

United City of Yorkville

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PLANNING & ZONING COMMISSION AGENDA

Wednesday, March 8, 2017 Yorkville City Hall Council Chambers 800 Game Farm Road

Meeting Called to Order: 7:00 p.m.

Roll Call:

Previous meeting minutes: February 8, 2017

Citizen's Comments

Public Hearings

Old Business

New Business

1. PZC 2017-03 - DKR Group, Inc., and Keith and Kathleen Warpinski have filed an application with Kendall County requesting an A-a Special Use on 6.9 acres to operate a landscaping business for the purpose of building a 6,000 square foot storage building as part of that business operation. The real property is located as the north side of Walker Road, approximately 0.31 miles east of IL Route 47 in unincorporated Kendall Township.

- Action Item

1 ½ Mile Review (Special Use)

Additional Business

1. City Council Action Updates

The following items were presented to the City Council on February 28, 2017.

a. **PZC 2017-01** Dover Development, LLC, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting authorization of an amendment to the existing Cannonball Trails Planned Unit Development and Annexation Agreement for the purpose of constructing a new two-story assisted living with memory care facility. The petitioner seeks to amend the previously approved exhibits in the Planned Unit Development to incorporate a revised conceptual site plan and to allow for all uses that are currently permitted in the B-1 Local Business District, B-2 Retail Commerce Business District and O Office District, specifically and without limitation to assisted living and memory care, adult daycare facilities and medical office uses. Additional requested amendments to the Planned Unit Development and Annexation Agreement relate to expiration of recapture payments, requirements for certain public infrastructure improvements and site signage.

Action – Motion approved with amendments by City Council, 7 ayes; 0 no

DRAFT

PLANNING & ZONING COMMISSION

City Council Chambers 800 Game Farm Road, Yorkville, Il Wednesday, February 8, 2017 7:00pm

Planning & Zoning Commission Members in Attendance:

Bill Gockman Deborah Horaz Don Marcum Jeff Olson Richard Vinyard Randy Harker

Absent: Reagan Goins

City Staff

Krysti Barksdale-Noble, Community Development Director Jason Engberg, Senior Planner

Other Guests

Christine Vitosh, Court Reporter
Lynn Dubajic, City Consultant

David Schultz, Engineer-HR Green
Jordan Dorsey, Dover Development

Verne Henne, resident Bob Clack, Oak Knolls

Paul Crawford, resident Kyle & Martha Price, Oak Knolls
Duane Orton, Cannonball Trail Rhonda & Loren Miller, Oak Knolls

Meeting Called to Order

Planning and Zoning Commission Chairman Randy Harker called the meeting to order at 7:00pm.

Roll Call

Roll call was taken and a quorum was established.

Previous Meeting Minutes January 18, 2017

The minutes of the meeting were approved on a motion and second by Commissioners Vinyard and Horaz, respectively.

Roll call: Horaz-yes, Marcum-abstain, Olson-yes, Vinyard-yes, Gockman-yes, Harker-yes. Passed—5 yes, 1 abstain

<u>Citizen's Comments</u> None

Public Hearings

Chairman Harker swore in those who would present testimony and explained the procedure for the Hearing. The Public Hearing was opened at 7:03pm on a motion by Mr. Vinyard and second by Mr. Gockman.

Roll call: Horaz-yes, Marcum-yes, Olson-yes, Vinyard-yes, Gockman-yes, Harker-yes. Passed 6-0.

Chairman Harker read the details of the Public Hearing as follows:

1. **PZC 2017-01** Dover Development, LLC, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting authorization of an amendment to the existing Cannonball Trails Planned Unit Development and Annexation Agreement for the purpose of constructing a new two-story assisted living with memory care facility. The petitioner seeks to amend the previously approved exhibits in the Planned Unit Development to incorporate a revised conceptual site plan and to allow for all uses that are currently permitted in the B-1 Local Business District, B-2 Retail Commerce Business District and O Office District, specifically and without limitation to assisted living and memory care, adult daycare facilities and medical office uses. Additional requested amendments to the Planned Unit Development and Annexation Agreement relate to expiration of recapture payments, requirements for certain public infrastructure improvements and site signage.

(See Court Reporter's Transcript)

A motion was made at 7:31pm to close the Public Hearing. Motion and second by Commissioners Vinyard and Marcum, respectively.

Roll call: Marcum-yes, Olson-yes, Vinyard-yes, Gockman-yes, Horaz-yes, Harker-yes Passed 6-0.

Old Business None

New Business

1. **PZC 2017-01** same as #1 above)

The Commissioners commented favorably about this development. The 63,000 square foot project is scheduled to take about one year to build with a starting date of April.

Chairman Harker read the six standards and the Commissioners responded with positive answers. These standards were requested to become a permanent part of the record. Commissioner Olson inquired about the utilities recapture. Ms. Noble said the agreement is no longer in effect and fees are not being collected.

Ms. Noble listed five conditions requested by staff for the Special Use: size and timing of the signs, final approval is subject to the final engineering plan, city staff must approve landscaping and photometric plans and must adhere to appearance code standards.

