

KANE COUNTY DEVELOPMENT DEPARTMENT
 Subdivision and Zoning Division, Kane County Government Center
 719 Batavia Avenue
 Geneva, Illinois 60134
 Office (630) 232-3492 Fax: (630) 232-3411

Received Date
4535
 OCT 17 2019

Kane Co. Dev. Dept.
 Zoning Division

SPECIAL USE APPLICATION

Instructions:

To request a special use 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 help you.

1. Property Information:	Parcel Number (s): Part of 09-36-476-016
	Street Address (or common location if no address is assigned): 02N152 Kautz Road St. Charles, IL 60174

2. Applicant Information:	Name Development Properties, Inc. John A. Thornhill, President	Phone 630-584-3303
	Address 44 White Oak Circle, St. Charles, IL 60174-4165	Fax 630-584-3303
		Email JATLDC@sbcglobal.net

3. Owner of record information:	Name Brian N. McLean and Tracy McLean	Phone 913-485-8151
	Address 0N698 Old Kirk Road West Chicago, IL 60181	Fax
		Email Bmclean@Artlow.com

Zoning and Use Information:

2040 Plan Land Use Designation of the property:

Commerce/Employment

Current zoning of the property:

F District-Farming

Current use of the property:

Residential

Proposed special use of the property:

Section 8.1-2 Special Uses, (o) Kennels, as defined in Section 3.1.

If the proposed Special Use/Map Amendment is approved, what improvements or construction is planned?

Construction of kennel building, customer parking, fenced in outdoor play area, new septic system, landscaping and similar infrastructure, all as shown on Site Development Plan (Exhibit "C"), appropriate to accommodate establishment of dog kennel and boarding location for *The Ranch Pet Resort*.

Attachment Checklist

- Plat of Survey prepared by an Illinois Professional Land Surveyor= **Exhibit "C"**.
- Legal description = **Exhibit "A"**.
- Completed Land Use Opinion application (Available in pdf form at www.kanedupageswed.org/luo.pdf), 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 form 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
- Aerial (air photo) with property clearly highlighted ~~contact: The Sidwell Co., 675 Sidwell Dr., St. Charles, IL (630) 549-1000; See KC GIS Aerial Photo (Exhibit "B").~~
- Trust Disclosure (If applicable)
- Findings of Fact Sheet
- Application fee (make check payable to Kane County Development Department) **\$1800.00**
- Site plan drawn to scale to demonstrate property can meet requirements of proposed zoning district (parking requirements, setbacks, landscaping, etc.) **Exhibit "D"**.

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: Tracy McLean & Brian N. McLean, 0N698 Old Kirk Road West Chicago, IL 60181

By: 
Tracy McLean


Brian N. McLean

11-12-19
Date


Applicant or Authorized Agent: John A. Thornhill, President, DPI

11-12-19
Date

December 2, 2019

Brian McLean, et ux
Special Use in the F-Farming District for a dog kennel

Special Information: The petitioner is seeking a Special Use for a dog kennel, which would include boarding, daycare, training and bathing. The petitioners will live in the home on the property to provide supervision.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Commerce Employment. . This new combined category reflects the need for non-residential land uses to be centers for commerce and to generate local employment opportunities. The suitability of various uses within this category for specific locations depend on the trend and character of the adjacent land uses, availability of infrastructure and the economic development needs of the local community.

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

STIPULATIONS



Owners

Brian McLean and Rachel Lewis have 14 years of dog care and handling experience and are professionally trained and certified as AKA CGC evaluators, trainers, and PTSD service dog specialists.

Services

- Dog Boarding
- Dog Daycare
- Dog Training: Fear free, positive reinforcement training. No protection training.
- Dog Bathing

Building

50' x 40' Pole Barn

Provisions for 24-7 vigilance

Dogs are supervised at all times and never left unattended. During the PM dogs are placed into individual, custom made suites where they will sleep until morning. Owners live on site to provide security.

Waste Removal Plan

Powerloo Pet Waste Management System will be installed on the property. This device will eliminate smells caused by feces, no open garbage cans with feces will be present, no plastic bags will be used to clean up feces, no waste management companies needed to service the area to pick up dumpsters containing feces. This is the number one eco way of disposing of feces. The EPA and CDC recommend flushing as the best way to manage dog waste, and it is also recommended by veterinarians to have an odor-free business or home.

Hours of operation - while staff will be on the premises at all times, customer service will be open:

Monday - Friday 7:00 am - 6:30 pm

Saturday 12 pm - 3 pm

Sunday by appointment only

All services including viewing the facility are by appointment only

Staffing

For the safety of the animals and staff, we will not allow there to be more than 15 dogs per staff member. Furthermore, we will adjust and increase our staff members based on volume of dogs in our care. Our initial staff will include four people, including two who live on the premises.

