

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

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

Present:

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

Absent:

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

Audience:

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

AGENDA

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

MINUTES

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

PETITIONS

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

Mr. Asselmeier summarized the request.

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

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

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

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

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

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

There are no floodplains or wetlands on the property.

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

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

An NRI was not required.

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

WBK requested the following information:

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

The proposed design standards were as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The motion passed.

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

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

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

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

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

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

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

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

The EcoCat was submitted and consultation was terminated.

The NRI application was submitted on September 26, 2019.

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

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

Any new structures would require applicable building permits.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The proposed facilities would be served by well and septic.

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

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

The development will require a stormwater management permit.

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

The property fronts County Line Road.

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

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

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

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

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

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

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

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

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

Little noise is anticipated from the proposed operations.

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

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

Unlike map amendments, special use permits can be conditioned.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OLD BUSINESS/NEW BUSINESS

None

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

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

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

Enc.