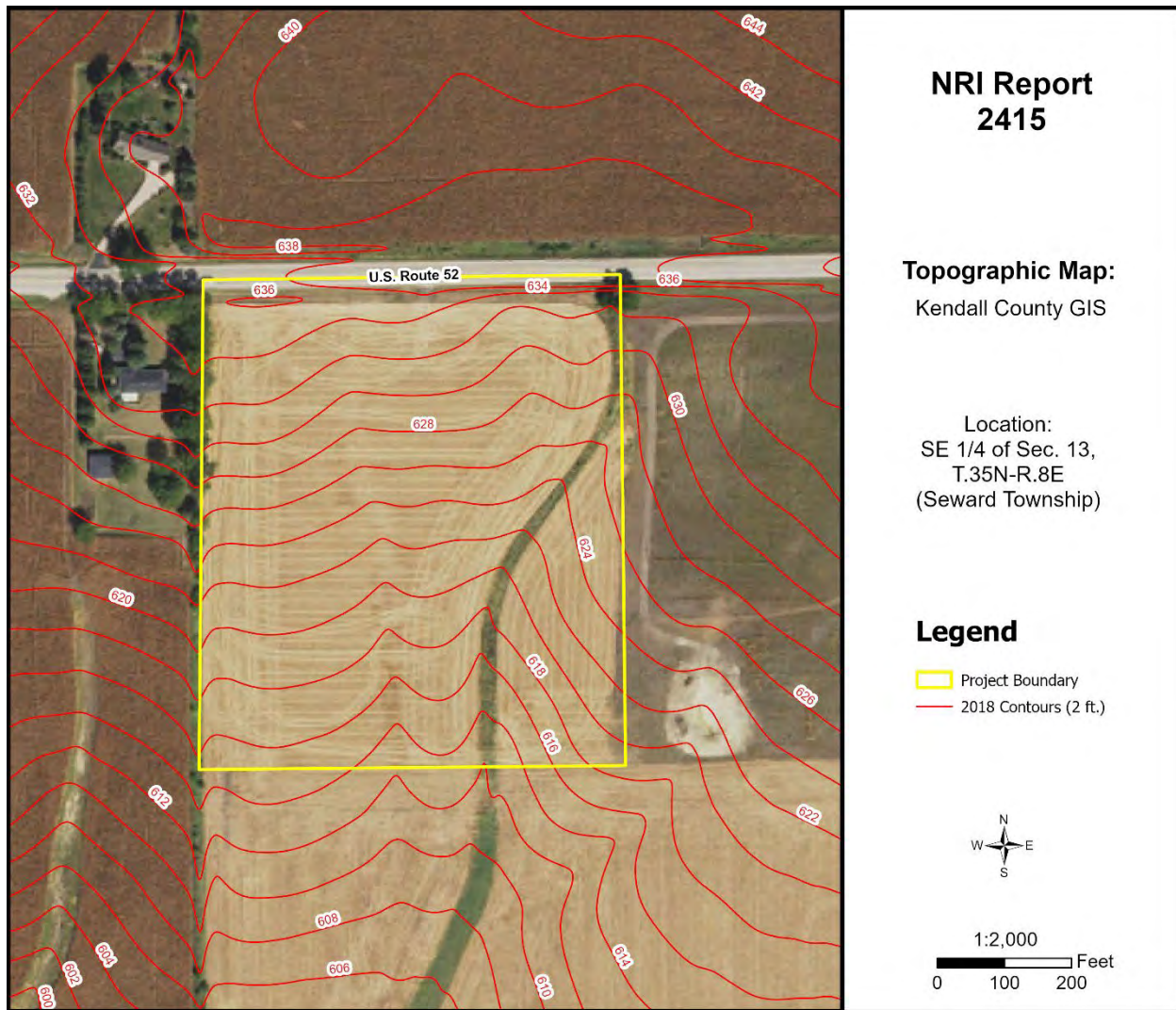


Figure 9: Topographic Map

This parcel contains soils with slopes of 2-10% and an elevation of approximately 614'-636' above sea level. The highest point is at the northwest corner, and the lowest point is at the south end of the site. According to the Federal Emergency Management Agency (FEMA) Flood Map (Figure 8), the parcel does not appear to contain areas of floodplain or floodway. It is mapped as Zone X, an area of minimal flood hazard determined to be outside of the 0.2% annual chance floodplain.

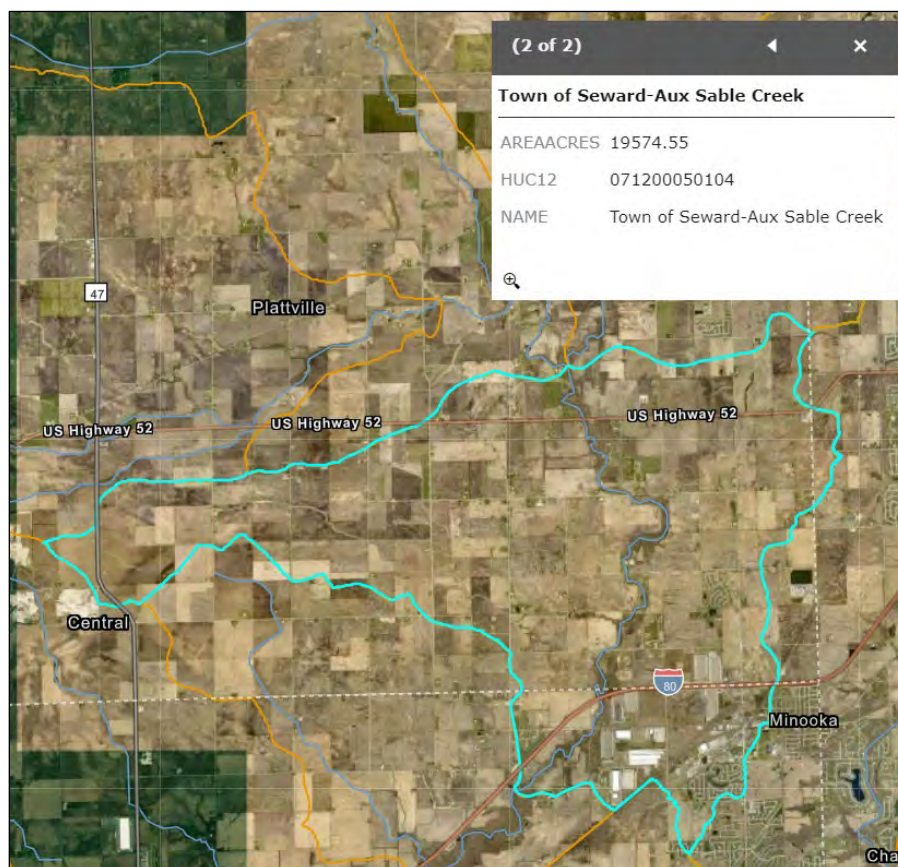
WATERSHED PLANS

WATERSHED AND SUB WATERSHED INFORMATION

A watershed is the area of land that drains into a specific point including a stream, lake, or other body of water. High points on the Earth's surface, such as hills and ridges define watersheds. When rain falls in the watershed, it flows across the ground towards a stream or lake. Rainwater carries pollutants such as oils, pesticides, and soil.

Everyone lives in a watershed. Their actions can impact natural resources and people living downstream. Residents can minimize this impact by being aware of their environment and the implications of their activities, implementing practices recommended in watershed plans, and educating others about their watershed.

The following are recommendations to developers for protection of this watershed: Preserve open space; maintain wetlands as part of development; use natural water management; prevent soil from leaving a construction site; protect subsurface drainage; use native vegetation; retain natural features; mix housing styles and types; decrease impervious surfaces; reduce area disturbed by mass grading; shrink lot size and create more open space; maintain historical and cultural resources; treat water where it falls; preserve views; and establish and link trails.



This site is located within the Upper Illinois River watershed and the Town of Seward – Aux Sable Creek sub watershed (HUC 12 – 071200050104). The Town of Seward – Aux Sable Creek sub watershed comprises 19,574.55 acres.

Figure 10: Sub Watershed Map

WETLAND INFORMATION

IMPORTANCE OF WETLAND INFORMATION

Wetlands function in many ways to provide numerous benefits to society. They control flooding by offering a slow release of excess water downstream or through the soil. They cleanse water by filtering out sediment and some pollutants and can function as rechargers of our valuable groundwater. They also are essential breeding, rearing, and feeding grounds for many species of wildlife.

