



## United City of Yorkville

800 Game Farm Road

Yorkville, Illinois 60560

Telephone: 630-553-4350

[www.yorkville.il.us](http://www.yorkville.il.us)

### PLANNING AND ZONING

### COMMISSION AGENDA

Wednesday, February 13, 2019

7:00 PM

Yorkville City Hall Council Chambers

800 Game Farm Road

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

Roll Call:

Previous Meeting Minutes: January 9, 2019

Citizen's Comments

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#### Public Hearings

1. **PZC 2019-02** United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to Chapter 6: Permitted and Special Uses to add licensed "massage establishments" as a permitted use in the O-Office District. Currently massage establishments are a permitted use only in business districts.

#### Unfinished Business

1. **PZC 2018-18** Marker, Inc, petitioner has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting an amendment to the Heartland Subdivision Planned Unit Development to reduce the interior side yard setback from twenty (20) feet to ten (10) feet on Lot 187 of the subdivision. Additionally, the petitioner is requesting to increase the maximum allowable height of a permitted fence in a business district from six (6) feet to eight (8) feet. The real property is located at the southwest corner of the McHugh Road and Route 34 intersection in Yorkville.

#### New Business

1. **PZC 2019-01** Boombah Inc., petitioner, is seeking final plat approval to resubdivide Lot 3 of the Yorkville Business Center, an approximately 21-acre parcel. Located in the southwest quadrant of IL Route 47 (N. Bridge Street) and Boombah Boulevard, this parcel was part of the original Inland Land/F.E. Wheaton Annexation Agreement approved by the City of Yorkville in 1995. Currently, the parcel is improved with two (2) buildings zoned B-3 General Business District utilized by Boombah Inc. for their custom athletic apparel business operations.

#### Action Item

Final Plat

2. **PZC 2019-02** United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to Chapter 6: Permitted and Special Uses to add licensed “massage establishments” as a permitted use in the O-Office District. Currently massage establishments are a permitted use only in business districts.

**Action Item**

Text Amendment

3. **PZC 2019-04** Forest Preserve District of Kane County, petitioner, is requesting a map amendment to rezone a 5 acre portion of the property from the F District Farming to the F-1 District-Rural Residential in Kane County. The entire 82.71 acre property is located in between Galena Road and Jericho Road along Jeter Road which is located northwest of Yorkville. The property is located within one and a half miles of the Yorkville Municipal Boundary which allows the opportunity to review and provide comments to Kane County.

**Action Item**

One and a Half Mile Review

**Additional Business**

1. City Council Action Updates

**PZC 2018-14** Al Eriksson, on behalf of CalAtlantic Group, Inc., petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting a fourth (4<sup>th</sup>) amendment to the Windett Ridge Planned Unit Development Agreement to allow for the extension of an additional three (3) years to complete the construction of a lift station and public improvements in Unit 2 of the Windett Ridge subdivision until December 31, 2023. The real property is generally located south of IL Route 71 and immediately east of IL Route 47 in Yorkville, Illinois.

**City Council Action**

Approved

**PZC 2018-19** United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to Chapter 6: Permitted and Special Uses in the Zoning Ordinance to identify “brewery” as a permitted use in the M-1 Limited Manufacturing and M-2 General Manufacturing districts and as a special use in the B-1 Local Business, B-2 Retail Commerce Business, B-3 General Business, B-4 Service Business districts. This text amendment will provide regulations for the establishment and operation of such uses in these zoning districts. Additionally, the definition for “microbreweries/brewpubs” will also be amended to allow the maximum production per calendar year of 155,000 gallons.

**City Council Action**

Approved

**PZC 2018-21** United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to Chapter 3: General Zoning Provisions of the United City of Yorkville Zoning Ordinance to create a new subsection regarding mobile food and retail vendor vehicles. The amendment will provide location and operational standards after the required business registration of the vendor and vehicle for food trucks and similar mobile vendors conducting business within the public right-of-way and on private property.

**City Council Action**

Approved

2. Planning and Zoning Commissioner Training Series
3. Yorkville 2018 Planning Year in Review

**Adjournment**

# DRAFT

## PLANNING & ZONING COMMISSION

City Council Chambers

800 Game Farm Road, Yorkville, IL

Wednesday, January 9, 2019 7:00pm

### Meeting Called to Order

Chairman Randy Harker called the meeting to order at 7:00pm, roll was called and a quorum was established.

### Roll Call:

Reagan Goins-yes, Don Marcum-yes, Jeff Olson-yes, Richard Vinyard-yes, Randy Harker-yes

Absent: Deborah Horaz

### City Staff

Krysti Barksdale-Noble, Community Development Director

Jason Engberg, Senior Planner

### Other Guests

Christine Vitosh, Vitosh Reporting Service

Dan Kramer, Attorney

Dale Konicek, Towns of Windett

Richard Marciniak

Rick Murphy, Cal Atlantic

### Previous Meeting Minutes November 14, 2018

The minutes were approved as presented on a motion and second by Commissioners Marcum and Goins, respectively.

Roll call vote: Goins-yes, Marcum-yes, Olson-yes, Vinyard-yes, Harker-yes.

Motion carried: 5-yes, 0-no

### Citizen's Comments None

### Public Hearings

Vice-Chairman Olson explained the procedure for the Hearings and swore in those who would speak. At approximately 7:03pm a motion was made and seconded by Mr. Vinyard and Ms. Goins, respectively, to open the Hearing.

Roll call: Marcum-yes, Olson-yes, Vinyard-yes, Goins-yes, Harker-yes. Passed 5-0.

The following Public Hearings were held:

1. **PZC 2018-14** Al Eriksson, on behalf of CalAtlantic Group, Inc., petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting a fourth (4<sup>th</sup>) amendment to the Windett Ridge Planned Unit

Development Agreement to allow for the extension of an additional three (3) years to complete the construction of a lift station and public improvements in Unit 2 of the Windett Ridge subdivision until December 31, 2023. The real property is generally located south of IL Route 71 and immediately east of IL Route 47 in Yorkville, Illinois.

2. **PZC 2018-18** Marker, Inc. petitioner has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting an amendment to the Heartland Subdivision Planned Unit Development to reduce the interior side yard setback from twenty (20) feet to ten (10) feet on Lot 187 of the subdivision. Additionally, the petitioner is requesting to increase the maximum allowable height of a permitted fence in a business district from six (6) feet to eight (8) feet. The real property is located at the southwest corner of the McHugh Road and Route 34 intersection in Yorkville.
3. **PZC 2018-19** United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to Chapter 6: Permitted and Special Uses in the Zoning Ordinance to identify “brewery” as a permitted use in the M-1 Limited Manufacturing and M-2 General Manufacturing districts and as a special use in the B-1 Local Business, B-2 Retail Commerce Business, B-3 General Business, B-4 Service Business districts. This text amendment will provide regulations for the establishment and operation of such uses in these zoning districts. Additionally, the definition for “microbreweries/brewpubs” will also be amended to allow the maximum production per calendar year of 155,000 gallons.
4. **PZC 2018-21** United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to Chapter 3: General Zoning Provisions of the United City of Yorkville Zoning Ordinance to create a new subsection regarding mobile food and retail vendor vehicles. The amendment will provide location and operational standards after the required business registration of the vendor and vehicle for food trucks and similar mobile vendors conducting business within the public right-of-way and on private property.

*(See Court Reporter Transcripts)*

The Hearings were closed at approximately 7:39pm on a motion by Mr. Vinyard and second by Mr. Marcum.

Roll call: Marcum-yes, Olson-yes, Vinyard-yes, Goins-yes, Harker-yes. Passed 5-0.

Chairman Harker announced to the Planning and Zoning Commission that Commissioner Bill Gockman resigned due to a new work commitment. The Chairman thanked Mr. Gockman for his service.

**Unfinished Business** None



## **New Business**

### **1. PZC 2018-14 CalAtlantic** (see #1 above)

Commissioner Vinyard inquired if the developer could keep asking for extensions. He said he had no objections and that it would be beneficial to keep building for tax purposes. Mr. Harker said for the record, that CalAtlantic is doing a great job in Windett Ridge and tremendous progress has been made in the last couple years.

#### **Action Item**

##### **PUD Agreement Amendment**

A motion was made and seconded by Commissioners Goins and Vinyard respectively, as follows: In consideration of testimony presented during a Public Hearing on January 9, 2019 and the standards for PUD approval and amendment, the Planning and Zoning Commission recommends approval of the fourth (4<sup>th</sup>) amendment to the Windett Ridge Planned Unit Development Agreement to allow for the extension of an additional three (3) years to complete the construction of a lift station and public improvements in Unit 2 of the Windett Ridge subdivision until December 31, 2023, as presented by staff in a memorandum dated December 4, 2018.

Roll call: Olson=yes, Vinyard=yes, Goins=yes, Marcum=yes, Harker=yes. Passed 5-0.

### **2. PZC 2018-18 Marker** (see #2 above)

Mr. Engberg gave a staff review of the irregularly shaped property and said it is zoned B-3 and is part of the Heartland Subdivision. Staff had asked for 2 entry points or to connect to the Casey's driveway. Comments included that the drawing was not to scale, a 3-story building does not fit on the lot and the office use is not in line with the Comp Plan. Chairman Harker suggested reversing the parking lot and the proposed building in order to step the building back from Rt. 34. Staff and the petitioner have both attempted to contact Casey's numerous times regarding working with the petitioner and Casey's has not responded. The median and setback issues were discussed and the Commissioners also felt an office building was not appropriate on this lot.

#### **Action Item**

##### **Special Use**

Mr. Harker said the vote is going to be to postpone this matter until February. A motion was made by Mr. Marcum and seconded by Mr. Vinyard as follows: based upon information provided by staff in a memorandum dated December 6, 2018, and testimony provided at the January 9, 2019 Planning and Zoning Commission meeting, the Planning and Zoning Commission moves to continue the public hearing for PZC 2018-18 to the regularly scheduled February 13, 2019 Planning and Zoning Commission meeting.

Roll call: Vinyard=yes, Goins=yes, Marcum=yes, Olson=yes, Harker=yes. Carried 5-0.

### **3. PZC 2018-19 United City of Yorkville Text Amendment/Breweries** (see #3 above)

#### **Action Item**

##### **Text Amendment**

A motion was made by Ms. Goins and seconded by Mr. Vinyard as follows: in consideration of testimony presented during a Public Hearing on January 9, 2019 and discussions conducted at that meeting, the Planning and Zoning Commission recommends approval to the City Council of a request for text amendment to Chapter 6: Permitted Uses in the Zoning Ordinance to identify "brewery" as a permitted use in the M-1 Limited Manufacturing and M-2 General Manufacturing districts and as a special

use in the B-1 Local Business, B-2 Retail Commerce Business, B-3 General Business, B-4 Service Business districts. This text amendment will provide regulations for the establishment and operation of such uses in these zoning districts. Additionally, the definition for “microbreweries/brewpubs” will also be amended to allow the maximum production per calendar year of 155,000 gallons, as presented by staff in a memorandum dated December 4, 2018.

Roll call: Goins-yes, Marcum-yes, Olson-yes, Vinyard-yes, Harker-yes. Carried 5-0.

**4. PZC 2018-21 United City of Yorkville Text Amendment Mobile Food Vehicles**  
(see #4 above)

**Action Item**

**Text Amendment**

It was moved and seconded by Commissioners Marcum and Vinyard respectively, to approve this amendment as follows: in consideration of testimony presented during a Public Hearing on January 9, 2019 and discussions conducted at that meeting, the Planning and Zoning Commission recommends approval to the City Council a request for a text amendment to Chapter 3: General Zoning Provisions of the United City of Yorkville Zoning Ordinance to create a new subsection regarding mobile food and retail vendor vehicles, as recommended in a staff memo dated December 5, 2018.

Roll call: Goins-yes, Marcum-yes, Olson-yes, Vinyard-yes, Harker-yes. Carried 5-0.

**5. PZC 2019-07 United City of Yorkville Neighborhood Design Manual**

Mr. Engberg said this manual was developed as a Master's degree project and is for review. It presents guidelines for preservation/renovation of the historic homes in the city to maintain their character. Comments were encouraged and included: very nice, use the word “vintage” instead of “old” home. It was noted that “historic” connotes limitations on improvements. It will go before the City Council for approval in February.

**Additional Business**

**1. City Council Action Updates**

- a. PZC 2-18-07 GRNE Solar: was approved by the City Council

**Adjournment**

There was no further business and the meeting was adjourned at 8:09pm on a motion and second by Commissioners Vinyard and Marcum, respectively. Approved on voice vote.

Respectfully submitted by  
Marlys Young, Minute Taker

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UNITED CITY OF YORKVILLE  
YORKVILLE, ILLINOIS

PLANNING AND ZONING COMMISSION  
PUBLIC HEARING

800 Game Farm Road  
Yorkville, Illinois

Wednesday, January 9, 2019

7:00 p.m.

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PRESENT:

Mr. Randy Harker, Chairman,  
Mr. Jeff Olson, Deputy Chairman,  
Mr. Richard Vinyard,  
Ms. Reagan Flavin-Goins,  
Mr. Donald Marcum.

ALSO PRESENT:

Ms. Krysti Barksdale-Noble, Community  
Development Director,  
Mr. Jason Engberg, Senior Planner,  
Ms. Marlys Young, Minute Taker.

