

4480

KANE COUNTY DEVELOPMENT
DEPARTMENT
Zoning Division, Kane County Government Center
719 Batavia Avenue
Geneva, Illinois 60134
Office (630) 444-1236 Fax: (630) 232-3411

Received Date

**APPLICATION FOR ZONING MAP AMENDMENT
AND/OR SPECIAL USE**

Instructions:

To request a map amendment (rezoning) for a property, complete this application and submit it with all required attachments to the Subdivision and Zoning Division.

When the application is complete, we will begin the review process.

The information you provide must be complete and accurate. If you have a question please call the subdivision and zoning division, and we will be happy to assist you.

1. Property Information:	Parcel Number (s): 11-30-100-007, 11-30-300-005, & 11-30-401-008
	Street Address (or common location if no address is assigned): 2S785 Lorang Road, Elburn, IL 60119

2. Applicant Information:	Creekside Farms, LLC	Phone 630-698-4700
	Address 2250 Southwind Blvd., Bartlett, IL 60103	Fax
		Email rich@wydp.com

3. Owner of record Information:	Name Kaneville Materials, Inc.	Phone 630-698-4700
	Address 2250 Southwind Blvd., Bartlett, IL 60103	Fax
		Email rich@wydp.com

Zoning and Use Information:

2040 Plan Land Use Designation of the property: F – Farm District

Current zoning of the property: F – Farm District & B-3 Business District

Current use of the property: The site is currently farmed, operated and permitted by the IEPA as a Clean Construction or Demolition Debris (CCDD) fill site of the former quarry.

Proposed zoning of the property: F with special use for an owner operated farm compost operation and for mining and on-site sale of mined materials.

Proposed use of the property: Farming, farm compost operation, mining and on-site sale of mined materials.

If the proposed Map Amendment is approved, what improvements or construction is planned?: No additional permeant improvements are required. Equipment use on site will be movable.

Attachment Checklist

- Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal description
- Completed Land Use Opinion application (Available in pdf format) www.kanedupageswed.org/luo.pdt, as required by state law, mailed to: The Kane DuPage Soil and Water Conservation District, 545 S. Randall Road, St. Charles, IL 60174.
- Endangered Species Consultation Agency Action Report (available in pdf format at www.dnr.state.il.us/orep/nrrc/aar.htm) to be filed with the Illinois Department of Natural Resources.
- List of record owners of all property adjacent & adjoining to subject property
- Trust Disclosure (If applicable)
- Findings of Fact Sheet
- Application fee (make check payable to Kane County Development Department)

I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.

Record Owner Date

Applicant or Authorized Agent Date

November 27, 2018

Michael Vondra (*Creekside Farms, LLC*)
Special Use in the F-Farming District for an owner operated farm compost operation and for
mining and on-site sale of mined materials

Special Information: The petitioner is requesting a Special Use for an owner operated farm compost operation and for mining and on-site sale of mined materials. The business plan is to attract small business landscape contractors by offering a place to dispose of their landscape waste while offering a product (compost) that can be used in other landscape work. Topsoil will be brought in, sorted, cleaned and offered for resale. There would also be mining of sand and gravel on the property.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Proposed Open Space and Resource Management. Under the 2040 Plan, Resource Management is a land use category that provides county growth opportunities while emphasizing wise management of land and water resources. The purpose of Resource Management is to provide opportunities for the implementation of Smart Growth development that respects the character and carrying capacity of the land.

Attachments: Location Map
 Township Map
 Petitioner's finding of fact sheet

Findings of Fact Sheet - Map Amendment and/or Special Use

- *The Kane County Zoning Board is required to make findings of fact when considering a rezoning. (map amendment)*
- *You should "make your case" by explaining specifically how your proposed rezoning relates to each of the following factors.*

Name of Development/Applicant
Creekside Farms, LLC

Date

1. How does your proposed use relate to the existing uses of property within the general area of the property in question?

