Chairman Bill Ashton called the meeting to order at 7:00 pm.

ROLL CALL
Members Present: Chair Bill Ashton, Tom Casey, Larry Nelson, Vern Poppen, Claire Wilson and Budd Wormley
Others present: Planning & Zoning Manager Angela Zubko
Members Absent: Brian Leonard, Tim Sidles and 2 vacancies (Oswego Township & Big Grove Township)
In the Audience: Attorney Daniel Kramer, Attorney Ken Carlson, Barry Narvick, Bob, Sharon & Scott Friestad, Greg Dady and County Board Chairman John Shaw

APPROVAL OF AGENDA
Larry Nelson a motion to approve the agenda as written. Bud Wormley seconded the motion. All were in favor and the agenda was approved.

APPROVAL OF MINUTES
Bud Wormley made a motion to approve the minutes from July 23, 2014 meeting, Vern Poppen seconded the motion. All were in favor and the minutes were approved.

PETITIONS
#14-12 Central Limestone Company, Inc.
Planner Angela Zubko stated last month this was discussed here and we continued it till the township could have their hearing which the township Plan Commission and township board made a favorable recommendation to approve the rezoning and special uses. Planner Zubko stated we did take a tour yesterday and learned the asphalt plant will be hooking up to natural gas shortly which would reduce the smell and little and also talked about having an entrance off Joliet Road or Quarry Road to help mitigate dust that travels southeast of the truck traffic at the quarry. Mr. Narvick talked to ComEd today and they want level ground so no berm in the ComEd property. Ms. Wilson asked what the benefit of a berm along Quarry Road would be. Mr. Narvick stated to reduce dust and it was suggested by a neighbor. Another suggestion was to put a berm going east and west by the existing barn in the southeast corner of the property. That berm would help reduce noise from the back-up beepers. Mr. Narvick’s concern about the berm is safety so really would not like a berm along Quarry Road. Mr. Ashton asked if anyone from the audience wanted to speak. Scott Friestad apologized for not being here last month but since the plant has been running the dust and noise has increased.
immensely. The mining noise is very little and the dust is very little within the last 2-3 years as everything is in the pit. Mr. Friestad would like a berm along Quarry Road and put a condition for the berm. Planner Zubko read the 4 conditions that were placed on the ordinance last month. There was discussion on number 4 about access off of Joliet Road. Ms. Wilson stated if there is an entrance off of Joliet Road would there be the potential of having the trucks enter and exit off Joliet Road. Planner Zubko stated the quarry trucks will always use Quarry Road. The chairman asked the petitioner if they are fine with the first 3 conditions proposed. The petitioner does not have an issue and willing to include a berm at the southeast part of the proposed rezoning and put that as a condition on the special use. We will eliminate condition 4 and add the berm.

Larry Nelson made a motion to approve the rezoning and special use for the 1st 3 conditions and add a condition for an earthen berm that runs east and west at the bottom of the rezoning site and to work with the neighbors on the height. Claire Wilson asked about plantings but Mr. Carlson stated the survivability of the plants will be difficult. Bud Wormley seconded the motion. With a roll call vote all were in favor and this will move onto the next ZBA/SUHO meeting next weekend.

#14-22 Clean-up and Restoration Services

Planner Angela Zubko stated that Servpro is looking to open up a franchise in the County and currently staff is of the opinion it really does not fall into a current category in the Zoning Ordinance. Therefore staff is proposing the following text amendment. SERVPRO of Kendall County provides the following services: residential and commercial restoration services for water damage, fire damage, disaster, storm and flood damage and mold damage. They also perform biohazard remediation like sewage cleanup, crime scene cleanup and/or vandalism cleanup. Staff proposes it to be a Special Use in the A-1 (Agricultural District) and Permitted in the B-3 (Highway Business District), M-1 (Limited Manufacturing) & M-2 Districts (Heavy Industrial District).

If this is on agricultural land it shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan.