- - - - -

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

4 CHAIRMAN HARKER: There are four public  
5 hearings scheduled for tonight's Planning and  
6 Zoning Commission meeting.

7 The purpose of these hearings is to  
8 invite testimony from the members of the public  
9 regarding the proposed requests that are being  
10 considered before the Commission tonight.

11 Public testimony from persons  
12 present who wish to speak may be in favor of or  
13 against the request, or have questions for the  
14 petitioner of the request being heard.

15 Those persons wishing to testify are  
16 asked to speak clearly, one at a time, state your  
17 name and who you represent, if anyone. Also, you  
18 are asked to sign in at the podium if you have  
19 not already done so.

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

24 (Witnesses sworn.)

1 CHAIRMAN HARKER: So when we are going  
2 through here -- When I open up the public hearing  
3 we start going through, the order that we will  
4 receive the testimony will be from the  
5 petitioners, the petitioner will do their  
6 presentation, then those people that are in favor  
7 of the request that's being heard, then those  
8 people that are opposed to the request that's  
9 being heard, and then we'll move on to the next  
10 agenda item. Okay?

11 May I have a motion to open public  
12 hearing on petition numbers PZC 2018-14, PZC  
13 2018-18, PZC 2018-19, PZC 2018-21?

14 MR. VINYARD: So moved.

15 MS. GOINS: Second.

16 CHAIRMAN HARKER: Okay. May I have a  
17 roll call vote on the motion, please?

18 MS. YOUNG: Yes.

19 Marcum.

20 MR. MARCUM: Yes.

21 MS. YOUNG: Olson.

22 MR. OLSON: Yes.

23 MS. YOUNG: Vinyard.

24 MR. VINYARD: Yes.

1 MS. YOUNG: Goins.

2 MS. GOINS: Yes.

3 MS. YOUNG: Harker.

4 CHAIRMAN HARKER: Yes.

5 Okay. PZC 2018-14, Al Eriksson, on  
6 behalf of CalAtlantic Group, Inc., petitioner,  
7 has filed an application with the United City of  
8 Yorkville, Kendall County, Illinois, requesting a  
9 fourth amendment to the Windett Ridge Planned  
10 Unit Development Agreement to allow for the  
11 extension of an additional three years to  
12 complete the construction of a lift station and  
13 public improvements in Unit 2 of Windett Ridge  
14 subdivision until December 31, 2023.

15 The real property is generally  
16 located south of Route 71 and immediately east of  
17 Route 47 in Yorkville, Illinois.

18 Is the petitioner present and  
19 prepared to do the presentation?

20 MR. MURPHY: Yes.

21 RICK MURPHY,  
22 called as a witness herein, having been first  
23 duly sworn, testified from the podium as follows:

24 MR. MURPHY: Good evening. My name is

1 Rick Murphy. I'm presenting on behalf of Al  
2 Eriksson and CalAtlantic Homes.

3 I've read the summary; it's  
4 excellent summary prepared by staff. Thank you  
5 for that, and thank you for hearing our case.

6 Ryland Homes was contract purchaser  
7 of the Windett development I believe in 2013.

8 MS. NOBLE: '13.

9 MR. MURPHY: CalAtlantic Homes is the  
10 successor by merger and acquisition on the  
11 property.

12 CalAtlantic Homes developed Unit 1,  
13 approximately 261 units, Unit 2 is 16 units.  
14 Unit 1 is in the final stages of development and  
15 build-out at this point, and we are working with  
16 engineering for final approvals and subdivision  
17 acceptance in Unit 1.

18 I believe punch list items are  
19 completed. There might be -- I think there is  
20 discussion -- So, anyway, we are working on final  
21 improvements with land development and city  
22 engineers.

23 So Windett Ridge Unit 2 has got some  
24 physical constraints just due to topography, and



1 in order to develop that, it either needs  
2 development to the south on adjoining property or  
3 a lift station, or we could design the  
4 development with the lift station improvement.

5 The additional cost that would be  
6 subject to the 16 lots or so in the unit would  
7 be -- it would render the lots non-competitive.  
8 If we were to go to development, very likely  
9 develop them and we couldn't sell them.

10 So we've been working with staff  
11 over the past several months to come to an  
12 extension on the agreement that we can, you know,  
13 extend the development to 2023 and keep a fee  
14 lock until the end of 2020 with the ability to  
15 prepay the fees, and as part of that agreement  
16 we've proposed a donation of \$10,000 to help  
17 improve Unit 1 park.

18 And I think that's the summary. I  
19 think I'm open to any questions if you have  
20 them.

21 CHAIRMAN HARKER: What we're going to do  
22 is -- What we were going to do is to hold all of  
23 our questions until the end, you know.

24 MR. MURPHY: Okay. Very good. Thank

1 you.

2 CHAIRMAN HARKER: Thanks.

3 Okay. Well, thank you for that,  
4 Mr. Murphy. Is anybody would like to speak in  
5 favor of the request?

6 MR. KRAMER: Should I identify for the  
7 record first?

8 CHAIRMAN HARKER: What's that?

9 MR. KRAMER: Should I identify for the  
10 record first?

11 CHAIRMAN HARKER: Yes.

12 MR. KRAMER: Okay. Daniel J. Kramer. I  
13 am an attorney. My address is 1107A South Bridge  
14 Street, Yorkville, Illinois.

15 We've worked with Mr. Eriksson on  
16 the project on behalf of Dale Klincek, who is  
17 here in the audience tonight.

18 So we don't have an objection, and  
19 we're really not speaking for, but we did notice  
20 in some references to the staff report and some  
21 news reports that we've heard in the media --  
22 could be fake news -- that they are thinking  
23 about moving ahead with the adjoining owner, and  
24 we would love to work with them because the

1 original plan several owners ago was this was  
2 going to be developed by Wiseman-Hughes, and what  
3 Dale ended up buying.

4 Al has been real good at working  
5 with us on a terrible drainage problem, and it's  
6 for the most part solved, but there is owners to  
7 the south, we would like to see more, so if you  
8 could relay to Al that Dale and I would love to  
9 talk with him, that would be great.

10 We just happen to be here by  
11 happenstance on something else tonight. Thanks.

12 CHAIRMAN HARKER: Okay. Thank you.  
13 Anybody else that's in favor that would like to  
14 voice a -- or not a concern.

15 (No response.)

16 CHAIRMAN HARKER: Okay. Those --  
17 Anybody here that would like to speak in  
18 opposition of the request that's being heard?

19 (No response.)

20 CHAIRMAN HARKER: Okay. Seeing there is  
21 none, we are going to move on to the next one,  
22 next item on the agenda tonight, which is PZC  
23 2018-18, Marker, Inc., petitioner, has filed an  
24 application with the United City of Yorkville,

1 Kendall County, Illinois, requesting an amendment  
2 to the Heartland Subdivision Planned Unit  
3 Development to reduce the interior side yard  
4 setback from 20 feet to ten feet on Lot 187 of  
5 the subdivision.

6 Additionally, the petitioner is  
7 requesting to increase the maximum allowable  
8 height of a permitted fence in the business  
9 district from six feet to eight feet.

10 The real property is located at the  
11 southwest corner of McHugh Road and Route 34  
12 intersection in Yorkville.

13 Is the petitioner present and ready  
14 to present?

15 DANIEL J. KRAMER,  
16 having been first duly sworn, testified from the  
17 podium as follows:

18 MR. KRAMER: Again, Daniel J. Kramer.  
19 My address is 1107A South Bridge Street,  
20 Yorkville, Illinois. I am an attorney licensed  
21 to practice law in the state of Illinois, and I  
22 represent the petitioner.

23 On this one, neither Krysti, Jason  
24 or I can take credit for the lot dimensions and

1 how it was laid out since none of us were  
2 involved in the original, but Markers have done a  
3 nice job and I think have been a great addition  
4 to the city in the sense that the family  
5 developed Heartland Subdivision, they developed  
6 Heartland Circle, and then the commercial area  
7 that's now Veteran's Way that's come along very,  
8 very nicely.

9 This is the last parcel that they  
10 hope to develop. There are a couple of other  
11 lots just for point of interest behind the  
12 Veteran's Way Center that Mr. Ratos and his group  
13 that owns Veteran's Way owns.

14 The zoning is in place on the  
15 property, so that's not an issue at all, but as  
16 you can tell, with setbacks and the curve of the  
17 road, it presents some real challenges, so we  
18 filed a petition, it was originally set for  
19 public hearing much earlier, and we met with the  
20 EDC committee, who had wanted some elevations on  
21 the building.

22 At the time the family still hadn't  
23 decided exactly what type of building or who the  
24 end user would be. They are a little bit further

1 along in the process now.

2 Their office building that they  
3 still own, where the Gold Star Dance Academy and  
4 Kay Hatcher's office were, they've put that on  
5 the market to sell, so their intention is that  
6 once that building sells to build the office  
7 building here, to move their facility there, so  
8 that would be their office, and they see, again,  
9 because of the limited parking and the narrowness  
10 of the lot, it being a destination-type business,  
11 so they would have at least one, maybe two other  
12 rental spaces.

13 They think perhaps a real estate  
14 office, dentist's office, something that doesn't  
15 need a ton of space or a ton of parking would be  
16 complementary.

17 I wish I could tell you we could  
18 bring retail, but unless we could bring back the  
19 old Kodak drive-through booths, it would be  
20 really tough there.

21 What we've tried to do -- and one of  
22 the comments -- and it was a good one, from the  
23 EDC committee, they asked us if we could get  
24 together with Casey's and see if they would allow

1 us to do a joint driveway towards the southerly  
2 end of our property and combine it with Casey's  
3 rear entrance.

4 Greg Marker has tried to contact at  
5 least a dozen times. We've talked to the station  
6 manager, who really isn't management, and she's  
7 indicated she's trying to go up the ladder.

8 Greg had worked with the engineer  
9 who directed the installation of the project, and  
10 actually they went to Markers and said could we  
11 store equipment and so when they were building  
12 Casey's, so they were very responsive then, we  
13 hope we can get together with them, but so far  
14 it's been six weeks with dead silence, so what  
15 Greg did -- and I didn't realize it -- he is an  
16 architect, as his father is, he did the  
17 elevations and he did four different sets for  
18 you.

19 He did two if we keep the driveway  
20 where it is; one if we get the ten-foot inner  
21 yard variance and one without of what he could  
22 build; and he did two if Casey's agrees to the  
23 rear entrance, and, again, one if you grant -- or  
24 the city council does, the ten-yard -- ten-foot

1 rear or side yard variance next to Casey's, and  
2 one without.

3 If we don't get the variance, then  
4 really there is no amendment to the PUD, but we  
5 think it is better scale and depth to the  
6 building with the ten-foot variance.

7 The back that we're asking the  
8 variance and the side yard is our common  
9 boundary with Casey's, so we're not hurting a  
10 view from, let's say, another office complex or a  
11 nice retail center or anything.

12 We thought it might be wise to have  
13 a fence separating something more solid, PVC,  
14 board-on-board, something kind of nice like  
15 that.

16 In all honesty, the drift we got  
17 from EDC committee before we came to you is they  
18 would rather see it open and not a fence, so we  
19 said look, if that's the case, we're not going to  
20 push that issue.

21 The only one that's really important  
22 to us is the ten feet, then we think we can get a  
23 lot better economy of scale.

24 So this is very informal tonight;



1 we've still got to go to public hearing. We did  
2 serve the notices on the entire list that Jason  
3 provided us by certified mail, we did do the  
4 publication, and we indicated because of getting  
5 a little gray hair between the original  
6 publication and now, perhaps next meeting if we  
7 have again a further response from EDC, we would  
8 publish for next meeting and come back and do the  
9 public hearing then, so we would suggest you  
10 table it to the next meeting tonight, but we're  
11 happy to answer any questions.

12 Greg would have been here in  
13 person, but was suffering from a case of the flu  
14 and did not want to infect anybody, or me. Thank  
15 you.

16 CHAIRMAN HARKER: Thank you. Okay.

17 MR. KRAMER: So I don't know if you have  
18 any other questions or I'll --

19 CHAIRMAN HARKER: Well, yeah. I think  
20 what we want to do is close out -- get through  
21 everything and then close out of the public  
22 hearing and then we'll come back to you with  
23 questions.

24 MR. KRAMER: Fair enough. Thank you.

1 CHAIRMAN HARKER: Okay. Moving on to  
2 the next item on the agenda, PZC 2018-19, United  
3 City of Yorkville, Kendall County, Illinois,  
4 Petitioner, is proposing a text amendment to  
5 Chapter 6, permitted and special uses in the  
6 Zoning Ordinance to identify a brewery as a  
7 permitted and -- I'm sorry, in the M-1 Limited  
8 Manufacturing and M-2 General Manufacturing  
9 Districts, and as a special use in the B-1 Local  
10 Business, B-2 Retail Commerce Business, B-3  
11 General Business, B-4 Service Business Districts.

12 This text amendment will provide  
13 regulations for the establishment and operation  
14 of such uses in these zoning districts.

15 Additionally, the definition for  
16 microbreweries and brew pubs will also be amended  
17 to allow the maximum production per calendar year  
18 of 155,000 gallons.

19 MS. NOBLE: So this sounds more  
20 complicated than what it is that we are  
21 proposing. We are proposing two things.

