

**APPROVED 8/9/17**

**PLANNING & ZONING COMMISSION**

**City Council Chambers**

**800 Game Farm Road, Yorkville, IL**

**Wednesday, July 12, 2017 7:00pm**

**Meeting Called to Order**

Planning and Zoning Commission Vice-Chairman Reagan Goins called the meeting to order at 7:00pm, roll was called and a quorum was established.

**Roll Call:**

Bill Gockman-present, Reagan Goins-present, Deborah Horaz-present, Jeff Olson-present, Richard Vinyard-present

Absent: Don Marcum, Randy Harker

**City Staff**

Krysti Barksdale-Noble, Community Development Director

Jason Engberg, Senior Planner

Tim Paulson, Engineer EEI

**Other Guests**

Lynn Dubajic, City Consultant

Seaver Tarulis, Alderman

Ken Koch, Alderman

Dale Larson, Country Hills

Richard Schroeder, Heartland

Melissa Phillips, Heartland

Chris Heitz, Heartland

Emily Weeks, Heartland

Eloise Swayze, Country Hills

Andrew Block, Anthony Place

Amy Michalisko, 1065 Heartland Dr.

Gary Minkler, 608 Heartland

Christine Vitosh, Vitosh Court Reporting

Bob Pilmer

Ryan Swanson, Arc Resources/Casey's

Jeremy Goldsboro, 627 Heartland

Nichole Swanson

Nick Swanson

Christine Walkowiak, Heartland

Bryce Loring, Casey's

Duane Swayze, Country Hills

D. Caplan, Broker

Tom Stout, 598 Heartland Dr.

**Previous Meeting Minutes** June 14, 2017

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

Roll call: Goins-yes, Horaz-yes, Olson-yes, Vinyard-yes, Gockman-yes. Carried 5-0.

**Citizen's Comments** None

**Public Hearings**

Ms. Goins said there were two Hearings on the agenda. She swore in those who would give testimony and explained the procedure for giving testimony for or against.

The Public Hearings were opened at approximately 7:04pm on a motion by Richard

Vinyard and second by Bill Gockman.

Roll call: Horaz-yes, Olson-yes, Vinyard-yes, Gockman-yes, Goins-yes, carried 5-0.

1. **PZC 2017-07 Casey's Retail Company, petitioner, has filed applications with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification, special use authorization, and a variance to sign regulations. The real property is located south of U.S. Route 34, west of McHugh Road. The petitioner is requesting rezoning approval from R-1 Suburban Residential District to B-3 General Business District (contingent on approval of an annexation agreement by the City Council); special use permit approval for a gasoline service station with accessory convenience store; and a sign variance for a permanent freestanding business sign to be larger than a maximum of 32 square feet.**
2. **PZC 2017-08 Dale Larson, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting a rear yard setback variance for 1995 Meadowlark Court in the Country Hills Subdivision of Yorkville to reduce the rear yard setback from 40 feet to 30 feet. The purpose for this request is to allow a single family home to be built on this lot within the Country Hills Subdivision which will be consistent with surrounding homes.**

*(See Court Reporter's Transcripts)*

The Hearings closed at approximately 7:48pm on a motion by Mr. Vinyard and second by Mr. Olson.

Roll call: Olson-yes, Vinyard-yes, Gockman-yes, Goins-yes, Horaz-yes. Carried 5-0.

**Old Business** None

**New Business**

**1. PZC 2017-07 Casey's** (see description above under Public Hearings)

Ms. Noble said the proposed Casey's conforms to all other gas station standards within the City limits. To clarify another point, the watermain will run in front of Coffman's and it will be available to them when they annex in the future. Ms. Noble said the Comprehensive Plan calls for annexing the properties along Rt. 34 that are surrounded by the City limits. Ms. Horaz commented that the City is missing out on the tax base there.

Vice-Chairman Goins then reviewed the Standards and Findings of Fact for the requests being made by Casey's. The Commission members made some brief comments about some of the standards.

Mr. Engberg said the original photometric plan was not up to standard, so a new plan was requested. Some engineering requests were also made. He said there would be a Public Hearing on August 8th for the annexation. The Final Plat, Rezoning and Special Use will go before the City Council and the sign variance will be handled through this

Commission. It was noted that the sign size variance was requested since the State now

requires the posting of Ethanol prices. It is expected construction would begin this fall and finish in spring depending on all the necessary permits

#### **Action Item - Rezoning**

Commissioner Vinyard made a motion as follows: In consideration of testimony presented during a Public Hearing on July 12, 2017 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request for a map amendment to rezone the properties stated in the staff memorandum dated July 6, 2017 from R-1 Suburban Residential District to B-3 General Business District subject to the conditions enumerated in that same memorandum. Motion seconded by Commission Horaz.

Roll call: Olson-yes, Vinyard-yes, Gockman-yes, Goins-yes, Horaz-yes. Passed 5-0.

#### **Action Item – Special Use**

Mr. Vinyard made the following motion: In consideration of testimony presented during a Public Hearing on July 12, 2017 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request for Special Use authorization for a fuel/gasoline service station to be located at the southwest corner of U.S. Route 34 and McHugh Road subject to the conditions enumerated in a staff memorandum dated July 6, 2017 and a photometric plan. Mr. Olson seconded.

Roll call: Vinyard-yes, Gockman-yes, Goins-yes, Horaz-yes, Olson-yes. Passed 5-0.

#### **Action Item - Sign Variance**

A motion was made by Mr. Vinyard as follows: In consideration of testimony presented during a Public Hearing on July 12, 2017 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a request to vary the sign regulations contained in Section 10-20-6-A of the United City of Yorkville Zoning Ordinance to permit a free standing monument sign in a business district to be larger than 32 square feet in sign area subject to the conditions enumerated in a staff memorandum dated July 6, 2017. Mr. Gockman seconded the motion.

Roll call: Gockman-yes, Goins-yes, Horaz-yes, Olson-yes, Vinyard-yes. Passed 5-0.

#### **Action Item – Final Plat**

Mr. Vinyard made a motion as follows: The Planning and Zoning Commission recommends approval to the City Council of a request for Final Plat of Subdivision of the Casey's General Store in Yorkville subject to final engineering approval as enumerated in a letter from Engineering Enterprise Incorporated dated June 19, 2017 and illustrated in a plan prepared by Arc Design Resources subject to the conditions enumerated in a staff memorandum dated July 6, 2017. Ms. Horaz seconded the motion.

Roll call: Goins-yes, Horaz-yes, Olson-yes, Vinyard-yes, Gockman-yes. Passed 5-0.

#### **2. PZC 2017-08 Dale Larson** (see description above under Public Hearings)

The standards were reviewed with some comments by Commission members.

Challenges of Mr. Larson's building lot include dimensions, elevation, shape and unusual topography, thus the request for the decreased rear yard setback.

#### **Action Item – Variance**

Mr. Vinyard made a motion as follows: In consideration of testimony presented during a Public Hearing on July 12, 2017 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a request to vary the setback regulations contained in Section 10-7-1 of the United City of Yorkville Zoning Ordinance to permit a minimum rear yard setback of 30 feet in the R-2 Traditional Residential District. Ms. Horaz seconded.

Roll call: Horaz-yes, Olson-yes, Vinyard-yes, Gockman-yes, Goins-yes. Passed 5-0.