Action Item

Amended Planned Unit Development (PUD)-Final Plat

A motion to approve was made by Mr. Olson and seconded by Mr. Vinyard. Mr. Vinyard stated the motion as follows: In consideration of testimony presented during a Public Hearing on February 8, 2017 and discussions conducted at that meeting, the Planning and Zoning Commission recommends approval to the City Council a request to amend the existing Cannonball Trails Planned Unit Development (PUD) and proposed Final PUD Plat for the approximately 6.7-acre property located at the northeast corner of US 34 (Veterans Parkway) and Cannonball Trail, in Yorkville, Illinois subject to the five points that staff recommended.

Roll call: Olson-yes, Vinyard-yes, Gockman-yes, Horaz-yes, Marcum-yes, Harker-yes. Passed 6-0.

<u>Additional Business</u> City Council Action Updates:

On January 24, 2017, the City Council voted to approve PZC 2016-05 for revision of text amendments.

Adjournment

There was no further business and the meeting was adjourned at 7:40pm.

Respectfully submitted by Marlys Young, Minute Taker (The following
proceedings were had in
public hearing:)

CHAIRMAN HARKER: We are going to go to the public hearings portion of the meeting.

There is one item on the public hearing agenda for tonight's meeting for the Planning and Zoning Commission.

The purpose of this hearing is to invite testimony from the members of the public regarding the proposed request that is being considered before the Board tonight.

Public testimonies from persons who wish to speak may be for or against the request, or to ask questions of the petitioner regarding the request being heard.

Those persons wishing to testify are asked to speak clearly, one at a time, state your name and who you represent, if anyone. You are also asked to sign in at the podium or on the clipboard that's going to be coming around.

If you plan to speak during tonight's public hearing as a petitioner or a member of the public, please stand, raise your

right hand and repeat after me.

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(Witnesses sworn.)

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Order for the testimony will be as follows: The petitioner is going to make their presentation and then those who wish to speak in favor of the request being heard; those people that would speak in opposition of the request; and then any questions from the Planning and Zoning Commission to the petitioner.

May I have a motion to open the public hearing on petition number PZC 2017-01?

COMMISSIONER VINYARD: So moved.

COMMISSIONER MARCUM: Second.

CHAIRMAN HARKER: Roll call vote on the motion, please.

MS. YOUNG: Horaz.

COMMISSIONER HORAZ: Yes.

MS. YOUNG: Marcum.

COMMISSIONER MARCUM: Yes.

MS. YOUNG: Olson.

COMMISSIONER OLSON: Yes.

MS. YOUNG: Vinyard.

COMMISSIONER VINYARD: Yes.

MS. YOUNG: Gockman.

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COMMISSIONER GOCKMAN: Yes.

MS. YOUNG: Harker.

CHAIRMAN HARKER: Yes.

PZC 2017-01, Dover Development, LLC, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting authorization of an amendment to an existing Cannonball Trails Planned Unit Development and Annexation Agreement for the purpose of constructing a new two-story assisted living with memory care facility.

The petitioner seeks to amend the previously approved exhibits in the Planned Unit Development to incorporate a revised conceptual site plan and to allow for all uses that are currently permitted in the B-1 Local Business District, B-2 Retail -- I'm sorry, Retail Commerce District, Business District, O, Office District, specifically and without limitation to the assisted living and memory care, adult daycare facilities, and medical office uses.

Okay. So is the petitioner present and ready to give your presentation?

JORDAN DORSEY,

having been first duly sworn, testified from the podium as follows:

MR. DORSEY: Good evening. My name is

Jordan Dorsey. I am with Dover Development. I

want to thank you all for your time tonight. I

serve on one of these in southern Illinois, so I

know it means a night away from your family and

we appreciate it.

So Dover Development, as you've seen in your packet, is proposing an assisted living and memory care at Cannonball Trail and Highway 34.

Just a quick summary of our project, 73-unit assisted living and memory care, so the memory care portion will be 20 units, the assisted living will be 53 units.

So Dover and Cedarhurst Living, which is our management company and will be operating this building, it will be known as Cedarhurst of Yorkville, we are a developer, owner and operator of assisted living communities.

Here in the northern part of the

state we have a project going on in Naperville right now. We are primarily a St. Louis developer, and Kansas City. So we're real excited to be here. I know Dave has got a little more details to show you on the building. So this is kind of what it looks like. We are happy to answer any questions and address any concerns anybody has tonight.

DAVID SCHULTZ,

having been first duly sworn, testified from the podium as follows:

MR. SCHULTZ: Good evening. David
Schultz with HR Green representing Dover
Development. I am the civil engineer and I am
here to answer any questions you may have
regarding the development concept plan and give
you any other additional information you may
have.

UNIDENTIFIED AUDIENCE MEMBER: Can you turn up the mic? Is the mic on? We can't hear you.

MR. SCHULTZ: Hello?