Response: The property consists of approximately 151 acres, it is accessed through two roads Lorang Road and Seavey Road. The Property is zoned F Farming District and B-3 Business District. The Applicant is requesting a special use to permit farming, an owner operated farm compost operation and mining for on-site use of materials, on the property. The use will not increase traffic or noise in any significant way. It will have no significant negative impacts on the neighbors. It will not be necessary to provide additional utilities, access roads, or drainage.

2. What are the zoning classifications of properties in the general area of the property in question?

Response: The surrounding properties have the same zoning classification of F, B-3, with SU, bordered on the north by the East-West Tollway (See attached zoning use exhibit).

3. How does the suitability of the property in question relate to the uses permitted under the existing zoning classification?

Response: The property is suitable to the uses permitted under the existing zoning classification. A farm use and mining is an existing allowed special use in the F farming District.

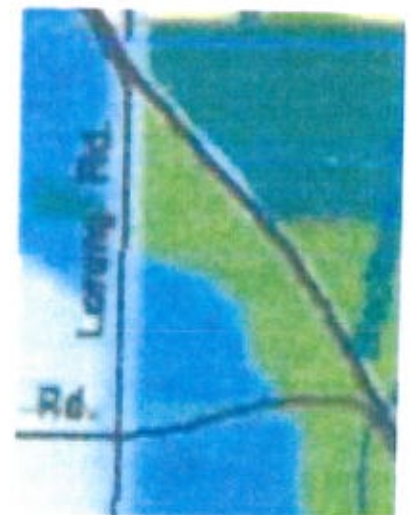
Request Special Use: (List any special requirements)

4. What is the trend of development, if any, in the general area of the property in question?

Response: Farm and mining

5. How does the projected use of the property, relate to the Kane County 2040 Land Use Plan?

Response: Rural residential and Recourse Management. The property on 151 acres and conforms to the Kane County 2040 Land Use Plan.



Findings of Fact Sheet-Special Use



Special Use Request

Date

- *The Kane County Zoning Board is required to make findings of fact when considering a special use.*
- *Special Uses shall be considered at a public hearing before the Zoning Board of Appeals. In its report of findings of facts, recommendations shall be made to the County Board following the public hearing. The Zoning Board **will not** recommend a special use **unless** the following items are addressed:*

6. Explain how the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

Response: The requested uses are low impact farm and mining uses consistent with the historical uses of the property and compatible with the surrounding existing uses.

7. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity.

Response: The requested uses are low impact farm and mining uses consistent with the historical uses of the property and compatible with the surrounding existing uses.

8. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property.

Response: The impact of the requested uses is minimal and confined to the existing property and will have no impact on the development and improvement of the surrounding property.

9. Will adequate utility, access roads, drainage and other necessary facilities be provided? Please explain:

Response: It will not be necessary to provide additional utility/access roads, or drainage. The property as it currently stands has access to/from two main roads, Lorang Road and

Seavey Road. Agreements for improvements will be entered into with the township commissioners.

10. Will adequate measures be provided for ingress and egress so designed to minimize the traffic and congestion? Please explain:

Response: The property as it currently stands has access to/from two main roads, Lorang Road and Seavey Road. The traffic generated is not significant and creates no traffic concerns.

11. Will the special use conform to the regulations of the district in which it is located? Please explain:

Response: The special use will conform to the regulations of the existing Districts with a special use. The Owner is not requesting any variances.



GUERARD, KALINA & BUTKUS
ATTORNEYS AT LAW

RICHARD M. GUERARD
MARK F. KALINA
MARY E. KRASNER
J. STEVEN BUTKUS
JOHN J. PCOLINSKI, JR.

www.gkblawfirm.com

310 S. COUNTY FARM ROAD
SUITE H
WHEATON, IL 60187
PH. (630) 665-9033
FAX (630) 690-9652
WRITER'S DIRECT (630) 698-4700
EMAIL: richguerard@wydp.com

