

MINUTES
WILL COUNTY LAND USE AND DEVELOPMENT COMMITTEE
May 12, 2009

Pledge of Allegiance

Chairman Weigel led the pledge of allegiance.

Call to Order:

Chairman Weigel called the meeting to order at 11:45 a.m.

Members Present at Roll Call:

Tom Weigel, Debbie Rozak, Katrina Deutsche, Michael Wisniewski and Sharon May.

Members Absent:

Kathleen Konicki

Staff Present:

David Dubois, Curt Paddock, Eileen Franz, Mike Smetana, Karl Palmquist, Nicole Roedl, Howard Hamilton and Leigh Kelley.

State's Attorney Present:

Melanie Manning

Others Present:

See sign in sheet.

Approval of Minutes:

Michael Wisniewski made a motion to approve the minutes from April 14, 2009; seconded by Debbie Rozak.

ALL IN FAVOR

MOTION CARRIED (5-0)

Chairman Weigel advised the Committee that Curt Paddock needed to discuss an issue regarding rodeos.

Mr. Paddock introduced Lieutenant Dan Schaefflein of the Will County Sheriff's Department and spoke to the Committee about charredas and rodeos, which come before the LUDC with some frequency. Due to the fact that the current zoning code does not make any specific reference to this type of event as an authorized by-right use in an A-1 district or any other district, nor does it have as a permitted special use, this type of use in an A-1 district or any other district. Pending any change to the zoning code to create an express category for this type of event, the way this type of matter has been held in the past has been to ask anyone who is interested in conducting this type of event to apply for a temporary use permit. Like all other temporary use permits, the current zoning code gives the Department, through the Zoning Administrator, the delegated authority to issue a temporary use permit when it has been filled out completely and applied for in a timely manor. A previous Committee requested staff to inform the LUDC that a temporary use permit has been filed for this type of activity so that it can be reviewed, discussed and recommendations can be given. Occasionally the Committee

Minutes

Land Use Planning, Zoning & Development Committee

May 12, 2009

has voted no for the issuance of such permits. The reason this is being brought up is that it is a reoccurring problem each year.

Mr. Paddock stated that it is his opinion that due to the fact that the Committee from time to time has turned down these types of temporary use permit requests even when the formal criteria has been met, that it has created an assumption of why should I even bother to apply for a temporary use permit that is going to get turned down anyway, so I'll just go ahead and have the event.

Lieutenant Dan Schaefflein explained that the Sheriff's office does not typically receive any advance notice with regards to charredas. The first notice the Sheriff's Department generally receives is a phone call regarding a massive disturbance inside of one of the charredas or a phone call from an adjacent property owner because the patrons from the charredas have spilled onto their property to picnic or ride horses. The Sheriff's Department then responds to the calls and often the patrons from the rodeo are not Will County citizens and we have a language barrier that they try to overcome.

Lieutenant Schaefflein explained that the property owners become frustrated because of the inability of the Sheriff's Office to provide what they believe is timely and efficient service and the Sheriff's Office is frustrated because we are not given any advance warning by the community and we have no way of building any type of bridge with the property owners.

Mr. Paddock advised the Committee that he feels there is a short term and a long- term way to manage this type of event. We cannot create a set of conditions where these types of events are totally eradicated but we should figure out ways to properly manage it so that it has the least negative spillover effect to surrounding neighbors. The long term is that we need to make changes to the text of the zoning code to define the district within which there could be a special use permit for this type of activity that would be accompanied by numerous conditions that would require that the event occur in a way that is manageable for all concerned. Mr. Paddock then suggested the Committee indicate to staff that any temporary use permit for this type of matter be given a fair and balanced hearing.

Mr. Paddock stated that staff would then call a meeting of every owner of record of every parcel where this type of activity is known to occur. We would also work with Hispanic leadership from throughout the County to try to convene a meeting to talk about the methodology that is being used for temporary use permits and be able to communicate with them that if you follow the process they can expect to have a fair, balanced and open minded hearing for their particular permit request with the hope that it would lead to the individual applying for the temporary use permit. The benefit of this would be that all of the various agencies would have notification of the event prior to it's occurrence and would have to sign-off that they had in fact received notice of this event. With that prior notice the various agencies can make appropriate arrangements and if not be on site take the necessary steps to regulate these events in the most efficient way.

Mr. Paddock stated that staff is looking for a sense of the Committee that they would be receptive and open minded to temporary use permit requests and that message could be conveyed on their behalf when organizing the stakeholders meeting.

Mrs. Rozak stated that she has a long history the County has with rodeos. She believed that they have been very fair when looking at these requests. It has been a constant battle, they are not coming in for the proper permits and when they did they did not abide by what we asked of them. We have been dealing with this issue for more than a decade with no resolution and she does not know what the resolution would be, but all stakeholders need to abide by the rules.

Minutes

Land Use Planning, Zoning & Development Committee

May 12, 2009

Mrs. Rozak explained that she has received more phone calls for rodeo issues than any other issues.

Mr. Paddock explained that our Department is not open twenty-four hours a day seven days a week and the events take place when our office is closed.

Mr. Wisniewski stated that it would be better to have all parties come together and have a good will feeling and know what is going on.

Mr. Paddock stated that if the Committee is willing to give any temporary use permit an open, fair and balanced hearing, and encourages a stakeholders meeting to try to get better compliance with actually applying for temporary use permits and direct the staff to begin working on proposing amendments to the text of the zoning code that would perhaps provide a better more thorough regulatory framework for this matter.

Chairman Weigel stated that he believed the Committee would be agreeable and Mr. Wisniewski answered yes.