MS. NOBLE: It's not on typically, just

hold it.

 $$\operatorname{MR.}$ SCHULTZ: There we go. Sorry about that.

CHAIRMAN HARKER: I'm going to ask staff to give more about -- fill us in with some more details on that.

MS. NOBLE: Okay. This project is located on the northeast corner of Cannonball Trail and Veteran's Highway -- Parkway, rather. It is about six -- 6.7 acres, depending on if you are including the area that's a little bit north, 6.1 acres.

It was originally annexed with a PUD in August of 2000. At that time it was a commercial land use that was going in, and that agreement was then amended in 2008 to expand the commercial footprint with multiple users on the site.

Since that time there was a final plat approved for this project with a PUD plan attached to it; nothing happened in the development of that project, so things kind of sat for a while.

The developer tonight approached the City with a proposal for an assisted living and

memory care facility, about 65,000 square feet.

It's a two-story unit. As the Dover representative mentioned, it will be about 73 units.

As part of that structure, they are going to adhere to all of the setback requirements for the B-2 District, so the original plan had a B-2 underlying zoning as a planned unit development. They are going to continue that B-2 land use for the assisted living care.

within the building that are specifically for the tenants or the residents of the building, and there is a proposal for a future separate building to the north of this -- if you could show the site plan -- of the approved building and parking area, and to the north there will be a separate future building, which they are proposing at this time would be office.

They don't know for sure what the use will be, but it will be consistent with what's permitted in the office, the B-1 and B-2 zoning district.

They are asking for relief only in regards to the signage for the site. They are proposing three signs for the site. As part of the request, those signs, Staff has recommended that two of the signs be allowed initially with the primary use, which is the assisted living facility, and that one sign would be at the intersection of Cannonball and -- Cannonball and 34, and the other one just a little bit north.

There is a third sign proposed; staff is asking that that sign not be installed until such time as that second building, second access drive, is constructed.

In regards to traffic and parking, the original commercial plan for this development had a deceleration lane on -- headed -- that would be west on Cannonball -- on 34, turning onto Cannonball Trail.

In regards to the trip generation, for this type of land use, it would be less than what's anticipated for commercial land use, so our engineer and staff felt that that decel lane is not necessary.

Trips generated from this site will

only be for those visiting loved ones in the facilities or for shift changes for the facilities, and Jordan can talk to the maximum number of employees at any one time for this facility, and that will be approximately --

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MR. DORSEY: Yeah, sure. employees for the building over all three shifts would be somewhere in the 40 range, so there would be no more staff in the building at any given time, probably around 10, 12, 15 at the maximum, and then another point to make is that 20 units of the building are memory care, so if you're not familiar with memory care, it's specifically designed for residents with Alzheimer's or related dementias, so it's specifically a secure wing of our building, and it will be in the rear portion of the first floor, and the distinction between memory care and assisted living, like I said, all the residents have some form of dementia, most likely Alzheimer's. That portion of the building is specially locked down and the staff is all trained by the Alzheimer's Association specifically to deal with residents that have

dementia.

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So the reason I point that out is none of the residents that are in that unit, obviously none of them will be driving, so very few of our residents in the assisted living have vehicles.

So what we're really talking about, like Krysti said, are, you know, a few visitors here and there during the daytime, and then the shift changes would be no more than, you know, ten vehicles at a time.

MS. NOBLE: As far as parking accommodations off-site, it would be provided -the City Code requires a half parking space for dwelling units, which is about 37 spaces. The petitioner is offering to provide 46 spaces, so they are meeting and exceeding that requirement.

Based off of trip generations and what kind of capacity is allowed right now on Cannonball Trail and 34, you can see that there is no need for any roadway configuration, and the capacity position will be able to accommodate a minimal increase in the traffic generated from the site.

Stormwater management consists of a dry detention basin south of the property, south of the building, which would be adjacent to U.S. 34.

The natural -- the property naturally drains in that direction, and also storm sewer currently exists in that southeast corner of the property.

That would be engineered and reviewed by our engineer for capacity, but we don't feel like there should be any issues in regards to capacity.

Public utilities exist to the site already. The property is immediately accessible to public sewer and water. There is an existing 16-inch water main located on the west frontage of Cannonball Trail, which they would connect to, and an existing 16-inch sanitary sewer line located around the north side of Cannonball Trail which the addition will also connect to.

They will also not impact the capacity right now for widening that, which is the sanitary district, which will be taking in the sanitary.

The existing conditions around the site, north is a single-family residential development; to the south, again, is the U.S. 34, which is a major arterial; and then the Cimarron Ridge commercial development to the east remains undeveloped, and that's in Kendall County; and to the west is a minor arterial road, which is Cannonball Trail and the Kendall Marketplace development.

With the transition of residential to the north and commercial, both being to the south and to the west, this type of use fits in with density as well as land use. It's a nice transition into -- from that commercial or the high traffic transportation land use. It gradually gets you to that single-family development to the north.