Number of dogs

There will be 40 dogs boarding, 20 dogs for daycare and all reservations will be made in advance in order to accurately gauge our numbers per day.

Findings of Fact Sheet – Special Use

McLean Special Use
Special Use Request

October 15, 2019
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:*

1. 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. The Special Use to operate a kennel for the care and boarding of dogs is proposed within a new building to be constructed on a 3-acre parcel together with parking and outdoor play area, all as depicted on the Site Development Plan (Exhibit “D”). The subject property is in an area designated “Industrial/Business Park” on the City of St. Charles Land Use Plan—a classification which would invite more traffic movements and noise from employees, materiel/product deliveries and other similar activities associated with light manufacturing. The new building will be constructed approximately 200 feet west of Kautz Road, opposite DuPage Airport. Kautz Road is a significant arterial road connecting Illinois State Route 38 with Illinois State Route 64 and several other collector streets in between, all emanating from industrial or commercial enterprises from the cities of Geneva, St. Charles and West Chicago as well as an older residential development in an unincorporated area of Kane County. The new building will be approximately 200 feet from one neighboring residence; other residences in the area are more than 300 feet away and most are screened off from view of the proposed facility by natural vegetation. Availability of public utilities from the City of St. Charles or any other municipal provider to support a larger industrial development is greatly compromised because the subject property is separated from existing city infrastructure by the intervening East side Sports complex to the west, the unincorporated residential development to the north and the airport to the east. The separation of the subject property from the rest of the city, limits its development potential except for industrial-type uses which are likely to be more detrimental to nearby existing residential uses. The residence existing on the subject property will be occupied by the operators of the kennel and will provide continual vigilance over the property. The kennel operation is perceived to be a use compatible with the adopted land use plan for the area and is unlikely to create any more disturbance than that which already exists from airport and other nearby industrial activities. The hours of operation, head count of staff personnel and customer volume to be served are noted in the attached stipulation. In light of the above, the proposed use will be compatible with the area and should have no detrimental effect on surrounding properties.

2. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity. The proposed use will take place primarily within a new building proposed to be constructed on the site. The Special Use being requested in the area designated on the City of St. Charles Land Use Plan as “Industrial/Business Park” is consistent with and will not prevent anyone in the vicinity of the subject premises from the full enjoyment and use of their property. The proposed activities will have minimal deleterious effect on surrounding properties.

3. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property. The presence of the proposed use is not related to the development of any adjoining properties. The surrounding properties will continue to have potential for development as long as it is undertaken consistently with the same City of St. Charles Land Use Plan.

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

Yes; all required infrastructure will be provided on property owned by the petitioners to accommodate the proposed use as shown on the Site Development Plan (Exhibit "D").

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

Yes, as stated in #1 and #4 above; also, one double-faced illuminated identification sign is proposed as depicted on Exhibit "D" to aid in access to and from premises.

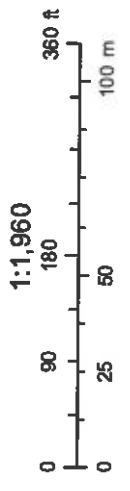
6. Will the special use conform to the regulations of the district in which it is located? Please explain:

Yes; the residence on the existing parcel is a legal non-conforming use in the F District.