August 11, 2018

Kane County Planning Department
Attn: Mark VanKirchoff
Kane County Planning & Building Director
719 Batavia Ave
Geneva, IL 60134

Re: Request for Zoning Map amendment with special use for an owner operated farm compost operation and for mining and on-site sale of mined materials.
Property: 2S785 Lorang Road, Elburn, IL 60119
Parcels: 11-30-100-007, 11-30-300-005, & 11-30-401-008

Dear Mark VanKirchoff:

This letter is to introduce the Owner's and Applicant's, Creekside Farms, LLC request, and business plan as described below for the Lorang Road Site. Project drawings showing project location, ingress/egress location, and parcel number are attached (attached Exhibit A). The property is currently zoned F District (farm) and B-3 (business). The site is currently farmed, operated and permitted by the IEPA as a Clean Construction or Demolition Debris (CCDD) fill site of the former quarry. The Applicant and Owner are requesting a Zoning Map amendment with special use for an owner operated farm compost operation and for mining and on-site sale of mined materials.

Business Plan

The business plan is to attract small business landscape contractors by offering a place to dispose of their landscape waste, while offering a product that they can bring back to their project site. Landscape waste accepted will be composted in aerated static piles. Finished compost produced will be spread on farm fields operated by Creekside Farms, LLC as a fertilizer substitute. Landscape cobbles and sand will be offered for sale as an additional product to landscape contractors. The pad area will also serve as a parking area for farm equipment that Creekside Farms uses to farm the local farmland.

Materials Accepted

Examples of landscape waste accepted from landscape contractors are stumps, trees, leaves, grass clippings, wood chips, and brush. Landscape waste will be separated into two main categories, high carbon and high nitrogen. Topsoil with high concentration of landscape waste mixed will also be accepted.

Composting

Landscape waste accepted with high carbon and high nitrogen will be ground and blended to create a compostable material. Once a blend has been achieved, then it will be placed into aerated static piles, so it may be composted. Finished compost will be taken to farm fields operated by Creekside Farms, LLC to be spread as fertilizer. Farming Compost operations are governed by Section 830.106 On-Farm Landscape Waste Compost Facility of the Illinois Administrative Code governing compost facilities (Attached Exhibit B).

Topsoil Cleaning

The topsoil accepted can be cleaned by separating out the landscape waste, and then the clean topsoil may be offered for sale. Creekside Farms, LLC may use a dry screen or pick out the landscape waste by hand.

Sand and Gravel

The mining operation will generate sand and gravel from the parcel 11-30-300-005. Per Surface-Mines Land Conservation and Reclamation Act:

(225 ILCS 715/4) (from Ch. 96 1/2, par. 4504)

Sec. 4. Necessity of permit.

It shall be unlawful for any operator to engage in surface mining in an area where the overburden shall exceed 10 feet in depth or where the operation will affect more than 10 acres during the permit year without first obtaining from the Department a permit so to do, in such form as is hereinafter provided. (Source: P.A. 77-1568.)

The sand and gravel is exposed to the surface, therefore there isn't any overburden. The planned mining will be less than 10 acres per year. Phasing lines can be seen in the attached drawing. Sand and gravel will be screened to produce a stone product per customer request. Most common industry products include landscape cobbles, pea gravel, and FM 6.

Farm Equipment

The pad area will serve as a local area to park farm equipment used by Creekside Farms.

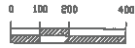
Site Specifics

- Typical Hours of Operation: 6:00 am to 6:00 pm
- Access Drives: The main access drive is 2,100 feet north of intersection Lorang Road and Seavey Rd. There is approximately 1,500 ft of internal road to reach the pad area.
- There will be no buildings constructed.
- All on site equipment will be portable.

Please contact me with any questions or concerns.

