

**APPROVED 12/13/17**

**PLANNING & ZONING COMMISSION**

**City Council Chambers**

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

**Wednesday, November 8, 2017 7:00pm**

**Meeting Called to Order**

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

**Roll Call:**

Don Marcum-present, Jeff Olson-present, Richard Vinyard-present,  
Bill Gockman-present, Reagan Goins-present

Absent: Deborah Horaz, Randy Harker

**City Staff**

Krysti Barksdale-Noble, Community Development Director

Jason Engberg, Senior Planner

Lynn Dubajic, City Consultant

**Other Guests**

Christine Vitosh, Court Reporter, Vitosh Reporting

Ryan Swanson, Arc Designs

**Previous Meeting Minutes** None

**Citizen's Comments** None

**Public Hearings**

Vice-Chairman Goins explained the procedure for the Hearings and swore in those who would present testimony. At approximately 7:03pm, a motion was made by Mr. Marcum and seconded by Mr. Gockman to open the Public Hearing.

Roll call: Olson=yes, Vinyard=yes, Gockman=yes, Goins=yes, Marcum=yes

Motion carried 5-0.

- 1. PZC 2017-13 Dave and Debbie Coffman, petitioners, have filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. 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.**

*(See Court Reporter's Transcript)*

*(Responses to standards to be entered into public record)*

At approximately 7:08pm a motion was made and seconded by Commissioners Vinyard and Marcum, respectively, to close the Public Hearing.

Roll call: Vinyard-yes, Gockman-yes, Goins-yes, Marcum-yes, Olson-yes

Carried 5-0

**Old Business** None

**New Business**

1. **PZC 2017-33** (See description above)

Ms. Goins reviewed the standards with the Commissioners and there were no objections.

**Action Item**

Rezoning, Special Use, Variance and Final Plat

There was no further discussion and a motion to approve the findings of fact and petition was made by Commissioner Gockman and seconded by Commissioner Marcum.

Roll call: Gockman-yes, Goins-yes, Marcum-yes, Olson-yes, Vinyard-yes

Carried 5-0

**Additional Business**

City Council Action Updates:

1. **PZC 2017-11** Parklet Cafes

The City Council approval an amendment for parklet cafes for year round use subject to approval by the Community Development Director.

2. **PZC 2017-12** Mark Southern will no longer pursue this project requiring rezoning and variance for setbacks. The Commission discussed this request and asked if the petitioner is seeking another location. Ms. Dubajic said he would only consider other river property at this time and that he would donate time for cleanup of the area for 1 year if a Friends of the Park group would organize. Mr. Olson was also concerned that angry citizens at the last meeting indicated the City was trying to “sneak” in the project Mr. Southern proposed. It was suggested that a very large sign regarding hearing dates would be beneficial to be more visible to the public. Commissioners also said there were too many uncertainties regarding the project as presented and their decision was based on the limited information.

3. **Downtown-Overlay District Streetscape Master Plan and Form Based Code**

Ms. Barksdale-Noble said interviews have been conducted for a firm to study zoning and architectural standards for the Comprehensive Plan. Work is scheduled to begin in December.

**Adjournment**

There was no further business and the meeting was adjourned at 7:22pm on a motion by Commissioners Marcum and Vinyard, respectively.

Respectfully submitted by  
Marlys Young, Minute Taker

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6 UNITED CITY OF YORKVILLE  
7 YORKVILLE, ILLINOIS  
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10 PLANNING AND ZONING COMMISSION MEETING  
11 PUBLIC HEARING  
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16 800 Game Farm Road  
17 Yorkville, Illinois  
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20 Wednesday, November 8, 2017

21 7:00 p.m.  
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## 1       PRESENT:

2               Ms. Reagan Flavin Goins, Chairman,

3               Mr. Jeff Olson,

4               Mr. Bill Gockman,

5               Mr. Don Marcum,

6               Mr. Richard Vinyard.

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10       ALSO PRESENT:11              Ms. Krysti Barksdale-Noble, Community  
12              Development Director,

13              Mr. Jason Engberg, City Planner,

14              Ms. Marlys Young, Minute Taker.

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

CHAIRMAN GOINS: Seeing there are no  
comments from the public, we will move on to the  
next item on the agenda, and there is one public  
hearing this evening -- I'm sorry, there is one  
public hearing on the agenda this evening,  
PZC 2017-13.

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

Public testimony from persons  
present 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.

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

1 right hand and repeat after me.

2 (Witness sworn.)

3 CHAIRMAN GOINS: The order of receiving  
4 testimony will be as follows: First, the  
5 petitioner presentation; second, those who wish  
6 to speak in favor of the request; third, those  
7 who wish to speak in opposition to the request;  
8 fourth, questions from the Planning and Zoning  
9 Commissioners to the petitioner.