3. **PZC 2017-09 Anthony Place Yorkville, LP, petitioner, has filed an application with the United City of Yorkville requesting Final Plat approval for the Anthony Place senior independent living facility. The request will consolidate two (2) currently adjacent parcels and dedicate right-of-way, access and public utility and drainage easements needed for the development of the approximately 3.175-acre property to be located at the northeast corner of Freemont and Walnut Streets, in Yorkville, Illinois.**

Ms. Noble reviewed the application and said City Council gave final approval for this project in February 2016. As part of the approval, two lots were purchased and this action will now consolidate the lots and dedicate the roadway and easements.

#### **Action Item – Final Plat**

A motion was made by Commissioner Vinyard as follows: In consideration of the proposed Final Plat of Subdivision of Anthony Place, the Planning and Zoning Commission recommends approval of the plat to the City Council as presented by the petitioner in a plan prepared by Manhard Consulting, Ltd., dated last revised June 26, 2017. Ms. Horaz seconded the motion.

Roll call: Olson-yes, Vinyard-yes, Gockman-yes, Goins-yes, Horaz-yes. Passed 5-0.

#### **Additional Business**

1. PZC 2017-07 Text Amendment for Tower and Antenna Regulations:  
Approval by City Council on June 27, 2017
2. PZC 2017-08 Semper Fi 1.5 mile review for composting facility: petitioner withdrew application
3. The County has agreed that the City has the most up-to-date Comprehensive Plan and that the County needs to update their plan.

#### **Adjournment**

There was no further business and the meeting was adjourned at 8:32 pm on a motion by Ms. Horaz and second by Mr. Olson, respectively.

Respectfully submitted by  
Marlys Young, Minute Taker

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5 UNITED CITY OF YORKVILLE

6 YORKVILLE, ILLINOIS

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9 PLANNING AND ZONING COMMISSION MEETING

10 PUBLIC HEARING

11  
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13  
14  
15 800 Game Farm Road

16 Yorkville, Illinois

17  
18  
19 Wednesday, July 12, 2017

20 7:00 p.m.

## 1       PRESENT:

2               Ms. Reagan Flavin Goins, Chairman,

3               Mr. Bill Gockman,

4               Ms. Deborah Horaz,

5               Mr. Don Marcum,

6               Mr. Jeff Olson,

7               Mr. Richard Vinyard.

## 12       ALSO PRESENT:

13              Ms. Krysti Barksdale-Noble, Community

14              Development Director,

15              Mr. Jason Engberg, Senior Planner,

16              Ms. Marlys Young, Minute Taker.

17              - - - - -

1 (WHEREUPON, the following  
2 proceedings were had in  
3 public hearing:)

4 CHAIRMAN GOINS: There are two public  
5 hearings on the agenda tonight. The purpose of  
6 these hearings are to invite testimony from  
7 members of the public regarding the proposed  
8 requests that are being considered before this  
9 commission tonight.

10 Public testimony from persons  
11 present who wish to speak may be for or against  
12 the request or to ask questions of the petitioner  
13 regarding the request being heard.

14 Those persons wishing to testify are  
15 asked to speak clearly, one at a time, and state  
16 your name and who you represent, if anyone. You  
17 are also asked to sign in at the podium.

18 If you plan to speak during  
19 tonight's public hearing as a petitioner or as a  
20 member of the public, please stand. Anybody  
21 wishing to testify tonight, stand, raise your  
22 right hand, and repeat after me.

23 (Witnesses sworn.)

24 CHAIRMAN GOINS: The order for receiving

1 testimony will be as follows: The petitioner  
2 presentation on each individual public hearing,  
3 those who wish to speak in favor of the request,  
4 those who wish to speak in opposition of the  
5 request.

6 We will then have questions from  
7 the Planning and Zoning Commission to the  
8 petitioner.

9 May I have a motion to open the  
10 public hearing on petition number PZC 2017-07 and  
11 PZC 2017-08.

12 MR. VINYARD: So moved.

13 MR. GOCKMAN: Second.

14 CHAIRMAN GOINS: Roll call on the  
15 motion, please.

16 MS. YOUNG: Yes. Horaz.

17 MS. HORAZ: Yes.

18 MS. YOUNG: Olson.

19 MR. OLSON: Yes.

20 MS. YOUNG: Vinyard.

21 MR. VINYARD: Yes.

22 MS. YOUNG: Gockman.

23 MR. GOCKMAN: Yes.

24 MS. YOUNG: Goins.



1 CHAIRMAN GOINS: Yes.

2 PZC 2017-07 is the first public  
3 hearing this evening. Casey's Retail Company,  
4 petitioner, has filed applications with the  
5 United City of Yorkville, Kendall County,  
6 Illinois, requesting rezoning classification,  
7 special use authorization and a variance to sign  
8 regulations.

9 The real property is located south  
10 of U.S. Route 34, west of McHugh Road. The  
11 petitioner is requesting zoning approval from  
12 R-1, Suburban Residential District, to B-3,  
13 General Business District, which is contingent on  
14 approval of an annexation agreement by the City  
15 Council; special use permit approval for a  
16 gasoline service station with accessory  
17 convenience store and a sign variance for a  
18 permanent free-standing business sign to be  
19 larger than a maximum of 32 square feet.

20 Is the petitioner present and  
21 prepared to make its presentation of their  
22 proposed request?

23 MR. SWANSON: Yes.

24 CHAIRMAN GOINS: Please step to the

1 podium, sir. Could you please sign in and state  
2 your name, please?

3 RYAN SWANSON,  
4 having been first duly sworn, testified from the  
5 podium as follows:

6 MR. SWANSON: Absolutely. My name is  
7 Ryan Swanson. I am with Arc Design Resources,  
8 5291 Zenith Parkway in Loves Park, here tonight  
9 on behalf of the Casey's project on behalf of  
10 Casey's themselves.

11 Proceed?

12 CHAIRMAN GOINS: You may proceed.

13 MR. SWANSON: Thank you. Thank you for  
14 your time this evening. Again, my name is Ryan  
15 Swanson. I am the engineer/project manager for  
16 the project. With me tonight also is Bryce  
17 Loring. I've got just a brief presentation to  
18 start with and some suggested points; he and I  
19 can answer any questions that may arise.

20 As mentioned, we are here for your  
21 consideration tonight for the annexation,  
22 rezoning, special use and a sign variance. The  
23 existing site is just under an acre and a half at  
24 the corner obviously of U.S. 34 and McHugh.

1                   It's a little over an acre and a  
2 half, two parcels are purchased -- under contract  
3 for purchase currently.

4                   There is a ten-unit apartment  
5 complex on the corner, it's obscured from my  
6 sight line here, and then a residential house on  
7 the south side, residential parcel. The  
8 apartment complex currently has access to U.S. 34  
9 and McHugh.

10                  The site overall in general terms by  
11 commercial users, Coffman Carpets to the west and  
12 then general commercial use to the east as well.

13                  Our proposed site, which is depicted  
14 here on my board, is about a 4600-square-foot  
15 convenience store, eight multi-pump -- multi-unit  
16 dispensers, under a canopy. 21 parking spaces  
17 along a current sidewalk area and a few extra  
18 spaces in the rear for primarily employees. An  
19 isolated delivery zone for trucks.

20                  Proposed access as shown to U.S.  
21 Route 34 and McHugh, very similar location as to  
22 what is there existing. We are currently working  
23 with IDOT on the U.S. 34 access and they have  
24 granted conceptual approval at this stage.

1                   The trash enclosure down here,  
2           hidden behind the store, and per the last meeting  
3           that will be a brick enclosure with gates.