Clean-up and restoration services with the following conditions:
   a) All commercial vehicles are to be stored inside an accessory structure when not in use unless outdoor storage is screened from adjacent and surrounding properties and screening and storage is shown on the approving site plan.
   b) No materials that are brought in can be burned on this site.
   c) All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations).
   d) Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.

The ZPAC commented allowing this is Agricultural districts might be good in one location but not another, he’s kind of concerned. Planner Zubko stated because everything has to be in enclosed buildings that would make it hard for most businesses.
Larry suggested that for only Ag districts to have it along an major state route or arterial roadway. Ms. Wilson asked if we have restrictions on burning in the County? Larry explained the rules of the County and Planner Zubko stated she added it to be safe as landscape business’ seem to have an issue. The petitioner, Greg Dady stated they have never burned currently and have no issue with burning. Mr. Ashton brought up an incinerator and if that’s burning.

With no further comments Larry Nelson made a motion with the 1 change, seconded by Tom Casey to recommend approval and forward the text onto the Zoning Board of Appeals. Ms. Wilson if we should consider all operations are inside in an enclosed structure. Larry Nelson made an amended motion with that change. With all in favor the motion carried.

#14-23 DTG Investments LLC
Planner Angela Zubko did an overview of the request stating the property is located at 3485 Route 126 where Countryside Landscaping is currently. The property is about 5.93 acres and the petitioner is requesting an A-1 Special use to operate a cleanup restoration business. Everything will take place inside the building and no new buildings are proposed at this time. Currently Servepro operates out of 3 separate buildings in the Stonehill Industrial Park in Oswego and would like a larger building to make the business more efficient and in one location. Servepro will be renting from DTG Investments LLC. How the operation roughly works is the business is called, employees go out to the home, collect or go through the destroyed belongings and bring it back to the site or throw out on site. The employees wash, clean, sterilize and store the items inside the closed building and also do repairs/construction on the home. Once the original site is back to its original condition the items are returned back to the owner. The service has small vans/pick-up trucks but do not own any semi trucks. Semi trucks have been used once and that was in the flood of 2013 there was so many items it was trucked in, that is a rare occurrence. There are about 18 employees that will park on site. The employees will be parking behind the building. All commercial vehicles will be parking inside the building due to the equipment inside the vans and employees will be the only ones parking outside the building. IDOT has stated no ROW will be required along Route 126. There will be no outdoor storage except the employee vehicles. Also the petitioner knows nothing shall be placed in the floodplain. Also staff has asked if any drains or catch basins exist in the building currently or if any will be installed. Stamped architectural drawings will be needed to verify this. The farmhouse will be rented most likely to people working on the property. There is floodplain on the property as shown it is considered Zone A which means no flood elevation has been determined; therefore this is considered all Floodway. The petitioner is aware no storage or parking shall take place in the floodway. Countryside landscaping will stay in the building for a little and the plan is to eventually have SERVPRO utilize the entire building. An Endangered special report has been completed and there are no records of threatened or endangered species. Assuming the proposed text amendment is approved by the County Board; Staff would recommend approval and the following conditions are placed on the special use, if approved:

1. Must meet all the conditions of the text amendment (list all conditions)
2. No outdoor storage except employee cars.
3. No activity including parking or storage is permitted in the floodplain.
4. If any future expansion is proposed a major amendment to the special use will need to be filed.
The ZPAC did not have many concerns, the Health Department will be meeting with the petitioner to discuss the septic system and they have met with the building department and know their concerns.

Greg Dady introduced himself and stated ServePro will have a 7 year lease. Countryside Landscaping will be leasing the building till December and then ServePro will be utilizing the entire building. Mr. Ashton asked about signage and if 2 signs will be on the property at the same time. The petitioner stated no since Countryside Landscaping will be out in December and the sign taken down and a sign strictly for ServePro.

With no further suggestions or changes Vern Poppen made a motion with the suggested changes, seconded by Claire Wilson to recommend approval and forward the petition onto the Zoning Board of Appeals. With a roll call vote all were in favor.