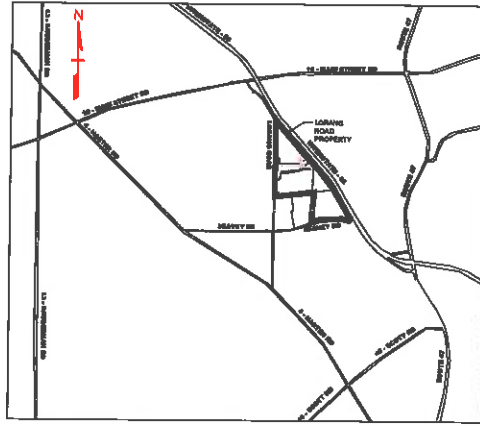
Yours truly,

Richard M. Guerard

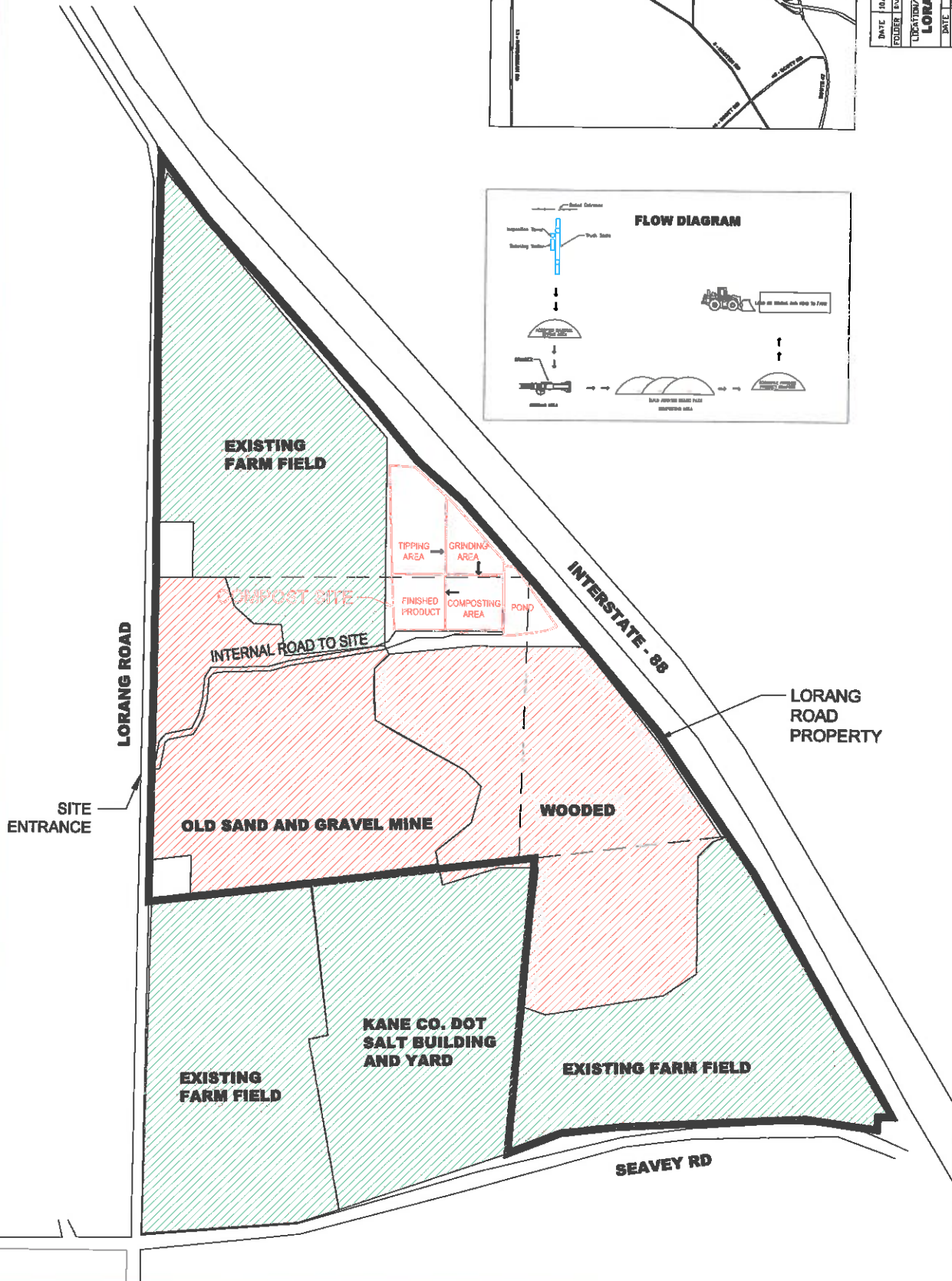
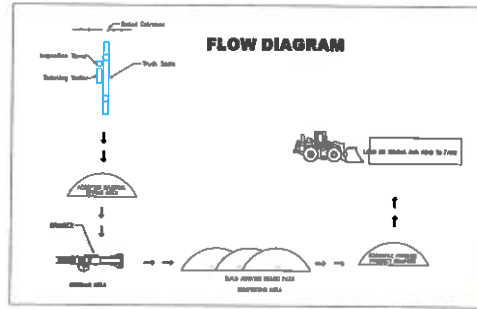