4                   Underground fuel tanks on this side  
5           here just adjacent to the canopy on the east side  
6           of the site.

7                   In general, the placement of these  
8           items as you see for circulation both for  
9           customers and for deliveries of goods and tanker  
10          for fuel.

11                   Some of the site amenities, as you  
12          can see here as well, we've got -- we meet  
13          setback requirements.

14                   We've got green space around the  
15          perimeter of the site; primarily a mix of  
16          landscaping, including some shade trees, shrub  
17          beds, some ornamentals. A general mix around the  
18          entire perimeter. We are proposing a fence  
19          around the residential parcel to the south.

20                   Our lighting is all LED-based  
21          lighting cut-off-type fixtures, 17-foot mounting  
22          height, so we've got a few poles. Under the  
23          canopy there is some lighting and then a few  
24          poles at the entrances and the perimeter of the

1 site.

2 Generally it's a 17-foot mounting  
3 height on the poles around the building; it's  
4 just primarily security lighting, ten-foot  
5 mounting height for those.

6 We are proposing a monument sign  
7 also for your consideration of the variance.  
8 the monument sign is with brick material as is  
9 shown here, which is located at the corner of the  
10 property.

11 Our proposed architecture, it's  
12 primarily a brick material. It's got some stone  
13 accents on columns to kind of help break up the  
14 facade on the both sides. Three sides have the  
15 brick as shown here; the rear is siding material  
16 because it's less visible.

17 Windows from the front and the side  
18 as you can see. The piers, as I mentioned, some  
19 cornice improvements to kind of further break up  
20 that front plane of the building, adds  
21 articulation.

22 As the canopy elevations show, we  
23 are intending to wrap the columns with the brick  
24 as well, so essentially that exterior would match

1 the brick of the building, and in reality, the  
2 monument sign, the wrapped poles on the canopy,  
3 the building facade, and even the trash enclosure  
4 will help kind of create an aesthetic that will  
5 really bring the site together I think in terms  
6 of looks. It's really an upscale look.

7           Regarding engineering and general  
8 underground detention, looking at it generally  
9 here, in this area, we will be extending both  
10 water and sanitary sewer to serve the site, and  
11 generally, like I said, in terms of the site  
12 layout and building features.

13           Generally the lighting, if I can go  
14 back to that a little bit, you can't see these  
15 numbers from where you are sitting, but  
16 essentially we're going to meet -- we're meeting  
17 the city code for light levels, and really what  
18 that means is our lighting level -- light does  
19 not spill off the property.

20           This is a little bit small. This  
21 represents a model of the site in the evening,  
22 and I mentioned a couple of poles in the back,  
23 here and here, between the fence and you can see  
24 McHugh Road right here. That's it for the limit

1 of lighting, so there is no further spill of  
2 lighting or glare due to the fixture types any  
3 further than the entrance to the development, and  
4 obviously the -- you can see the canopy lighting,  
5 that would be further obscured by the seat store  
6 itself, the retail store itself.

7 Here I mentioned the security  
8 lighting; that's really all that is. It's kind  
9 of -- it's just right there for perimeter  
10 security.

11 With that, I'm happy to take any  
12 questions or...

13 CHAIRMAN GOINS: Thank you, sir.

14 At this time if there is anyone  
15 present who wishes to speak in favor of the  
16 request made by Casey's for the variances, if you  
17 could please step to the podium one at a time and  
18 please state your name and sign in.

19 LYNN DUBAJIC,  
20 having been first duly sworn, testified from the  
21 podium as follows:

22 MS. DUBAJIC: My name is Lynn Dubajic  
23 and I'm the economic development consultant for  
24 the City of Yorkville.

1 I just wanted to provide you with a  
2 little bit of background information about  
3 Casey's, I don't know how familiar you are with  
4 the company.

5 It is publicly traded. It opened  
6 its first store in 1968, based out of Ankeny,  
7 Iowa. They have 1,950 locations currently in 15  
8 states, mostly Midwest.

9 They are proud to offer self-service  
10 gasoline, a wide variety of grocery items and  
11 prepared foods, such as made-from-scratch pizza,  
12 doughnuts, chicken tenders and sandwiches.

13 They actually operate their own  
14 distribution center and they deliver  
15 approximately 90 percent of their in-store  
16 products and 75 percent of their fuel from their  
17 own distribution center.

18 Locally this store will create about  
19 25 jobs for local residents. They are very proud  
20 to be a partner with the community, and will also  
21 be very beneficial to the city in the fact that  
22 they usually in stores create about \$5 million in  
23 sales a year, which will equate to about \$50,000  
24 in sales tax revenue for the City of Yorkville.



1 So that's what I wanted to share with you. Thank  
2 you.

3 MR. VINYARD: Thank you.

4 CHAIRMAN GOINS: Is there anyone else  
5 wishing to speak in favor of the request?

6 (No response.)

7 CHAIRMAN GOINS: None being heard, is  
8 there anyone who is present who wishes to speak  
9 in opposition to the request?

10 MELISSA PHILLIPS,  
11 having been first duly sworn, testified from the  
12 podium as follows:

13 MS. PHILLIPS: Good evening. My name is  
14 Melissa Phillips. So my name is Melissa Phillips  
15 and I am here on behalf of myself and my husband.

16 My family and I live at 589  
17 Heartland Drive, and we and other residents who  
18 are here tonight -- can you guys wave, thank  
19 you -- are adamantly opposed to the Casey's  
20 General Store at the proposed location for the  
21 following reasons.

22 Safety. Safety and the well-being  
23 of our children and residents are of the utmost  
24 of importance. We are experiencing an increase

1 in traffic and speeding from individuals who cut  
2 through our neighborhood.

3 One fatality occurred in January and  
4 another near-miss occurred last month when a car  
5 lost control in the subdivision and skidded to a  
6 stop in a resident's front lawn.

7 Placing a Casey's at the proposed  
8 location will increase traffic through the  
9 neighborhood and down McHugh Road exacerbating  
10 the danger to Heartland and McHugh residents.

11 Environmental factors. Placing a  
12 gas station will lead to increased pollution to  
13 the surrounding area, potential for ground water  
14 contamination, light and noise pollution as well  
15 as a result of a gas station going in at the  
16 proposed location.

17 Increased exposure. Our  
18 neighborhood has had an increase in crime since  
19 the Reserve at Fox River apartment complex was  
20 developed.

21 A high speed chase through the  
22 neighborhood in January was linked to one of  
23 those resident -- apartment residents. Having a  
24 gas station at the proposed site will lead to

1 additional foot traffic on non-residents -- of  
2 non-residents through the neighborhood, opening  
3 the door for increased issues.

4 Our property values are already set  
5 unrealistically high and the presence of this gas  
6 station may lead to declining property values for  
7 the residents in the vicinity.

8 Curb appeal. The residents do not  
9 view a gas station, we do not wish to view a gas  
10 station, at all hours from the windows of our  
11 homes, and we don't get a fancy brick facade  
12 because it's not on the back side.

13 Displacement of current apartment  
14 residents. Multiple individuals reside in the  
15 current apartments at the proposed site and  
16 should not be displaced needlessly.

17 As many of you know, you receive  
18 complaints all the time from residents in our  
19 wards with residents offering no solutions;  
20 therefore, I propose the following alternative  
21 which would eliminate all of the aforementioned  
22 issues by moving the Casey's down east of  
23 Route 34 where the land is already zoned for  
24 commercial use.