22 The first is right now the city does  
23 identify microbreweries and brew pubs as  
24 permitted uses in our Business and M-1 districts;

1       however, we don't have just a category for a  
2       brewery, which does not have to have a retail  
3       component to it.

4                       We do have that in the manufacturing  
5       district, but we don't have it in our business  
6       districts, and so what we've been seeing in other  
7       communities is that these types of uses are kind  
8       of implanting themselves in the downtown, they  
9       are bringing some retail component to it, maybe a  
10      little bit small, maybe a tasting room, but  
11      doesn't rise to the occasion of a brew pub where  
12      you have actual food and the brewing of the  
13      alcohol, so we're trying to clean it up.

14                      We keep trying to refine our code so  
15      that we are keeping up with whatever the retail  
16      and commercial market is doing, so we are going  
17      to identify them, give them a class, identify  
18      them as permitted uses in the M-1 and special  
19      uses in B districts, and then we are also  
20      refining our definition.

21                      What we found is the definition --  
22      We're not increasing the amount of alcohol that  
23      can be produced by these types of uses, but we're  
24      trying to be synergistic with how the state does

1 the measurement of how much they can produce.

2 We had it as not necessarily  
3 gallons, but we had it listed per barrels, and so  
4 when you do the comparison, we had like 55,000  
5 barrels equivalent to 155,000 gallons, so we are  
6 just trying to keep the language the same, so  
7 nothing really complicated.

8 This will end up actually going to  
9 another committee because they have to review it  
10 for liquor licensing codes, but this will just go  
11 here for the public hearing for the text  
12 amendment. Any questions? Okay.

13 CHAIRMAN HARKER: All righty. So moving  
14 on to the PZC 2018-21, United City of Yorkville,  
15 Kendall County, Illinois, petitioner, is  
16 proposing a text amendment to Chapter 3, general  
17 zoning provisions of the United City of Yorkville  
18 Zoning Ordinance to create a new subsection  
19 regarding mobile food and retail vendor  
20 vehicles.

21 The amendment will provide location  
22 and operational standards after the required  
23 business registration of the vendor and vehicle  
24 for the food trucks and similar mobile vendors

1 conducting business within the public  
2 right-of-way and on private property.

3 MS. NOBLE: Okay. So I'm going to  
4 direct you straightaway to the end of the packet.  
5 At the end of the packet there are three sheets  
6 that were created and they talk about the three  
7 different type of regulations that we are  
8 proposing in this text amendment.

9 To give you a little bit of history,  
10 food trucks have began to boon, you know, across  
11 the nation actually as the start-up businesses  
12 that people are venturing into, and they are not  
13 just necessarily just food trucks, but they are  
14 retail services as well.

15 So our current ordinance in zoning  
16 is silent on these uses on private property, but  
17 we do have some limited regulations in our  
18 licensing section of our code that allow, you  
19 know, for small vendors, be it push carts or ice  
20 cream trucks, in the public way, but we've never  
21 defined when people have, you know, parties or  
22 events where they have these food trucks on  
23 private property, so we tried to establish some  
24 criteria for three different sets of

1 circumstances where you would see food trucks.

2 The first you would see is a food  
3 truck in the public right-of-way, so parked on  
4 the street or in a park. We do have some push  
5 carts that, you know, sell hot dogs in the park,  
6 but we also didn't have any specific regulations,  
7 they'd go to the Park and Recreation department,  
8 Planning wouldn't necessarily see it, we didn't  
9 know what times they operated and set any  
10 specific criteria aside from the health  
11 department, so what we tried to do in the first  
12 stab is for in the public right-of-way.

13 We created some standards like you  
14 can't leave the food truck unattended, they have  
15 to be parked in, you know, the regular way that  
16 you would legally park the vehicle, they can't  
17 operate within 500 feet of a K-12 school.

18 You don't want to run the risk of  
19 having kids trying to get to an ice cream truck  
20 or a food vendor, and that's since -- and that's  
21 only between the hours of seven and four, during  
22 the regular school day.

23 They cannot be parked within 25 feet  
24 from a street intersection, so there is an

1 exhibit on the overhead that shows all of this in  
2 graphic form.

3 And then food truck operators must  
4 organize customers on the sidewalk side of the  
5 street, so they can't be vending out of the  
6 window to people in vehicles, and -- and they  
7 have to clear a pathway, have a pathway, where  
8 people can ill line up, provide a trash  
9 receptacle because we don't want trash all over  
10 the area.

11 And this is throughout the city, so  
12 they can, you know, be parked within a business  
13 area on a resi -- on a public street or they can  
14 be parked in the downtown.

15 And then there is other regulations  
16 I won't get too much into, but we do talk about  
17 the length of the truck and how many parking  
18 spaces they can take up and general information  
19 related to that.

20 There is a fee component not  
21 necessarily under your purview because this will  
22 go to another committee for that, but we are  
23 proposing a \$200 application fee, and then that  
24 covers the first truck, and if they have more

1 under the same vendor, then it's \$100 an  
2 additional truck, and that's for an entire year.

3 So the second bucket of regulations  
4 that we created was if you were to have it on  
5 private property, so say you want to throw a  
6 birthday party and maybe you want to do, you  
7 know, cupcakes or something like that, then we  
8 had no regulations for that, so we established  
9 some regulations which deals with how we would  
10 define it in zoning terms, temporary use.

11 There is a maximum number of food  
12 trucks you can have that we are proposing, as  
13 Jason is showing on the overhead. Only one food  
14 truck may operate on the site for every  
15 525 square feet of paved area, so the trucks have  
16 to be on a paved area.

17 Depending on the size, if they're  
18 the smaller version, then they can, you know,  
19 take up no more than two spaces of the parking  
20 area; if they are a larger truck, probably  
21 about -- no more than about four spaces.

22 There is areas, if they do want to  
23 have seating, what the requirements would be, if  
24 they wanted to offer some outdoor leisure space,



1 and then if they're on private property, they  
2 have to get a notarized letter from the property  
3 owner saying that they can operate, and that is  
4 the sticking point because we don't want people  
5 just showing up, you know, and not having an  
6 owner's knowledge.

7           There was a question in EDC when we  
8 brought this about restrooms, availability to,  
9 you know, have people go to the restroom, if we  
10 were going to require port-o-lets, and we said  
11 with this ordinance we were not going to have  
12 that requirement because if they are off-site on  
13 private property, you would assume that they  
14 would have the ability to use the rest facilities  
15 of whatever location, house or the business that  
16 they are in, but if you have different opinions,  
17 let me know. We can always incorporate that into  
18 the ordinance.

19           They do have to get the  
20 certification from the city clerk's office  
21 similar to the ones that operate in the  
22 right-of-way, and then the application fee is  
23 \$25, so we're not trying to overly burden, you  
24 know, the private property owner, and that covers

1 the first truck, and then there is \$10 on every  
2 additional truck.

3 And then with regards to parking, no  
4 matter how many food trucks they have, they  
5 cannot take -- occupy more than 40 percent of the  
6 required parking spaces, so you can still have  
7 business operations coming in and out without the  
8 food trucks intruding on that.

9 And the final section, you have a  
10 food truck rally, so this is when you have more  
11 than three food trucks at a particular location,  
12 whether it's in the right-of-way, public  
13 right-of-way, or on private property, and so we  
14 define that.

15 We talk about the review process,  
16 that these have to go through not only myself,  
17 public recreation, public works, and the police  
18 chief.

19 We also will have the fire  
20 department review it under my review as well  
21 because they would like to know ingress/egress,  
22 nearest location of a fire hydrant, and things of  
23 that nature.

24 If you have a truck rally, there

1 will be required traffic control and pedestrian  
2 safety measures that we would look for on your  
3 plan because you will have to submit a plan.

4 There also will be an application  
5 fee of \$50. Now, this \$50 is for the entire  
6 event, so it's not per vehicle, so you would just  
7 let us know all the vendors that you have.

8 And we ask that you as the applicant  
9 would send that in at least 30 days prior to the  
10 event, give us time to circulate that, and you  
11 can have as many -- I think it's -- we're not  
12 limiting the amount of truck rallies you can have  
13 on the site, but it's just \$50 per event.

14 So if you have any questions, we can  
15 take that later, but I tried to go through it as  
16 quickly and as efficiently as possible.

17 CHAIRMAN HARKER: Okay. So do we have  
18 to have a discussion prior to closing?

19 MS. NOBLE: Yeah, it would be best if  
20 you have questions for the petitioner to do those  
21 now while we are on the record and then you can  
22 deliberate amongst yourselves after we close the  
23 public hearings.

24 CHAIRMAN HARKER: Yeah, I apologize on

1 that. I tried to make a change to the order and  
2 it didn't quite work so well, so I apologize.

3 So if we can go back to PZC 2018-14.  
4 Mr. Murphy?

5 MR. MURPHY: Yes, sir.

6 CHAIRMAN HARKER: Do you want him to  
7 come up to the podium or just stay there?

8 MS. NOBLE: He can stay there.

9 CHAIRMAN HARKER: Just a quick question  
10 for you regarding that, with the Windett Ridge.

11 Do you think -- I mean, in your --  
12 not that you have a crystal ball or anything, but  
13 do you feel as if they are going to do -- What  
14 are they going to do with this if they can't --  
15 you know, 16 lots, you can't put, you know, a  
16 quarter million dollar lift station in there for  
17 that.

18 What's the long-term plan on that?

19 MR. MURPHY: Yeah, we have to be  
20 optimistic, you know. Personally I'd like to see  
21 a longer extension than the 2023 because you know  
22 how time flies with the -- in what we've seen for  
23 the last ten years or so, so that is definitely a  
24 challenge, you know.

1 Does the property next door -- I  
2 mean, there's -- There are so many developed lots  
3 and home sites at this point in time that that  
4 really needs to be plated, and it really is going  
5 to depend on how vigorous the sales go for  
6 everybody.

7 But nonetheless, yeah, if you're  
8 adding that lift station, probably adds \$30,000  
9 plus or minus us to every single home site and it  
10 just -- you know, we wouldn't be able to sell  
11 them at that point.

12 So whether it's, you know, working  
13 with the neighbor or, you know, somehow  
14 development happens next door or at some point  
15 maybe it becomes worthwhile to do that, but  
16 three years is going to go by quickly, we know  
17 that.

18 CHAIRMAN HARKER: Yeah.

19 MR. MURPHY: Three extra years, 2023,  
20 it's four plus.

21 CHAIRMAN HARKER: So the south -- the  
22 neighbors to the south or adjoining neighbors  
23 down there, they're going to be -- if they put in  
24 a subdivision or something, that would flow to

1 your lift station then, it would make it more  
2 cost effective to put it in to go, right,  
3 something like that?

4 MR. MURPHY: From what I understand, it  
5 think it becomes more of a gravity situation. I  
6 think, you know, generally we try to avoid lift  
7 stations. I think even the city tries to avoid  
8 those where they can.

9 So it usually just takes -- it's  
10 worthwhile to take advantage of gravity, and how  
11 that plays out, again, depends on the market, how  
12 hot the real estate market is over the next few  
13 years, and, you know, even today there's recovery  
14 to some extent, it's not what it was in 2004 or  
15 2003, it just -- when I'm sure this was in the  
16 planning.

17 MS. NOBLE: Can I add something to the  
18 conversation?

19 CHAIRMAN HARKER: Yeah, absolutely.

20 MS. NOBLE: So originally the project  
21 had two phases -- actually three, so it was the  
22 single family, then there was the towns, which  
23 would be the townhome development, then there was  
24 a commercial piece to it.

1                   After the property was lost through  
2                   foreclosure and it was purchased by CalAtlantic,  
3                   CalAtlantic purchased only the residential  
4                   portion, you don't have a commercial portion,  
5                   correct?

6                   MR. MURPHY: I don't believe so.

7                   MS. NOBLE: They don't have a commercial  
8                   portion and they did not do the unplatted, which  
9                   is the townhome portion.

10                   So if the project would have  
11                   developed the original course, what would have  
12                   happened is the second phase, which is the towns,  
13                   would be developed and then they would have  
14                   addressed that gravity issue in some form or  
15                   fashion, but because they don't own that  
16                   property, in order to supply the sanitary sewer  
17                   to this location, they would probably have to  
18                   lose about three or four lots to do the lift  
19                   station on-site, and then --

20                   MR. MURPHY: That's -- I think that's  
21                   accurate. So I was talking to Al Eriksson today  
22                   on the way here because he is infinitely more  
23                   knowledgeable about the site, but we were  
24                   projecting you might lose two or three home

1 sites, so even take that number on each home  
2 site, it's even a bigger number.

3 CHAIRMAN HARKER: Sure.

4 MS. NOBLE: And we tried to work some --  
5 they had gone through the process of getting a  
6 fabricator to do the pump, lift station pump, we  
7 worked with them a couple -- for about a year or  
8 so to kind of get this going and we just realized  
9 it just wasn't going to happen.

10 The reason why we are limiting it to  
11 the 2023 date is because the city's practice has  
12 been not to go beyond 20 years with contracts.

13 Legally we can't go beyond 20 years  
14 for annexation agreements. We can go a little  
15 bit further with PUD's, but we have tried to  
16 stick with that policy of not going longer than  
17 20 years.

18 The original development was  
19 approved in June, 2000, and then when they added  
20 more lots to create a larger subdivision, it was  
21 approved in 2002, so we're trying to kind of be  
22 mindful of that, that timeframe.