Conservation Design

Chairman Weigel explained that a stakeholders meeting was held last week for conservation design subdivisions and asked Mr. Dubois to give an overview of the changes that were made as a result of that meeting.

Mr. Paddock gave an overview of the stakeholders meeting. The meeting took place at the offices of the Soil and Water Conservation District with the realtors, builders and developers represented as well as three other entities that would represent the “conservation perspective”. It was held under the auspices of the LUDC and the Committee’s Chair was present throughout the entire meeting, which lasted eight hours. Every single line of the draft text was brought up. The vast majority of concerns and issues brought forward by any representative of any of the above listed groups ultimately found some type of consensus language that would then become a part of what Mr. Dubois would be going over today.

Mr. Paddock stated that he believed it was an extremely effective meeting.

Mr. Dubois thanked those present that had attended the stakeholders meeting last week and explained that he would focus on the major points where a consensus was reached:

Page 57 Article 31, 31-01-B in the table, R –4 was originally in the document and then omitted. It was the consensus of the stakeholders group that it be re-instated as a district where conservation design would be a permitted by right option.

Page 57 – line 13 – Yield Plan had limited discussion and a consensus was reached on that component.

Page 58, 31-04 Density Bonuses – it was the consensus of the stakeholders group to increase the bonus percentage maximum from twenty (20) to twenty-five (25) percent. It was also the consensus of the stakeholders group that there were some other modifications that would change of few of the percentages that would be the maximum allowable under some of the options.

Minutes

Land Use Planning, Zoning & Development Committee

May 12, 2009

Letter e. was completely revamped with the focus on LEED Standards, Sustainable Sites Initiative and the National Association of Homebuilders Green Building Standards and trying to incorporate that into the density bonus calculations.

Page 61, Article 31 Open Space, 32-01-B there were major modifications to the table. The percentages were changed for open space requirements in R-1, R-2, R-2A to 40%, R-3 was changed to 30% and R-4 was added with 30%. Those percentages were the consensus of the stakeholders group.

There were some modifications to 32-02 – about the use of open spaces, what can be used in open space. Most of that was a consensus of the stakeholders group.

Page 63, 32-04 – Limited Credit for Certain Open Space Features- there were modifications made to line 27. 100% of the area devoted to landscape medians and landscape islands within the right-of-way would count toward open space.

Line 32- the amount of floodway that can count toward satisfying minimum open space requirements was increased from 50% to 75%.

Line 34 - wetlands being able to be counted was increased from 50% to 100% that was based upon discussion of stakeholders and consensus. Another modification in that area also clarified what was public and what was private and the timing of that transition

Page 64, 32-05-C - Maintenance Special Service Areas- based upon discussion of committee the language inserted on Line 45 was verbatim from Ms. Debbie Bell from Three Rivers. The intent was to allow the landowners within a subdivision to have a hearing at the County before a levy ordinance was passed to give them the opportunity to come before the County to avoid going to the next step. There would still be a Maintenance Special Service Area but there would be no levy ordinance passed until they had the opportunity to come to the County. This will require some modification based upon speaking with the State's Attorneys Office.

Article 60 Definitions – there were some major changes to this section based upon stakeholder comments that were received yesterday. If there are any issues with these, they are not insurmountable. We believe the major components where there were any issues that a consensus was reached on them.

Based upon the results of discussions and the stakeholders meeting, this would still require staff and the State's Attorney's review. We are looking for the direction from the Committee to go forward with the changes that were just reviewed. These would be cleaned up and tweaked and we would go through the definitions and resolve those minor issues. The document would come back before the LUDC in two weeks for their consideration for what would go forward before the County Board.

Mrs. Rozak asked if the changes to the calculations still keep it density neutral and Mr. Dubois answered with bonuses, it never was density neutral. That was part of the incentive to get the development community to use this option.

Chairman Weigel asked the Committee if they were comfortable with the changes and Mr. Wisniewski answered yes if the staff and stakeholders are in agreement he would like it to move forward.

Minutes

Land Use Planning, Zoning & Development Committee

May 12, 2009

Mrs. May concurred with Mr. Wisniewski's comments. She stated a lot of time has been put into this and it was a great idea to put all of the stakeholders together to work on it.

Mr. Kevin Hynes (Home Builders) approached and thanked the Committee and staff for convening the meeting last week. It was one of the more productive meetings that he has ever been involved in. He also thanked all of the stakeholders for their patience and their input. He explained that it is pretty close to being done. There is at least one consensus recommendation that is not in the current document. Chairman Weigel explained that he wanted to let Mr. Hynes tweak the document with staff in the next two weeks and then bring it back.

Mr. Hynes stated that the one consensus recommendation that was not in there was omitted because the State's Attorney's office disagreed with it and he would like an explanation and to see something in writing.

Mrs. Rozak asked Mr. Hynes if what he wanted to have in the document was a sunset and Mr. Hynes stated they came to a conclusion that it be called a review period not a sunset.

Mrs. Rozak asked why this could not be put in and Mr. Dubois answered that the advice staff was given by the State's Attorney's office was that it is more appropriate for it to be placed within the approving document, which would be the approving resolution. That is where there would be a provision and clause with the proper wording.

Mr. Hynes stated that his only response to that is that it is done every day in ordinances and statutes that a sunset or review period is actually included in the language rather than an adopting ordinance. An adopting ordinance may be forgotten in several years but if you have it on the books and everyone has a copy and it is in the language it is more likely to be remembered.

Mrs. Manning stated that she spoke with Mr. Lazzara and staff with regard to whether or not it should be as a resolution or the ordinance. She does not see a legal reason to have it in the ordinance but it can be in the ordinance.