Our Comprehensive Plan, which was updated in 2016, states that this property's future land use could be a suburban neighborhood-type use, but also does state that significant senior and active adult housing is a need in the city, and such housing types are to be looked at as alternative land uses to the

existing land use that we have, so this definitely is supported by our -- this land use is definitely supported by our recently updated Comprehensive Plan.

Again, as I stated, the only variances that petitioner is requesting is in regards to signage, which we addressed, and there are criteria for these types of requests.

PUD is considered a special use, so there are special use criteria that have to be met. There are six standards. The petitioner has provided responses to those standards, which deal with such things as transportation, access to highways, access to utilities, and they have requested that those responses be entered into the record.

Is that correct?

MR. DORSEY: That's correct.

MS. NOBLE: The petitioner has met all the requirements for public notification; they provided green cards for staff, and obviously a copy of the notice that was placed in the local newspaper is also attached in the packet.

CHAIRMAN HARKER: Awesome. Thank you.

Anybody that would like to speak in 1 2 favor of the request being made? 3 LYNN DUBAJIC, 4 having been first duly sworn, testified from the podium as follows: 5 MS. DUBAJIC: Good evening. 6 I am Lynn For those of you that may not know me, 7 Dubajic. I've done economic development for the City of 8 Yorkville for 17 years, and I wanted to speak 9 to -- from an economic development standpoint. 10 11 I wanted to just let you know how important it is for us to provide different 12 13 healthcare options for our residents and that 14 there is a definite need in our community, and the proximity of this location to the Rush-Copley 15 health campus is an excellent use, bringing the 16 proximity of this use to the existing facility, 17 and we are working diligently also to expand 18 services there, so this helps us in that fashion. 19 This is a very significant project, 20 The project has a -- is it 11 or 12 million 21 dollar --22 (Indicating.) 23 MR. DORSEY: 24 MS. DUBAJIC: -- investment in

Yorkville, so I wanted to point that out, because that significant investment will create a real estate tax bill that will eventually be paid when the property is built out and will help all of the residents of all of the districts, of the nine taxing districts that are on that tax bill, that will help -- you know, when we think about economic development, we think about raising the -- you know, bringing in taxing that does not affect our schools.

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idea.

our school district, and it will help reduce the burden off the existing residents, and then obviously also creating jobs, and as he said, this will be creating about 40 jobs, and there is certainly a need, contingent need, for good jobs in our community, so I just wanted to hit on those topics. Thank you very much.

CHAIRMAN HARKER: Thank you.

Anybody else that would like to speak in favor of the request here tonight?

Pardon?

MR. VERNE HENNE: I think it's a great

1	CHAIRMAN HARKER: Okay. Do you want to			
2	come up?			
3	MR. VERNE HENNE: No. Just a great			
4	idea. There is not more you can say about it.			
5	It's a great idea. It's finally a good idea.			
6	CHAIRMAN HARKER: Thank you, Verne.			
7	MR. VERNE HENNE: Yep.			
8	CHAIRMAN HARKER: Anybody that would			
9	like to come up and speak that's in opposition of			
10	the request?			
11	Would you please come up to the			
	podium, sir?			
12	pourum, orri			
12 13	BOB CLACK,			
13	BOB CLACK,			
13 14	BOB CLACK, having been first duly sworn, testified from the			
13 14 15	BOB CLACK, having been first duly sworn, testified from the podium as follows:			
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13 14 15 16 17 18 19	BOB CLACK, having been first duly sworn, testified from the podium as follows: MR. CLACK: I'm not I'm not really in opposition, I just have a couple questions. CHAIRMAN HARKER: Sure. Okay. MR. CLACK: I own the property just north. My name is Bob			
13 14 15 16 17 18 19 20 21	BOB CLACK, having been first duly sworn, testified from the podium as follows: MR. CLACK: I'm not I'm not really in opposition, I just have a couple questions. CHAIRMAN HARKER: Sure. Okay. MR. CLACK: I own the property just north. My name is Bob CHAIRMAN HARKER: Real quick, sir, for			

1 MR. CLACK: And I own the property just north of where they're wanting to put this --2 3 CHAIRMAN HARKER: Okav. 4 MR. CLACK: -- and I have just a couple 5 of questions. I see there are two tax numbers 6 assigned to this. 7 Is there another building someplace 8 or another piece of property that I don't know 9 about? 10 MS. NOBLE: As the property currently exists in that north -- that northwest corner, 11 12 there is a separate parcel. 13 When this property develops, they are going to consolidate both parcels into one 14 1.5 lot. 16 MR. CLACK: Okay. I see that that part 17 apparently is where they are talking about a future right in, right out --18 19 MS. NOBLE: Correct. -- entrance onto Cannonball 20 MR. CLACK: Trail. 21 MS. NOBLE: Correct. 22 23 MR. CLACK: Okay. Now, I got a notice 24 with two plans, okay? One shows the building

quite a ways north -- south of me, and that would leave a lot more property between me and them, but if that's going to be developed, what kind of property development would be in there?

Would it be the office or would it be anything in between? Do we know?