23 CHAIRMAN HARKER: Excellent. Anybody  
24 else have any questions regarding that?



1 (No response.)

2 CHAIRMAN HARKER: No? Okay. Excellent.  
3 Thank you.

4 MR. MURPHY: Thank you for listening.  
5 Thank you.

6 CHAIRMAN HARKER: Okay. Mr. Kramer?  
7 Going back to PZC 2018-18, anybody  
8 have any questions regarding the -- So really  
9 what you're requesting is just that -- or what  
10 you are proposing is that we just go until  
11 February with this?

12 MR. KRAMER: I think that makes the most  
13 sense --

14 CHAIRMAN HARKER: Yes.

15 MR. KRAMER: -- because then we would  
16 see if anyone is here from the audience and you  
17 would have additional comments back from EDC.

18 I mean, I can't presuppose what the  
19 EDC members are going to say about Casey's, if  
20 they say gee, you know, 12 times and you've  
21 really done what we've asked you to do, let's go  
22 ahead the way the property sits, I mean, if  
23 Casey's won't work with us -- and they're a fine  
24 neighbor, we have no objection to them -- we

1 think we've got a right to go ahead.

2           Again, maybe on sober reflection it  
3 should have been platted a little bit different  
4 at the time, but if we couldn't build, it would  
5 be an inverse condemnation, it would be a taking,  
6 nobody wants that.

7           The city would rather have sales  
8 tax, property taxes, so we're just hoping we can  
9 work with Casey's and keep the city council  
10 happy, and again, we don't think the ten foot  
11 would hurt anybody, but, you know, that's up for  
12 you and the city council to decide. You just get  
13 a smaller building and we think a little bit  
14 larger is more useful.

15           So I think February is fine.

16           MR. MARCUM: So are you contemplating a  
17 two-story or three-story building?

18           MR. KRAMER: If we got the ten-foot  
19 setback, they think two will do. If we didn't  
20 get the ten-foot setback, they would probably in  
21 all honesty do a three, Don.

22           MR. MARCUM: I see something in here  
23 about remodeling spaces for parking doing a  
24 three-story building, the paved area --

1 MR. KRAMER: Well, again, it would be  
2 a --

3 MR. MARCUM: A smaller building.

4 MR. KRAMER: -- smaller building, so  
5 they would still have square footage enough and  
6 could probably meet the parking, so that's where  
7 it ties in as well, the square footage building  
8 to the parking ratio.

9 MR. MARCUM: I didn't even realize  
10 there was enough space next to Casey's to do  
11 anything. I was going to go by on the way here,  
12 but I was a little tardy, so I didn't do that,  
13 but...

14 MR. KRAMER: As I say, it's slim, but as  
15 Greg worked out, and Krysti and Jason reviewed,  
16 they can meet all the front and side setbacks,  
17 the landscaping on 34, everything lays out there,  
18 but they've got to be creative on the design of  
19 the building.

20 MR. OLSON: I would prefer a full  
21 comprehensive packet for the work on it.

22 CHAIRMAN HARKER: Yeah. Yeah.

23 MR. MARCUM: So not going to do  
24 anything with that median on McHugh that's so

1 annoying?

2 MR. KRAMER: It was interesting. We  
3 made some comments about that because all of us  
4 here I think at one time or another, I would  
5 hope, being local, have gone either to  
6 Blackstone or maybe have kids at the day care  
7 center or any of the businesses on Veteran's  
8 Parkway, I think it's 's an absolute abominable  
9 traffic flow, where you're directing traffic  
10 around in front of a day care center with parents  
11 and grandparents taking kids in and out, and  
12 staff was good, they said gee, if you guys would  
13 like to fund a traffic study to tell us how to do  
14 it, we would listen.

15 MR. MARCUM: Well, I think that's a  
16 splendid idea, Mr. Kramer. Why don't we go ahead  
17 and do that?

18 Because I live at Park and McHugh, I  
19 go down McHugh all the time. That irritating jog  
20 and stuff, and then to get in and get out is just  
21 annoying.

22 MR. KRAMER: Well, and have you ever  
23 seen traffic backed up so far on McHugh that it's  
24 sitting out in Route 34, and I know that was long

1 before this group was here, that was the fear of  
2 the original city engineer at the time, and I  
3 think it's come to pass, so I feel a little bit  
4 like for the traffic study, we're paying somebody  
5 \$10,000 to borrow my wristwatch and tell me what  
6 time it is.

7 I mean, I think staff could go over,  
8 somebody from the police department, and watch  
9 the traffic, and there is enough space to stack  
10 and cut that median so people can go right  
11 into -- or left into Veteran's Parkway, but  
12 again, along with that, I'm hoping our driveway  
13 could be down by Casey's because then there's  
14 never going to be, you know, a problem with  
15 stacking, where if our driveway isn't with  
16 Casey's, it's more in the middle, okay, then  
17 maybe, you know, if there were three cars trying  
18 to getting in ours at once, you could have a  
19 little problem, but I'm with you, I think that  
20 median should be cut or make a drive-over  
21 median, but that's just an editorial comment.  
22 Nobody has asked me to -- Well, yeah, they did.  
23 They asked us to pay for a traffic study.

24 CHAIRMAN HARKER: Awesome. Okay. Thank

1 you, Mr. Kramer.

2 MR. KRAMER: So we'll see you in  
3 February. And, again, if for whatever reason we  
4 need more time with Casey's or EDC, we're going  
5 to republish anyway, so it could even be March.

6 CHAIRMAN HARKER: Okay.

7 MR. KRAMER: You'll see us again. Thank  
8 you very much.

9 CHAIRMAN HARKER: Thank you, Mr. Kramer.  
10 Okay. Moving on to the brewery.  
11 Any questions?

12 VICE-CHAIRMAN OLSON: How much field  
13 work did you two do on this?

14 MS. NOBLE: Well, we knew it was  
15 something that had to be done, but we -- we  
16 got some feelers that it's something that may  
17 come to the city and we just wanted to be  
18 prepared.

19 VICE-CHAIRMAN OLSON: Okay. How much  
20 field work did you two do?

21 MS. NOBLE: Oh. That would be probably  
22 Jason.

23 VICE-CHAIRMAN OLSON: Jason?

24 MR. ENGBERG: None. Krysti did it.

1 MS. NOBLE: No, it's not my thing. Not  
2 my thing.

3 CHAIRMAN HARKER: Okay. Awesome. And  
4 then the food truck, does anybody have any  
5 questions regarding the food trucks text  
6 amendment?

7 VICE-CHAIRMAN OLSON: Is the ordinance  
8 for -- I've been to a party in Yorkville before  
9 where they had a taco tent in somebody's  
10 driveway, right, where somebody had three girls  
11 and they were just churning them out, it was a  
12 commercial venture and they packed up the tent at  
13 the end and left.

14 Where does a food truck start and a  
15 taco tent end? Is it merely the truck?

16 MS. NOBLE: So, yes, there are a couple  
17 of things. The food truck itself is an accessory  
18 use. Vehicles can sometimes create a land use in  
19 themselves, not just a building, so we were  
20 trying to address how services are being provided  
21 in the city and regulated.

22 VICE-CHAIRMAN OLSON: Does a tent?

23 MS. NOBLE: A tent would not because  
24 think about it, we don't regulate lemonade

1 stands, it's more temporary.

2 The use is not -- Even if it were  
3 commercial in nature, it's not creating a land  
4 impact to the site, it's in the driveway, but if  
5 you have a vehicle which can be stationary and  
6 parked somewhere, either on public or private  
7 property, we do regulate that.

8 I think the tent -- if the health  
9 department is not involved, then we would  
10 probably not be.

11 VICE-CHAIRMAN OLSON: Then the bond, do  
12 they have a bond if you're not in the  
13 right-of-way, but not a bond if you're in the  
14 right-of-way?

15 MS. NOBLE: Yes, because what happens  
16 when you are in the right-of-way, you assume your  
17 liability is your vehicle insurance.

18 VICE-CHAIRMAN OLSON: Oh, okay.

19 CHAIRMAN HARKER: Excellent. Okay.

20 VICE-CHAIRMAN OLSON: All the pictures  
21 are fantastic.

22 MS. NOBLE: Thank Jason. That's Jason,  
23 all Jason.

24 CHAIRMAN HARKER: Great job. Since all



1 the testimony and questions have been taken, can  
2 I get a motion to close out of the public hearing  
3 portion of tonight's Planning and Zoning  
4 Commission meeting?

5 MR. VINYARD: So moved.

6 MR. MARCUM: Second.

7 CHAIRMAN HARKER: Can I get a roll call  
8 vote on the motion, please?

9 MS. YOUNG: Yes.

10 Marcum.

11 MR. MARCUM: Yes.

12 MS. YOUNG: Olson.

13 VICE-CHAIRMAN OLSON: Yes.

14 MS. YOUNG: Vinyard.

15 MR. VINYARD: Yes.

16 MS. YOUNG: Goins.

17 MS. GOINS: Yes.

18 MS. YOUNG: Harker.

19 CHAIRMAN HARKER: Yes.

20 Awesome. Okay.

21 (Which were all the  
22 proceedings had in the  
23 public hearing portion  
24 of the meeting.)

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

3 I, Christine M. Vitosh, a Certified Shorthand  
4 Reporter, do hereby certify that I transcribed  
5 the proceedings had at the public hearing and  
6 that the foregoing, Pages 1 through 40,  
7 inclusive, is a true, correct and complete  
8 computer-generated transcript of the proceedings  
9 had at the time and place aforesaid.

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

16 As certification thereof, I have hereunto set  
17 my hand this 3rd day February, A.D., 2019.

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

## PZC - January 9, 2019 - Public Hearing

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<b>yard</b> [5] - 10:3, 13:21, 13:24, 14:1, 14:8 <b>year</b> [3] - 16:17, 22:2, 30:7 <b>years</b> [8] - 5:11, 26:23, 27:16, 27:19, 28:13, 30:12, 30:13, 30:17 <b>YORKVILLE</b> [2] - 1:6, 1:7 <b>Yorkville</b> [11] - 1:18, 5:8, 5:17, 8:14, 9:24, 10:12, 10:20, 16:3, 18:14, 18:17, 37:8 <b>YOUNG</b> [10] - 4:18, 4:21, 4:23, 5:1, 5:3, 39:9, 39:12, 39:14, 39:16, 39:18 <b>Young</b> [1] - 2:12 <b>yourselves</b> [1] - 25:22
<b>Z</b>
<b>zoning</b> [5] - 11:14, 16:14, 18:17, 19:15, 22:10 <b>ZONING</b> [1] - 1:10 <b>Zoning</b> [4] - 3:6, 16:6, 18:18, 39:3



# Memorandum

To: Planning and Zoning Commission  
 From: Jason Engberg, Senior Planner  
 CC: Krysti J. Barksdale-Noble, Community Development Director  
 Date: February 6, 2019  
 Subject: **PZC 2019-02 Massage Establishment Text Amendment**

## **BACKGROUND:**

Recently, changes have been made to the City's regulations regarding single person massage establishments which require them to obtain a license from the City. Previously, these types of establishments were allowed to operate without a license, but have now been applying over the past few months to comply with the new regulations.

The application for a massage license requires the submittal of a commercial occupancy permit to the building department. This allows for a zoning review to be conducted within the process to ensure that proposed land uses are permitted within their respective zoning districts. An existing business submitted a commercial occupancy permit which states they are located in the O Office District. The City's code states that massage establishments are permitted in the B-1, B-2, B-3, and B-4 Business Districts and not the O Office district.

This application has lead staff to evaluate the current standards and determine whether massage establishments should be allowed in the O Office Districts. Staff is recommending that massage establishments be permitted O Office District. Staff is making this recommendation based on the existing similar uses permitted in the O Office District. Some of these permitted uses include medical clinics, chiropractors, and other professional services. Since massage establishments are a specific type of professional service, it stands to reason that massage establishments should be permitted wherever professional service uses are permitted.

## **PROPOSED REVISIONS:**

To allow massage establishments in the O Office District, Table 10.06.03 of Section 10-6-0 of the Yorkville City Code must be amended. The following change to the table is being proposed (change in red):

Use Category	Zoning Districts															
	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Massage establishment	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-

**STAFF COMMENTS:**

Staff is recommending approval of the proposed text amendment. This amendment will only change the permitted use in the zoning ordinance. There are other changes being made to the massage establishment requirements, but those are being handled in a different part of the municipal code and are not a part of this request.

**PROPOSED MOTION:**

*In consideration of testimony presented during a Public Hearing on February 13, 2019, the Planning and Zoning Commission recommends approval to the City Council of a request to amend Section 10-6 of the United City of Yorkville Zoning Ordinance as presented by staff in a memorandum dated February 6, 2019 and further subject to {insert any additional conditions of the Planning and Zoning Commission}...*

**ATTACHMENTS:**

1. Public Hearing Notice
2. Draft Ordinance

PUBLIC NOTICE OF A HEARING BEFORE  
THE UNITED CITY OF YORKVILLE  
PLANNING AND ZONING COMMISSION

NOTICE IS HEREWITH GIVEN THAT the United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to Chapter 6: Permitted and Special Uses to add licensed “massage establishments” as a permitted use in the O-Office District. Currently massage establishments are a permitted use only in business districts.