Chairman Weigel stated that if it can be done then we might as well do it.

Chairman Weigel thanked the stakeholders.

Chairman Weigel stated this would be moved along.

PRELIMINARY PLATS AND PLANNED UNIT DEVELOPMENTS (PUD)

FINAL PLATS

1. Woodbridge Estates – GG- Request to Waive Preliminary Plat and Process as Minor Subdivision

Nicole Roedl explained that staff recommended Woodbridge Estates Subdivision be processed as a minor subdivision and that the preliminary plat requirement be waived.

Debbie Rozak made a motion to approve to waive preliminary plat and process as minor subdivision; seconded by Michael Wisniewski.

ALL IN FAVOR

MOTION CARRIED (5-0)

TABLED ZONING CASES
REMANDED ZONING CASES

Mr. Dubois explained that in the future the LUDC would be seeing staff recommended conditions that require consent for entry onto a property. In consultation with the State's Attorney's Office it was decided to start including this condition that basically authorizes County officials on the property to verify compliance with the terms and conditions of special use permits that the County has approved. If we don't have this condition on a special use permit we would actually have to ask the owner to give consent after the fact to get onto the property to verify compliance. This condition makes it part of the approval.

What is seen on the agenda today, the first three special use permits did not have that condition added at PZC staff would be asking the Committee to consider adding this condition, which reads: Upon 14 days written notice to the owner of record at his last known address, County of Will official are hereby granted the right of entry in or upon premises for the purpose of inspecting the premises and uses thereon for compliance with the terms and conditions of the special use permit and County Ordinances.

NEW BUSINESS (ZONING CASES)

5815-M2V2 Gilleland

Chairman Weigel asked Mr. Palmquist to open Case 5815-M2V2.

Mr. Palmquist gave an overview. The applicant is requesting a Map Amendment from A-1 to R-2 for parcel 010 (tract 1), a Map Amendment from A-1 to R-2 for parcel 011 (tract 2), a Variance for pool setback from closest building from 12' to 10' and a Variance for maximum accessory structure size from 1,800 sq. ft. to 2,096 sq. ft. The purpose is to bring two (2) existing parcels into compliance for the purpose of creating a minor subdivision and to bring existing pool and accessory structure into compliance.

Staff is recommending approval of both Map Amendment requests. Staff is recommending denial of a Variance for pool setback from closest building from 12' to 10'.

There were no objectors.

Hearing no further discussion, Chairman Weigel called for a motion.

Michael Wisniewski made a motion to approve a Map Amendment from A-1 to R-2 for parcel 010 (tract 1); seconded by Debbie Rozak.

ALL IN FAVOR

MOTION CARRIED (5-0)

Michael Wisniewski made a motion to approve a Map Amendment from A-1 to R-2 for parcel 011 (tract 2); seconded by Katrina Deutsche.

ALL IN FAVOR

MOTION CARRIED (5-0)

**Debbie Rozak made a motion to approve a Variance for pool setback from closest building from 12' to 10'; seconded by Sharon May.
ALL IN FAVOR**

MOTION CARRIED (5-0)

5816-SV3 Indian Head Transit Co. Inc.

Chairman Weigel asked Mr. Smetana to open Case 5816-SV3. The applicant is requesting a Special Use Permit for a bus terminal on Parcel 1 & Parcel 2. This is to allow continued operation of a bus terminal and to bring the property into compliance.

Staff is recommending approval of a Special Use Permit for a bus terminal (Parcel 1 & Parcel 2) with the following six conditions: 1. If more than 50 tires are stored onsite at any time, you must apply with the Illinois EPA as a registered tire storage facility. 2. All automotive fluids shall be stored in approved bulk containers, and removed from the site regularly. 3. Secondary containment shall be provided for all liquid storage containers. 4. All spills derived from leaking automotive fluids shall be contained and removed immediately. 5. The Illinois State Fire Marshall must approve fuel storage on site. 6. The ordinance shall comply with the Will County Stormwater Ordinance and Water Resource Ordinance.

Added condition number 7 – Upon 14 days of written notice to the owner of record at their last known address County of Will employees and officials are hereby granted the right of entry in or upon the premises for the purpose of inspecting the premises and uses thereon for compliance with the terms and conditions of the Special Use Permit and County ordinances.

Mr. Smetana explained that comment was received from the Village of Romeoville objecting to certain uses on the property. A meeting was facilitated between the applicant and the Village and those issues were resolved.

There were no objectors.

Michael Wisniewski made a motion to approve and amend and add condition number 7 that reads a [Upon 14 days of written notice to the owner of record at their last known address County of Will employees and officials are hereby granted the right of entry in or upon the premises for the purpose of inspecting the premises and uses thereon for compliance with the terms and conditions of the Special Use Permit and County ordinances]; seconded by Katrina Deutsche.

ALL IN FAVOR

MOTION CARRIED (5-0)

5817-M Urban

Chairman Weigel asked Mr. Palmquist to open Case 5817-M. The applicant is requesting a Map Amendment from A-1 to E-2. The applicant is subdividing three acres.

Staff is recommending approval of a Map Amendment from A-1 to E-2.

There were no objectors.

**Debbie Rozak made a motion to approve a Map Amendment from A-1 to E-2; seconded by Sharon May.
ALL IN FAVOR**

MOTION CARRIED (5-0)

5822-SV2 West Properties

Chairman Weigel asked Mr. Smetana to open Case 5822-SV2. The applicant is requesting a Special Use Permit for indoor commercial vehicle and equipment storage.