MR. DORSEY: Yes. There isn't a concrete plan for that currently, and David can point it out here. I'll show you real quick.

MR. CLACK: On here.

MR. DORSEY: Yes. So this right here, what we anticipate it would be would be like a physical therapy, medical office building, but it's kind of up in the air right now, so it won't be anything that won't be compatible with our building because it would obviously devalue what we're investing in.

MR. CLACK: Have you decided where this building is going to be?

MR. SCHULTZ: Yes. Moving -- To answer a couple of questions, when we first submitted, there was two concepts; there was a building to this -- this building further to the north and then another concept where this building was

closer to Route 34.

Dover Development was deciding that internally, so they didn't want to commit to just one, so we thought we would move forward with the two, but since then we have now committed to this plan here, which shows the assisted living closer --

MR. CLACK: To my property.

MR. SCHULTZ: Correct. It's more or less centered in the middle.

MR. CLACK: So this is actually future zoning here?

MR. SCHULTZ: That is all future right now, so again, with the landscaping buffer and landscaping screener with the setback, there is no -- we can be no closer than 30 feet for a building.

For orientation, we would use an access drive in between that, so that would be another 18 to 20-feet wide, which would put this building in this general location.

We can -- We have to -- the submitted plan, we have to stick with the general layout; otherwise we would have to come back

before the -- before Yorkville and ask for an 1 2 amendment again to change the plan, so moving 3 forward what you see is pretty close to what we 4 get. 5 MR. CLACK: Okay. Now, you mentioned something earlier and I probably missed it, this 6 7 entrance here is going to be an all access 8 entrance? Either way it's not a right in, right 9 out? 10 MS. NOBLE: Correct. 11 MR. CLACK: The main entrance? 12 MS. NOBLE: Correct. 13 MR. CLACK: Have you thought about maybe 14 traffic trying to cross three lanes of traffic to 15 get to a right-hand turn lane? 16 MR. SCHULTZ: Yes. So basically someone 17 leaving to make a left --MR. CLACK: Yes. 18 19 MR. SCHULTZ: -- where there is enough 20 separation from the intersection to cross over 21 two lanes and make -- essentially go southbound 22 on Cannonball. 23 MR. CLACK: Actually it crosses three

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lanes --

1	MR. SCHULTZ: Correct. Northbound			
2	MR. CLACK: if you wanted to go west.			
3	MR. SCHULTZ: Correct.			
4	MR. CLACK: So I'm just wondering how			
5	safe that would be.			
6	MS. NOBLE: The plan right now is the			
7	concept layout plan engineering would definitely			
8	look at when they provide their final engineering			
9	plan, the traffic pattern for			
10	MR. CLACK: I agree traffic is not real			
11	heavy right now; the only problem is left-hand			
12	turn traffic trying to get on 34 could be a			
13	problem.			
14	MS. NOBLE: Correct.			
15	MR. CLACK: Okay. But that was my			
16	question, why there was two tax			
17	MR. SCHULTZ: And to answer your			
18	question with that, there are two tax PIN numbers			
19	on the property, one from the existing residence			
20	that used to be there back in the day.			
21	MR. CLACK: Okay. That's still in			
22	MR. SCHULTZ: Yes. As part of this			
23	process it's called a plat of			
24	consolidation we are going to take those two			

1 and make it one. 2 MR. CLACK: The original one, will that 3 be moved around? 4 MR. SCHULTZ: The original, that will be 5 dissolved. 6 MR. CLACK: And then it will be gone? 7 MR. SCHULTZ: It will be one -- Overall 8 the boundary of six acres will become the new 9 property. 10 MR. CLACK: Okay. And then it will eventually get that one tax number? 11 12 MR. SCHULTZ: You got it. 13 MR. CLACK: That was my concern. 14 say, there won't be a lot of traffic I don't 1.5 think coming in and out, I'm just wondering how 16 somebody is going to get across three lanes of 17 traffic to make a right-hand turn on 34. 18 MS. NOBLE: And we were just discussing 19 most traffic will probably go north and then go 20 into Kendall Marketplace and then come down. 21 That future drive --MR. CLACK: That would be the smart 22 23 thing to do.

Right.

Right.

The future

MS. NOBLE:

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drive, it could possibly be a full access point, so then that would be another option.

MR. CLACK: The future drive may not be a right in, right only, is that what you're saying?

MS. NOBLE: Correct. It may not be a right in and right out only, it could be a full access point.

MR. CLACK: I'm premature on this I know, this will probably come up in the next meeting, but that trash disposal area, I'm wondering if it could be moved further away from me because I know the trash men are going to be noisy at four o'clock in the morning or six o'clock in the morning when they're going to dump there, and I'm just wondering if it could be moved someplace this way or in the back.

I know there is more access this way and turn around for them to get to it than there is that on side, I can see that, so I just wondered.

But I know at six o'clock in the morning, if they're like my garbage men, they're noisy, but anyway, that was my main concern.