1                   So I appreciate your time and effort  
2                   on this matter, and as taxpayers and homeowners  
3                   in a beautiful neighborhood, the building of this  
4                   structure will decrease the safety of our  
5                   residents and reduce our property values and will  
6                   unnecessarily result in another gas station in  
7                   close proximity to two others.

8                   I am obstinately opposed to the  
9                   approval of this project. Thank you very much.

10                  CHAIRMAN GOINS: Thank you, Miss  
11                  Phillips.

12                  Is there anyone on behalf of the  
13                  petitioner for PZ 2017-08? Please step up to the  
14                  podium.

15                  MR. LARSON: Sure.

16                  CHAIRMAN GOINS: Before you speak, I  
17                  will go ahead and read the content of --

18                  MR. LARSON: Sure.

19                  CHAIRMAN GOINS: -- PZC 2017-08.

20                  Dale Larson, petitioner, has filed  
21                  an application with the United City of Yorkville,  
22                  Kendall County, Illinois requesting a rear yard  
23                  setback variance for 1995 Meadowlark Court in the  
24                  Country Hills Subdivision of Yorkville to reduce

1 the rear yard set back from 40 feet to 30 feet.

2 The purpose for this request is to  
3 allow a single-family home to be built on this  
4 lot within the Country Hills Subdivision, which  
5 will be consistent with surrounding homes.

6 Sir, you may proceed.

7 DALE LARSON,  
8 having been first duly sworn, testified from the  
9 podium as follows:

10 MR. LARSON: Okay. Hi. My name is Dale  
11 Larson, D & L Builders. I don't have any fancy  
12 pictures and presentation for you. It's pretty  
13 much simple, that when the subdivision was  
14 recorded back in 1992 I do believe it was that  
15 the building envelope is rather small, and with  
16 the current elevations of the existing homes  
17 around it, if you put a two story on it, it's  
18 going to be like living in the mountains in  
19 California where you have one house that's  
20 literally right next door and it's 25 foot above  
21 the next one.

22 That is an exaggeration; it would be  
23 about ten and a half feet above the one right  
24 behind it, all three of them right behind it, and

1 one of them that's adjacent to the south I do  
2 believe it is.

3 By allowing me to build a ranch,  
4 which would include -- I would need the variance  
5 for that, to put a ranch on it, which conforms  
6 better to the neighborhood, it helps comply  
7 better with the drainage by the positioning -- by  
8 altering the positioning on the house as well.  
9 That's pretty much it. It's pretty simple and  
10 straightforward.

11 MR. OLSON: I have a question. So how  
12 does the topography of the site change --

13 MR. LARSON: Because the --

14 MR. OLSON: -- from the required --

15 MR. LARSON: By the positioning of the  
16 house, and because I'm going to be moving it  
17 around the corner a little bit, when I move it  
18 around the corner, just like the same as it's  
19 sitting on the podium, if I move it around the  
20 corner, that back comes back in. It gives me  
21 good drainage down the side and around the back.

22 CHAIRMAN GOINS: Is there anyone present  
23 this evening who wishes to speak in favor of the  
24 request?

1 (No response.)

2 CHAIRMAN GOINS: Is there anyone present  
3 who wishes to speak in opposition to the request?

4 (No response.)

5 CHAIRMAN GOINS: Seeing as there is no  
6 one here to oppose --

7 MR. GOLDSBORO: Mr. Chairman, is there  
8 any way we can it back up to PZC 2017-07?

9 CHAIRMAN GOINS: Sure.

10 MR. GOLDSBORO: I think it will move  
11 pretty fast, if I may.

12 CHAIRMAN GOINS: Sure. Please come to  
13 the podium and state your name.

14 JEREMY GOLDSBORO,  
15 having been first duly sworn, testified from the  
16 podium as follows:

17 MR. GOLDSBORO: My name is Jeremy  
18 Goldsboro. I live at 627 Heartland Drive.

19 And Melissa did a great job, I just  
20 wanted to reiterate everything she said and bring  
21 up the fact that a couple years ago, maybe a few,  
22 we tried to -- someone, Mr. Ochopinte (phonetic)  
23 was here trying to make a multi-family dwelling  
24 in that same area and you guys denied that due to

1 traffic and things for various reasons.

2 I'm an electrician. It seems like  
3 he's got a great plan here about this  
4 non-spreading light if this was ever to go  
5 through.

6 It doesn't really talk about the  
7 sign. I think that pretty much shines straight  
8 out, doesn't it, sir? It doesn't diffuse or  
9 anything?

10 MR. SWANSON: It's internally, yeah.

11 MR. GOLDSBORO: Okay. Like I say, the  
12 safety reasons, I just wanted to make sure my  
13 fellow neighbors got a chance to speak as well  
14 and remind you of what we had a few years ago,  
15 and just people couldn't turn out.

16 I know we might change relative to  
17 what's passed, but I just want it in the minutes  
18 that I'm against it and hope you see it my way  
19 and the neighbors' way, and also that no  
20 neighbors came up here to speak in favor of it.

21 Even though we're a small gathering  
22 tonight, not one person residentially showed up  
23 in favor, so that's all I have to say.

24 CHAIRMAN GOINS: Thank you,



1 Mr. Goldsboro.

2 MR. SCHROEDER: I'd like to speak on  
3 that, too, Madame Chairman.

4 CHAIRMAN GOINS: I'm sorry, sir, would  
5 you repeat your name, please?

6 RICHARD SCHROEDER,  
7 having been first duly sworn, testified from the  
8 podium as follows:

9 MR. SCHROEDER: My name is Richard  
10 Schroeder. I live at 683 Heartland Drive. I  
11 just have a couple questions. The first question  
12 I have is basically for the Planning Commission.

13 I notice on here this is contingent  
14 on approval of an annexation agreement by the  
15 City Council.

16 It's my understanding that that  
17 property is part of Bristol Township and not part  
18 of the City of Yorkville.

19 Am I correct in saying that?

20 MS. NOBLE: Yes, you are.

21 MR. SCHROEDER: Okay. Thank you. The  
22 other question I have is for Mr. Swanson, if I  
23 might, sir.

24 When will be the hours of operation

1 of this Casey's General Store? Will it be a  
2 24-hour operation or will there be a certain time  
3 it will operate from?

4 MR. SWANSON: Should I address  
5 indirectly or --

6 CHAIRMAN GOINS: Yes, you may.

7 MR. SWANSON: Okay. At this point it  
8 would be likely 6:00 a.m. to 11:00 p.m.

9 MR. SCHROEDER: Okay.

10 MR. SWANSON: If it's a busy enough  
11 store, it might be 5:00 to 12:00, but it would  
12 not be a 24-hour store.

13 MR. SCHROEDER: Would not be 24 hours,  
14 okay.

15 MR. SWANSON: Correct.

16 MR. SCHROEDER: The second question is  
17 how far is this going to extend? Is this going  
18 to take up up to the car dealership or include  
19 what is the present car dealership now?

20 MR. SWANSON: No, it would just include  
21 the apartment facility up to Coffman Carpets, not  
22 including Coffman.

23 MR. SCHROEDER: Okay. Thank you very  
24 much.

1 CHAIRMAN GOINS: Thank you, sir. If you  
2 could approach one at a time, please.

3 NICHOLE SWANSON,  
4 having been first duly sworn, testified from the  
5 podium as follows:

6 MS. SWANSON: My name is Nicole Swanson  
7 and I am a resident of McHugh Road, 1060 McHugh,  
8 and saying Melissa did a great job speaking, I  
9 just would like to also reiterate.