Staff is recommending approval of a Special Use Permit for indoor commercial vehicle storage and equipment storage with the following seven (7) conditions: 1. The applicant must schedule a pre-inspection with the Building Division of Will County Land Use Department within 30 days of County Board approval. 2. A commercial/industrial building permit must be applied for within 60 days of County Board approval. The permit application must include a site plan depicting landscaping and parking that meets the requirements established by the Will County Zoning Ordinance. 3. The applicant is required to apply topsoil and seed to the property. This should be depicted in the landscape plan. 4. At no time may activities related to the business take place on the property except what is permitted by this special use request. 5. The outdoor storage of commercial vehicles and equipment is prohibited. 6. At no time may space be rented or used as a self-storage facility. 7. Stormwater detention is required for any increase of impervious area on site.

Chairman Weigel advised the Committee that an eighth condition needed to be added that read [Upon 14 days of written notice to the owner of record at their last known address County of Will employees and officials are hereby granted the right of entry in or upon the premises for the purpose of inspecting the premises and uses thereon for compliance with the terms and conditions of the Special Use Permit and County ordinances]

Michael Wisniewski made a motion to add an eighth condition which would read [Upon 14 days of written notice to the owner of record at their last known address County of Will employees and officials are hereby granted the right of entry in or upon the premises for the purpose of inspecting the premises and uses thereon for compliance with the terms and conditions of the Special Use Permit and County ordinances; seconded by Sharon May.

ALL IN FAVOR

MOTION CARRIED (5-0)

Michael Wisniewski made a motion to approve and amend and add condition number eight (8) which would read [Upon 14 Special Use Permit for indoor commercial vehicle and equipment storage as amended with the above listed eight (8) conditions; seconded by Sharon May.

ALL IN FAVOR

MOTION CARRIED (5-0)

5824-SV5 Board of Education of Homer Community Consolidated School District #33-C

Chairman Weigel asked Mr. Smetana to open Case 5824-SV5. The applicant is requesting a Special Use Permit for a bus lot, a Variance to eliminate off-street parking screening requirement, a Variance to increase fence height from 4' to 8' (east property line), a Variance to remove bumper guard installation requirement and a Variance to decrease space dimension size.

Staff is recommending approval of the Special Use Permit request with the following seven (7) conditions: 1. If more than 50 tires are stored onsite at any time, you must apply with the Illinois EPA as a registered tire storage facility. 2. All automotive fluids shall be stored in approved bulk containers, and removed from the site regularly. 3. Secondary containment shall be provided for all liquid storage containers. 4. All spills derived from leaking automotive fluids shall be contained and removed immediately. 5. The Illinois State Fire Marshall must approve fuel storage on site. 6. Additional landscaping should be provided around the bus lot.

The variance requested by this zoning application does not remove the requirement of improving the site with landscaping. The variance only permits the applicant not to install a dense evergreen planting fence, or masonry wall to provide screening. 7. If the District begins to utilize the storm water detention basin along Cedar Road as an area for outdoor activities, safety measures must be installed to prevent vehicles from entering the area from Cedar Road.

Staff is also recommending approval of the four Variance requests.

There were no objectors.

Michael Wisniewski made a motion to amend and add an eighth condition which read [Upon 14 days of written notice to the owner of record at their last known address County of Will employees and officials are hereby granted the right of entry in or upon the premises for the purpose of inspecting the premises and uses thereon for compliance with the terms and conditions of the Special Use Permit and County ordinances]; seconded by Katrina Deutsche.

ALL IN FAVOR

MOTION CARRIED (5-0)

Michael Wisniewski made a motion to approve a Special Use Permit for a bus lot as amended with the above listed eight (8) conditions; seconded by Sharon May.

ALL IN FAVOR

MOTION CARRIED (5-0)

Michael Wisniewski made a motion to approve a Variance to eliminate off-street parking screening requirement; seconded by Sharon May.

ALL IN FAVOR

MOTION CARRIED (5-0)

Michael Wisniewski made a motion to approve a Variance to increase fence height from 4' to 8' (east property line); seconded by Sharon May.

ALL IN FAVOR

MOTION CARRIED (5-0)

Michael Wisniewski made a motion to approve a Variance to remove bumper guard installation requirement; seconded by Sharon May.

ALL IN FAVOR

MOTION CARRIED (5-0)

Michael Wisniewski made a motion to approve to decrease parking space dimension size; seconded by Sharon May.

ALL IN FAVOR

MOTION CARRIED (5-0)

5825-MS2V8 Ritchie Grain Elevator

Chairman Weigel asked Mr. Smetana to open Case 5825-MS2V8. The applicant is requesting a Map Amendment from A-1 & I-1 to I-1 (Parcel 2), a Special Use Permit for agribusiness, which includes the storage of grain, fertilizer & outdoor storage of related equipment (Parcel 1 & 2), a Special Use Permit for overnight parking of trucks (Parcel 1), a Variance from 8.10 of the Will County Zoning Ordinance (Parcel 1) and a Variance from 8.10 of the Will County Zoning Ordinance (Parcel 2). The owner was cited for building without a permit.

Minutes

Land Use Planning, Zoning & Development Committee

May 12, 2009

Staff is recommending approval of a Map Amendment from A-1 and I-1 to I-1 (Parcel 2), approval of a Special Use Permit for agribusiness which includes the storage of grain, fertilizer and outdoor storage of related equipment (Parcel 1, Parcel 2) with the following three (3) conditions: 1. On a weekly basis, the yard and surrounding exterior areas of the truck terminal and bulk storage areas, including but not limited to loading areas, parking areas, and drainage ways, shall be inspected and cleaned to prevent the accumulation of rotting grain and grain dust to prevent odor generation. A written record of the weekly inspections and cleaning activities conducted, if needed, shall be maintained within the business office on the site and made available to County inspectors upon request. 2. Store uncontained bulk materials out of drainage ways, swales, or depressions to prevent contact with stormwater runoff. Redirect stormwater runoff around and/or away from uncontained bulk materials. 3. Upon 14 days of written notice to the owner of record at their last known address County of Will employees and officials are hereby granted the right of entry in or upon the premises for the purpose of inspecting the premises and uses thereon for compliance with the terms and conditions of the Special Use Permit and County ordinances.

Staff is recommending approval of a Special Use Permit for overnight parking of trucks (Parcel 1) with the following six (6) conditions: 1. If more than 50 tires are stored onsite at any time, you must apply with the Illinois EPA as a registered tire storage facility. 2. All automotive fluids shall be stored in approved bulk containers, and removed from the site regularly. 3. Secondary containment shall be provided for all liquid storage containers. 4. All spills derived from leaking automotive fluids shall be contained and removed immediately. 5. The Illinois State Fire Marshall must approve fuel storage on site. 6. Upon 14 days of written notice to the owner of record at their last known address County of Will employees and officials are hereby granted the right of entry in or upon the premises for the purpose of inspecting the premises and uses thereon for compliance with the terms and conditions of the Special Use Permit and County ordinances.

Debbie Rozak made a motion to approve a Map Amendment from A-1 and I-1 to I-1 (Parcel 2); seconded by Katrina Deutsche.

ALL IN FAVOR

MOTION CARRIED (5-0)

Michael Wisniewski made a motion to approve a Special Use Permit for agribusiness, which includes the storage of grain, fertilizer & outdoor storage of related equipment (Parcel 1 & 2) with the above listed three (3) conditions; seconded by Debbie Rozak.

ALL IN FAVOR

MOTION CARRIED (5-0)

Michael Wisniewski made a motion to approve a Special Use Permit for overnight parking of trucks (Parcel 1) with the above listed six (6) conditions; seconded by Debbie Rozak.

ALL IN FAVOR

MOTION CARRIED (5-0)

Katrina Deutsche made a motion to approve a Variance from Section 8.10 of the Will County Zoning Ordinance (Parcel 1); seconded by Michael Wisniewski.

ALL IN FAVOR

MOTION CARRIED (-0)

Debbie Rozak made a motion to approve a Variance from Section 8.10 of the Will County Zoning Ordinance (Parcel 2); seconded by Katrina Deutsche.

ALL IN FAVOR

MOTION CARRIED (-0)

5827-SV3 Crete Twp. Fire Protection District

Chairman Weigel asked Mr. Smetana to open Case 5827-SV3. The applicant is requesting a Special Use Permit for a fire station. This is to allow expansion for expansion on the property

Staff is recommending approval of a Special Use Permit for a fire station with one (1) condition: 1. Upon 14 days of written notice to the owner of record at their last known address County of Will employees and officials are hereby granted the right of entry in or upon the premises for the purpose of inspecting the premises and uses thereon for compliance with the terms and conditions of the Special Use Permit and County ordinances.

There were no objectors.

Katrina Deutsche made a motion to approve a Special Use Permit for a fire station with one (1) conditions as listed above; seconded by Sharon May.

ALL IN FAVOR

MOTION CARRIED (5-0)

5829-S Green Field Campground Inc.

Chairman Weigel asked Mr. Palmquist to open Case 5829-S. The applicant is requesting a Special Use Permit to expand campground area for overnight camping in A-1 zoning district. This is to allow expansion of area used for campground that is used in conjunction with racetrack events.

Staff is recommending approval of a Special Use Permit to expand campground area for overnight camping based upon the finding of facts with the following eleven (11) conditions: 1. The total number of operation periods shall not exceed twelve (12) during one calendar year. A period of operation may be associated with a single event or multiple consecutive events occurring at the speedway. A period of operation shall not begin more than two (2) days before the commencement of, nor transpire more than two (2) days before a single event or multiple consecutive events. 2. Access to the campground/parking lot shall be a minimum of twenty-four (24) feet in width with sufficient turning radius or turnarounds to accommodate emergency vehicles. Access must be provided to all proposed campground/parking lot spaces and kept clear at all times. 3. The applicant shall provide for emergency evacuation, including posting emergency services numbers and fire safety information. This information shall be posted in a minimum of two (2) clearly marked locations on the property during any scheduled event. There shall be a minimum of three (3) fire extinguishers per five (5) acres having a minimum rating of 2A:20B:C and shall be installed in accordance with NFPA 10 A-1-6.7. 4. All portable toilet facilities and trash disposal containers associated with the special use permit shall be removed within three (3) calendar days of the last date of campground/parking lot operation for each special event. 5. No use associated with the special use permit shall encroach upon the septic system. 6. The sale or advertising of goods or products including alcoholic beverages, shall not be allowed on the subject property unless specifically permitted by the Will County Zoning Ordinance. 7. The applicants shall meet all applicable State of Illinois statutes and requirements pertaining to campgrounds. 8. The special use permit request of this application shall be null and void upon change of ownership of the subject properties. 9. The owners of record shall provide to the Will County Land Use Department notice of each operation period a minimum of forty-five (45) days prior to the commencement of each operating period. 10. County of Will officials are hereby granted the right of entry in or upon premises for the purpose of inspecting the premises and uses thereon for compliance with the terms and conditions of the special use permit and County ordinances. 11. The applicants shall comply with the current Will County Building Ordinance and codes.

Debbie Rozak made a motion to approve a Special Use Permit to expand campground area for overnight camping based upon the finding of facts and the above listed eleven (11) conditions; seconded by Sharon May.

ALL IN FAVOR

MOTION CARRIED (5-0)

5830-SV Chiru

Chairman Weigel asked Mr. Smetana to open Case 5820-SV. The applicant is requesting a Special Use Permit for floodplain development.

Mr. Smetana explained that he received a letter from Will South Cook Soil and Water that stated they received correspondence from FEMA regarding the floodplain revisions on the property and they stated that while the development would be taking place outside the floodplain they still believe there are significant problems with the development and maintenance of the property.

Staff is recommending approval of a Special Use Permit for floodplain development with the following two (2) conditions: 1. A LOMR-F shall be obtained from FEMA. 2. Technical Bulletin 10-01 shall be followed for the project. 3. Upon 14 days of written notice to the owner of record at their last known address County of Will employees and officials are hereby granted the right of entry in or upon the premises for the purpose of inspecting the premises and uses thereon for compliance with the terms and conditions of the Special Use Permit and County ordinances.

Mrs. Rozak asked why staff recommended approval and Mr. Smetana explained that our Engineering Department has reviewed the applicant's plans and they meet our requirements.

There were no objectors.

Michael Wisniewski made a motion to approve a Special Use Permit for floodplain development with the above listed three (3) conditions; seconded by Debbie Rozak.

MOTION CARRIED (4-1)

5833-SV38 Enbridge

Chairman Weigel asked Mr. Palmquist to open Case 5833-SV38. The applicant is requesting a Special Use Permit for Floodplain Development (part of 17 parcels, 19 crossings) and a Variance from Stream and Wetland Protection Ordinance (part of 30 parcels, 38 crossings). This request is to allow construction of a new 17.66 mile long twenty inch (20") sub-surface oil products pipeline project within regulated floodplain areas and to allow crossings containing wetland and stream areas throughout four (4) Will County Townships.

Mr. Wisniewski asked how staff would verify that the floodplains and wetlands were restored to pre-construction condition and Mrs. Roedl explained that applicant would have to submit as-built drawings for those areas and staff would go out and inspect after receiving those drawings.

Mr. Wisniewski asked what if they have not been restored to our satisfaction and Mrs. Roedl answered the applicant would be notified that they need to restore the area to the pre-existing conditions and if they choose not to do that there will be a letter of credit that could be drawn upon and restore the area.

There were no objectors.

Katrina Deutsche made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN# 03-17-19-300-004 (Area impacted: 0.305 acres more or less) based upon the findings of fact; seconded by Michael Wisniewski.

ALL IN FAVOR

MOTION CARRIED (5-0)

Michael Wisniewski made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-19-300-004 (Area impacted: 0.087 acres more or less) based upon the findings of fact; seconded by Katrina Deutsche.

ALL IN FAVOR

MOTION CARRIED (5-0)

Michael Wisniewski made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN# 03-17-30-100-006 (Area impacted: 0.997 acres more or less) based upon the findings of fact; seconded by Katrina Deutsche.

ALL IN FAVOR

MOTION CARRIED (5-0)

Michael Wisniewski made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN# 03-17-30-100-006 (Area impacted: 0.455 acres more or less) based upon the findings of fact; seconded by Debbie Rozak.

ALL IN FAVOR

MOTION CARRIED (5-0)

Sharon May made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN# 03-17-30-100-006 (Area impacted: 1.972 acres more or less) based upon the findings of fact; seconded by Katrina Deutsche.

ALL IN FAVOR

MOTION CARRIED (5-0)

Michael Wisniewski made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN# 03-17-30-100-007 (Area impacted: 2.515 acres more or less) based upon the findings of fact; seconded by Sharon May.

ALL IN FAVOR

MOTION CARRIED (5-0)

Michael Wisniewski made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-30-300-002 (Area impacted: 0.331 acres more or less) based upon the findings of fact; seconded by Debbie Rozak.

ALL IN FAVOR

MOTION CARRIED (5-0)

Katrina Deutsche made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-29-300-009(Area impacted: 0.413 acres more or less) based upon the findings of fact; seconded by Debbie Rozak.

ALL IN FAVOR

MOTION CARRIED (5-0)

Sharon May made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-29-300-008 (Area impacted: 1.104 acres more or less) based upon the findings of fact; seconded by Katrina Deutsche.

ALL IN FAVOR

MOTION CARRIED (5-0)

**Michael Wisniewski made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-29-300-008 (Area impacted: 3.353 acres more or less) based upon the findings of fact; seconded by Debbie Rozak.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Michael Wisniewski made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-29-300-008 (Area impacted: 0.494 acres more or less) based upon the findings of fact; seconded by Katrina Deutsche.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Michael Wisniewski made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-29-400-007(Area impacted: 1.488 acres more or less) based upon the findings of fact; seconded by Katrina Deutsche.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Michael Wisniewski made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-28-300-001(Area impacted: 1.109 acres more or less) based upon the findings of fact; seconded by Debbie Rozak.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Michael Wisniewski made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-28-300-013(Area impacted: 0.612 acres more or less) based upon the findings of fact; seconded by Katrina Deutsche.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Debbie Rozak made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-28-300-013(Area impacted: 0.571 acres more or less) based upon the findings of fact; seconded by Michael Wisniewski.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Michael Wisniewski made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-28-400-013(Area impacted: 0.768 acres more or less) based upon the findings of fact; seconded by Katrina Deutsche.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Katrina Deutsche made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-28-400-004 (Area impacted: 0.526 acres more or less) based upon the findings of fact; seconded by Michael Wisniewski.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Michael Wisniewski made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-28-400-004(Area impacted: 1.328 acres more or less) based upon the findings of fact; seconded by Katrina Deutsche.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Michael Wisniewski made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-27-100-012(Area impacted: 0.044 acres more or less) based upon the findings of fact; seconded by Katrina Deutsche.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Michael Wisniewski made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-27-100-007(Area impacted: 0.432 acres more or less) based upon the findings of fact; seconded by Katrina Deutsche.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Debbie Rozak made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-27-200-006(Area impacted: 0.537 acres more or less) based upon the findings of fact; seconded by Sharon May.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Debbie Rozak made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN# 03-17-27-200-006(Area impacted: 1.283 acres more or less) based upon the findings of fact; seconded by Sharon May.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Debbie Rozak made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-27-200-020(Area impacted: 0.308 acres more or less) based upon the findings of fact; seconded by Sharon May.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Michael Wisniewski made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-27-200-021(Area impacted: 0.210 acres more or less) based upon the findings of fact; seconded by Sharon May.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Michael Wisniewski made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-26-100-025(Area impacted: 0.659 acres more or less) based upon the findings of fact; seconded by Sharon May.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Katrina Deutsche made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-26-100-022(Area impacted: 0.330 acres more or less) based upon the findings of fact; seconded by Michael Wisniewski.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Michael Wisniewski made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#03-17-24-400-007(Area impacted: 0.0702 acres more or less) based upon the findings of fact; seconded by Sharon May.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Michael Wisniewski made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#09-18-21-400-007(Area impacted: 0.706 acres more or less) based upon the findings of fact; seconded by Tom Weigel.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Sharon May made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#09-18-22-100-009(Area impacted: 1.082 acres more or less) based upon the findings of fact; seconded by Michael Wisniewski.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Sharon May made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#09-18-22-100-008(Area impacted: 0.286 acres more or less) based upon the findings of fact; seconded by Tom Weigel.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Sharon May made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#09-18-14-400-002(Area impacted: 1.159 acres more or less) based upon the findings of fact ; seconded by Tom Weigel.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Katrina Deutsche made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#09-18-01-400-001(Area impacted: 0-490 acres more or less) based upon the findings of fact; seconded by Tom Weigel.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Sharon May made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#13-19-06-300-010(Area impacted: 0.701 acres more or less) based upon the findings of fact; seconded by Katrina Deutsche.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Katrina Deutsche made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#13-19-06-300-009(Area impacted: 0.040 acres more or less) based upon the findings of fact; seconded by Sharon May.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Katrina Deutsche made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#13-19-06-100-009(Area impacted: 1.090 acres more or less) based upon the findings of fact; seconded by Sharon May.
ALL IN FAVOR MOTION CARRIED (5-0)**

**Wisniewski made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#13-19-06-100-010(Area impacted: 0.417 acres more or less) based upon the findings of fact; seconded by Sharon May.
ALL IN FAVOR MOTION CARRIED (5-0)**

Katrina Deutsche made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#14-12-31-300-002(Area impacted: 0.677 acres more or less) based upon the findings of fact; seconded by Sharon May.

ALL IN FAVOR

MOTION CARRIED (5-0)

Katrina Deutsche made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#14-12-29-300-003(Area impacted 0.722 acres more or less) based upon the findings of fact; seconded by Sharon May.

ALL IN FAVOR

MOTION CARRIED (5-0)

Michael Wisniewski made a motion to approve a Special Use Permit for floodplain development (part of 17 parcels, 19 crossings; 17-28-300-001, 17-28-300-013, 17-28-400-013, 17-24-400-007, 18-19-400-004, 18-19-400-002 has 2 crossings, 18-21-400-007, 18-22-100-009, 18-22-100-008 has 2 crossings, 18-22-200-001, 18-23-100-007, 18-14-400-002, 18-01-400-001, 19-06-300-010, 19-06-100-010, 12-31-300-002, 12-29-300-002) with the eleven conditions as listed above; seconded by Katrina Deutsche.

ALL IN FAVOR

MOTION CARRIED (5-0)

OTHER

1. Data License Agreement with Openlands

Mrs. Melanie Manning explained that she is unsure if Openlands is a public agency, which would give us the authority to enter into an intergovernmental agreement with them and she would look into this.

Mr. Zhou asked to table this request until the next meeting.

Debbie Rozak made a motion to table the DLA with Openlands until June 9, 2009; seconded by Michael Wisniewski.

ALL IN FAVOR

MOTION CARRIED (5-0)

2. Data License Agreement with the Forest Preserve District of DuPage County

Mr. Zhou explained that this is a standard DLA and asked for approval.

Chairman Weigel brought to Mr. Zhou's attention that the DLA had the year 2008 not 2009 in two places and Mr. Zhou stated that he would have that corrected.

Michael Wisniewski made a motion to approve a DLA with the Forest Preserve District of DuPage County as corrected; seconded by Sharon May.

ALL IN FAVOR

MOTION CARRIED (5-0)

3. Proposed text changes to Section 14.8-5 Effective Period (administrative variance extension)

Mrs. Franz explained that administrative variances are variances that the Zoning Administrator is allowed to grant by the Zoning Ordinance. Currently he can grant them but we cannot issue extensions. Changes were made to Section 14.8-5 to allow people to apply for variance extensions when they are granted an administrative variance.

Mrs. Franz asked the Committee for approval to take this item to public hearing.

Katrina Deutsche made a motion to approve to move this to public hearing; seconded by Michael Wisniewski.

Mrs. Rozak asked if two (2) 180 day extensions would be granted and Mrs. Franz answered yes.

ALL IN FAVOR

MOTION CARRIED (5-0)

4. Proposed text changes to Section 6.1 Limited Industrial District (internet auto sales)

Mrs. Franz stated that this item also needed permission to go to public hearing.

Mrs. Franz explained what is being proposed is to allow people in the I-1 zoning district to be able to do Internet auto sales. There would not be a showroom or cars displayed outside they would have the ability to sell them on the Internet and store them in a warehouse in the I-1 zoning district

Mrs. Franz explained that in the past people have done this under our wholesale and warehouse uses and we wanted to make this clear in the ordinance. A letter d has been added to the I-1 section under number 2. Wholesale and warehouses uses to read [Internet vehicle sales, where automobiles, trucks, motorcycles, RV's, or boats are stored and distributed, but not displayed for retail sales. Outdoor storage of vehicles is not permitted].

Michael Wisniewski made a motion to approve to move this to public hearing; seconded by Katrina Deutsche.

ALL IN FAVOR

MOTION CARRIED (5-0)

5. Zoning Ordinance Text Amendment – Contractor's Shop and Yards (Sections 6.1, 6.2 and 16.2)

Mrs. Franz explained that the gutter and siding fabricators was added at the public hearing and what staff would like to add is two definitions – contractor's shop and contractor's yard and the uses themselves. In I-1 contractor's shops is permitted and contractor's yards is a special use in I-1 and both would be permitted in I-2.

Mrs. Franz advised that if approved today this would advance to the County Board this month.

Sharon May made a motion to approve the proposed text changes to Sections 6.1, 6.2 and 16.2 of the Will County Zoning Ordinance; seconded by Debbie Rozak.

ALL IN FAVOR

MOTION CARRIED (5-0)

6. Zoning Ordinance Text Amendment – Fortune Tellers (Section 5.3 and 16.2)

Mrs. Franz explained that this item had been to public hearing and before the LUDC staff is requesting approval to add the definition in Section 16.2 and to allow it as a permitted use in the C-3 General Business District and if approved this would move to the County Board this month.

**Michael Wisniewski made a motion to approve the proposed text changes to Sections 5.3 and 16.2 of the Will County Zoning Ordinance; seconded by Katrina Deutsche.
ALL IN FAVOR MOTION CARRIED (5-0)**

7. Regional Water Supply Planning Group – Statement of Position

Mr. Hamilton explained that the State of Illinois, under Executive Order 2006-01, asked certain areas in our state to look at issues with water supply and one of those areas is the Chicago metropolitan area. CMAP formed a commission in 2006 to start looking at that and Mr. Hamilton represents Will County on that Commission.

This commission has to put together a report that is due in September and as the report begins to get developed there are points when the Committee members need to provide direction to staff.

There are two ways to look at this, either form a committee that command and control of water supply in the Chicago metropolitan region that would say which towns could drill wells and which towns couldn't or form a committee that compares a document that informs and supports those same areas.

Mr. Hamilton's recommendation is that a committee should inform and support water users rather than command and control. He is looking for the County Board's position that he should present to this committee.

Mr. Hamilton would like to see the following four items accomplished: 1. Obtain data to help encourage sustainable growth in Will County. 2. Seek to limit intrusive red-tap by "regional" entities that could harm the growth of our county. 3. Seek to limit unfunded mandates and regulations. 4. Avoid requirements that could really effect how our County grows.

Chairman Weigel informed Mr. Hamilton that he agreed with his recommendations.

Conversation ensued regarding peaker plants and the lack of regulations on them.

Mr. Hamilton explained that power suppliers and cities are represented on this committee.

Mr. Hamilton stated that one thing that can come from this report is recommendations that there be laws passed that could provide control. The concern is where do you stop and start this? Where do you draw the line?

Mr. Wisniewski asked if there was any data that tells how many gallons of water are being drawn out of Will County and Mr. Hamilton answered yes that is what his report would answer.

Mr. Hamilton explained that the Southern Illinois University performed an eleven (11) county demand scenario of what we use today and what we expect to be using by 2050. There may be supply shortages in Aurora and Joliet if things don't change.

More conversation ensued regarding peaker plants in the area.

Mr. Hamilton stated that he spoke with Commissioner Bilotta and one of the options would be to expand the per-view of stormwater committees to also be able to look at groundwater supply. It does not currently appear in the report.

Minutes
Land Use Planning, Zoning & Development Committee
May 12, 2009

Mr. Hamilton explained that he is looking for support to get the information out there and see what the next step needs to be.

Michael Wisniewski made a motion to approve the proposed recommendations; seconded by Sharon May.

ALL IN FAVOR

MOTION CARRIED (5-0)

REPORTS, COMMUNICATIONS, CORRESPONDENCE

Mrs. Rozak stated that with regard to the rodeo issue, we have required the people to tell us what the dates were for the rodeos and we would get no cooperation.

Mr. Paddock stated there is a lack of compliance, so do we pass more legislation that will also get more non-compliance with.

The hope is that if we have a meeting and try to inform the public better of the process and tell them that if they follow the rules they would have a realistic chance of these being properly permitted and will have better compliance and better results.

Mrs. Rozak stated that she believed this has been done over and over again and she hopes that this brings about better results.

Mrs. May thanked the staff for all the work that they put into conservation design and hoped for easy passage with the County Board.

Mr. Paddock thanked the Committee for their patience and perseverance.

ADJOURNMENT

Michael Wisniewski made a motion to adjourn; seconded by Sharon May.

ALL IN FAVOR

MOTION CARRIED (5-0)

The meeting recessed at 1:10