NOTICE IS HEREWITH GIVEN THAT the Planning and Zoning Commission for the United City of Yorkville will conduct a public hearing at a meeting on said amendments on Wednesday, February 13, 2019 at 7 p.m. at the Yorkville City Hall, located at 800 Game Farm Road, Yorkville, Illinois 60560.

The public hearing may be continued from time to time to dates certain without further notice being published.

All interested parties are invited to attend the public hearing and will be given an opportunity to be heard. Any written comments should be addressed to the United City of Yorkville Community Development Department, City Hall, 800 Game Farm Road, Yorkville, Illinois, and will be accepted up to the date of the public hearing.

By order of the Corporate Authorities of the United City of Yorkville, Kendall County, Illinois.

BETH WARREN  
City Clerk

BY: Lisa Pickering  
Deputy Clerk

Ordinance No. \_\_\_\_\_

**AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, AMENDING THE YORKVILLE ZONING ORDINANCE BY ALLOWING MASSAGE ESTABLISHMENTS INTO THE OFFICE ZONING DISTRICT**

**WHEREAS**, the United City of Yorkville (the “City”) is a duly organized and validly existing non home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

**WHEREAS**, pursuant to Section 10-4-10 of the Yorkville Zoning Ordinance the City may initiate amendments to the Yorkville Zoning Ordinance; and,

**WHEREAS**, the City filed seeking an amendment to the Yorkville Zoning Ordinance to allow Massage Establishments in the City’s O, Office zoning district; and,

**WHEREAS**, the Planning and Zoning Commission convened and held a public hearing on February 13, 2019, to consider the request and made Findings of Fact and Recommendations to the City Council to approve the requested text amendment.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

**Section 1:** The above recitals are incorporated and made a part of this Ordinance.

**Section 2:** That Table 10.06.03 of the United City of Yorkville Zoning Ordinance of the Yorkville City Code be and is hereby amended by adding as a permitted use “Massage Establishment” in the following zoning district:

“O, Office District”

**Section 4:** This Ordinance shall be in full force and effect after its passage, publication, and approval as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
City Clerk

CARLO COLOSIMO \_\_\_\_\_  
JACKIE MILSCHEWSKI \_\_\_\_\_  
CHRIS FUNKHOUSER \_\_\_\_\_  
SEAVER TARULIS \_\_\_\_\_

KEN KOCH \_\_\_\_\_  
ARDEN JOE PLOCHER \_\_\_\_\_  
JOEL FRIEDERS \_\_\_\_\_  
JASON PETERSON \_\_\_\_\_

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this  
\_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor



# Memorandum

To: Planning and Zoning Commission  
From: Jason Engberg, Senior Planner  
CC: Bart Olson, City Administrator  
Krysti Barksdale-Noble, Community Development Director  
Date: February 6, 2019  
Subject: **PZC 2018-18 Heartland 3<sup>rd</sup> PUD Amendment** (Text Amendment)

---

## **BACKGROUND AND PROJECT DESCRIPTION:**

The petitioner, Marker Inc., is requesting an amendment to the Heartland Subdivision Planned Unit Development to reduce the interior side yard setback from twenty (20) feet to ten (10) feet on Lot 187 of the subdivision. Additionally, the petitioner is requesting to increase the maximum allowable height of a permitted fence in a business district from six (6) feet to eight (8) feet. Lot 187 is generally located at the southwest corner of the intersection of US Route 34 and McHugh Road.

## **STAFF RECOMMENDATION:**

The petitioner and staff are still attempting to contact the adjacent property owner, Casey's General Store, to discuss shared access to the site. Staff is recommending continuing this item to the March 13, 2019 Planning and Zoning Commission meeting to provide more time for a response. Staff will attempt to contact the owners by mail, e-mail, and phone but if no response is received, then it will be presumed that the owner has no interest in allowing access. If there is no response to either the petitioner or City staff then the Planning and Zoning Commission will make their recommendation at the March 13, 2019 Planning and Zoning Commission meeting.



# Memorandum

To: Planning and Zoning Commission  
From: Jason Engberg, Senior Planner  
CC: Bart Olson, City Administrator  
Krysti J. Barksdale-Noble, Community Development Director  
Date: December 6, 2018  
Subject: **PZC 2018-18 Heartland 3<sup>rd</sup> PUD Amendment (Text Amendment)**

## **BACKGROUND & REQUEST:**

The petitioner, Marker Inc., is requesting an amendment to the Heartland Subdivision Planned Unit Development to reduce the interior side yard setback from twenty (20) feet to ten (10) feet on Lot 187 of the subdivision. Additionally, the petitioner is requesting to increase the maximum allowable height of a permitted fence in a business district from six (6) feet to eight (8) feet. This memorandum explains the existing conditions of the site, the request being made, and staff's recommendations regarding the request.

During the review process, there were several requests and comments made by staff and committee members. The petitioner is pursuing these requests but is being delayed by external forces. Once the outside issue is resolved, the petitioner will submit the requested materials. The following information is to provide the Planning and Zoning Commission with an overview of where this project currently stands.

## **EXISTING CONDITIONS:**

### *Location*

Lot 187 of the Heartland Subdivision is located at the southwest corner of McHugh Road and US Route 34 (Veterans Parkway). While the property is closest to the Heartland Center Commercial Development, this parcel was included for commercial use as part of the Heartland subdivision. Therefore, the language and agreements in the Heartland Subdivision Annexation Agreement apply to this property.





*Zoning & Land Uses*

The subject property is currently zoned B-3 General Business District. The following are the current immediate surrounding zoning and land uses:

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	B-3 General Business District	US 34/Undeveloped Land
<b>South</b>	R-3 Kendall County	McHugh Rd/Unincorporated Residential
<b>East</b>	B-3 General Business District	McHugh Rd/Heartland Center
<b>West</b>	B-3 General Business District	Casey’s Gas Station and Convenience Store

*Annexation & PUD Agreement:*

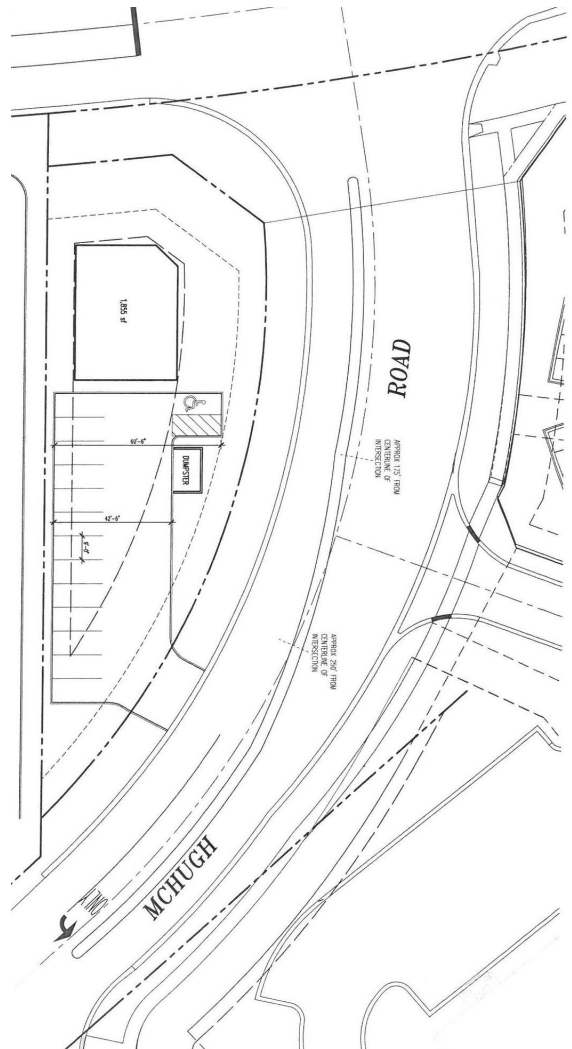
The petitioner is requesting to amend Ordinance 1999-30 (Approving Annexation and PUD). This will be the 3<sup>rd</sup> amendment to the annexation agreement as Ordinance 2001-44 and Ordinance 2005-05 were the first and second amendments, respectively. Since the Annexation Agreement and the PUD Agreement are a single document, the request must go through a public hearing process and be reviewed by the Planning and Zoning Commission as a PUD Agreement Amendment.

**PETITIONER REQUEST:**

The petitioner submitted their application for a Planned Unit Development (PUD) amendment on August 22, 2018. Their application states that they would like to reduce the interior side yard setback (located on the west side of the property) from twenty (20) feet to ten (10) feet. The submitted conceptual site plan for this property is illustrated in the exhibit to the right.

The petitioner also requested permission to either reduce the median within McHugh Road near the subject property to make it a mountable median or request the City remove the median from the property to the south terminus of the median. The petitioner states that the current median creates unnecessary and additional traffic going through adjacent properties for vehicles performing a north traffic movement to Route 34.

Staff reviewed the initial requests with the petitioner at a Plan Council Meeting on September 27, 2018. Staff provided our comments and concerns about the requests which will be covered in detail later within this memorandum. Several weeks after the Plan Council meeting, the petitioner asked to also include a request to increase the maximum height of an interior side yard fence to eight (8) feet. Table 10.17.02 in Chapter 17 of the City’s Zoning Ordinance states, a fence in a business district may be a maximum of six (6) feet. Staff has included this request in the public hearing notice for the petitioner’s scheduled hearing on November 14, 2018. **It should be noted that this request was not reviewed at the Plan Council meeting.**