10 May I have a motion to open the  
11 public hearing on petition number PZC 2017-13?

12 MR. MARCUM: So moved.

13 MR. GOCKMAN: Second.

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

16 MS. YOUNG: Yes.

17 Olson.

18 MR. OLSON: Yes.

19 MS. YOUNG: Vinyard.

20 MR. VINYARD: Yes.

21 MS. YOUNG: Gockman.

22 MR. GOCKMAN: Yes.

23 MS. YOUNG: Goins.

24 CHAIRMAN GOINS: Yes.

1 MS. YOUNG: And Marcum.

2 MR. MARCUM: Yes.

3 MS. YOUNG: Thank you.

4 CHAIRMAN GOINS: PZC 2017-13, Dave and  
5 Debbie Coffman, petitioners, have filed an  
6 application with the United City of Yorkville,  
7 Kendall County, Illinois, requesting rezoning  
8 classification.

9 The real property is located south  
10 of U.S. Route 34, west of McHugh Road.

11 The petitioner is requesting  
12 rezoning approval from R-1 Suburban Residential  
13 District to B-3 General Business District  
14 contingent on approval of an annexation agreement  
15 by the City Council.

16 Is the petitioner present and  
17 prepared to make its presentation of the proposed  
18 request?

19 MR. SWANSON: Yes.

20 CHAIRMAN GOINS: Please step forward.

21 RYAN SWANSON,  
22 testified from the podium as follows:

23 MR. SWANSON: Thank you, Madame Chairman  
24 and Commissioners. Good evening.

1                   My name is Ryan Swanson. I am with  
2     ARC Design Resources, engineer, and I am here on  
3     behalf of Dave and Debbie Coffman. They are  
4     seeking to annex into the city.

5                   Tonight before you we are seeking  
6       basically a rezoning from the R-1, which is the  
7       automatic zoning for annexation when brought into  
8       the City, to B-3.

9                   The B-3 is -- technically it's  
10       already in an existing County B-3 zoning; this  
11       would just be kind of a follow up with that  
12       zoning title, so it's really they are seeking  
13       zoning which would be suitable for their  
14       business, and really we are just here to answer  
15       any questions or anything related to the project.

16                   Essentially, just by way of  
17       location, this is the proposed Casey's in color,  
18       and just to the west, right here, is the Coffman  
19       property.

20 CHAIRMAN GOINS: Is there anyone present  
21 who wishes to speak in favor of the request?

22 (No response.)

23 CHAIRMAN GOINS: Is there anyone present  
24 who wishes to speak in opposition to the



1 request?

2 (No response.)

3 CHAIRMAN GOINS: I would ask for proof  
4 of notice of this hearing and a summation by the  
5 City staff.

6 MR. ENGBERG: Yeah, so in your packets,  
7 kind of what the memo is, it's pretty  
8 straightforward. This is about annexation to the  
9 City.

10 Per our Comprehensive Plan, it's  
11 pretty similar to the Casey's. In our  
12 Comprehensive Plan this small area is actually  
13 considered for big density residential, but there  
14 is language within the Comprehensive Plan talking  
15 about commercial improvements along your major  
16 arterials, whether it be 34 or 47, and obviously  
17 with Casey's going in, they are kind of  
18 hand-in-hand for moving utilities underneath the  
19 property.

20 There is a well right on the  
21 property line with Coffman's, so the Casey's  
22 needs to move that; they are going to help them  
23 with water and sanitary sewer, so this is just  
24 part of that whole process.

1 CHAIRMAN GOINS: Do any Commission  
2 members have questions of the petitioner?

3 MR. MARCUM: So we are talking about  
4 water and sewer utilities are the ones that need  
5 to be moved?

6 MR. ENGBERG: Mm-hum.

7 MR. SWANSON: Actually, yeah, installed.  
8 As Jason mentioned, currently their well is  
9 literally right on the property line, which  
10 creates some issues for us in terms of the  
11 proximity and the environmental safety, you know,  
12 with our underground storage tank and the  
13 dispensers, so one of the ideas was really to get  
14 them on water, which then follows with sewer, and  
15 obviously annexation required for really both,  
16 but this is just kind of a natural process.

17 I think it makes sense. Obviously  
18 it's an operating business, you know, currently,  
19 they are currently operating, so it seemed like a  
20 reasonable solution, and they were willing to,  
21 you know, join the city as well, so...

22 MR. ENGBERG: I can go through each of  
23 the criteria that you need for rezoning, they've  
24 got it here and there.

1 MS. NOBLE: You can just ask him if he  
2 wants --

3 MR. ENGBERG: Oh. Did you want to enter  
4 in the record the rezoning standards on the  
5 application for rezoning?

6 MR. SWANSON: In terms of the --

7 MS. NOBLE: Your responses to the  
8 standards, would you like to enter them into the  
9 public record?

10 MR. SWANSON: Yes.

11 CHAIRMAN GOINS: Do you have any other  
12 questions, Members?

13 (No response.)