These benefits are particularly valuable in urbanizing areas as development activity typically adversely affects water quality, increases the volume of stormwater runoff, and increases the demand for groundwater. In an area where many individual homes rely on shallow groundwater wells for domestic water supplies, activities that threaten potential groundwater recharge areas are contrary to the public good. The conversion of wetlands, with their sediment trapping and nutrient absorbing vegetation, to biologically barren stormwater detention ponds can cause additional degradation of water quality in downstream or adjacent areas.

It has been estimated that over 95% of the wetlands that were historically present in Illinois have been destroyed while only recently has the true environmental significance of wetlands been fully recognized. America is losing 100,000 acres of wetland a year and has saved 5 million acres total (since 1934). One acre of wetland can filter 7.3 million gallons of water a year. These are reasons why our wetlands are high quality and important.

This section contains the National Wetlands Inventory, which is the most comprehensive inventory to date. The National Wetlands Inventory is reproduced from an aerial photo at a scale of 1" equals 660 feet. The NRCS developed these maps in cooperation with U.S. EPA (Environmental Protection Agency,) and the U.S. Fish and Wildlife Service, using the National Food Security Act Manual, 3rd Edition. The main purpose of these maps is to determine wetland areas on agricultural fields and areas that may be wetlands but are in a non-agriculture setting.

The National Wetlands Inventory in no way gives an exact delineation of the wetlands, but merely an outline, or the determination that there is a wetland within the outline. For the final, most accurate wetland **determination** of a specific wetland, a wetland **delineation** must be certified by NRCS staff using the National Food Security Act Manual (on agricultural land.) On urban land, a certified wetland delineator must perform the delineation using the ACOE 1987 Manual. *See the glossary section for the definitions of "delineation" and "determination."*

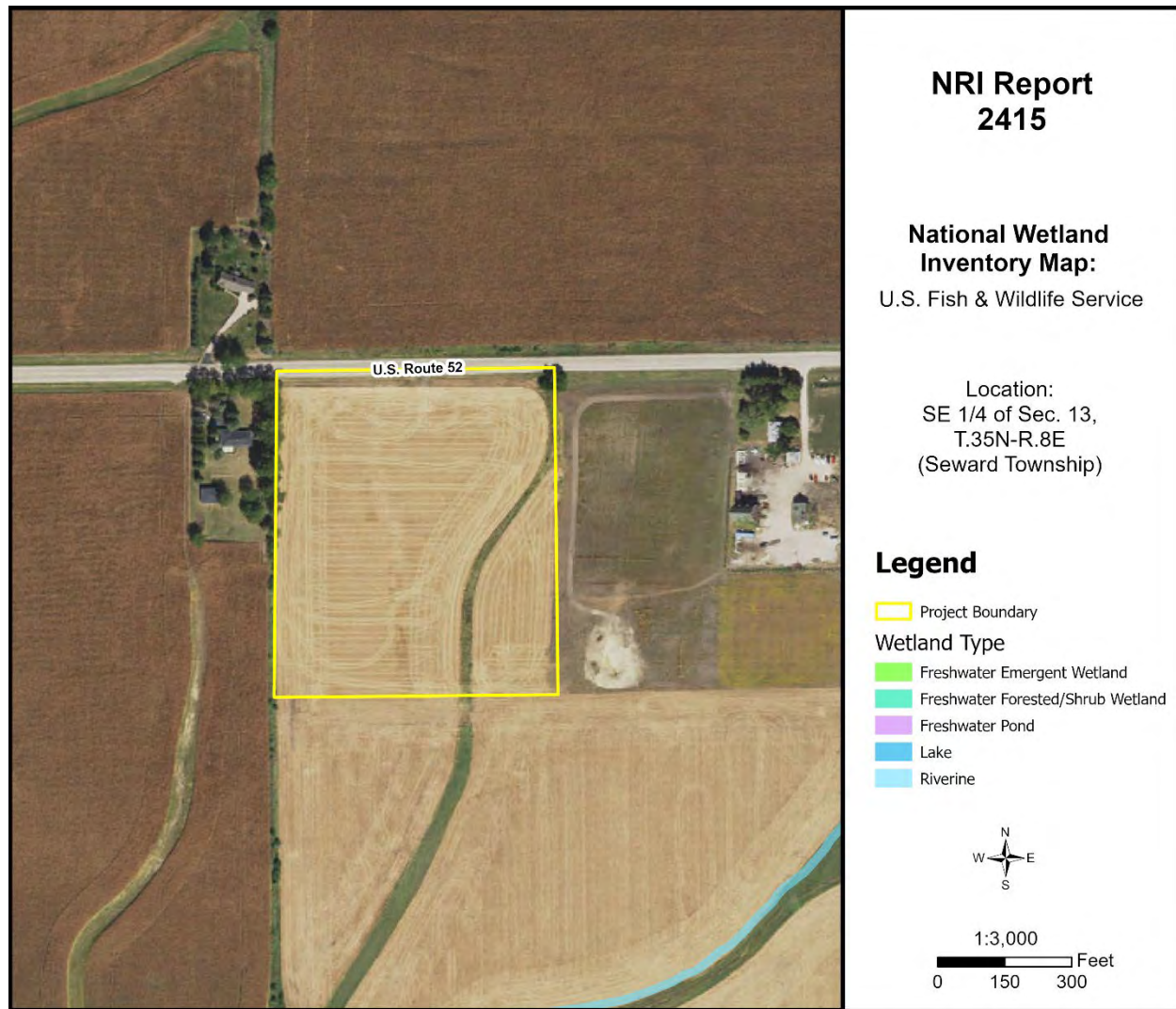


Figure 11: Wetland Map

Office maps indicate that mapped wetlands/waters are not present on the parcel in question (PIQ). A riverine waterway is mapped to the south of the PIQ. To determine the presence of wetlands, 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.

HYDRIC SOILS

Soils information gives another indication of flooding potential. The soils map on the following page indicates the soil(s) on the parcel that the Natural Resources Conservation Service indicates as hydric. Hydric soils, by definition, have seasonal high water at or near the soil surface and/or have potential flooding or ponding problems. All hydric soils range from poorly suited to unsuitable for building. One group of the hydric soils are the organic soils, which formed from dead organic material. Organic soils are unsuitable for building because of not only the high water table but also their subsidence problems.

It is important to add the possibility of hydric inclusions in a soil type. An inclusion is a soil polygon that is too small to appear on these maps. While relatively insignificant for agricultural use, hydric soil inclusions become more important to more intense uses such as a residential subdivision.

While considering hydric soils and hydric inclusions, it is noteworthy to mention that subsurface agriculture drainage tile occurs in almost all poorly drained and somewhat poorly drained soils. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. A damaged subsurface drainage tile may return original hydrologic conditions to all the areas that drained through the tile (ranging from less than one acre to many square miles.)

For an intense land use, the Kendall County SWCD recommends the following: a topographical survey with 1 foot contour intervals to accurately define the flood area on the parcel, an intensive soil survey to define most accurately the locations of the hydric soils and inclusions, and a drainage tile survey on the area to locate the tiles that must be preserved to maintain subsurface drainage.

Table 10: Hydric Soils

Soil Types	Drainage Class	Hydric Designation	Hydric Inclusions Likely	Hydric Rating %	Acreage	Percent
541B	Moderately Well Drained	Non-Hydric	Yes	5%	6.7	64.8%
541C2	Moderately Well Drained	Non-Hydric	Yes	3%	3.6	35.2%