1 I'm not objecting to it, it's much 2 better than a service station, so I guess you 3 have my blessing. 4 CHAIRMAN HARKER: Thank you. 5 MR. SCHULTZ: Thank you. 6 CHAIRMAN HARKER: Anybody else have any 7 questions? 8 MR. CRAWFORD: I just have one. 9 PAUL CRAWFORD, 10 having been first duly sworn, testified from the 11 podium as follows: 12 CHAIRMAN HARKER: Sir --13 MR. CRAWFORD: Is there going to be --Can you do anything about --14 15 CHAIRMAN HARKER: Come up, please. 16 MR. CRAWFORD: My only question about it 17 would be going back into that area behind that 18 residential area back there, would there be 19 anything to block out any -- What kind of 20 lighting would be coming over and going back into 21 that area, too? Especially Bob is going to get 22 clobbered with that and the rest of it, Kyle, 23 Martha and the rest live all back in that area.

Is there any light blockage that's

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1 going to be put in there? Have they thought 2 anything about that? Or is there not going to be 3 a whole lot of light? 4 MR. SCHULTZ: As far as site 5 photometrics that you're discussing, we have to 6 develop that first, and will also run that 7 through the City, who reviews that based on their 8 current ordinance in bleed-off. 9 We can't bleed off light onto the 10 northern parcel, and, yes, there's going to be a 11 landscaping and screening to the north also to 12 help --13 MR. CRAWFORD: Okay. 14 MR. SCHULTZ: -- and shields that could 1.5 be put on to direct light downward. 16 MR. CRAWFORD: Yeah, that was -- that 17 was -- that was the only thing that I looked at. I didn't --18 19 CHAIRMAN HARKER: Sir --20 MS. NOBLE: Can you state your name for 21 the record? Paul Crawford. 22 MR. CRAWFORD: Oh.

review is that at the property line, it has to be

MS. NOBLE:

And, Paul, our standards for

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zero foot candlelight, so it drops off to zero at 1 2 the property line. 3 MR. CRAWFORD: Okay. Thank you. 4 CHAIRMAN HARKER: Anyone else? Any 5 questions? 6 (No response.) 7 CHAIRMAN HARKER: All right. 8 Commissioners, do you have any questions for the 9 petitioner? 10 COMMISSIONER VINYARD: I actually had 11 two, but the site photometrics was already 12 discussed. With the 73 units, are these going 13 14 to be single-occupied units or will you have some 15 double-occupied units? 16 MR. DORSEY: There will be two, maybe 17 three, units in the building that will have two bedrooms --18 19 COMMISSIONER VINYARD: Okay. 20 MR. DORSEY: -- but everything else is a 21 one bedroom or a suite. 22 COMMISSIONER VINYARD: So we're looking at under 80, 85 residents completely? 23 24 MR. DORSEY: Yes.

COMMISSIONER VINYARD: Okay. Thank you.

COMMISSIONER MARCUM: Given your experience with developing and running these places, do we have any idea how many visitors would come to visit 73 people?

MR. DORSEY: Yeah. Actually we were talking about this earlier. Every building is different, so we found that it really depends on geography in a way.

Like in our buildings that are in a more urban environment like the St. Louis area get a lot less visitors than maybe some of the more rural areas that we operate in, but I would say no more than -- for this building size, this is the first time we've done a two-story, but we have a building that has the exact same unit count in a town called Jacksonville, Illinois, which is a similar size to Yorkville, and, you know, less than ten a day, you know, largely because a big portion of the building is memory care, which is even a little bit less than the assisted living, the age of the population is a little bit lower, so they are -- so I would say 10 to 15, to answer your question.

COMMISSIONER OLSON: The north berm and the east berm, there is going to be landscaping as to noise, sound and light barriers.

Can you describe that further,

what's going to go in there, what's proposed to go in?

MR. SCHULTZ: Sure. What's called out by ordinance is this transition yard, which is the 30-foot landscaping yard that you're referring to, and inside of that there is requirements for how many trees and shrubs and things like that that will create this natural landscaping boundary.

COMMISSIONER OLSON: Can light shields be a requirement?

MS. NOBLE: If the photometric plan comes back that it --

COMMISSIONER OLSON: Exceeds?

MS. NOBLE: -- exceeds or is approaching we can request photo shields.

COMMISSIONER OLSON: There is one thing on a drawing, on the trash enclosure on the northeast corner, it says proposed trash enclosure. I would think the whole property is

proposed.

 $\hbox{ Is that because there is an option} \\ \\ \hbox{not to have a trash enclosure there or is that} \\ \\ \hbox{just a wording $--$} \\ \\$

MR. SCHULTZ: That's just a wording that -- yeah, proposed. Correct.

COMMISSIONER OLSON: And Mr. Clack brought up a good point that you are going to have sanitary service backing up to that trash enclosure, but if they're using backup alarms, they shouldn't be using them outside normal working hours anyway, so it shouldn't be at six o'clock in the morning, it would have to be after seven o'clock a.m.

MR. CLACK: I have a question on the berm. Is there going to be a land berm, raised berm, or just shrubs?