14 CHAIRMAN GOINS: Since all public  
15 testimony regarding this petition has been taken,  
16 may I have a motion to close the taking of public  
17 testimony in this public hearing?

18 MR. VINYARD: So moved.

19 MR. GOCKMAN: Second.

20 CHAIRMAN GOINS: Roll call vote on the  
21 motion, please.

22 MS. YOUNG: Vinyard.

23 MR. VINYARD: Yes.

24 MS. YOUNG: Gockman.

1 MR. GOCKMAN: Yes.

2 MS. YOUNG: Goins.

3 CHAIRMAN GOINS: Yes.

4 MS. YOUNG: Marcum.

5 MR. MARCUM: Yes.

6 MS. YOUNG: And Olson.

7 MR. OLSON: Yes.

8 (Which were all the  
9 proceedings had in the  
10 public hearing portion  
11 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 11, 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 23rd day of November, A.D., 2017.

19 \_\_\_\_\_  
20 Christine M. Vitosh, CSR  
21 Illinois CSR No. 084-002883  
22  
23  
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## Application For Rezoning

## Rezoning Standards

Please state the existing zoning classification(s) and uses of the property within the general area of the proposed rezoned property:

The site is located within a commercial corridor, with business commercial or PUD zoning essentially surrounding the site.

Please state the trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification:

Commercial development has grown from the west and east along US 34, and the property to the north has also been zoned PUD. The proposed Casey's Development immediately to the east will also be zoned B-3.

Please state the extent to which property values are diminished by the particular zoning restrictions:

Property values in general should not be affected.

Please state the extent to which the destruction of property values of plaintiff promotes the health, safety, morals, and general welfare of the public:

N/A. See above.



## Application For Rezoning

## Rezoning Standards

Please state the relative gain to the public as compared to the hardship imposed upon the individual property owner:

There will be no change. The Coffman Carpet business will not change.

Please state the suitability of the subject property for the zoned purposes:

The parcel is fronting a prime commercial corridor and major arterial through the City. The parcel will change from Kendall County business zoning to City of Yorkville business zoning.

Please state the length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the subject property:

The parcel is not currently incorporated within the City of Yorkville. It is an existing business use.

Please state the community need for the proposed land use:

As mentioned, the public will continue to be offered the same quality goods and services that Coffman Carpets has provided in this location for over 20 years.

## Application For Rezoning

### Rezoning Standards

With respect to the subject property, please state the care with which the community has undertaken to plan its land use development:

The commercial zoning proposed fits within the City's comprehensive plan for annexation and rezoning along the US 34 corridor. The B-3 zoning is a good fit for the development within the vicinity.

Please state the impact that such reclassification will have upon traffic and traffic conditions on said routes; the effect, if any, such reclassification and/or annexation would have upon existing accesses to said routes; and the impact of additional accesses as requested by the petitioner upon traffic and traffic conditions and flow on said routes (Ord. 1976-43, 11-4-1976):

Traffic and other impacts will not be affected. The Coffman Carpet business has been on site for approximately 20 years and the change in zoning will not affect the traffic currently generated by the business.

### Attachments

Applicant must attach a legal description of the property to this application and title it as "Exhibit A".

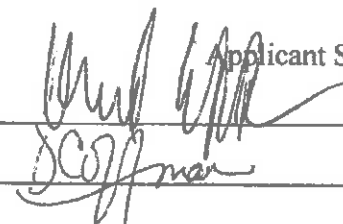
Applicant must list the names and addresses of any adjoining or contiguous landowners within 500 feet of the property that are entitled notice of application under any applicable City Ordinance or State Statute. Attach a separate list to this application and title it as "Exhibit B".

## Application For Rezoning

## Agreement

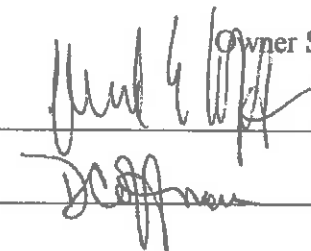
I verify that all the information in this application is true to the best of my knowledge. I understand and accept all requirements and fees as outlined as well as any incurred administrative and planning consultant fees which must be current before this project can proceed to the next scheduled committee meeting.

I understand all of the information presented in this document and understand that if an application becomes dormant it is through my own fault and I must therefore follow the requirements outlined above.

  
Applicant Signature  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date  
9/20/17  
\_\_\_\_\_

Owner hereby authorizes the applicant to pursue the appropriate entitlements on the property.

  
Owner Signature  
\_\_\_\_\_  
\_\_\_\_\_

Date  
9/20/17  
\_\_\_\_\_

THIS APPLICATION MUST BE NOTARIZED  
PLEASE NOTARIZE IN THE SPACE BELOW: