

Note: These minutes are not official until approved by the Planning and Zoning Committee at a subsequent meeting. Please refer to the meeting minutes when these minutes are approved to obtain any changes to these minutes.

DeKalb County Government
Sycamore, Illinois

**Planning and Zoning Committee Minutes
(May 27, 2015)**

The Planning and Zoning Committee of the DeKalb County Board met on May 27, 2015 at 7:00 p.m. in the Conference Room East located in the DeKalb County Administration Building. In attendance were Committee Members Joe Bassett, Kevin Bunge, John Emerson, Frank O'Barski, Riley Oncken, and Anita Jo Turner. Also, in attendance were Greg Maurice, Michelle Gibson, Craig Hernan, and staff members: Rebecca Von Drasek and Marcellus Anderson.

Mr. Emerson, Planning and Zoning Committee Chairman, called the meeting to order and noted that Joe Bassett, Frank O'Barski, and Tracy Jones was absent.

APPROVAL OF AGENDA

Mr. Oncken moved to approve the agenda, seconded by Ms. Turner, and the motion carried unanimously.

APPROVAL OF MINUTES

Mr. Oncken moved to approve the minutes of April 22, 2015 meeting of the Planning and Zoning Committee, seconded by Mr. Emerson, and the motion carried unanimously.

AURORA SPORTSMENS CLUB SPECIAL USE AMENDMENT

Ms. Von Drasek stated that the Aurora Sportsmens Club (ASC) filed a petition to amend their Special Use to accommodate proposed changes to the gun club/RV camping use approved on 518 acres located south of the Village of Waterman in unincorporated Clinton Township. She elaborated that the proposed changes included: a reduction of the total area of the Special Use from 518 acres to 265 acres along Rueff Road plus a noncontiguous 5-acre parcel located at 7858 Preserve Road; approval of the proposed Phase 2 improvements; and authorization to seek approval of future phases of improvements through action of the Planning and Zoning Committee of the DeKalb County Board rather than by approval of further Amendments by the full County Board. She informed the Committee that a public hearing was held on April 16, 2015 and that the Hearing Officer recommended approval of the Special Use with conditions. She finished by requesting that the Committee review the application, the report of the Hearing Officer, and the criteria for granting a Special Use, and then forward a recommendation to the full County Board in the form of an ordinance recommending approval, approval with conditions, or denial of the application.

Mr. Oncken inquired whether there were any conditions recommended. Ms. Von Drasek responded that the recommended conditions were those laid out in the Hearing Officer's Finding of Fact.

Mr. O'Barski arrived at 7:05pm.

Mr. Oncken moved to recommend approval with conditions of the amendment of the Special Use Permit, seconded by Ms. Turner, and the motion carried unanimously.

The Committee noted that Craig Hernan, representing ASC, was in attendance and asked if he had any comments or questions. Mr. Hernan complimented County staff citing their assistance working through the application process.

SOLID WASTE PLAN

Michelle Gibson, Solid Waste Specialist of the DeKalb County Health Department, presented the DeKalb County Solid Waste Management Plan to the Committee. She explained that the implementation tasks in the Plan have to be reviewed and updated every five years, and the revised Plan submitted for adoption by the County Board. Ms. Gibson also informed the Committee that the Zero Waste Advisory Committee would be starting again.

The Committee had a brief discussion with Ms. Gibson about the County's Electronic Recycling Program.

Mr. O'Barski moved to recommend adoption for the updated Solid Waste Management Plan, seconded by Ms. Turner, and the motion carried unanimously.

ZONING TEXT AMENDMENT RELATED TO ROADSIDE STANDS

Ms. Von Drasek stated that the Planning, Zoning, and Building Department staff had been directed by the Committee to file a petition for a Zoning Text Amendment to Section 4.02.B.12 of the DeKalb County Zoning Ordinance. The proposed amendment would allow for the sale of some merchandise that is not produced on the property to be sold from a "roadside stand" and to eliminate the restriction on the months of the year during which a "roadside stand" may operate. She informed the Committee that a hearing was held on May 14, 2014, and that the Hearing Officer recommended approval of the Text Amendment. She finished by requesting that the Committee review the petition, the report and recommendation of the Hearing Officer, and then forward a recommendation to the full County Board in the form of an ordinance recommending approval, approval with changes, or denial of the request.

Mr. Oncken asked for confirmation that the only location where products could be sold would be within the six (600) hundred square feet area of combined floor space and display space allowed for roadside stands/small-scale agritainment uses. Ms. Von Drasek responded that he was correct, and further elaborated on the differences between small-scale and large-scale agritainment uses.