10 The residents who live on McHugh  
11 Road on the -- I guess you would say in the  
12 thousand block of McHugh Road, we're still on  
13 well and septic, and that kind of bothers me,  
14 knowing that there could at some point may be  
15 some contamination into the ground with ground  
16 water.

17 We don't have any sidewalks or any  
18 way for people to walk safe now and there is so  
19 much traffic. People are constantly speeding up  
20 and down our road. People throw garbage in our  
21 yard all the time. I'm constantly out there  
22 every week picking up people's garbage.

23 I just think with having a gas  
24 station like this or another, you know, place

1     like this that I'm going to be picking up more  
2     garbage.

3                     There's going to be a lot more  
4     traffic, you know, noise, the lights, you know.  
5     We -- our -- my husband went out and he had  
6     measured the end of our property to where his  
7     starts at, it's less than 270 feet away; in fact,  
8     this is my house right there (indicating), and I  
9     do not want to go outside every day in my front  
10    yard and look at a gas station convenience store,  
11    and like Melissa said, we're not going to be  
12    looking at the front of it, it's going to be the  
13    back area.

14                    There are also two other gas  
15    stations -- there is a BP gas station 0.6 miles  
16    away from the proposed Casey's, and there is a  
17    Shell station 1.2 miles away from the Casey's.

18                    I think it's going to make our  
19    property value go down and, you know, I'm totally  
20    for Yorkville growing new businesses, and I do  
21    love Casey's, you know, food and pizza, but I  
22    just do not like the area that they are proposing  
23    to put it in.

24                    You know, there is no gas station

1 anywhere from that Shell station going west until  
2 you get to Plano, and there is no gas station  
3 from that BP going east all the way to Oswego, no  
4 gas station going north all the way to Sugar  
5 Grove.

6 I just feel like the area that this  
7 is in, why do we need three gas stations within a  
8 mile and a half of each other and within 270 feet  
9 of my residence, let alone the poor person who  
10 bought the house right next door? They're not  
11 here tonight, but they just bought a house on  
12 McHugh there, I don't know, maybe last summer,  
13 and that's all I have to say.

14 CHAIRMAN GOINS: Thank you.

15 MR. VINYARD: Thank you.

16 BOB PILMER,  
17 having been first duly sworn, testified from the  
18 podium as follows:

19 MR. PILMER: My name is Bob -- excuse  
20 me. My name is Bob Pilmer, and I don't live in  
21 Heartland Subdivision. I know Melissa Ryan,  
22 Melissa Ryan Phillips, from some other things,  
23 and I certainly respect their point of view and  
24 the people who live in Heartland Subdivision.

1 I live in Blackberry Woods  
2 Subdivision, which is over by the jail, but the  
3 reason I'm speaking, and I'm speaking in favor of  
4 this project, is my family owns the apartment  
5 building that's under part of this.

6 It's an L-shaped building and there  
7 is another unit or home that the Casey's is  
8 buying, we don't own that, but generally I think  
9 it's a good project for the City of Yorkville.

10 I understand the neighbors'  
11 concerns, I can't really dispute any of that, I  
12 know that -- what they're talking about, but  
13 Mr. Goldsboro said there was nobody speaking up  
14 in favor, but well, there are people who are in  
15 favor of it, and I'm here on behalf of my  
16 brothers and sisters.

17 My parents bought this apartment  
18 building probably in 1963, so I understand where  
19 change is difficult, but if change didn't occur,  
20 then quite frankly, I could still walk across the  
21 street and hunt in what I would call the old  
22 Lippold Farm, pheasant hunt. That's now the  
23 Heartland Subdivision.

24 I think the Heartland subdivision is

1 a great addition to the City of Yorkville. I  
2 know a lot of people who live there, I have  
3 friends who live there. I think it's a great  
4 thing.

5 We grew up next to the Ekwinskis,  
6 Brent Ekwinski, who is with the old Castle Bank,  
7 First National Bank, they live there, the  
8 Pankeys, the Lawrences, and the Runkles on down.

9 Again, there is always change,  
10 there's always going to be change, but I think  
11 ultimately this is a project that it does make  
12 sense for the City of Yorkville.

13 Residential along here, you have --  
14 It's not currently in the City of Yorkville, it  
15 would need to be annexed, the apartment building  
16 is on well and septic, so it would be connected  
17 to city water and to the sanitary system, which I  
18 think are all good things ultimately for the  
19 area, but -- for that, and I think that's --  
20 that's what it is.

21 I respect the -- again, what Melissa  
22 Phillips indicated, Mr. Goldsboro, Mr. Schroeder,  
23 and Miss Swanson, I think they all have concerns,  
24 but there are people that would be in favor of

1 it, and it's not just because we are selling the  
2 property, but I do think that Casey's is a -- in  
3 our dealings with them, they've been a quality  
4 organization, I've been very happy to deal with  
5 them for pretty much I think the last two years,  
6 so -- That's what I would tell you. So thank  
7 you.

8 .CHAIRMAN GOINS: Thank you, Mr. Pilmer.

9 CHRIS HEITZ,  
10 having been first duly sworn, testified from the  
11 podium as follows:

12 MR. HEITZ: Chris Heitz. I live at 734  
13 Heartland Drive. I just want to speak in  
14 opposition of this project mainly because of the  
15 traffic flow.

16 Since I moved in nine years ago, we  
17 definitely see some traffic flow even going as  
18 far back as Suzy's, cutting through the  
19 subdivision, going out McHugh Road. It's only  
20 going to get worse as we add it.

21 I think you need to take into  
22 consideration also too the -- if I recall  
23 correctly, the proposal for back behind Mike &  
24 Denise's has also been approved already to have



1 additional buildings back there, which then again  
2 will add to that traffic flow.

3 I think you need to take a look at  
4 that. I think there is a second phase that is  
5 already approved that again should definitely be  
6 considered.

7 I think in terms of what we're  
8 doing in terms of changing properties, I mean,  
9 there's plenty of commercial property. Again, I  
10 think we need to kind of stick to some guns and,  
11 you know, kind of look at some other  
12 opportunities.

13 Again, like everybody stated, that's  
14 the third gas station within, you know, say half  
15 a mile, so is it the right placement?

16 I mean, there's however many more  
17 foot traffic to the north, you go to the water  
18 park, a lot of people would definitely look to  
19 utilize Casey's and the food service and  
20 everything else that they have there as well, so  
21 that's all I have.

22 CHAIRMAN GOINS: Is there anyone else in  
23 the audience tonight who wishes to speak for or  
24 against either of the proposed requests?

1 CHRISTINE WALKOWIAK,  
2 having been first duly sworn, testified from the  
3 podium as follows:

4 MS. WALKOWIAK: My name is Christine  
5 Walkowiak and I live at 589 Heartland Drive with  
6 Melissa and Ryan Phillips, and I just have some  
7 comments about the zoning.

8 When I was looking at this in the  
9 newspaper, or online, I noticed that that this  
10 lot right here is owned by Heartland. Is that  
11 correct?

12 MS. NOBLE: No. The owners are the  
13 Markers.

14 MS. WALKOWIAK: Okay. And they are the  
15 developers of Heartland?

16 MS. NOBLE: They were the original  
17 developers, right, not the current owners of  
18 Heartland.

19 MS. WALKOWIAK: What will that be zoned  
20 as?

21 MS. NOBLE: It will retain its business  
22 zoning, but now the size of it renders it pretty  
23 much undevelopable.

24 MS. WALKOWIAK: Right. So you are

1 changing a Residential 1 to a Business 3?