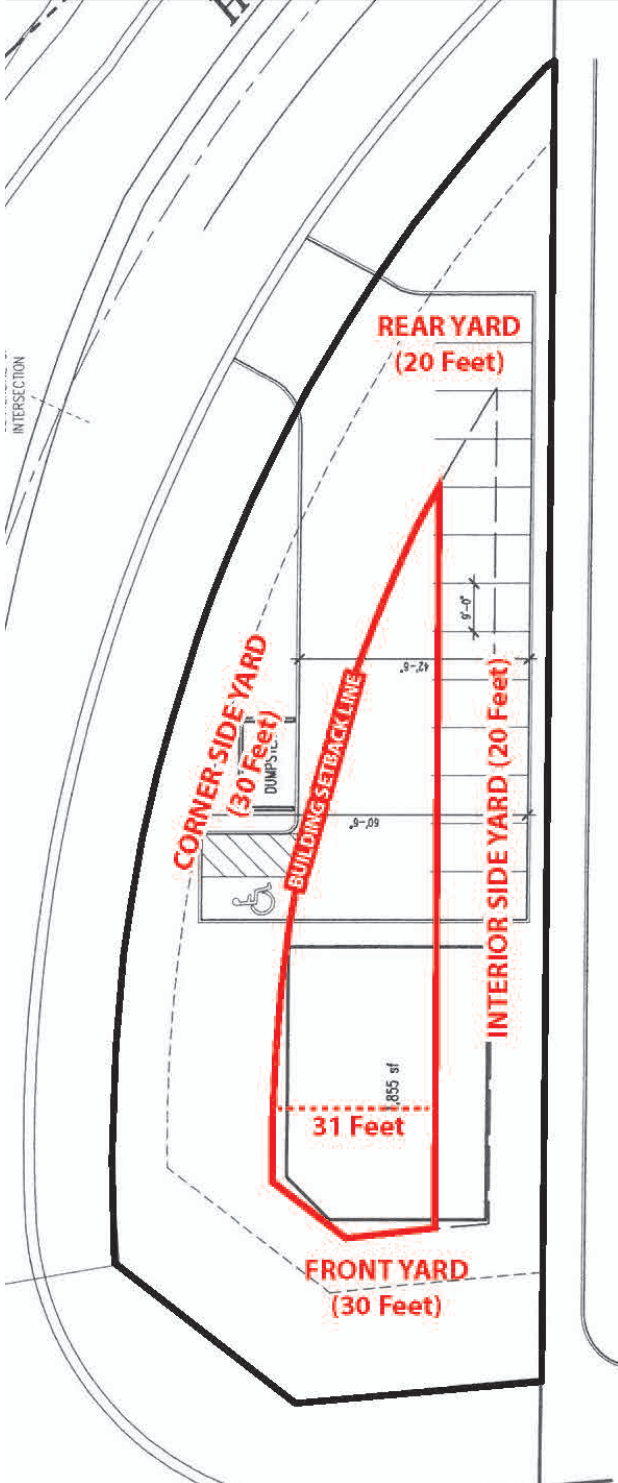


**STAFF REVIEW:**

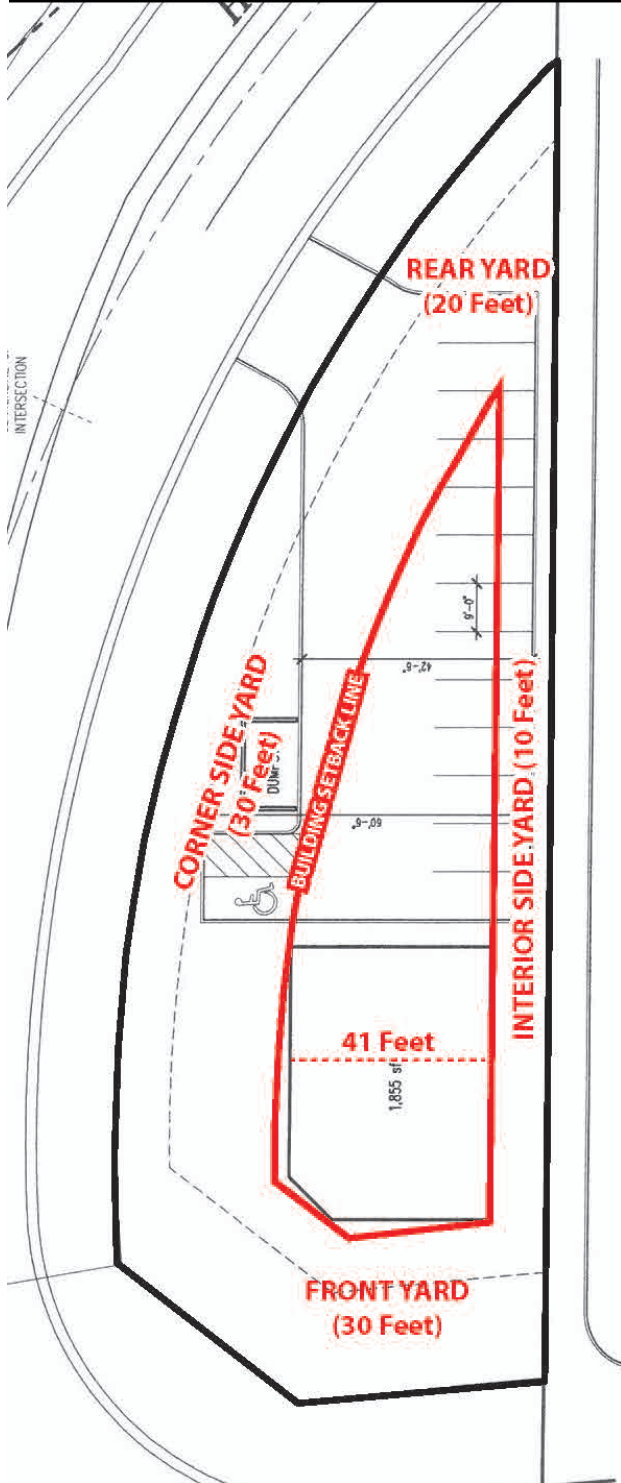
*Yard Comparison*

The graphics below illustrate the difference between the buildable areas with the existing setbacks and the proposed setbacks.

**EXISTING SETBACKS**



**PROPOSED SETBACKS**



*Bulk Regulations*

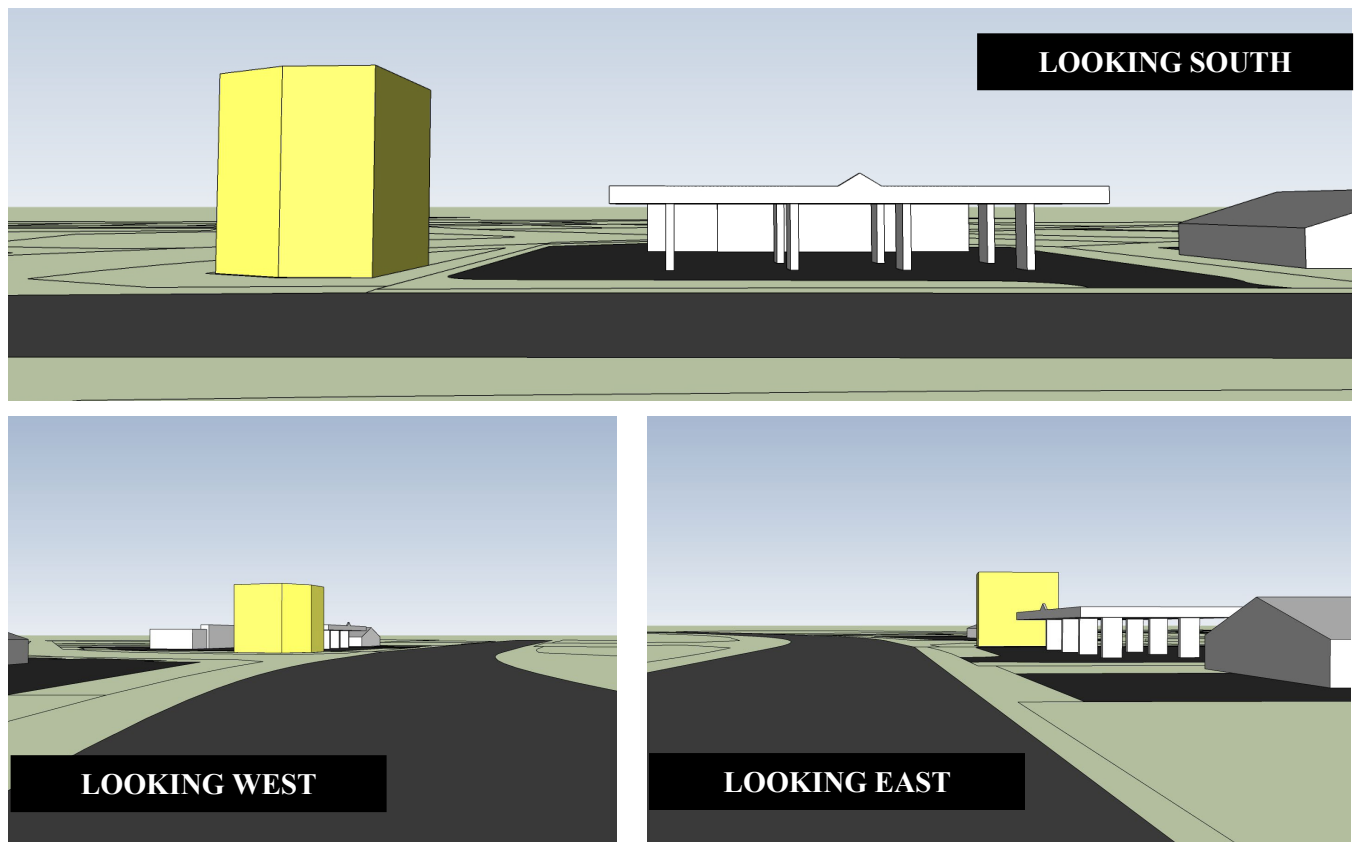
The following table describes the bulk regulations in the B-3 Zoning District in relation to the submitted conceptual site plan:

	<b>B-3 Required</b>	<b>Proposed/Notes</b>
<b>Maximum Height</b>	80' or 6 stories	Concept Plan indicates a 2 or 3 story building with a maximum of 45' in height
<b>Maximum Lot Coverage</b>	80%	Concept Plan shows 51% lot coverage
<b>Front Yard Setback</b>	50'	Ord. 1999-30 established a Front Yard Setback of 30' Concept plan shows a 30' setback
<b>Side Yard Setback</b>	20'	This is being proposed to be reduced to 10' Concept plan shows a 10' setback
<b>Corner Side Yard Setback</b>	30'	Concept plan shows a 30' setback
<b>Rear Yard Setback</b>	20'	Concept plan shows the structure over 100' from rear lot line

The proposed concept plan meets all of the criteria for bulk regulations (including the proposed side yard setback reduction).

*Massing*

The general location and size of the property only allows for construction of a small building structure within the envelope. To take advantage of the largest part of the building envelope, the structure would have to be placed at the very front of the parcel. To envision how the structure would relate to other properties, a rough example has been generated. It should be noted that the building represented below is the maximum size the petitioner has illustrated.



*Parking*

The Concept Plan indicates that there are a total of 14 parking spaces including an ADA parking space. Section 10-16-3-F of the City's Zoning Ordinance states that general retail shall provide 3 parking spaces per 1,000 square feet of floor area and office uses shall provide 2 parking spaces per 1,000 square feet of floor area. The Concept Plan indicates that the building will have a floor area of 1,855 square feet. A total of 6 parking spots are required for a single story building of this size.

**Staff is requesting the petitioner to indicate a definite number of stories for the proposed structure. A two story building of this size would still meet parking standards; however a three story building will not meet parking requirements.**

*Lighting*

A photometric plan indicating that the maximum illumination at the property line shall not exceed 0.1 foot-candle and no glare shall spill onto adjacent properties or rights of way must be provided by the petitioner as part of the building permit process.

*Median Reduction or Removal*

At the Plan Council meeting, City staff and the City's engineering consultant informed the petitioner that neither would support the removal or reduction of the median on McHugh Road. The amount of nearby ingress and egress points along McHugh Road and the turn lanes from McHugh Road onto US Route 34 make the median necessary for safety purposes. Once the petitioner was made aware of the safety concerns and the City's opposition to the request, the petitioner has decided not to move forward with the request being put into the PUD amendment request.

*Fencing*

The petitioner is requesting to increase the height of an interior side yard fence on the west side of the property to eight (8) feet. **The petitioner has not yet provided any details of the fence or the purpose for the increase in height. Once the petitioner provides information regarding any hardships the property creates and the need for additional screening height, staff will review before making a recommendation.**

*Comprehensive Plan*

The 2016 Comprehensive Plan designates the future land use for this property as Mid-Density Residential. The purpose behind this designation was to acknowledge the existing residential apartment complex adjacent to this property. The apartment complex has been removed and replaced with the Casey's General Store. The Comprehensive Plan shows adjacent properties are designated for neighborhood retail and commercial development along Route 34 is of high priority within the plan. **The proposed office use is not consistent with the designated future land use in the Comprehensive Plan and is not a neighborhood retail use. Therefore, if this request is approved, an amendment to the Yorkville Comprehensive Plan will be necessary to change the future land use to the most appropriate land use designation of Destination Commercial. The Comprehensive Plan characterizes Destination Commercial as a variety of low-scaled auto oriented commercial uses including offices and for properties generally located along Route 47 and Veterans Parkway.**

*Vehicle Access & Circulation*

After reviewing the submitted conceptual site plan, staff is concerned about the potential access and circulation of vehicle traffic at this location. The only access point is located along McHugh Road and will be a "right-in, right-out" intersection. The petitioner stated that they may be able to widen the access drive and add a median to accommodate larger vehicles, such as fire trucks, to ensure there is no backup in case of emergency. While this may help alleviate some concerns, staff has recommended that the site provide a connection to the adjacent property to the west, Casey's General Store, to ensure that access can be obtained from US Route 34 and McHugh Road.

Committee members from the Economic Development Committee voiced a similar concern for safety with access along McHugh Road. At the November 6, 2018 meeting, committee members suggested that access should be provided through the Casey's General Store to the west. This would allow access to the property through Casey's parking lot off of McHugh Road and Route 34 which would limit the amount of additional traffic and turning movements along McHugh Road. Committee members were skeptical about increasing the amount ingress and egress points on an already busy McHugh Road. Staff agrees with the committee's suggestion and has directed the petitioner to develop a plan that connects their property with the adjacent property.

The petitioner has made several efforts to contact Casey's General Store to see their interest in allowing access off their property. The petitioner has contacted the owner's and project engineer to receive their decision and the parties have not made a decision as of today. **This is the main reason that the petitioner is waiting to complete the rest of the requested materials. Once this issue is resolved and a decision is made, the petitioner will move forward accordingly.**

**ECOMINC DEVELOPMENT COMMITTEE:**

The Economic Development Committee reviewed the proposed amendment on November 6, 2018. As stated previously, the committee made several suggestions that access off of McHugh Road should be avoided. Additionally, the committee requested more detailed architectural plans be submitted to help the committee understand what the petitioner is trying to accomplish. Since this is part of a Planned Unit Development Agreement, the architectural features and site plans may be reviewed and required by reviewing bodies. **Staff agrees that additional architectural and potential massing exhibits should be created before moving forward with this request. As stated before, the petitioner is waiting for a response from Casey's General Store before moving forward with drafting more detailed plans as it could affect the final design.**

**STAFF COMMENTS:**

Since all of the necessary documentation has not yet been submitted due to external factors, **staff is recommending that the public hearing for this request be continue at the February 13, 2018 Planning and Zoning Commission meeting.** This should provide enough time for the petitioner to get their response from Casey's and create the requested materials for submission.

**PROPOSED MOTION:**

***Based upon information provided by staff in a memorandum dated December 6, 2018, and testimony provided at the December 12, 2018 Planning and Zoning Commission meeting, the Planning and Zoning Commission moves to continue the public hearing for PZC 2018-18 to the regularly scheduled February 13, 2018 Planning and Zoning Commission meeting.***

**ATTACHMENTS:**

1. Petitioner Application with attachments
2. EEI September 25, 2018 Review Memo

# Application For Amendment

## STAFF USE ONLY

Date of Submission  PC#

Development Name

## Applicant Information

Name of Applicant(s)

Business Address

City  State  ZIP

Business Phone  Business Fax

Business Cell  Business E-mail

## Property Information

Name of Holder of Legal Title

If Legal Title is held by a Land Trust, list the names of all holders of any beneficial interest therein:

Property Street Address

Description of Property's Physical Location

### Zoning and Land Use of Surrounding Parcels

North	B-3 General Business District
East	B-3 General Business District
South	County R-3
West	B-3 General Business District

Current Zoning Classification

### Kendall County Parcel Number(s) of Property

02-28-252-013	

List all governmental entities or agencies required to receive notice under Illinois law:

# Application For Amendment

## Property Information

Name of Agreement

Date of Recording

Summarize the items to be amended from the existing agreement:

## Additional Contact Information

### Attorney

Name

Address

City  State  ZIP

Phone  Fax

E-mail

### Engineer

Name

Address

City  State  ZIP

Phone  Fax

E-mail

### Land Planner/Surveyor

Name

Address

City  State  ZIP

Phone  Fax

E-mail



## Application For Amendment

### 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".

Applicant must attach a true and correct copy of the existing agreement and title it as "Exhibit C".