Mr. Bunge inquired if anything related to the Text Amendment had changed the enforcement of the paved accessible parking space requirements, and asked if staff could explain more about how that standard was enforced. Ms. Von Drasek explained that the Text Amendment had not changed how the parking standards were to be enforced and observed that the text of the Zoning Ordinance requires that the improvements for the roadside stands or small-scale agritainments be "*set back from the right-of-way at least fifty (50) feet, and with off-street parking for a minimum of five (5) cars, or one space for each fifty (50) square feet of structure, whichever is greater*". She explained that small-scale agritainment uses will require parking and that per state law any parking area was required to meet the State Accessibility standard, which requires an appropriate number of accessible spaces (striped, signed, and correctly sized) with an accessible pathway to the use. Mr. O'Barski noted that the County could not act to waive or exempt the State Accessibility Standards.

Mr. Bassett arrived at 7:20 p.m..

Mr. Bunge noted that in his experience meeting accessibility standards can be difficult, and related some of his concerns.

Mr. Bassett inquired whether they were required to provide proof of liability insurance. Ms. Von Drasek replied that it was not required by the County.

Mr. Oncken moved to approve the Zoning Text Amendment related to permitted roadside stands, to add the provision allowing branded products bearing the name/logo of the farm, or farm-related business, on which the roadside stand is located, and to eliminate the date restrictions, seconded by Mr. Bunge, and the motion carried unanimously.

FAIRDALE RECONSTRUCTION

Ms. Von Drasek explained that the tornado and storms of April 9, 2015, damaged or destroyed a large portion of the unincorporated village of Fairdale. Much of that community was nonconforming with respect to one or more of the current zoning regulations of the RC-2 or RC-1 (Residential), BC (Business), and MC (Manufacturing) Districts. As a consequence, efforts to rebuild and replace may be hampered if property owners are compelled to abide by the zoning regulations or seek individual Variations for each instance of nonconformity. In an effort to facilitate the rebuilding of Fairdale, staff has drafted an application to amend the zoning of the community, rezoning it MXD, Mixed Use Development. This planned development classification will enable the County Board to tailor zoning regulations to accommodate reconstruction, including as it does the flexibility to waive or eliminate otherwise applicable rules and requirements. She finished by requesting that the Committee review the draft Zoning Map Amendment application, and direct staff to file the application on behalf of the DeKalb County Board. She added that if so authorized, staff will endeavor to set the required public hearing for the evening of June 18, with possible action by the County Board at a special Meeting on July 1, 2015.

Mr. Oncken inquired whether there have been any arguments against the proposed rezoning. Ms. Von Drasek responded that staff had not received any objections to the application to date. However, she noted that some individuals had expressed concerns that the proposed MXD would not allow for all development proposals. In particular, it was noted that the MXD only allows for the number of dwellings that existed prior to April 9th and not for an increase in the number of homes. Mr. Bunge agreed and noted that this was an important point.

Ms. Von Drasek explained that the primary goal was to allow people to get people back into their homes and to allow residents more flexibility to make changes in where improvements are located on their lots. She noted that progress was being made on the effort to vacate the unused alleys in Fairdale and explained some of the history of that situation. Ms. Von Drasek also informed the Committee that Nicor had met with staff regarding the feasibility study for bringing natural gas to Fairdale. Ms. Von Drasek explained that this information was then relayed to Bill Nicklas of the Long Term Recovery Committee for follow-up.

Mr. Bunge moved to direct staff to file the application for the Zoning Map Amendment, seconded by Ms. Turner, and the motion carried unanimously.

Mr. O'Barski commented that he was concerned about some of things he had heard about condition of some of the wells in Fairdale. Ms. Von Drasek cautioned that although zoning may allow for a residence to be

rebuilt, health standards related to wells and septics may still present considerable difficulties for some residents' rebuilding efforts.

Ms. Von Drasek informed the Committee that the public hearing for the MXD application would be held on June 18th and that it would be back before the Committee on July 1st.

EVERGREEN VILLAGE MITIGATION PROJECT

Ms. Von Drasek informed the Committee that the contractor responsible for mobile home demolition had finished and had removed his equipment from the property. She added that the roadways had begun to be removed and that demolition activities should be completed within the month of June.

PUBLIC COMMENTS

No comment was offered.

ADJOURNMENT

The Planning and Zoning Committee is next scheduled to meet Wednesday, July 1, 2015 at 7:00 p.m. in the Conference Room East.

Mr. Oncken moved to adjourn, seconded by Ms. Turner, and the motion carried unanimously.

Respectfully submitted,

John Emerson
Planning and Zoning Committee Chairman

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