2 MS. NOBLE: That's the request by the  
3 petitioner.

4 MS. WALKOWIAK: That's the request. And  
5 then this will be left as-is.

6 I kind of am surprised that you  
7 would put such a busy business next to a  
8 residential area without a buffer. That concerns  
9 me.

10 My grandchildren play outside all  
11 the time with the neighbors, and there are lots  
12 of children, and this concerns me because I've  
13 seen it over the last year and a half, the  
14 traffic that speeds through from the road here  
15 that loops around and hooks to the other end of  
16 McHugh, that's not shown.

17 People cut through and it's been  
18 talked about and pointed out, and I think it's  
19 just adding more traffic and more opportunity for  
20 people to cut through.

21 I think it's a very dangerous  
22 situation, and even though I am not a homeowner,  
23 I am a resident and I see it, and I -- and I have  
24 to agree with all the residents, the homeowners,

1       that it's just a great opportunity for the city,  
2       yes, but not in that -- not in that spot.

3                       You know, what about across the road  
4       where there are two totally undeveloped corners  
5       that it could go into, down the road just a  
6       little way.

7                       I mean, plus, you know, 34 or 47,  
8       you know, there is a lot of opportunities, but I  
9       think changing that so drastically would be a  
10      detriment to the neighborhood.

11                      CHAIRMAN GOINS: Thank you, ma'am.

12                      MS. WALKOWIAK: Thank you.

13                      EMILY WEEKS,  
14      spoke from the podium as follows:

15                      MS. WEEKS: Hi. I am Emily Weeks. I  
16      wasn't going to say anything, but I can't help  
17      myself. I live at 605 Heartland Drive.

18                      I agree with everyone else, I love  
19      Casey's, I don't want it right there, and I know  
20      Bob and respect Bob. Bob's got a lot to gain  
21      from this, and he doesn't live right here, I live  
22      right here (indicating).

23                      So I'm not going to repeat what  
24      everyone else has said; what I would just like to

1 suggest is that everybody on this committee take  
2 a drive down McHugh Road. There is no sidewalks,  
3 there is no shoulder.

4           You're going to have -- there's no  
5 sidewalks on this side, on 34. You're going to  
6 have people from these apartments right here,  
7 there is a lot of people living right here,  
8 walking down McHugh to get to the gas station.  
9 That's incredibly dangerous. That street is very  
10 busy and people fly through there. There's trees  
11 overhanging, it's kind of dark. It's not a good  
12 idea to put a gas station right there. That's  
13 all I have to say. Thank you.

14           CHAIRMAN GOINS: Thank you, Miss Weeks.

15           Do any of our committee members have  
16 questions?

17           MR. VINYARD: Yeah, actually I do.  
18 When -- if this is annexed into the city limits,  
19 I am assuming that then we will have sidewalks  
20 put up through it, would that be --

21           MS. NOBLE: Let me clarify a couple  
22 things with the annexation. Currently the  
23 property is within the county and I believe it's  
24 zoned business within the county.

1 MR. ENGBERG: B-3.

2 MS. NOBLE: B-3, as are the existing  
3 homes to the south of the property.

4 The reason why they are going from  
5 an R-1 to a B-3 is because our ordinance states  
6 as soon as a property is annexed into the city,  
7 we have to zone it to our most restrictive zoning  
8 district, which is R-1, so currently the property  
9 is not residential being changed to business, it  
10 is a business and then this -- business zoned  
11 property, and then the staff, as it comes into  
12 the city, becomes R-1, and then we have to rezone  
13 it to the appropriate language, which is back to  
14 the B-3, which is consistent with what it is  
15 zoned now.

16 The second part of your question  
17 was --

18 MR. VINYARD: Will there be side -- Do  
19 you think they will end up looking into that  
20 or --

21 MS. NOBLE: We can talk with the city  
22 engineer, Tim Paulsen who is from EDI. There is  
23 expansion of construction to do on U.S. Route 34,  
24 and I believe there is going to be a trail on

1       that side as well?

2               MR. ENGBERG: I don't know the details,  
3       but there is trails on the Route 34 expansion.

4               MS. NOBLE: So we will have an area  
5       along Route 34.

6               MR. VINYARD: That's it, thank you.

7               MS. PHILLIPS: Not on McHugh, McHugh is  
8       still county.

9               CHAIRMAN GOINS: Do you have further  
10       testimony? Would anybody like to step forward?

11              MS. PHILLIPS: I think what the point is  
12       is people are like water and they will take the  
13       shortest, easiest distance.

14              You look at college campuses and  
15       they have all these fancy sidewalks, and where  
16       are the paths? They cut through the grass  
17       because that's the easiest and the fastest and  
18       the shortest.

19              So at the end of the day you can  
20       have the greatest -- you could have a parkway  
21       paved with gold, but if it's not the shortest and  
22       the easiest, no one is going to take it and  
23       they're going to end up walking on McHugh and  
24       someone is going to get hurt. That's what we're

1 trying to say.

2 CHAIRMAN GOINS: Before we go to close  
3 the public hearings, would anybody else like to  
4 speak for or against? If you could step forward,  
5 sir.

6 MR. SWANSON: No further questions, I  
7 can address a couple of things that have come  
8 up --

9 CHAIRMAN GOINS: Certainly.

10 MR. SWANSON: -- in the discussion.

11 I understand and I do appreciate the  
12 concerns as well with traffic. It sounds like  
13 there's issues out there today.

14 Regarding traffic and seat store  
15 field stations, a majority of the traffic that's  
16 generated are what they call pass-by trips, and  
17 those are trips that are pulled from the existing  
18 traffic.

19 So I'm not going to sit here and say  
20 there is going to be no new traffic with this,  
21 there will be, but the benefit of a facility like  
22 this is it pulls existing traffic from 34, from  
23 McHugh, folks that are on their way to and from  
24 work, to and from home, that sort of thing.



1           You know, this is -- in terms of our  
2 aesthetics, our lighting, I mentioned that  
3 already, we're, you know, several hundred feet  
4 away as this illustration depicts, from the  
5 residents, particularly along that street.

6           One thing I did want to mention,  
7 contamination was brought up. Any modern fuel  
8 station has multiple layers of safety built in.

9           Starting with the fuel storage  
10 tanks, they're fiberglass, double walled, sensors  
11 between that void area for moisture that could  
12 get in or fuel that could get out of the inner  
13 tank, so that's monitored non-stop.

14          There is also cut-offs -- or  
15 shut-offs, excuse me, of the dispensers, if  
16 somebody drives off with the nozzle plugged into  
17 their car, there is a bladder system under --  
18 within the dispenser itself that collects  
19 additional fuel if by chance there was a failure  
20 or a spill.

21          So there is multiple layers in place  
22 monitored by the state fire marshal, tested  
23 regularly, and I think those issues would not  
24 be -- should not be a concern, especially like I

1       said considering the modern fuel facilities like  
2       we have here.

3               Regarding other fuel stations,  
4       obviously this is the site that Casey's has  
5       chosen that's in front of you for your  
6       consideration tonight.

7               You know, Casey's feels they have a  
8       somewhat unique product, some that has been  
9       mimicked by others and it's probably growing,  
10      where they have the fresh made-to-order food, the  
11      fresh products, that sort of thing, that they  
12      feel they offer a unique, you know, offering  
13      within this environment, so, you know, there's --  
14      or within this market.