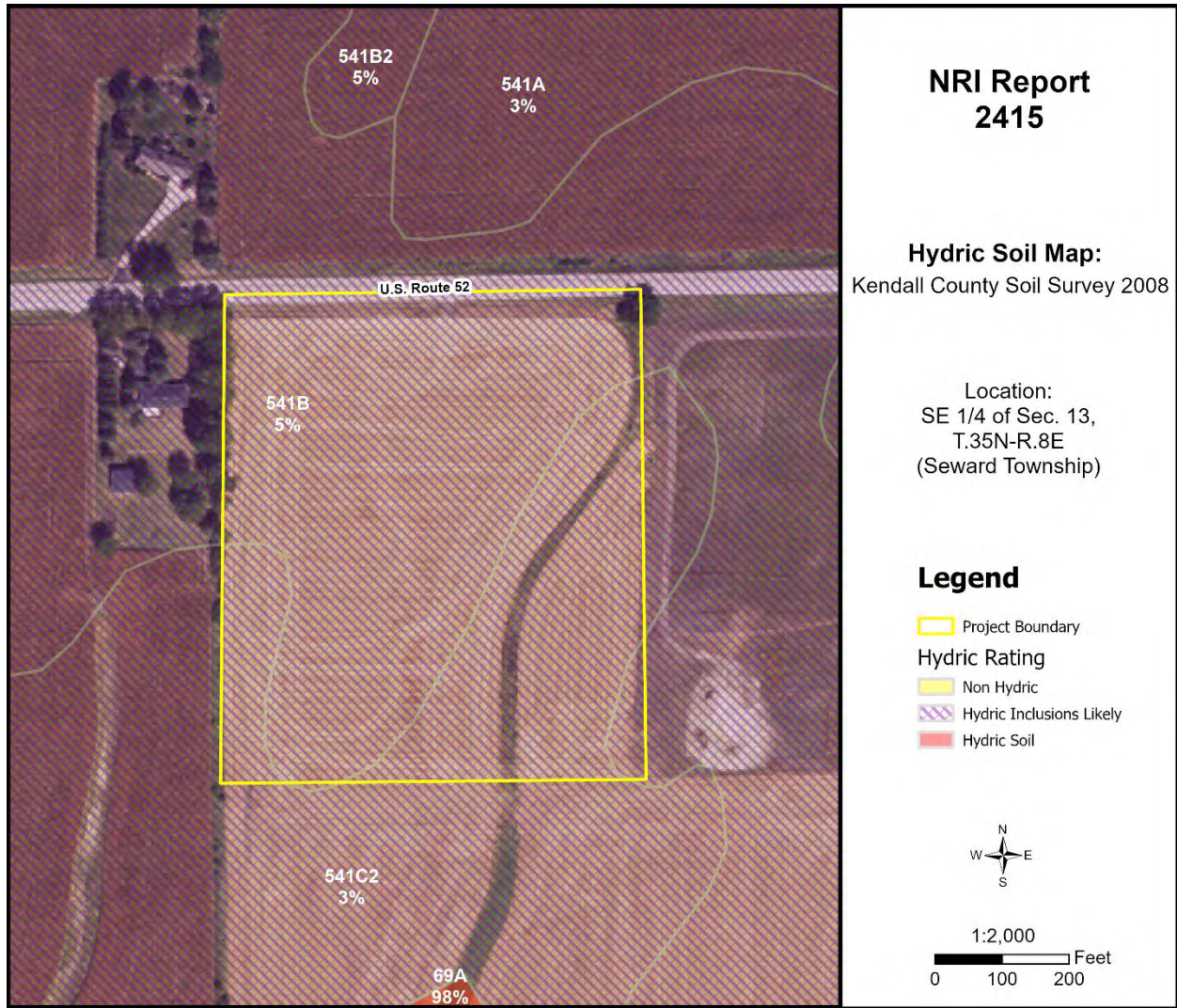


Figure 12: Hydric Soils Map

WETLAND AND FLOODPLAIN REGULATIONS

PLEASE READ THE FOLLOWING IF YOU ARE PLANNING TO DO ANY WORK NEAR A STREAM (THIS INCLUDES SMALL UNNAMED STREAMS), LAKE, WETLAND OR FLOODWAY.

The laws of the United States and the State of Illinois assign certain agencies specific and different regulatory roles to protect the waters within the State's boundaries. These roles, when considered together, include protection of navigation channels and harbors, protection against floodway encroachments, maintenance and enhancement of water quality, protection of fish and wildlife habitat and recreational resources, and, in general, the protection of total public interest. Unregulated use of the waters within the State of Illinois could permanently destroy or alter the character of these valuable resources and adversely impact the public. Therefore, please contact the proper regulatory authorities when planning any work associated with Illinois waters so that proper consideration and approval can be obtained.

WHO MUST APPLY?

Anyone proposing to dredge, fill, rip rap, or otherwise alter the banks or beds of, or construct, operate, or maintain any dock, pier, wharf, sluice, dam, piling, wall, fence, utility, floodplain or floodway subject to State or Federal regulatory jurisdiction should apply for agency approvals.

REGULATORY AGENCIES

- **Wetland or U.S. Waters:** U.S. Army Corps of Engineers, Chicago District, 231 South LaSalle Street, Suite 1500, Chicago, IL 60604. Phone: (312) 846-5530
- **Floodplains:** Illinois Department of Natural Resources - Office of Water Resources, One Natural Resources Way, Springfield, IL 62702-1270. Phone: (217) 782-6302
- **Water Quality/Erosion Control:** Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, IL 62794-9276. Phone: (217) 782-3397

COORDINATION

We recommend early coordination with the regulatory agencies BEFORE finalizing work plans. This allows the agencies to recommend measures to mitigate or compensate for adverse impacts. Also, the agency can make possible environmental enhancement provisions early in the project planning stages. This could reduce time required to process necessary approvals.

CAUTION: Contact with the United States Army Corps of Engineers is strongly advised before commencement of any work in or near a Waters of the United States. This could save considerable time and expense. Persons responsible for willful and direct violation of Section 10 of the River and Harbors Appropriation Act of 1899 or Section 404 of the Clean Water Act are subject to fines ranging up to \$16,000 per day of violation, with a maximum cap of \$187,500 in any single enforcement action, as well as criminal enforcement.

GLOSSARY

AGRICULTURAL PROTECTION AREAS (AG AREAS) - Allowed by P.A. 81-1173. An AG AREA consists of a minimum of 350 acres of farmland, as contiguous and compact as possible. Petitioned by landowners, AG AREAS protect for a period of ten years initially, then reviewed every eight years thereafter. AG AREA establishment exempts landowners from local nuisance ordinances directed at farming operations, and designated land cannot receive special tax assessments on public improvements that do not benefit the land, e.g. water and sewer lines.

AGRICULTURE - The growing, harvesting and storing of crops including legumes, hay, grain, fruit and truck or vegetable including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms, and fish and wildlife farms; farm buildings used for growing, harvesting and preparing crop products for market, or for use on the farm; roadside stands, farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm dwellings occupied by farm owners, operators, tenants or seasonal or year around hired farm workers.

BEDROCK - Indicates depth at which bedrock occurs. Also lists hardness as rippable or hard.

FLOODING - Indicates frequency, duration, and period during year when floods are likely to occur.

HIGH WATER TABLE - A seasonal high water table is a zone of saturation at the highest average depth during the wettest part of the year. May be apparent, perched, or artesian kinds of water tables.

- **Water table, Apparent:** A thick zone of free water in the soil. An apparent water table is indicated by the level at which water stands in an uncased borehole after adequate time is allowed for adjustment in the surrounding soil.
- **Water table, Artesian:** A water table under hydrostatic head, generally beneath an impermeable layer. When this layer is penetrated, the water level rises in an uncased borehole.
- **Water table, Perched:** A water table standing above an unsaturated zone. In places an upper, or perched, water table is separated from a lower one by a dry zone.

DELINEATION - For Wetlands: A series of pink or orange flags placed on the ground by a certified professional that outlines the wetland boundary on a parcel.

DETERMINATION - A polygon drawn on a map using map information that gives an outline of a wetland.

HYDRIC SOIL - This type of soil is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part (USDA Natural Resources Conservation Service 1987).

INTENSIVE SOIL MAPPING - Mapping done on a smaller more intensive scale than a modern soil survey to determine soil properties of a specific site, e.g. mapping for septic suitability.

LAND EVALUATION AND SITE ASSESSMENT (L.E.S.A.) - LESA is a systematic approach for evaluating a parcel of land and to determine a numerical value for the parcel for farmland preservation purposes.

MODERN SOIL SURVEY - A soil survey is a field investigation of the soils of a specific area, supported by information from other sources. The kinds of soil in the survey area are identified and their extent shown on a map, and an accompanying report describes, defines, classifies, and interprets the soils. Interpretations predict the behavior of the soils under different used and the soils' response to management. Predictions are made for areas of soil at specific places. Soils information collected in a soil survey is useful in developing land-use plans and alternatives involving soil management systems and in evaluating and predicting the effects of land use.

PERMEABILITY - Values listed estimate the range (in rate and time) it takes for downward movement of water in the major soil layers when saturated but allowed to drain freely. The estimates are based on soil texture, soil structure, available data on permeability and infiltration tests, and observation of water movement through soils or other geologic materials.