1 inch = 200 feet

SITE LOCATION - N.T.S.

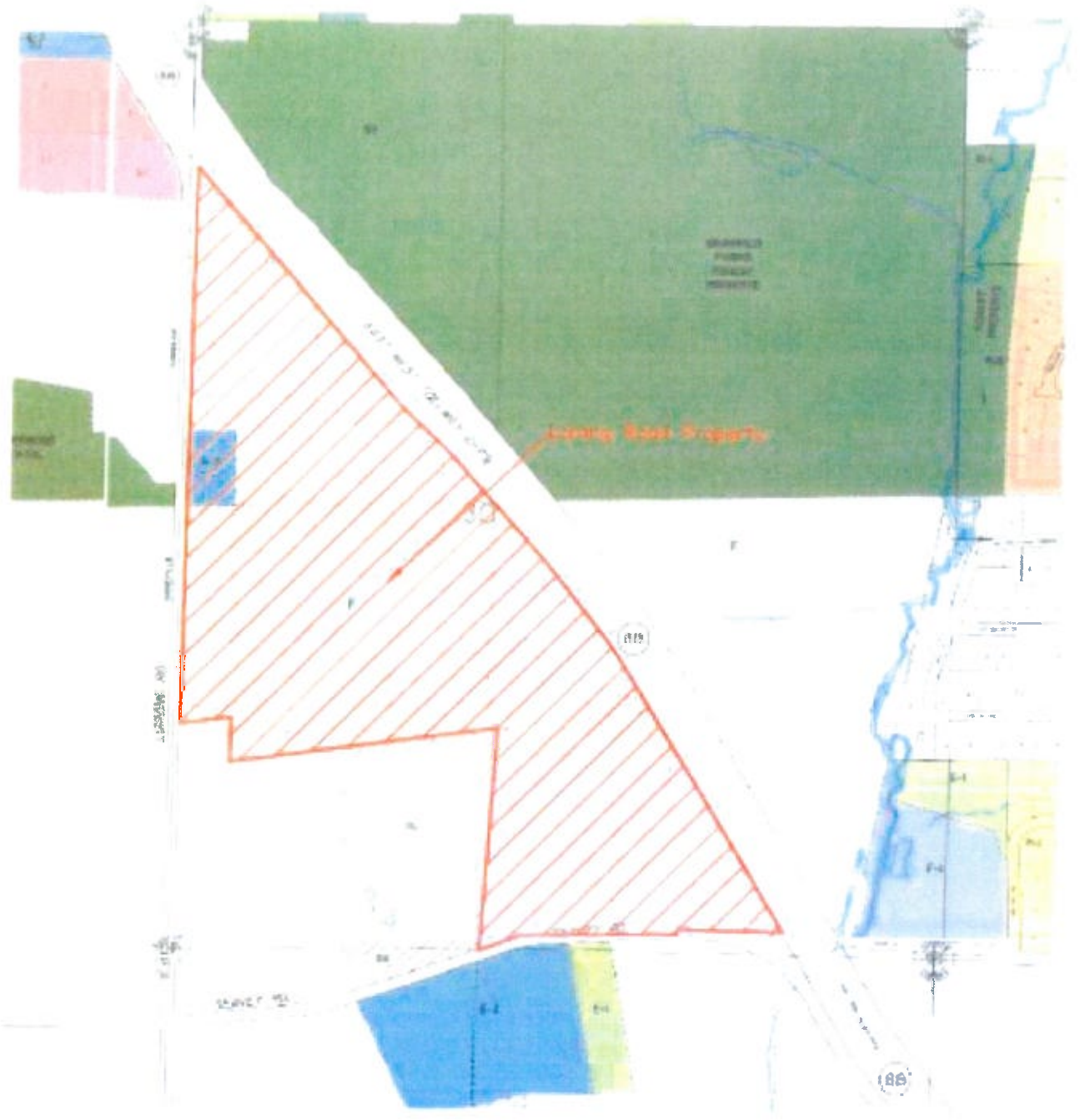


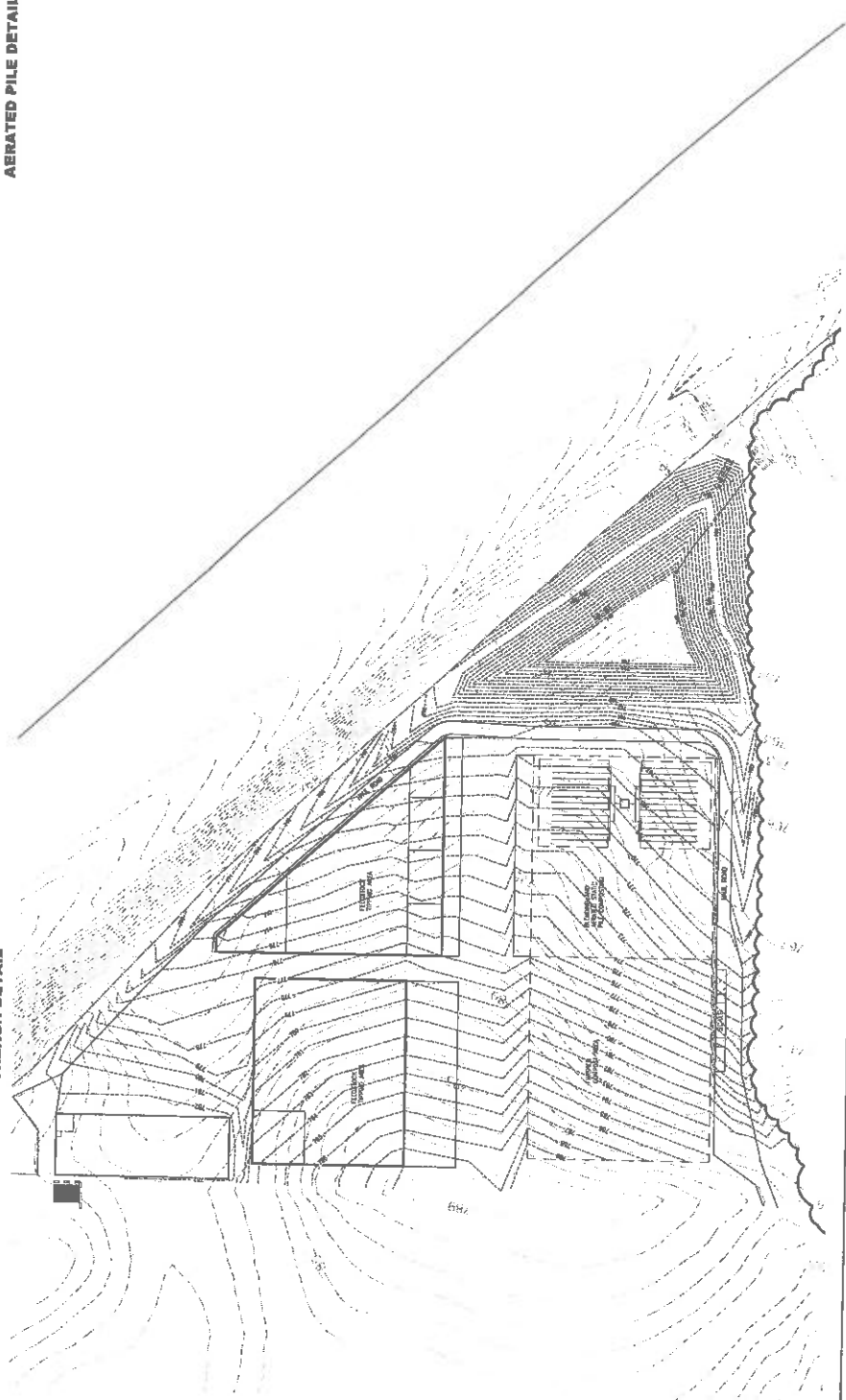
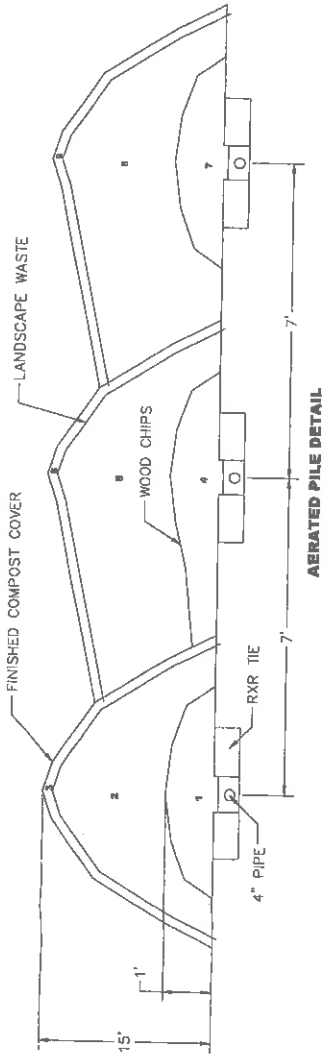
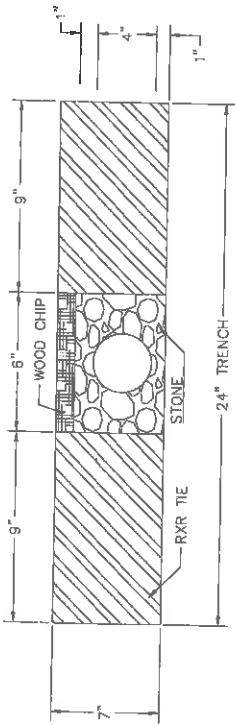
DATE	10/17/78	SCALE	1" = 200'	FILE	
FOLDER	KANE COUNTY WASTE MANAGEMENT				
LOCATION/TITLE	LORANG ROAD - SITE LOCATION				
DATE		REVISIONS	1		1



Prepared by: [unreadable] Date: [unreadable] Drawn by: [unreadable] Checked by: [unreadable] Approved by: [unreadable]