15              You know, there's -- Sure, there's  
16      gas stations in the vicinity, but this is the  
17      site they have chosen that they like for many  
18      reasons.

19              Obviously U.S. 34 is an arterial  
20      route. You know, it's not crazy to think that  
21      somebody wouldn't look at this corner in general  
22      and want to put a commercial business here, so  
23      again, that's what's before you tonight, and  
24      appreciate your time.

1 MR. OLSON: Can you speak on the fence  
2 on the southwest corner, please?

3 MR. SWANSON: Fence you said?

4 MR. OLSON: Mm-hum.

5 MR. SWANSON: Sure. Along the  
6 residential property here is a six-foot -- it's a  
7 six-foot privacy fence we are proposing, further  
8 helps shield any lighting that may spill, but  
9 also just provides a little bit of separation  
10 between the commercial use and the residential  
11 use.

12 You know, there is a driveway here  
13 that obviously -- you know, trash is stored  
14 within that brick containment area; however, the  
15 majority of the operation is really the fuel  
16 dispensers, folks driving in, customer traffic,  
17 it's all in the front of the store, so the  
18 building itself provides a natural barrier as  
19 well to activity and noise.

20 MR. OLSON: Has the fence itself been  
21 designed with a material in mind?

22 MR. SWANSON: At this point we are  
23 proposing a six-foot wood privacy fence, so --  
24 but it's subject to staff's review.

1 MR. OLSON: And I know at first it got  
2 kicked back and you are meeting the City's  
3 requirements. How are you actually changing to  
4 meet the City's requirements?

5 Are you adding shades to the lamps  
6 or are you just decreasing luminescence?

7 MR. SWANSON: The LED lighting, after we  
8 change these two poles, should actually get back  
9 to zero, these along the side, they will probably  
10 add some shielding, probably take it to a little  
11 lower intensity as well to get those levels down.

12 It's really on the sides that we  
13 have the spill-over we have to address.

14 MR. OLSON: Thank you.

15 MS. WALKOWIAK: I have a question. Can  
16 you show us where -- you said the tanks are right  
17 here?

18 MR. SWANSON: Yes.

19 MS. WALKOWIAK: Where are the trucks,  
20 the big tanker trucks loaded with fuel, where are  
21 they going to come in and exit?

22 Seems to me like they're going to  
23 come in off of Highway 34 and come and have to go  
24 right around this way, right into a residential

1 area that currently does not receive truck  
2 traffic, and I think that's a big concern.

3 MR. SWANSON: The trucks are -- we --  
4 This design can allow them to circle back on 34,  
5 so they will pull up, open the tanks set up,  
6 unload, pull around here.

7 They can physically make it out  
8 here, but they're going to go likely back to 34  
9 where they're headed back to --

10 MS. WALKOWIAK: Is that a corporate  
11 policy, that you're going to have them circle  
12 around and go back out, or is the truck driver  
13 going to make that decision on his own, which way  
14 he wants to enter and exit?

15 MR. SWANSON: Typically it would be  
16 based on traffic and trying to get out of there.

17 MS. WALKOWIAK: Easiest way in and out.

18 MR. SWANSON: Essentially, yes.

19 MS. WALKOWIAK: Well, that's -- as I  
20 said, this is not a truck traffic route  
21 currently, and that is going to open it up to,  
22 number one, the tanker truck, any other 18-wheel,  
23 you know, semi-rigs coming in for deliveries and  
24 what not, and that's currently not happening.

1 MR. SWANSON: Well, any deliveries to  
2 the convenience store would use this area here,  
3 and they're not going to circle back and go here,  
4 they're going to go straight out.

5 MS. WALKOWIAK: Okay. I can see that.  
6 But that tanker is not going to pull around all  
7 that way.

8 MR. OLSON: That delivery zone is a nice  
9 addition on the side.

10 MR. SWANSON: Typically, if you look in  
11 Yorkville, that's probably the nearest modern  
12 store, that typically any one -- new store has  
13 that off-loading area, which it is nice to get  
14 out of the customer traffic, too.

15 MR. GOCKMAN: Is there any more detail  
16 you can provide on exactly why this location?  
17 Like why not the corner across the street or  
18 somewhere else along 34 or 47?

19 Do you have any more information  
20 as to why this specific location is what was  
21 chosen?

22 MR. LORING: One of the main reasons  
23 would be access.

24 CHAIRMAN GOINS: Sir, could you please

1 state your name and approach, please, and sign?

2 BRYCE LORING,

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

5 MR. LORING: Sure. My name is Bryce  
6 Loring, I am with Casey's General Stores, and one  
7 of the main reasons is the access onto 34, and  
8 then plus the nice side streets and the  
9 commercial that's already there.

10 MR. OLSON: Thank you.

11 CHAIRMAN GOINS: Thank you, sir.

12 Please re-approach.

13 MS. SWANSON: So I have a question about  
14 entering and exiting.

15 I know that other gas stations that  
16 we have, the BP and the Shell, you can only go  
17 like right or you can only go left, you know,  
18 east or west, north or south, you can't go both  
19 ways, and I'm assuming this is going to be the  
20 same since this is the light here and this is  
21 offset from the light and they're going to be  
22 widening 34, so I'm assuming that you're going to  
23 be able to take a right in here, but you're not  
24 going to be able to go back left, they should

1       only be able to go eastbound, making all the cars  
2       that are coming this way stop, that want to go  
3       back westbound, come back here, circle back  
4       around, and head west on McHugh Road, and that  
5       just adds more traffic.

6               CHAIRMAN GOINS:   Okay.   Thank you.

7               MR. SWANSON:   I can address that.

8               CHAIRMAN GOINS:   Yes.

9               MR. SWANSON:   Currently IDOT has  
10       conceptually approved this as a full.   I believe  
11       this -- and that still needs to be confirmed and  
12       final approvals with a permit, but this is a  
13       median in the proposed design, so that remains to  
14       be seen, but currently we have shown it as a full  
15       left out.

16              CHAIRMAN GOINS:   Thank you, sir.

17                       Since all public testimony regarding  
18       petition PZC 2017-07 and petition PZC 2017-08  
19       have been taken, may I have a motion to close the  
20       taking of testimony for each of these public  
21       hearings?

22              MR. VINYARD:   So moved.

23              MR. OLSON:   Second.

24              CHAIRMAN GOINS:   Roll call vote on the



1 motion, please.

2 MS. YOUNG: Yes. Olson.

3 MR. OLSON: Yes.

4 MS. YOUNG: Vinyard.

5 MR. VINYARD: Yes.

6 MS. YOUNG: Gockman.

7 MR. GOCKMAN: Yes.

8 MS. YOUNG: Goins.

9 CHAIRMAN GOINS: Yes.

10 MS. YOUNG: And Horaz.

11 MS. HORAZ: Yes.

12 (Which were all the  
13 proceedings had in the  
14 public hearing portion  
15 of the meeting.)

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1 STATE OF ILLINOIS )  
2 ) SS.  
3 COUNTY OF LASALLE )

4 I, Christine M. Vitosh, a Certified Shorthand  
5 Reporter, do hereby certify that I transcribed  
6 the proceedings had at the public hearing and that  
7 the foregoing, Pages 1 through 46, inclusive, is  
8 a true, correct and complete computer-generated  
9 transcript of the proceedings had at the time and  
10 place aforesaid.