**#14-24 Divyesh Patel/Council Court Motel**

Planner Angela Zubko did an overview of the request stating the property is located at 1016 Route 30 about 0.06 miles north of Gastville Street. The petitioner is requesting a B-3 special use to build a dwelling unit for a watchman and families. The petitioner, Divyesh Patel owns 4.2 acres and the business is really on 2.94 acres. Mr. Patel would like to relocate his family to this site for better efficiently and to keep an eye on his business. This motel has been here since about 1973 and Mr. Patel has owned the property since 2000. There were actually 2 more buildings on this property to the east of the circle driveway but they were demolished in 2005. The petitioner will be requesting a variance as he would like to locate the home 5' from the northern property line and when built would demolish the existing shed. The side and/or rear lot line setback is a minimum of twenty (20) feet. As you will see on the plat 2 different locations are proposed but clearly only 1 location will be built on. The Special Use will be for anywhere on the property. An endangered species report has been completed and no threatened or endangered species exists on the property. An NRI is not applicable since the property is already zoned business and not agricultural. Staff recommends approval of the special use to build a dwelling unit for a watchman and families. Mr. Patel is in attendance for any questions.

At ZPAC there were no concerns and a septic permit will be required during the building permit process.

Larry Nelson asked how do we prevent them from renting out the house in the future. Planner Zubko stated it’s the definition of watchman’s quarters.

Ms. Wilson had a question about the variance of the lot line and what was to the north, Planner Zubko stated the Comed ROW is to the north.

With no further comments Tom Casey made a motion, seconded by Claire Wilson to approve the special use and forward the petition onto the SUHO meeting in August. All were in favor and the motion carried.
#14-25 Medical Cannabis Distribution Center
Planner Angela Zubko stated the cultivation center will on the County Board in September but now we’re discussing the distribution centers. The back page shows what the surrounding Counties are doing and Planner Zubko stated last month we talked about bullet proof glass which is in the rules that bullet proof glass is needed.

Larry Nelson had some concerns still about dispensaries and people hanging around. There was some discussion why pharmacies cannot sell medical cannabis and the fact it’s all cash. The Plan Commission would like to add condition ‘I’ back in that No Dispensary shall be established in multiple use. Ms. Wilson had some discussion on condition e but was fine with the condition. With condition J is it covered by L? Also she’s afraid it could be challenged. Planner Zubko stated 1 is state regulations. The group would like to delete J. She had a question on O, manger needs to be changed to manner. Add something about text and slang not being permitted.

Mr. Nelson is afraid it’s going to start like riverboats and then grow into something big. There was discussion to only allow it as a special use in the M-1 or M-2 district.

Larry Nelson made a motion to approve the text as modified as a special use in the M-1 and M-2 districts. Claire Wilson seconded the motion. All were in favor and this text will be moved onto the Zoning Board of Appeals.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
14-20: Peaceful Pathways Montessori School: Approved at the 8.19 CB meeting
14-11: Concrete Crushers: Approved at the 8.19 CB Meeting

CITIZENS TO BE HEARD/ PUBLIC COMMENT: None

NEW BUSINESS

OLD BUSINESS
Update on possible changes for Kendall & NaAuSay Township- Planner Zubko stated we had an ad-hoc meeting and it was decided we will have a meeting with developers and then a separate meeting with townships about what is selling or what they think will sell in the future. The meeting with the township will be about what’s good and bad with the existing subdivisions. The special ad-hoc meeting will be at 7am at the Meadowhawk lodge on September 24th with the developers.

Mr. Ashton would like to add we need someone from Oswego, Big Grove and NaAuSay Township.

ADJOURNMENT
The next meeting will be on September 24, 2014. Larry Nelson made a motion to adjourn the meeting, Vern Poppen seconded the motion. All were in favor and the meeting was adjourned at 8:35 p.m.

Submitted by,
Angela L. Zubko, Planning & Zoning Manager