PIQ - Parcel in question

POTENTIAL FROST ACTION - Damage that may occur to structures and roads due to ice lens formation causing upward and lateral soil movement. Based primarily on soil texture and wetness.

PRIME FARMLAND - Prime farmland soils are lands that are best suited to food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It either is used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well-managed soil economically to produce a sustained high yield of crops. Prime farmland produces in highest yields with minimum inputs of energy and economic resources and farming the land results in the least damage to the environment. Prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated with water for long periods and is not frequently flooded during the growing season. The slope ranges mainly from 0 to 5 percent (USDA Natural Resources Conservation Service).

SEASONAL - When used in reference to wetlands indicates that the area is flooded only during a portion of the year.

SHRINK-SWELL POTENTIAL - Indicates volume changes to be expected for the specific soil material with changes in moisture content.

SOIL MAPPING UNIT - A map unit is a collection of soil areas of miscellaneous areas delineated in mapping. A map unit is generally an aggregate of the delineations of many different bodies of a kind of soil or miscellaneous area but may consist of only one delineated body. Taxonomic class names and accompanying phase terms are used to name soil map units. They are described in terms of ranges of soil properties within the limits defined for taxa and in terms of ranges of taxadjuncts and inclusions.

SOIL SERIES - A group of soils, formed from a particular type of parent material, having horizons that, except for texture of the A or surface horizon, are similar in all profile characteristics and in arrangement in the soil profile. Among these characteristics are color, texture, structure, reaction, consistence, and mineralogical and chemical composition.

SUBSIDENCE - Applies mainly to organic soils after drainage. Soil material subsides due to shrinkage and oxidation.

TOPSOIL - That portion of the soil profile where higher concentrations of organic material, fertility, bacterial activity and plant growth take place. Depths of topsoil vary between soil types.

WATERSHED - An area of land that drains to an associated water resource such as a wetland, river or lake. Depending on the size and topography, watersheds can contain numerous tributaries, such as streams and ditches, and ponding areas such as detention structures, natural ponds and wetlands.

WETLAND - An area that has a predominance of hydric soils and that is inundated or saturated by surface or groundwater at a frequency and duration sufficient enough to support, and under normal circumstances does support, a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions.

REFERENCES

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Matt Asselmeier

From: Peter Fleming <[REDACTED]>
Sent: Tuesday, May 14, 2024 10:37 PM
To: Matt Asselmeier
Cc: Tim O'Brien
Subject: [External]Follow Up from Seward Twp.

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Matt,

Our planning commission met this evening and approved the zoning change request for the roofing company on Rt. 52 proposed by Filotto. This will go to the next Twp Board Meeting in June.

On another couple matters. Can you please have your code enforcement officer look into these two matters.

- [REDACTED]
- [REDACTED]

Thanks Matt and please feel free to contact me with any questions.

Pete Fleming
[REDACTED] cell

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
May 7, 2024 – Unapproved Meeting Minutes**

PBZ Chairman Seth Wormley called the meeting to order at 9:00 a.m.

Present:

Matt Asselmeier – PBZ Department
Meagan Briganti – GIS Department
David Guritz – Forest Preserve (Arrived at 9:02 a.m.)
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Commander Jason Langston – Sheriff's Department
Alyse Olson – Soil and Water Conservation District (Arrived at 9:02 a.m.)
Aaron Rybski – Health Department
Seth Wormley – PBZ Committee Chair

Absent:

Greg Chismark – WBK Engineering, LLC

Audience:

Tim O'Brien, Pete Fleming, Michael Korst, Jim Filotto, Ryan Solum, Bruce Miller, Alex Schuster, and Gloria Foxman

PETITIONS

Petition 24-11 James W. Filotto on Behalf of Oakland Avenue Storage, LLC

Mr. Asselmeier summarized the request.

The Petitioner would like a map amendment rezoning approximately eleven more or less (11 +/-) acres located on south side of Route 52 between 276 and 514 Route 52 on the south side of Route 52 from A-1 Agricultural District to B-3 Highway Business District in order to operate a contractor's office at the property.

The Petitioner has also submitted an application for a conditional use permit for construction services business at the property (see Petition 24-12).

If the requested map amendment and conditional use permit are approved, the Petitioner will submit an application for site plan approval.

The application materials and zoning plat were provided.

The property was located between 276 and 514 Route 52.

The property was approximately eleven (11) acres in size.

The existing land use was Agricultural.

The County's Future Land Use Map calls for the property to be Commercial. The Village of Shorewood's Plan calls for the property to be Mixed Use.

Route 52 is a State maintained Arterial Road.

There is a trail planned along Route 52.

There are no floodplains or wetlands on the property.

The adjacent properties were used for Agricultural, Single-Family Residential, and a landscaping business.

The adjacent properties were zoned A-1 and A-1 SU.

Properties within one half (1/2) of a mile were zoned A-1, A-1 SU, B-2, B-3 SU, B-4 and Will County Zoning.

The A-1 special use permits to east are for a landscaping business and fertilizer plant.

The A-1 special use permit to the west is for a landing strip.

The B-3 special use permit to the east is for indoor and outdoor storage.

The property to the north of the subject property is planned to be a school.

ZPAC Meeting Minutes 05.07.24

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on April 22, 2024.

Petition information was sent to Seward Township on April 30, 2024.

Petition information was sent to the Village of Shorewood on April 30, 2024.

Petition information was sent to the Minooka Fire Protection District on April 30, 2024.

The Petitioner would like to rezone the property to operate a construction services/contractor service at the subject property.

The site is currently farmed. Any future buildings would have to meet applicable building codes.

No utilities are onsite.

The property fronts Route 52. Access would have to be approved by IDOT.

Parking and driving aisles would be evaluated as part of the site plan review process.

Based on the proposed uses, no new odors are foreseen. The owners of the property would have to follow applicable odor control regulations based on potential other future B-3 allowable uses.

Lighting would need to be evaluated as part of site plan review.

Landscaping would need to be evaluated as part of site plan review.

Any signage would have to meet applicable regulations and secure permits.

The owners of the property would have to follow applicable noise control regulations based on future land uses. Noise control measures would need to be evaluated as part of site plan approval.

Stormwater control would be evaluated as part of site plan review.

The proposed Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes, single-family residential, and a landscaping business.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 and A-1 with a special use permit for a landscaping business. Other properties in the vicinity possess business zoning classifications.

The suitability of the property in question for the uses permitted under the existing zoning classification. The Petitioners proposed use of the property, for the operation of a construction/contractor business, is not allowed in the A-1 Zoning District.

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

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The subject property is classified as Commercial on the Future Land Use Map and the B-3 Zoning District is consistent with this land classification.

ZPAC Meeting Minutes 05.07.24

Staff recommended approval of the proposed map amendment.

Mr. Rybski made a motion, seconded by Mr. Klaas, to recommend approval of map amendment.

Seward Township's proposed future land use map did not propose a re-classification for this property.

The votes were follows:

Ayes (9): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Olson, Rybski, and Wormley
Nays (0): None
Abstain (0): None
Absent (1): Chismark

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on May 22, 2024.

PUBLIC COMMENT

None

ADJOURNMENT

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

With a voice vote of nine (9) ayes, the motion carried.

The ZPAC, at 9:54 a.m., adjourned.