Applicant must attach amendments from the existing agreement and title it as "Exhibit D".

### 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

x Pamela Mackay

Date

8/22/18

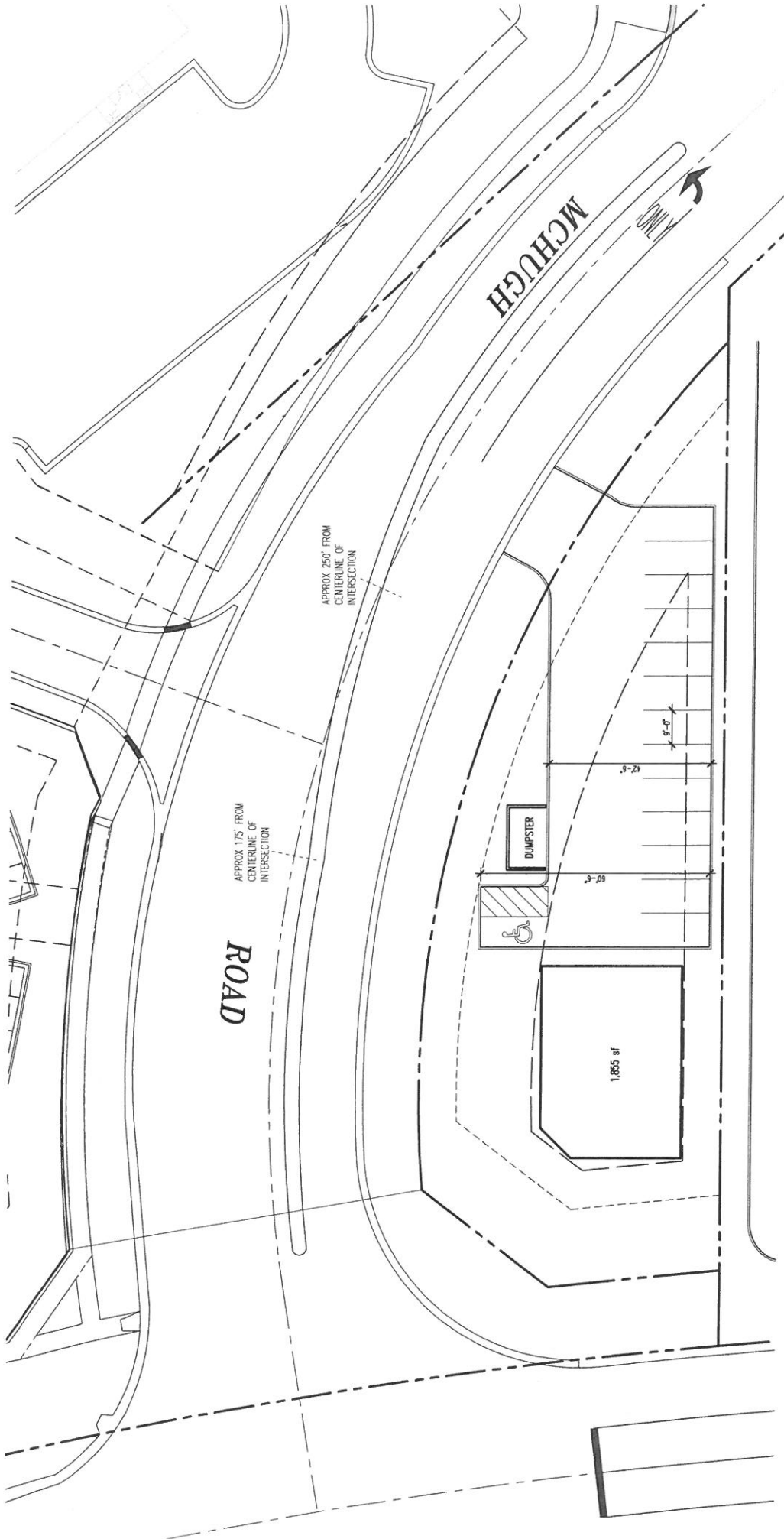
Monkey Inc  
By: [Signature]

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



Petitioner requests to amend the western building setback line from 20 feet to 10 feet in width adjacent to the existing Casey's Gas Station in order to permit a retail/office building that would meet all other setbacks pursuant to Section B.2 of the PUD Agreement which adopts The United City of Yorkville Subdivision Control Ordinance that provides for a 20 foot side/rear setback.

Petitioner also requests permission to either reduce the median at the driveway location of Petitioners site as shown in the attached diagram to make the same a drive-over median at that location or in the alternative the City consider removing the median from the property to the south terminus of the median. As it is currently located the median creates unnecessary and additional traffic going thru the daycare and Marker Office Building for vehicles performing a north traffic movement to Route 34. If a traffic study were observed by the Engineer for the City, it would show the stacking of the turn lanes to be more than sufficient; and elevation of the median from the Veterans Way Center South would lessen the traffic flow near the Daycare center and the nearby residential Subdivision.





**United City of Yorkville**  
800 Game Farm Road  
Yorkville, Illinois 60560  
Telephone: 630-553-4350  
Fax: 630-553-7575

**INVOICE & WORKSHEET  
PETITION APPLICATION**

CONTACT: Marker, Inc. DEVELOPMENT/ PROPERTY: Heartland Center  
608 E. Veterans Pkwy. Ste D Acreage: 15,559 sq. ft.  
Yorkville, IL 60560 Date: 8/21/18

**Concept Plan Review:**  Yes  No \$ \_\_\_\_\_  
Engineering Plan Review Deposit of \$500 due

**Amendment:**  Yes  No \$ 500.00  
\$500.00 Fee due for each: (Annexation) (Plan) (Plat) (PUD)

**Annexation:**  Yes  No \$ \_\_\_\_\_  
\$250.00, plus \$10/acre for each acre over 5.  
# of acres: \_\_\_\_\_ - 5 = \_\_\_\_\_ x \$10 = \_\_\_\_\_ + \$250

**Rezoning:**  Yes  No \$ \_\_\_\_\_  
\$200.00, plus \$10/acre for each acre over 5.  
# of acres: \_\_\_\_\_ - 5 = \_\_\_\_\_ x \$10 = \_\_\_\_\_ + \$200  
If annexing and rezoning, charge only 1 per acre fee.  
If rezoning to a PUD, charge PUD Development Fee- not Rezoning Fee.

**Special Use:**  Yes  No \$ \_\_\_\_\_  
\$250.00, plus \$10/acre for each acre over 5.  
# of acres: \_\_\_\_\_ - 5 = \_\_\_\_\_ x \$10 = \_\_\_\_\_ + \$250

**Zoning Variance:** \$85.00  Yes  No \$ \_\_\_\_\_  
Outside Consultants deposit of \$500.00 due

**Preliminary Plan Fee:** \$500.00  Yes  No \$ \_\_\_\_\_

**P.U.D. Fee:** \$500.00  Yes  No \$ 500.00

**Final Plat Fee:** \$500.00  Yes  No \$ \_\_\_\_\_

**Engineering Plan Review Deposit:**  Yes  No \$ 1,000.00  
 Less than 1 acre = \$1,000 due  
 Over 1 acre and less than 10 acres = \$2,500 due  
 Over 10 acres and less than 40 acres = \$5,000 due  
 Over 40 acres and less than 100 acres = \$10,000 due  
 Over 100 acres = \$20,000 due

**Outside Consultants Deposit:**  Yes  No \$ 1,000.00  
Legal, Land Planner, Zoning Coordinator, Environmental Services  
Annexation, Subdivision, Rezoning, and Special Use:  
 Less than 2 acres = \$1,000 due  
 Over 2 acres and less than 10 acres = \$2,500 due  
 Over 10 acres = \$5,000 due

**TOTAL AMOUNT DUE:** \$ 3,000.00

Word/ O Drive/ Dev. Dep. ARO/ Fee Sheet Wkst



United City of Yorkville  
 County Seat of Kendall County  
 800 Game Farm Road  
 Yorkville, Illinois, 60560  
 Telephone: 630-553-4350  
 Fax: 630-553-7575  
 Website: www.yorkville.il.us

# Petitioner Deposit Account / Acknowledgment of Financial Responsibility

<b>Development/Property Address:</b> Marker, Inc.	<b>Project No.:</b> FOR CITY USE ONLY	<b>Fund Account No.:</b> FOR CITY USE ONLY
--	---------------------------------------	--

**Petition/Approval Type:** check appropriate box(es) of approval requested

Concept Plan Review     Amendment (Text) (Annexation) (Plat)     Annexation  
 Rezoning     Special Use     Mile and 1/2 Review  
 Zoning Variance     Preliminary Plan     Final Plans  
 P.U.D.     Final Plat

**Petitioner Deposit Account Fund:**

It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the **INVOICE & WORKSHEET PETITION APPLICATION**. This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15<sup>th</sup> of the month in order for the refund check to be processed and distributed by the 15<sup>th</sup> of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.

**ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY**

Name/Company Name: Marker, Inc.	Address: 608 E. Veterans Pkwy., Ste. 1D	City: Yorkville	State: Illinois	Zip Code: 60560
Telephone: 630-553-3322	Mobile:	Fax: 630-553-5736	E-mail: gjmarker@hotmail.com	

**Financially Responsible Party:**

I acknowledge and understand that as the Financially Responsible Party, expenses may exceed the estimated initial deposit and, when requested by the United City of Yorkville, I will provide additional funds to maintain the required account balance. Further, the sale or other disposition of the property does not relieve the individual or Company/Corporation of their obligation to maintain a positive balance in the fund account, unless the United City of Yorkville approves a Change of Responsible Party and transfer of funds. Should the account go into deficit, all City work may stop until the requested replenishment deposit is received.

Print Name: Pamela Marker Title: \_\_\_\_\_  
 Signature\*: [Signature] Date: 8/22/18

*\*The name of the individual and the person who signs this declaration must be the same. If a corporation is listed, a corporate officer must sign the declaration (President, Vice-President, Chairman, Secretary or Treasurer)*

**FOR CITY USE ONLY**

**ACCOUNT CLOSURE AUTHORIZATION:**

Date Requested: \_\_\_\_\_  Completed  Inactive  
 Print Name: \_\_\_\_\_  Withdrawn  Collections  
 Signature: \_\_\_\_\_  Other

**DEPARTMENT ROUNTING FOR AUTHORIZATION:**  Comm Dev.  Building  Engineering  Finance  Admin.



AFTER RECORDING RETURN TO:

MAIL TAX BILLS TO:

PAMELA S. MARKER, 1626  
MISTWOOD DRIVE, NAPERVILLE,  
ILLINOIS 60540

201000006839

DEBBIE  
GILLETTE  
KENDALL COUNTY, IL

RECORDED: 4/15/2010 10:17 AM  
DCD: 49.00 RHSPS FEE: 10.00  
PAGES: 2

THIS INSTRUMENT PREPARED BY:

RICHARD MARKER ASSOCIATES,  
INC., 728 E. VETERANS PARKWAY,  
YORKVILLE, ILLINOIS 60560

QUIT CLAIM DEED

THIS INDENTURE WITNESSETH, that THE GRANTOR, Richard Marker Associates, Inc., an Illinois Corporation, for and in consideration of the sum of TEN and NO/100 DOLLARS (\$10.00), and other good and valuable consideration, receipt of which is hereby duly acknowledged, Conveys and Quit-claims to Pamela S. Marker of the County of DuPage and the State of Illinois, all interest in the following described real estate in the United City of Yorkville, County of Kendall and State of Illinois, to-wit:

LOT 187 IN HEARTLAND IN YORKVILLE UNIT 1, BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 27 AND PART OF THE EAST HALF OF SECTION 28, TOWNSHIP 37 NORTH RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN BRISTOL TOWNSHIP, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 16, 2001 AS DOCUMENT NO. 200100002570 IN KENDALL COUNTY, ILLINOIS.

The above real estate is not a Homestead property.

Permanent Real Estate Index Number: 02-27-356-002

Common Address of real estate: SOUTHWEST CORNER OF VETERANS PARKWAY AND McHUGH ROAD IN YORKVILLE, IL.

Dated this 14th day of APRIL, 2010

Grantor: Richard Marker Associates, Inc.

By: Richard Marker

Richard Marker, President

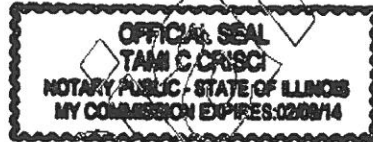
STATE OF ILLINOIS )  
 ) ss.  
COUNTY OF KENDALL )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that RICHARD MARKER, personally known to me to be the PRESIDENT of RICHARD MARKER ASSOCIATES, INC., and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such PRESIDENT, he/she signed and delivered said instrument, as his/her free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 14<sup>th</sup> day of April, 2010

Tami C. Crisci  
Notary Public

My Commission Expires: 02/09/14



THIS TRANSACTION IS EXEMPT FROM THE TRANSFER TAX UNDER 35ILCS 200/31-45, PARAGRAPH E.