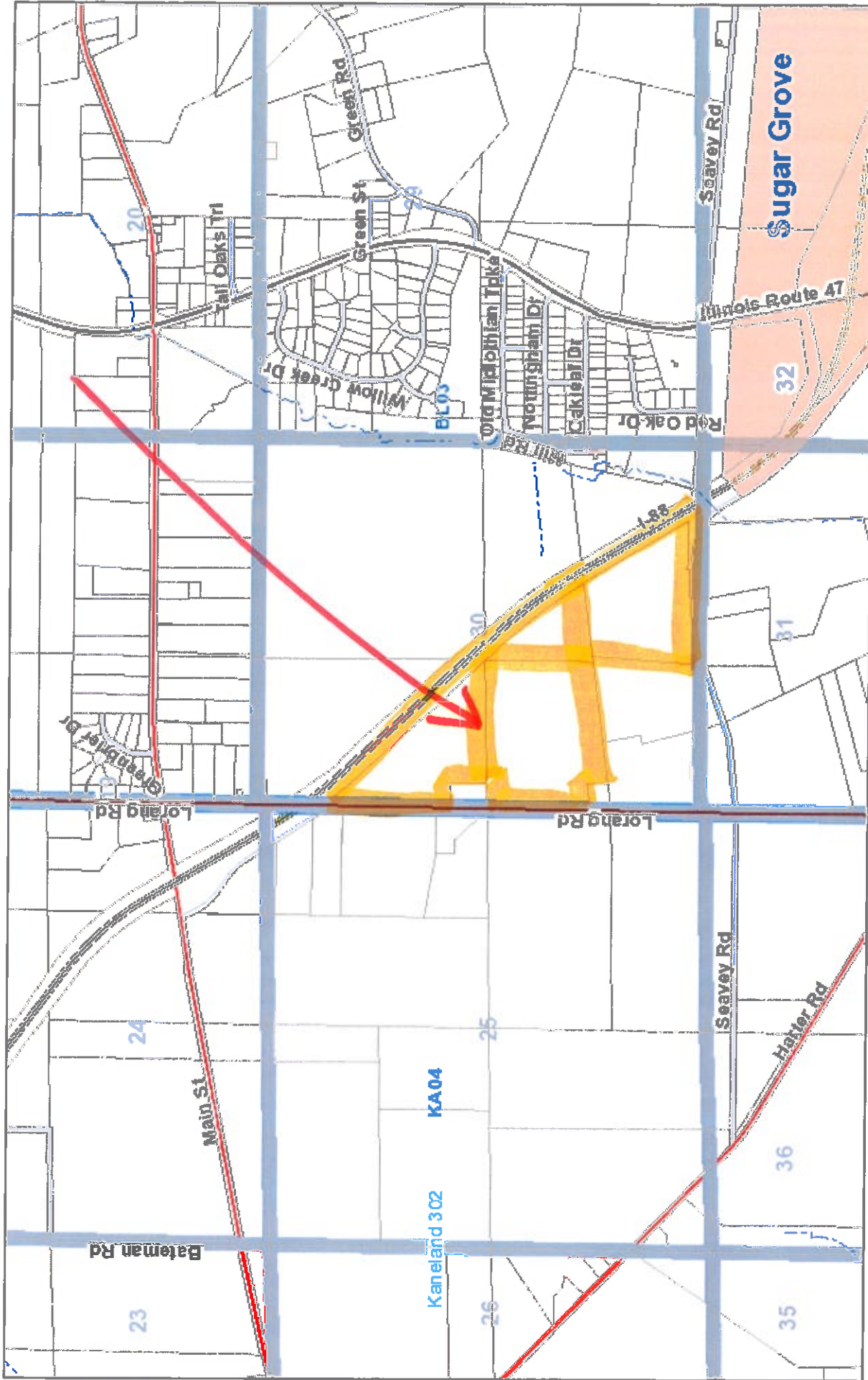
EXHIBIT A





DATE	08/02/18	SCALE	1" = 60'	FILE:
DRAWN BY	SAUNDERS	CHECKED BY	SAUNDERS	
PROJECT TITLE				
LORANG ROAD - COMPOST LAYOUT				
DATE		REVISIONS		
		1		
		1		

Map Title



November 29, 2018

1:19,876
0 900 1,800 3,600 ft
0 275 550 1,100 m

GIS-Technologies

These layers do not represent a survey. No Accuracy is assumed for the data delineated herein, either expressed or implied by Kane County or its employees. These layers are compiled from official records, including plats, surveys, recorded deeds, and contracts, and only contains information required for local government purposes. See the recorded documents for more detailed legal information.

GIS-Technologies
Kane County Illinois