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

17 As certification thereof, I have hereunto set  
18 my hand this 30th day of July, A.D., 2017.

19 \_\_\_\_\_  
20 Christine M. Vitosh, CSR  
21 Illinois CSR No. 084-002883  
22  
23  
24

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<p><b>Taker</b> <sup>[1]</sup> - 2:16 <b>tank</b> <sup>[1]</sup> - 37:13 <b>tanker</b> <sup>[4]</sup> - 8:9, 40:20, 41:22, 42:6 <b>tanks</b> <sup>[4]</sup> - 8:4, 37:10, 40:16, 41:5 <b>tax</b> <sup>[1]</sup> - 12:24 <b>taxpayers</b> <sup>[1]</sup> - 16:2 <b>ten</b> <sup>[3]</sup> - 7:4, 9:4, 17:23 <b>ten-foot</b> <sup>[1]</sup> - 9:4 <b>ten-unit</b> <sup>[1]</sup> - 7:4 <b>tenders</b> <sup>[1]</sup> - 12:12 <b>terms</b> <sup>[6]</sup> - 7:10, 10:5, 10:11, 29:7, 29:8, 37:1 <b>tested</b> <sup>[1]</sup> - 37:22 <b>testified</b> <sup>[11]</sup> - 6:4, 11:20, 13:11, 17:8, 19:15, 21:7, 23:4, 25:17, 28:10, 30:2, 43:3 <b>testify</b> <sup>[2]</sup> - 3:14, 3:21 <b>testimony</b> <sup>[6]</sup> - 3:6, 3:10, 4:1, 35:10, 44:17, 44:20 <b>themselves</b> <sup>[1]</sup> - 6:10 <b>therefore</b> <sup>[1]</sup> - 15:20 <b>thereof</b> <sup>[2]</sup> - 46:12,</p>	<p><b>U</b></p>	<p><b>U.S</b> <sup>[7]</sup> - 5:10, 6:24, 7:8, 7:20, 7:23,</p>	<p><b>V</b></p>	<p><b>W</b></p>	<p><b>W</b></p>	
<p><b>Taker</b> <sup>[1]</sup> - 2:16 <b>tank</b> <sup>[1]</sup> - 37:13 <b>tanker</b> <sup>[4]</sup> - 8:9, 40:20, 41:22, 42:6 <b>tanks</b> <sup>[4]</sup> - 8:4, 37:10, 40:16, 41:5 <b>tax</b> <sup>[1]</sup> - 12:24 <b>taxpayers</b> <sup>[1]</sup> - 16:2 <b>ten</b> <sup>[3]</sup> - 7:4, 9:4, 17:23 <b>ten-foot</b> <sup>[1]</sup> - 9:4 <b>ten-unit</b> <sup>[1]</sup> - 7:4 <b>tenders</b> <sup>[1]</sup> - 12:12 <b>terms</b> <sup>[6]</sup> - 7:10, 10:5, 10:11, 29:7, 29:8, 37:1 <b>tested</b> <sup>[1]</sup> - 37:22 <b>testified</b> <sup>[11]</sup> - 6:4, 11:20, 13:11, 17:8, 19:15, 21:7, 23:4, 25:17, 28:10, 30:2, 43:3 <b>testify</b> <sup>[2]</sup> - 3:14, 3:21 <b>testimony</b> <sup>[6]</sup> - 3:6, 3:10, 4:1, 35:10, 44:17, 44:20 <b>themselves</b> <sup>[1]</sup> - 6:10 <b>therefore</b> <sup>[1]</sup> - 15:20 <b>thereof</b> <sup>[2]</sup> - 46:12,</p>	<p><b>U</b></p>	<p><b>U.S</b> <sup>[7]</sup> - 5:10, 6:24, 7:8, 7:20, 7:23,</p>	<p><b>V</b></p>	<p><b>W</b></p>	<p><b>W</b></p>	
<p><b>Taker</b> <sup>[1]</sup> - 2:16 <b>tank</b> <sup>[1]</sup> - 37:13 <b>tanker</b> <sup>[4]</sup> - 8:9, 40:20, 41:22, 42:6 <b>tanks</b> <sup>[4]</sup> - 8:4, 37:10, 40:16, 41:5 <b>tax</b> <sup>[1]</sup> - 12:24 <b>taxpayers</b> <sup>[1]</sup> - 16:2 <b>ten</b> <sup>[3]</sup> - 7:4, 9:4, 17:23 <b>ten-foot</b> <sup>[1]</sup> - 9:4 <b>ten-unit</b> <sup>[1]</sup> - 7:4 <b>tenders</b> <sup>[1]</sup> - 12:12 <b>terms</b> <sup>[6]</sup> - 7:10, 10:5, 10:11, 29:7, 29:8, 37:1 <b>tested</b> <sup>[1]</sup> - 37:22 <b>testified</b> <sup>[11]</sup> - 6:4, 11:20, 13:11, 17:8, 19:15, 21:7, 23:4, 25:17, 28:10, 30:2, 43:3 <b>testify</b> <sup>[2]</sup> - 3:14, 3:21 <b>testimony</b> <sup>[6]</sup> - 3:6, 3:10, 4:1, 35:10, 44:17, 44:20 <b>themselves</b> <sup>[1]</sup> - 6:10 <b>therefore</b> <sup>[1]</sup> - 15:20 <b>thereof</b> <sup>[2]</sup> - 46:12,</p>	<p><b>U</b></p>	<p><b>U.S</b> <sup>[7]</sup> - 5:10, 6:24, 7:8, 7:20, 7:23,</p>	<p><b>V</b></p>	<p><b>W</b></p>	<p><b>W</b></p>	
<p><b>Taker</b> <sup>[1]</sup> - 2:16 <b>tank</b> <sup>[1]</sup> - 37:13 <b>tanker</b> <sup>[4]</sup> - 8:9, 40:20, 41:22, 42:6 <b>tanks</b> <sup>[4]</sup> - 8:4, 37:10, 40:16, 41:5 <b>tax</b> <sup>[1]</sup> - 12:24 <b>taxpayers</b> <sup>[1]</sup> - 16:2 <b>ten</b> <sup>[3]</sup> - 7:4, 9:4, 17:23 <b>ten-foot</b> <sup>[1]</sup> - 9:4 <b>ten-unit</b> <sup>[1]</sup> - 7:4 <b>tenders</b> <sup>[1]</sup> - 12:12 <b>terms</b> <sup>[6]</sup> - 7:10, 10:5, 10:11, 29:7, 29:8, 37:1 <b>tested</b> <sup>[1]</sup> - 37:22 <b>testified</b> <sup>[11]</sup> - 6:4, 11:20, 13:11, 17:8, 19:15, 21:7, 23:4, 25:17, 28:10, 30:2, 43:3 <b>testify</b> <sup>[2]</sup> - 3:14, 3:21 <b>testimony</b> <sup>[6]</sup> - 3:6, 3:10, 4:1, 35:10, 44:17, 44:20 <b>themselves</b> <sup>[1]</sup> - 6:10 <b>therefore</b> <sup>[1]</sup> - 15:20 <b>thereof</b> <sup>[2]</sup> - 46:12,</p>	<p><b>U</b></p>	<p><b>U.S</b> <sup>[7]</sup> - 5:10, 6:24, 7:8, 7:20, 7:23,</p>	<p><b>V</b></p>	<p><b>W</b></p>	<p><b>W</b></p>	
<p><b>Taker</b> <sup>[1]</sup> - 2:16 <b>tank</b> <sup>[1]</sup> - 37:1</p>						