MR. SCHULTZ: Depending on when we move dirt and earth work, there could be. If we have leftover topsoil or something like that, I could see -- In certain areas there is definitely going to be a berm. In the north and possibly to the east, it may be a foot to two foot, you know, berm.

1 MR. CLACK: Not a large berm? 2 MR. SCHULTZ: Not a large berm, not a --3 you know, any certain height. We have to watch 4 out for drainage and keeping, you know, drainage 5 from holding in that and basically staying on the 6 site, so there are other things to look out for 7 besides just putting a berm. 8 CHAIRMAN HARKER: Anyone else? 9 other questions? 10 (No response.) 11 CHAIRMAN HARKER: Okay. May I have a 12 motion -- Sorry. Since all of the public 13 testimony has been taken on this, could I get a motion to close the public hearing and taking of 14 15 testimony? COMMISSIONER VINYARD: 16 So moved. 17 COMMISSIONER MARCUM: Second. 18 CHAIRMAN HARKER: Roll call vote on the 19 motion, please. 20 MS. YOUNG: Yes. Marcum. 21 COMMISSIONER MARCUM: Yes. 22 MS. YOUNG: Olson. 23 COMMISSIONER OLSON:

Vinyard.

MS. YOUNG:

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STATE OF ILLINOIS) SS. COUNTY OF LASALLE)

I, Christine M. Vitosh, a Certified Shorthand Reporter, do hereby certify that I transcribed the proceedings had at the pubic hearing and that the foregoing, Pages 1 through 34, inclusive, is a true, correct and complete computer-generated transcript of the proceedings had at the time and place aforesaid.

I further certify that my certificate annexed hereto applies to the original transcript and copies thereof, signed and certified under my hand only. I assume no responsibility for the accuracy of any reproduced copies not made under my control or direction.

As certification thereof, I have hereunto set my hand this 27th day of February, A.D., 2017.

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Christine M. Vitosh, CSR Illinois CSR No. 084-002883





To: Planning and Zoning CommissionFrom: Jason Engberg, Senior PlannerCC: Bart Olson, City Administrator

Krysti J. Barksdale-Noble, Community Development Director

Date: March 1, 2017

Subject: **PZC 2017-03** – Kendall County Case #17-05 (Special Use) 1.5 Mile Review

Proposal Summary

Staff has reviewed a request from Kendall County Planning and Zoning Department along with the subsequent documents attached. This property is located within one and a half miles of the planning boundary for Yorkville, allowing us the opportunity to review and provide comments to Kendall County. The petitioners, DKR Group, Inc. and Keith and Kathleen Warpinski, are requesting a special use for the A-1 Agricultural District to operate a landscaping business. Petitioners would like to construct a 6,000 square foot storage building for a landscaping business. The 6.9 acre property is located at the north side of Walker Road approximately 0.31 miles east of Route 47. The property is currently being utilized for farming and agricultural purposes.

According to information obtained from the County, the petitioner is seeking to construct a storage building for agricultural and landscaping equipment. The structure will be placed in the middle of the long parcel, about 650 feet from Walker Road frontage. Additionally, the plat of survey shows an area designated for a future residential building which would be permitted in the County's, and Yorkville's, A-1 Agricultural District.

As stated in the petitioner's findings of fact, they believe the use is compatible with other nearby agricultural uses in the area. There are storage facilities on the adjacent farmland parcels to the east, south, and west. The only difference between their storage facility and their neighbor's is the fact that they will be storing equipment for their landscaping business instead of typical farm equipment. The petitioners have indicated that there will be no outside storage of any equipment or landscaping vehicles on site.



Yorkville Comprehensive Plan

Yorkville's current 2016 Comprehensive Plan designation for this property is agricultural which is intended to allow for farming and open space uses. The plan states that environmentally sensitive areas such as tree groves, wetlands, and poorly drained areas will be protected from development.

Integrated Transportation Plan

Yorkville's Integrated Transportation Plan (ITP) designates a trail along the Aux Sable Creek and one along the north side of Walker Road. The County has suggested to the City it will request a right-of-way dedication as part of the special use permit for both trails. This will ensure if either trail is proposed and constructed, there will be a right-of-way already designated along this property.

Staff Recommendation & Comments

Staff has reviewed the request for special use and *does not* have an objection to the petitioner's request. After reviewing the Comprehensive Plan, the land use will be compatible with future land uses at this location according to the plan. A storage facility for landscape equipment is compatible with existing uses and a landscaping business is appropriate for this area. Additionally, the property is not currently adjacent to the Yorkville Municipal Boundary and therefore annexation of this property in the near future is very unlikely. If the property is annexed into the City at some point in the future, it would most likely be for a larger development and this land use would be replaced.

Staff will be available to answer any questions the Planning and Zoning Commission may have regarding the County Petition. This item was delivered to the City on February 22, 2017 with feedback requested prior to Kendall County Board consideration.

Attachments

- 1. Application
- 2. Findings of Facts
- 3. Plat of Survey



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560 (630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME WAR DIE BOLLE # 17-0 \$

NAME OF APPLICANT					
Control Control					
DKR Group, Inc.					
CURRENT LANDOWNER/NAME(s)					
Keith Warpinski and Kathleen Warpinski					
SITE INFORMATION	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)			
ACRES		05-21-400-011			
6.9	LIDDENT TONING				
		AND CLASSIFICATION ON LRMP			
Ag	A-1	· · · · · · · · · · · · · · · · · · ·			
REQUESTED ACTION (Check All Tha	at Apply):				
_X_SPECIAL USE	MAP AMENDMENT (Rezone to	VARIANCE			
ADMINISTRATIVE VARIANCE	A-1 CONDITIONAL USE for:	SITE PLAN REVIEW			
TEXT AMENDMENT PRELIMINARY PLAT	RPD (Concept; Preliminary; FINAL PLAT	Final) ADMINISTRATIVE APPEAL OTHER PLAT (Vacation, Dedication,			
etc.) AMENDMENT TO A SPECIAL US	SE (Major; Minor)				
¹ PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDI	RESS PRIMARY CONTACT EMAIL			
Thomas Osterberger	111 N. Ottawa St, Joliet, IL 60432	tosterberger@kggllc.com			
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER #(Cell, etc.)			
815-727-4511	815-727-1586				
² ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL			
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)			
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT					
THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.					
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.					
SIGNATURE OF APPLICANT Thornu R Offles DATE 2/20/17					

FEE PAID:\$ 1155.00 CHECK #: 193 49

¹Primary Contact will receive all correspondence from County ²Engineering Contact will receive all correspondence from the County's Engineering Consul



Please fill out the following findings of fact to the best of your capabilities. §13.08.J of the Zoning Ordinance outlines findings that the Hearing Officer shall consider in rendering a decision, but is not required to make an affirmative finding on all items in order to grant a **special use**. They are as follows:

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

The requested special use is consistent with the agricultural use presently permitted in the A-1 zoning classification and will not be detrimental to the rural area.

That the special use will not be substantially injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole.

The construction of a farm storage building and its use from time to time of the farm building for storage of landscape equipment will be consistent with the present uses in the area. No outdoor storage will be requested or utilized.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided.

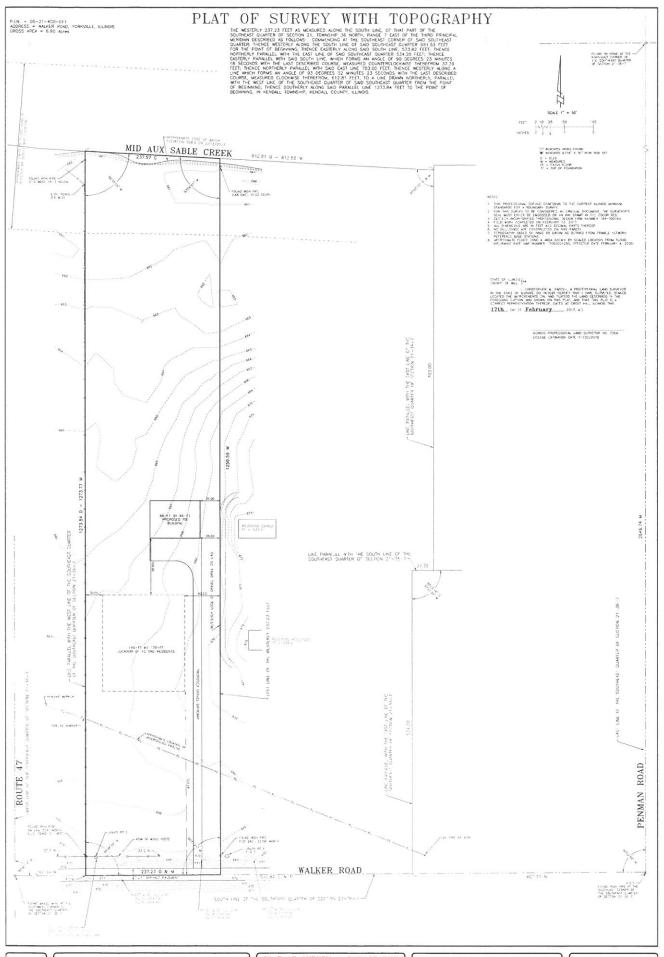
Access is from Walker Road and utilities are in the area.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer.

The proposed use is consistent with construction and use of a farm building in the A-1 District.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.

The use is consistent and with the Plan and there is no difference between the Plan, the current use under A-1 and the use proposed by the Special Use application.



PLAT OF SURVEY & TOPOGRAPHY Walker Road, Yorkville, II. part of the Southeast Quarter of Section 21, T 36 N, R 7 E FOR KEYN MANI-NG 2128 GOULD COURT, POCKOALE, IL 60435 DRAWN BY: R.D., CHECKED BY: C.M.P.

JOB # 19713 DATE: 2/3/17 DATE BY REVISION