Map Title



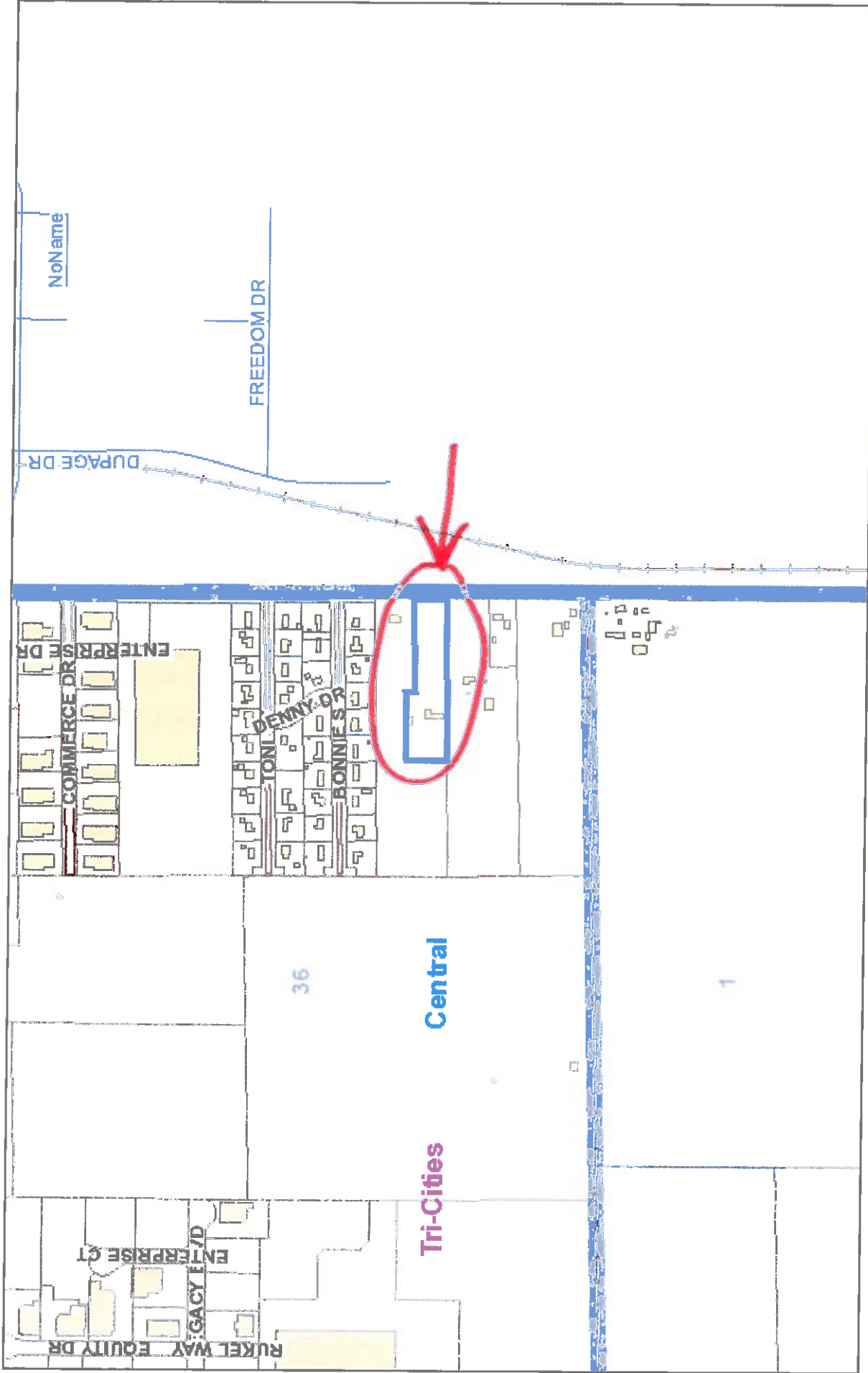
October 18, 2019



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

Map Title



November 26, 2019

1:7,614
0 350 700 1,400 ft
0 105 210 420 m

GIS-Technologies

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GIS-Technologies
Kane County Illinois

Applicant: Development Properties, Inc.
Contact: John Thornhill
Address: 44 White Oak Circle
St. Charles, IL 60174

IDNR Project Number: 2003437
Date: 10/08/2019
Alternate Number: 19-016

Project: McLean Special Use
Address: 02N152 Kautz Road, St. Charles, IL

Description: The Special Use being sought will allow the development and operation of a kennel for boarding dogs as permitted in the Kane County Zoning Ordinance.

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Consultation is terminated. This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary. Termination does not imply IDNR's authorization or endorsement.

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Kane

Township, Range, Section:
40N, 8E, 36



IL Department of Natural Resources
Contact
Adam Rawe
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Kane County Development Department
Keith Berkhout
719 Batavia Avenue
Geneva, Illinois 60134

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

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1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

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Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

Berkhout, Keith

From: McGraw, Keith
Sent: Wednesday, October 30, 2019 11:44 AM
To: Berkhout, Keith; Rickert, Tom; Nika, Kurt
Subject: RE: Zoning petition for review - McLean
Attachments: 2019-10-18 Special Use Request.pdf

Keith,

In regard to the attached petition, KDOT will require a minimum 33 foot right of way, or what the local agent deems necessary, dedicated from center line of Kautz Road. KDOT shows that West Chicago owns the roadway, but it will be the responsibility of the petitioner to verify.

As always, should you have any comment or questions, please don't hesitate to reach out.

Thank you,

Keith McGraw

Kane County Division of Transportation – Permitting Section

From: Berkhout, Keith <BerkhoutKeith@co.kane.il.us>
Sent: Friday, October 18, 2019 10:59 AM
To: Schoedel, Carl <schoedelcarl@co.kane.il.us>
Cc: McGraw, Keith <McGrawKeith@co.kane.il.us>; Nika, Kurt <nikakurt@co.kane.il.us>
Subject: Zoning petition for review - McLean

Keith T. Berkhout

Zoning Planner

Kane County Department of Development and Community Services

719 S. Batavia Avenue

Geneva, Illinois 60134

630-232-3495

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