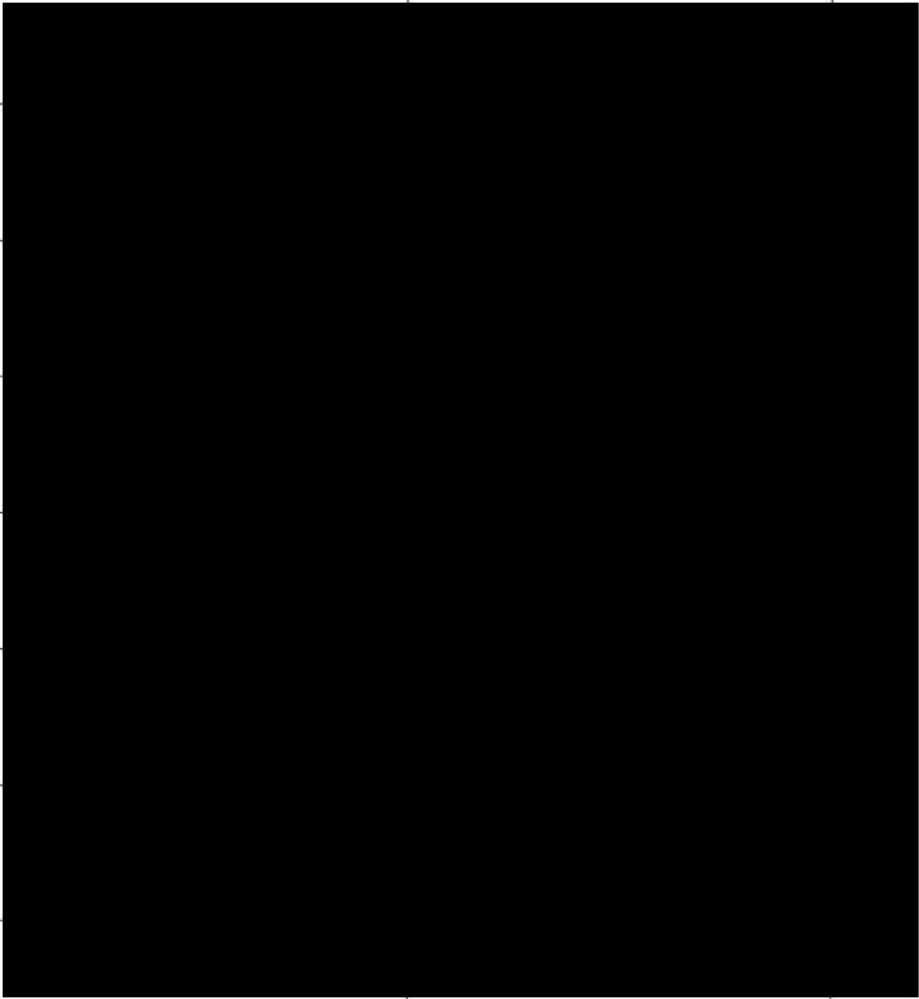
Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Director

Enc.

/

**KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
MAY 7, 2024**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Tim O'Brien		
Pete Fleming		
Michael Korr		
Jim Filotto		
Ryan Solum		
BRUCE MILLER		
Alex Schuster		

Matt Asselmeier

From: Short, Michael A <Michael.Short@illinois.gov>
Sent: Wednesday, May 8, 2024 9:06 AM
To: Matt Asselmeier
Cc: Fran Klaas; Seth Wormley; Christina Burns
Subject: [External]RE: 09-13-400-011

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

IDOT has no concerns at this time.

Thanks,

Michael Short

Program Development Engineer
Illinois Department of Transportation, District 3
700 East Norris Drive
Ottawa, IL 61350
Michael.Short@illinois.gov
815-434-8450

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Friday, April 26, 2024 9:42 AM
To: Short, Michael A <Michael.Short@illinois.gov>
Cc: EXT Klaas, Francis <FKlaas@kendallcountyil.gov>; Seth Wormley <swormley@kendallcountyil.gov>; Christina Burns <cburns@kendallcountyil.gov>
Subject: [External] 09-13-400-011

Michael:

Kendall County received a request to rezone this property from A-1 to B-3 in order to have a construction services business at the property.

Does IDOT have any concerns regarding this request?

Thanks,

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

Matt Asselmeier

From: Engel_Natalie <nengel@shorewoodil.gov>
Sent: Wednesday, May 22, 2024 4:10 PM
To: Matt Asselmeier; Debold_Clarence; Klima_Aaron
Subject: [External]Petition 24-11

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Asselmeier and Kendall County Regional PZC:

Thank you for forwarding the application for Oakland Ave. Storage, LLC at 276 Route 52 in unincorporated Kendall County. Unfortunately, several members of the Shorewood administrative team and I are out of town for a convention so we are not able to send a representative to this evening's meeting. We would appreciate it if this email could be read at the meeting.

As a municipality on the suburban fringe, we feel that it is our duty to work together with the adjacent counties to ensure that any new development occurs in a thoughtful manner and that we avoid urban sprawl. We believe that new development should occur within the municipalities and should be in conformance with its comprehensive plan. We believe that the agricultural nature of the unincorporated areas should be maintained until the land is developed and that any new development needs to be sensitive to the existing agricultural uses.

Shorewood's 2023 comprehensive plan, which was written by Teska Associates with substantial input from Shorewood residents as well as several residents from the nearby unincorporated areas, calls for single-family residential uses on the property. We feel that this is the most appropriate use for the property and that the industrial nature of the proposed contractor office and yard as well as the rezoning to B-3 are not appropriate for the site.

We request that the planning and zoning commission recommend denial of the request.

We would be happy to meet with the applicant or to bring them forward to discuss their proposals with the Shorewood PZC and Village Board. We would work with them to find a date that works with their schedule.

I'm sorry that I am not able to attend the meeting in person. Thank you for your careful consideration of Shorewood's concerns

Natalie Engel, AICP
Economic Development Director
Village of Shorewood

<div style="color: black; background-color: #F8C471;"><h3>Important:</h3><h4> The Village of Shorewood has moved to a new domain.</h4> Our domain has moved from "<i>vil.shorewood.il.us</i>" to "<u>shorewoodil.gov</u>".

Please update our contact details in your records including any junk or spam filtering.
 Emails sent to "<i>vil.shorewood.il.us</i>" will continue to be delivered until January 1 2024.
 </div>

Matt Asselmeier

From: Engel_Natalie <nengel@shorewoodil.gov>
Sent: Thursday, June 20, 2024 10:19 AM
To: Matt Asselmeier
Cc: Michael Korst; Jim Filotto
Subject: [External]Petition 24-11

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Asselmeier,

Over the last month, we have had the opportunity to meet with the applicant for Petition 24-11. He shared his plans to construct a 16,000 SF building for his business Filotto Roofing. He explained that the building will be used to house materials and equipment and that there will be no outdoor storage.

Although we would prefer that the property was developed for residential uses within the Village limits, we appreciate that the proposed use will not be very intensive so we no longer wish to object to the petition. We do, however, request that a prohibition on outdoor storage be included in the approvals for the conditional use permit.

Thank you for giving us the opportunity to provide input.

Natalie Engel, AICP
Economic Development Director



Village of Shorewood

One Towne Center Blvd | Shorewood, IL 60404
815.553.2314

Important:

The Village of Shorewood has moved to a new domain.

Our domain has moved from "vil.shorewood.il.us" to "**shorewoodil.gov**".

Please update our contact details in your records including any junk or spam filtering.

Emails sent to "vil.shorewood.il.us" will continue to be delivered until January 1 2024.

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)
YORKVILLE, IL 60560
May 28, 2024 – 7:00 p.m.

CALL TO ORDER

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

ROLL CALL:

Members Present: Scott Cherry (Arrived at 7:02 p.m.) Cliff Fox, Tom LeCuyer, Randy Mohr, Jillian Prodehl, and Dick Thompson, and Dick Whitfield

Members Absent: None

Staff Present: Matthew Asselmeier, AICP, CFM, Director and Wanda Rolf, Office Assistant

Others Present: Tim O'Brien, Joan Soltwisch, Ron Miller, Pete Fleming, Bruce Miller, Rao Addepalli, and Gloria Foxman

MINUTES:

Chairman Mohr swore in Tim O'Brien, Joan Soltwisch, Ron Miller, Pete Fleming, Bruce Miller, Rao Addepalli, and Gloria Foxman.

The Zoning Board of Appeals started their review of Petition 24-11 at 7:03 p.m.

PETITIONS:

Petition **24 – 11 – James W. Filotto on Behalf of Oakland Avenue Storage, LLC**

Request: Map Amendment Rezoning the Subject Property from A-1 Agricultural District to B-3 Highway Business District

PIN: 09-13-400-011

Location: Between 276 and 514 Route 52, Minooka in Seward Township

Purpose: Petitioner Wants to Rezone the Property in Order to Operate a Construction/Contractor's Office

Mr. Asselmeier reported that the Petitioner requested a continuance in order to address concerns raised by the Village of Shorewood.

Member Fox made a motion, seconded by Member Thompson, to continue the hearing to July 1, 2024. With a voice vote of seven (7) ayes the motion carried.

The proposal will be on the July 1, 2024, Zoning Board of Appeals agenda.

The Zoning Board of Appeals concluded their review of Petition 24-11 at 7:03 p.m.

The Zoning Board of Appeals started their review of Petition 24-13 at 7:04 p.m.

PUBLIC COMMENTS

Gloria Foxman, on behalf of Petition 24-13 James C. Marshall on Behalf of TurningPointEnergy, LLC Through TPE IL KE240 (Tenant) and Frank J. Santoro (Owner), asked if they could continue the hearing one (1) additional month to July 29, 2024, instead of July 1, 2024. Member LeCuyer made a motion, seconded by Member Whitfield, to rescind the previous motion to continue Petition 24-13 to July 1, 2024. With a voice vote of seven (7) ayes, the motion carried. Member LeCuyer made a motion, seconded by Member Whitfield, to continue the hearing on Petition 24-13 to July 29, 2024. With a voice vote of seven (7) ayes, the motion carried.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Whitfield made a motion, seconded by Member LeCuyer, to adjourn.

With a voice vote of seven (7) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 7:55 p.m.

The next regularly scheduled meeting/hearing will be on July 1, 2024.

Respectfully submitted by,
Wanda A. Rolf
Administrative Assistant

Exhibits

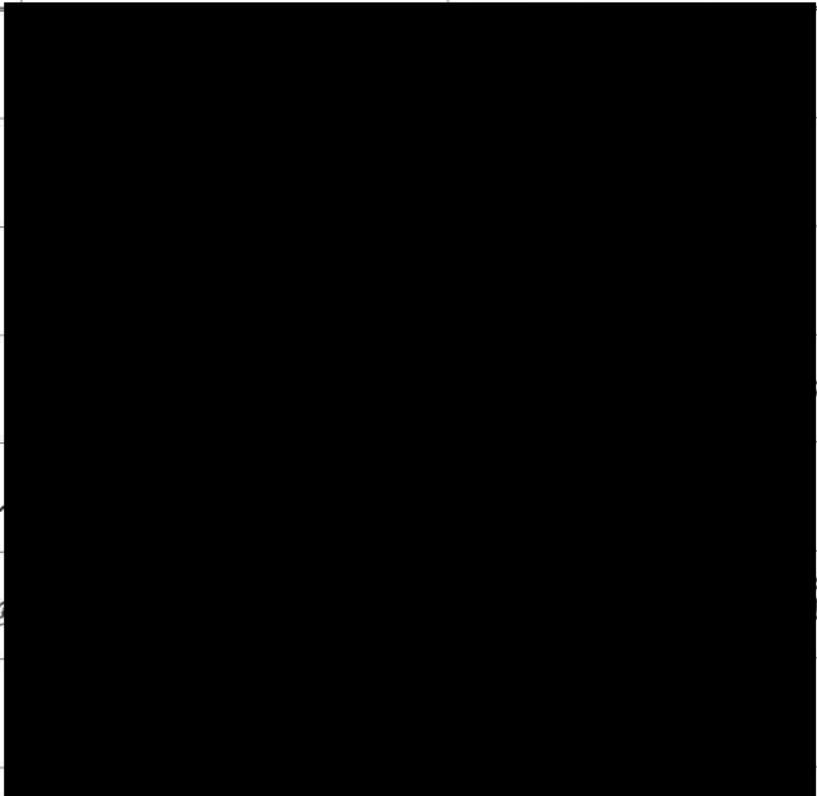
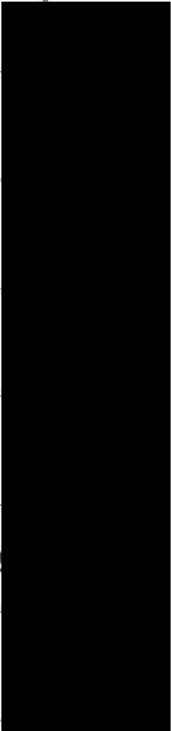
1. Memo on Petition 24-11 Dated May 23, 2024



KENDALL COUNTY ZONING BOARD OF APPEALS

MAY 28, 2024

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

NAME	ADDRESS	SIGNATURE
Jim O'Brien		
RAO ADDEPALI		
Ron Miller		
Pete Fleming		
BRUCE MILLER		
Joan Seltman		
Gloria Foxman		



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Zoning Board of Appeals
From: Matthew H. Asselmeier, AICP, CFM, Director
Date: May 23, 2024

Re: Petition 24-11 Proposed Map Amendment for Property between 276 and 514 Route 52

James W. Filotto on Behalf of Oakland Avenue Storage, LLC submitted a request to rezone the property between 276 and 514 Route 52 (PIN: 09-13-400-011) in Seward Township from A-1 Agricultural District to B-3 Highway Business District with the intention of placing a construction/contractor's office (specifically a roofing company) at the subject property.

On the afternoon of May 22, 2024, the Village of Shorewood submitted an email to the County requesting the Kendall County Regional Planning Commission to recommend denial of the map amendment.

At the Kendall County Regional Planning Commission meeting on May 22, 2024, the Petitioner's Attorney requested that the matter be laid over until the June 26, 2024, Kendall County Regional Planning Commission meeting in order to give the Petitioner an opportunity to meet with Shorewood and resolve Shorewood's concerns. The Kendall County Regional Planning Commission agreed to this request.

Accordingly, the Petitioner is requesting a continuation of the public hearing on this proposal to July 1, 2024.

If you have any questions regarding this memo, please let me know.

MHA

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

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

Approved - Meeting Minutes of May 22, 2024 - 7:00 p.m.

Chairman Bill Ashton called the meeting to order at 7:00 p.m.

ROLL CALL

Members Present: Bill Ashton, Eric Bernacki, Tom Casey, Dave Hamman (Arrived at 7:08 p.m.), Larry Nelson, Ruben Rodriguez, Claire Wilson, and Seth Wormley (Arrived at 7:40 p.m.)

Members Absent: Karin McCarthy-Lange and Bob Stewart

Staff Present: Matthew H. Asselmeier, Director, and Wanda A. Rolf, Office Assistant

Others Present: Tim O'Brien, Dave Koehler, Joan Soltwisch, Marcia Rousonelo, Ray Jackinowski, Kyle Barry, Erin Bowen, Katherine Carlson, Tom Huddleston, Paul Yearsley, Joy Lieser, Greg Henderson, Carrie Kennedy, Andrew Daylor, Kristine Henderson, Michael Korst, Bruce Miller, and Gloria Foxman

Petition 24-11 James W. Filotto on Behalf of Oakland Avenue Storage, LLC

Mr. Asselmeier summarized the request.

The Petitioner would like a map amendment rezoning approximately eleven more or less (11 +/-) acres located on south side of Route 52 between 276 and 514 Route 52 on the south side of Route 52 from A-1 Agricultural District to B-3 Highway Business District in order to operate a contractor's office at the property.

The Petitioner has also submitted an application for a conditional use permit for construction services business at the property (see Petition 24-12).

If the requested map amendment and conditional use permit are approved, the Petitioner will submit an application for site plan approval.

The application materials and zoning plat were provided.

The property was located between 276 and 514 Route 52.

The property was approximately eleven (11) acres in size.

The existing land use was Agricultural.

The County's Future Land Use Map calls for the property to be Commercial. The Village of Shorewood's Plan calls for the property to be Mixed Use.

Route 52 is a State maintained Arterial Road.

There is a trail planned along Route 52.

There are no floodplains or wetlands on the property.

The adjacent properties were used for Agricultural, Single-Family Residential, and a landscaping business.

The adjacent properties were zoned A-1 and A-1 SU.

Properties within one half (1/2) of a mile were zoned A-1, A-1 SU, B-2, B-3 SU, B-4 and Will County Zoning.

The A-1 special use permits to east are for a landscaping business and fertilizer plant.

The A-1 special use permit to the west is for a landing strip.

The B-3 special use permit to the east is for indoor and outdoor storage.

The property to the north of the subject property is planned to be a school.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on April 22, 2024. The LESA Score was 196 indicating a low level of protection. The draft NRI Report was provided.

Petition information was sent to Seward Township on April 30, 2024. The Seward Township Planning Commission reviewed the proposal at their meeting on May 14, 2024, and approved the requested map amendment. The proposal goes to the Seward Township Board in June. An email with this information was provided.

Petition information was sent to the Village of Shorewood on April 30, 2024. Mr. Asselmeier read an email from the Village of Shorewood requesting that the Commission recommend denial of the request.

Petition information was sent to the Minooka Fire Protection District on April 30, 2024. No comments were received.

ZPAC reviewed this proposal at their meeting on May 7, 2024. Seward Township's proposed new Future Land Use Map did not change the classification of this property. ZPAC recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes were provided.

The Petitioner would like to rezone the property to operate a construction services/contractor service at the subject property.

The site is currently farmed. Any future buildings would have to meet applicable building codes.

No utilities are onsite.

The property fronts Route 52. Access would have to be approved by IDOT. IDOT submitted an email expressing no objections to this request. The email was provided.

Parking and driving aisles would be evaluated as part of the site plan review process.

Based on the proposed uses, no new odors are foreseen. The owners of the property would have to follow applicable odor control regulations based on potential other future B-3 allowable uses.

Lighting would need to be evaluated as part of site plan review.

Landscaping would need to be evaluated as part of site plan review.

Any signage would have to meet applicable regulations and secure permits.

The owners of the property would have to follow applicable noise control regulations based on future land uses. Noise control measures would need to be evaluated as part of site plan approval.

Stormwater control would be evaluated as part of site plan review.

The proposed Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes, single-family residential, and a landscaping business.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 and A-1 with a special use permit for a landscaping business. Other properties in the vicinity possess business zoning classifications.

The suitability of the property in question for the uses permitted under the existing zoning classification. The Petitioners proposed use of the property, for the operation of a construction/contractor business, is not allowed in the A-1 Zoning District.

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

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The subject property is classified as Commercial on the Future Land Use Map and the B-3 Zoning District is consistent with this land classification.

Staff recommended approval of the proposed map amendment.

Marcia Rousonelo was concerned about a storage facility coming to the area. She expressed concerns about aesthetics, drainage, noise, and property devaluation.

Ray Jackinowski provided pictures of the storage facility's current operations in Crest Hill. He did not want to live next to that type of use. He favored residential use of the neighboring property.

Michael Korst, Attorney for the Petitioner, said the property would not be used for storage. The proposed use is a contractor's yard, specifically a roofing company. There would be not outside storage and the property would be fenced.

Member Wormley asked how the Petitioner planned to address the objection from Shorewood. Mr. Korst responded that in discussing the proposal with Shorewood prior to application submittal, the area was planned to be mixed use. They plan to meet with Shorewood in the future. Member Wormley said that he would vote no unless the Petitioner resolved the matter with Shorewood.

Mr. Korst requested the proposal be tabled until the next meeting to allow the Petitioner an opportunity to talk with Shorewood.

Chairman Ashton favored having the Petitioner's name match the proposed use instead of having storage in the applicant's name. Oakland Avenue Storage, LLC was the legal owner of the property.

Member Nelson made a motion, seconded by Member Rodriguez, to layover the proposal to the next meeting at the Petitioner's request.

The votes were as follows:

Ayes (8): Ashton, Bernacki, Casey, Hamman, Nelson, Rodriguez, Wilson, and Wormley

Nays (0): None

Absent (2): McCarthy-Lange and Stewart

Abstain (0): None

The proposal will be continued at the Kendall County Zoning Board of Appeals on May 28, 2024, and will come back to the Regional Planning Commission on June 26, 2024.

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier reported that Petition 24-10 and 24-11 will be on the agenda for the June meeting.

ADJOURNMENT

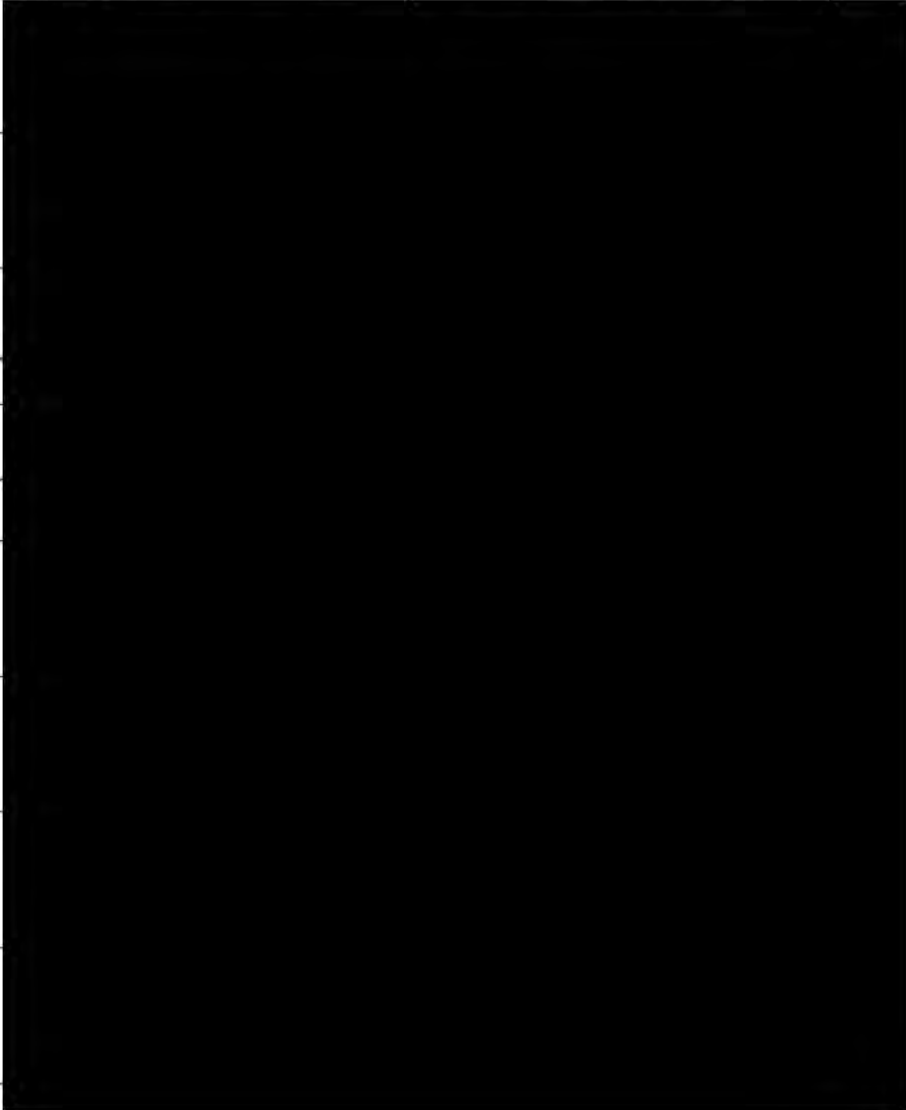
Member Wilson made a motion, seconded by Member Nelson, to adjourn. With a voice vote of seven (7) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 9:59 p.m.

Respectfully submitted by,
Wanda A. Rolf, Administrative Assistant

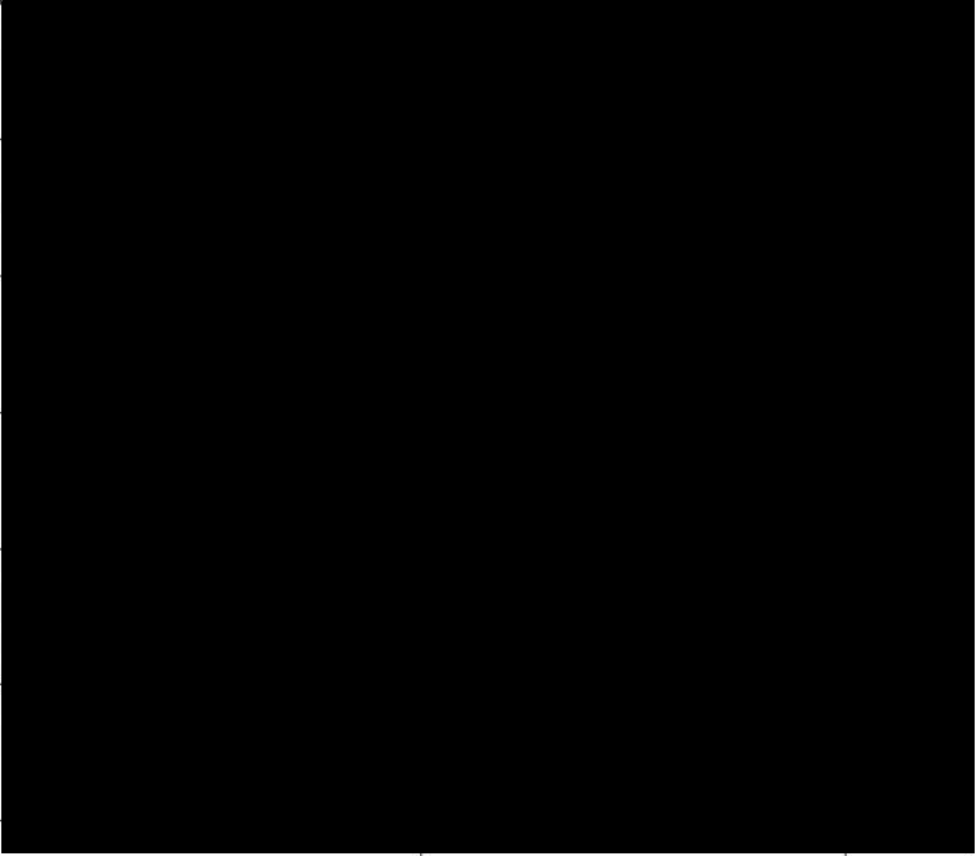
**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
MAY 22, 2024**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Tim O'Brien		
DAVE Koehler		
BRUCE MILLER		
Joan Seltman		
marcia Rousonelo		
Ray Jackson 514 RT 52		
Kyle Barry		
Gloria Foxman		

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
MAY 22, 2024**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Erin Bowen		
Katherine Carlson		
TOM HUDDLESTON		
Paul Yearley		
DAVE Koehler		
Jay Lieser		

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

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

Unapproved - Meeting Minutes of June 26, 2024 - 7:00 p.m.

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

ROLL CALL

Members Present: Bill Ashton, Eric Bernacki, Tom Casey, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Bob Stewart, Claire Wilson, and Seth Wormley (Arrived at 7:03 p.m.)

Members Absent: Ruben Rodriguez

Staff Present: Matthew H. Asselmeier, Director, and Wanda A. Rolf, Office Assistant

Others Present: Alex Schuster, Marcia Rousonelos, Ray Jackinowski, Michael Korst, and Jim Filotto

PETITIONS

Petition 24-11 James W. Filotto on Behalf of Oakland Avenue Storage, LLC

Mr. Asselmeier provided an update.

The Zoning Board of Appeals initiated and continued the public hearing on this proposal.

The NRI Report was finalized; the LESA Score remained 196 indicating a low level of protection.

The Village of Shorewood withdrew their intent to file a formal objection, provided no outdoor storage occurred at the property; an email stating that intention was provided.

Member Wilson asked if the Petitioner had spoken to the person that lived in the house to the west of the property. James Filotto, Petitioner, responded no. Michael Korst, Attorney for the Petitioner, felt that the concerns had been addressed by assuring the neighbor that the proposed use would not involve outside storage; all storage would be inside the building. Member Wilson expressed disappointment that the Petitioner did not talk the neighbor prior to the meeting and advised him to talk with the neighbor before submitting an application for site plan approval.

Member Bernacki asked about talks with the Village Shorewood. Mr. Korst said the talks went great and Shorewood withdrew their objections once it became clear that no outside storage would occur.

Ray Jackinowski asked why the Petitioner had outdoor storage at his other facility. Mr. Filotto said that they stored items outdoors at the other facility because they were out of space. Discussion occurred regarding the amount of space at their existing property.

The proposed location would only be a roofing business.

Discussion occurred regarding truck traffic at the subject property.

Mr. Jackinowski said that he did not want outdoor storage next to his property.

Mr. Filotto had not determined the specific location of the future building. Discussion occurred regarding obtaining a special use permit for outside storage and buffering requirements.

Member Wilson asked where shingle deliveries will occur. Mr. Filotto said shingles would be delivered to the job site.

The proposed building would be approximately fifteen thousand (15,000 square feet). The building would have a storage component.

Having storage in the name of the property created confusion.

Marcia Rousonelos discussed the tree business, storage facility, and dome in the area. She felt that these were eyesores in the area. She asked what was required to make the property a storage facility. A special use permit would be required to have outdoor storage. Discussion occurred regarding notice requirements. She expressed concerns about declining property values and to live in a nice neighborhood. Foresters are exempt from zoning and the storage facility and sports dome received applicable permits. The forty (40) acre rule does not apply for properties zoned B-3; the minimum lot size is ten thousand (10,000) square feet.

Discussion occurred regarding other uses that could be placed at the property, including more intense agricultural uses and a banquet facility.

Member Hamman made a motion, seconded by Member Bernacki, to recommend approval of the map amendment.

The votes were as follows:

Ayes (9): Ashton, Bernacki, Casey, Hamman, McCarthy-Lange, Nelson, Stewart, Wilson, and Wormley
Nays (0): None
Absent (1): Rodriguez
Abstain (0): None

The motion carried

The proposal goes to the Kendall County Zoning Board of Appeals on July 1, 2024.

CITIZENS TO BE HEARD/PUBLIC COMMENT

None

OTHER BUSINESS/ANNOUNCEMENTS

Chairman Ashton announced that a proposed amendment to the pipeline depth regulations will be on the agenda for the July meeting. Member Nelson discussed the TransCanada project in Kendall County. The proposal would require pipelines to be buried at least five feet (5') in the ground as measured from the top of the pipe.

Mr. Asselmeier reported that the owner of 7789 Route 47 wants a waiver to the landscaping requirements as part of site plan review.

Member Casey asked about an asphalt business on Route 52. Mr. Asselmeier responded that the Department was investigating the matter.

Member Bernacki reported that the Village of Plainfield discussed a development at the northwest corner of Ridge Road and Johnson Road. The proposal was condos and mixed use with industrial on the western portion; the proposal was denied by the Village Trustees. Discussion occurred regarding industrial going west of Ridge Road and planned infrastructure improvements in the area.

Member Nelson reported that the City of Plano has hired Teska Associates to update their Comprehensive Plan. Member Nelson was of the opinion that, since the Microsoft data center announcement, the drive for more solar panels outside of Plano will slow. Discussion occurred regarding a new transformer along the railroad tracks near Corneils Road.

Member Bernacki asked about the proposed solar farm on Simons Road. Mr. Asselmeier stated that the proposal was laid over at the Petitioner's request until the July 29, 2024, zoning hearing.

ADJOURNMENT

Member Bernacki made a motion, seconded by Member McCarthy-Lange, to adjourn. With a voice vote of nine (9) ayes, the motion carried.

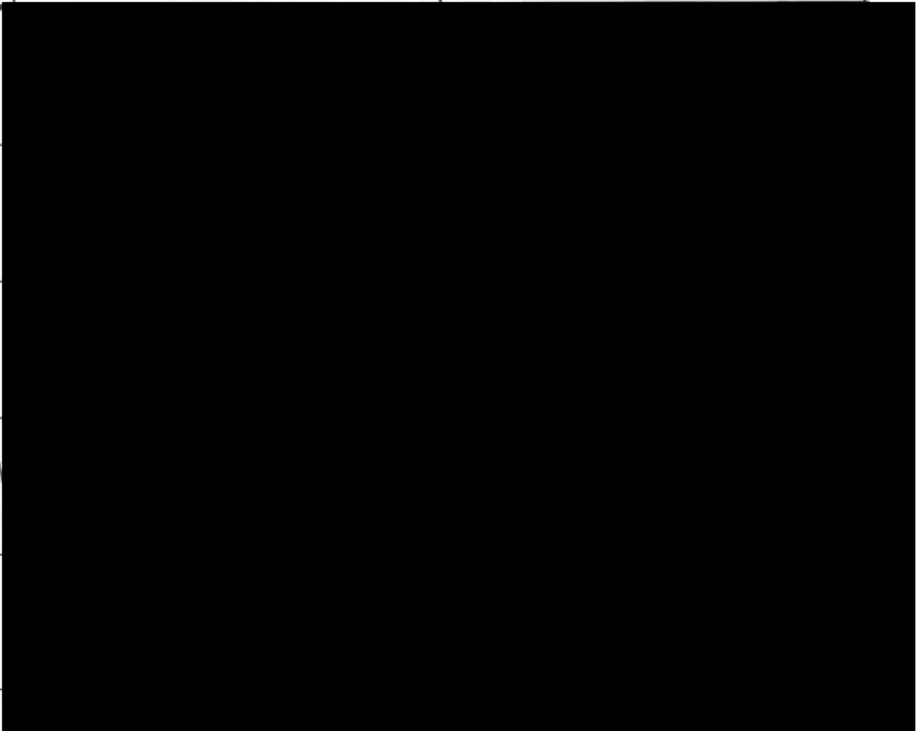
The Kendall County Regional Planning Commission meeting adjourned at 7:56 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP, CFM, Director
Encs.

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**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
JUNE 26, 2024**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
ALEX SCHUSTER		
Michael Korst		
Jim Filotto		
Marcia Ransom		
By [Signature]		