Janyk April 14, 2010

Unofficial

LEGAL DESCRIPTION

LOT 187 IN HEARTLAND IN YORKVILLE UNIT 1, BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 27 AND PART OF THE EAST HALF OF SECTION 28, TOWNSHIP 37 NORTH RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN BRISTOL TOWNSHIP, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 16, 2001 AS DOCUMENT NO. 200100002570 IN KENDALL COUNTY, ILLINOIS

**PUBLIC NOTICE**  
**NOTICE OF PUBLIC HEARING**  
BEFORE  
THE UNITED CITY OF YORKVILLE  
PLANNING & ZONING COMMISSION  
PZC 2018-18

NOTICE IS HEREWITH GIVEN THAT Marker, INC, petitioner has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting an amendment to the Heartland Subdivision Planned Unit Development to reduce the interior side yard setback from twenty (20) feet to ten (10) feet on Lot 187 of the subdivision. Additionally, the petitioner is requesting to increase the maximum allowable height of a permitted fence in a business district from six (6) feet to eight (8) feet. The real property is located at the southwest corner of the McHugh Road and Route 34 intersection in Yorkville.

The legal description is as follows:

LOT 187 IN HEARTLAND IN YORKVILLE UNIT 1, BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 27 AND PART OF THE EAST HALF OF SECTION 28, TOWNSHIP 37 NORTH RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN BRISTOL TOWNSHIP, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 16, 2001 AS DOCUMENT NO. 200100002570 IN KENDALL COUNTY, ILLINOIS

PINs: 02-28-252-013

NOTICE IS HEREWITH GIVEN THAT the Planning and Zoning Commission for the United City of Yorkville will conduct a public hearing on said application on Wednesday, November 14, 2018 at 7 p.m. at the United City of Yorkville, City Council Chambers, located at 800 Game Farm Road, Yorkville, Illinois 60560.

The public hearing may be continued from time to time to dates certain without further notice being published.

Application and information materials regarding this notice are available for public review and any questions or written comments should be addressed to the United City of Yorkville Community Development Department, City Hall, 800 Game Farm Road, Yorkville, Illinois. All interested parties are invited to attend the public hearing and will be given an opportunity to be heard.

By order of the Corporate Authorities of the United City of Yorkville, Kendall County, Illinois.

BETH WARREN  
City Clerk

BY: Lisa Pickering  
Deputy Clerk



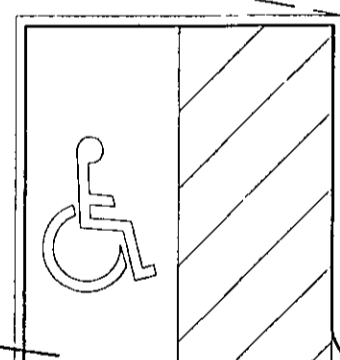
ROAD

APPROX 175' FROM CENTERLINE INTERSECTION

APPROX 200' FROM CENTERLINE INTERSECTION

LOT AREA = 14,548sf (APPROX)  
PARKING AREA = 5,520sf (APPROX)  
BUILDING FOOTPRINT = 1,885sf (MAX)  
LOT COVERAGE = 51% (APPROX)

UP TO 1,855sf / STORY (APPROX)  
4,000 sf MAX BUILDING AREA  
2 or 3 STORY MAX  
45' MAX HEIGHT



DUMPSTER

60'-6"

42'-6"

9'-0"

30'-0" SETBACK

30'-0" SETBACK

10'-0"

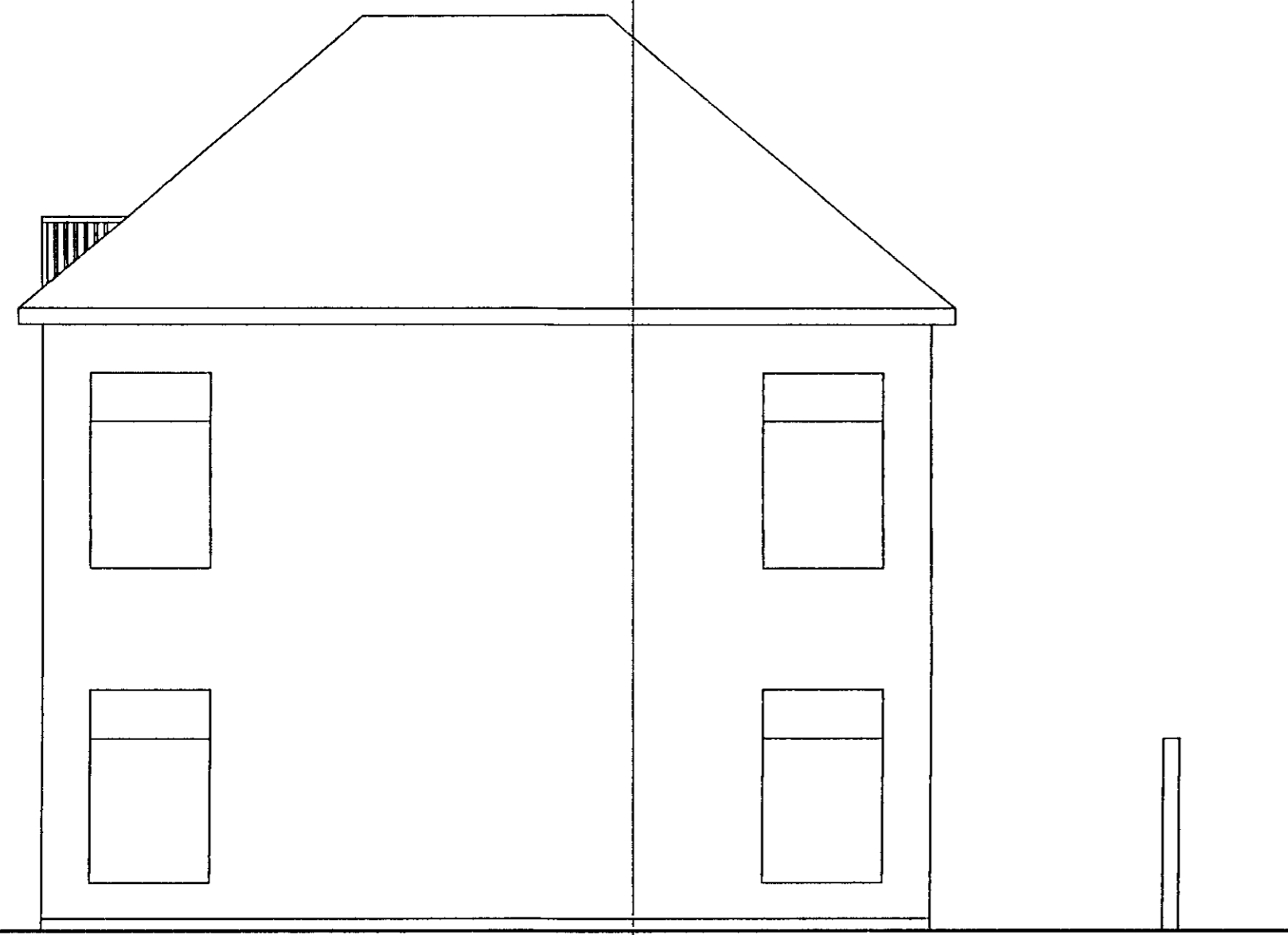
30'-0" SETBACK

MCHUGH

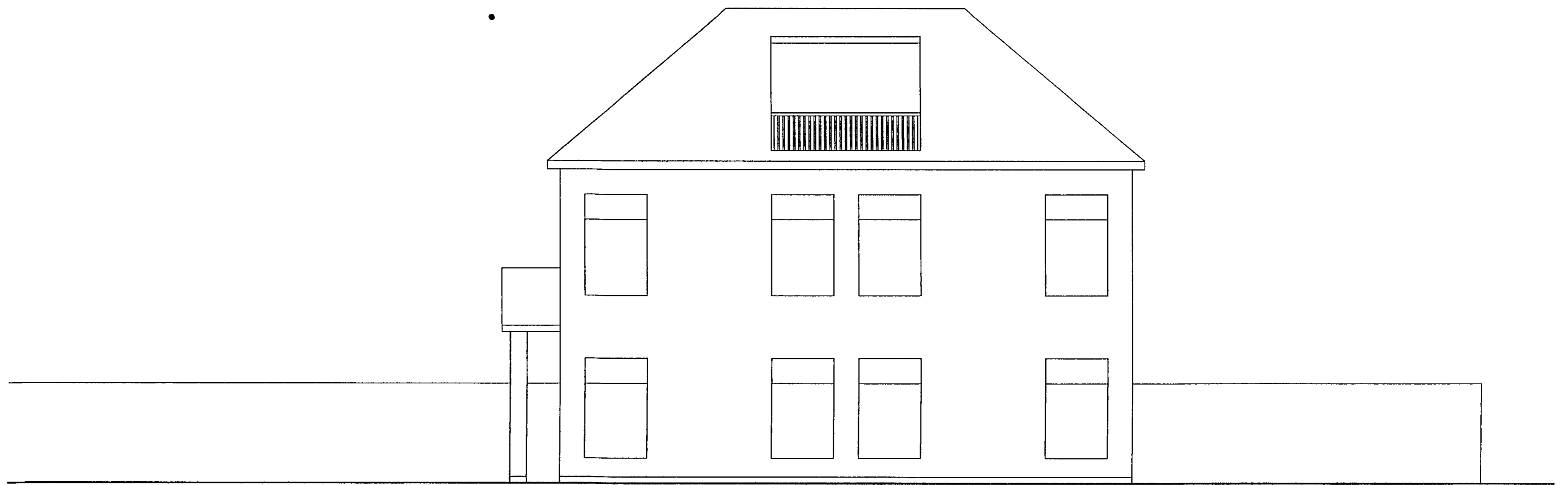
ONLY



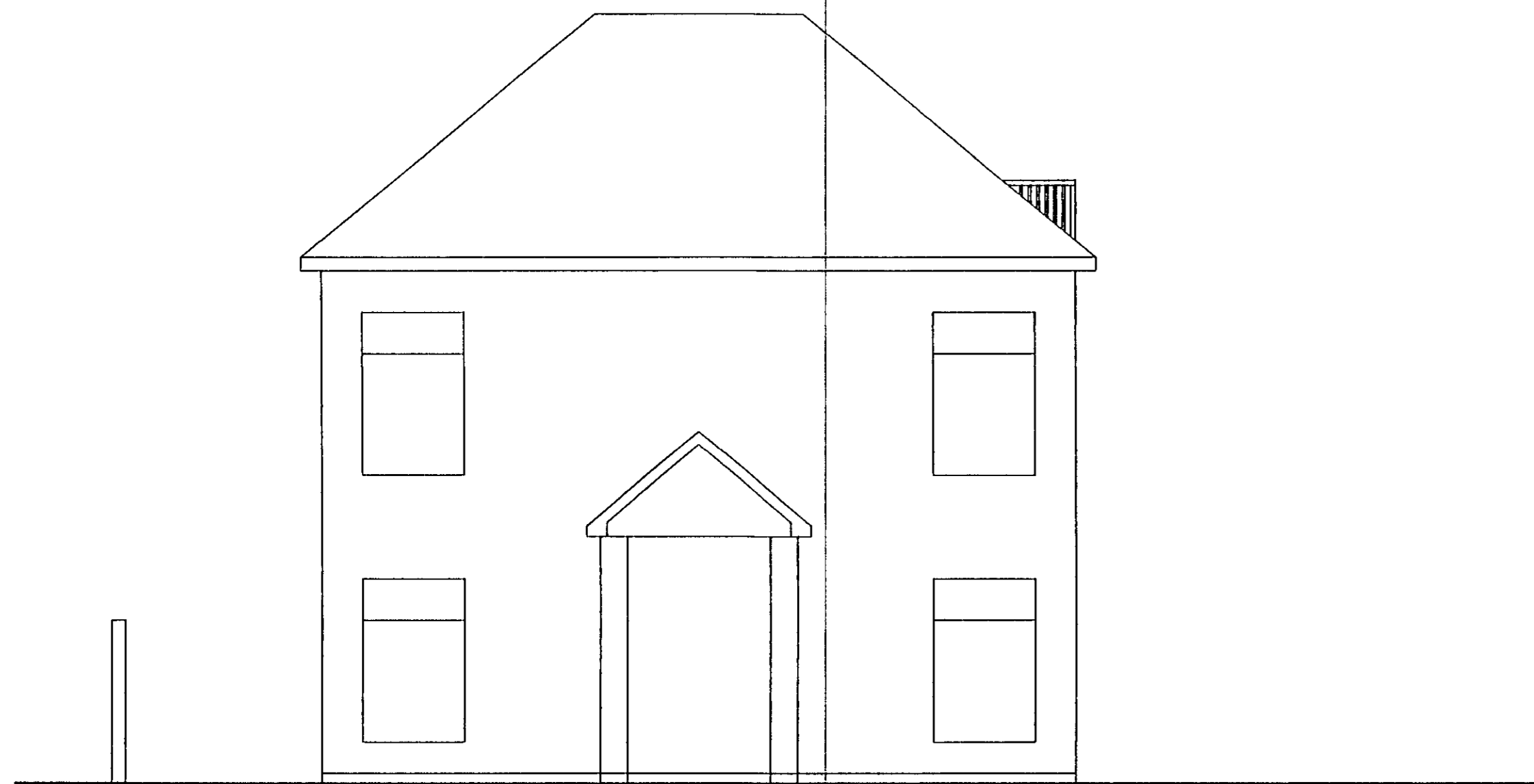
APPROX FUEL TANK LOCATION



North Elevation



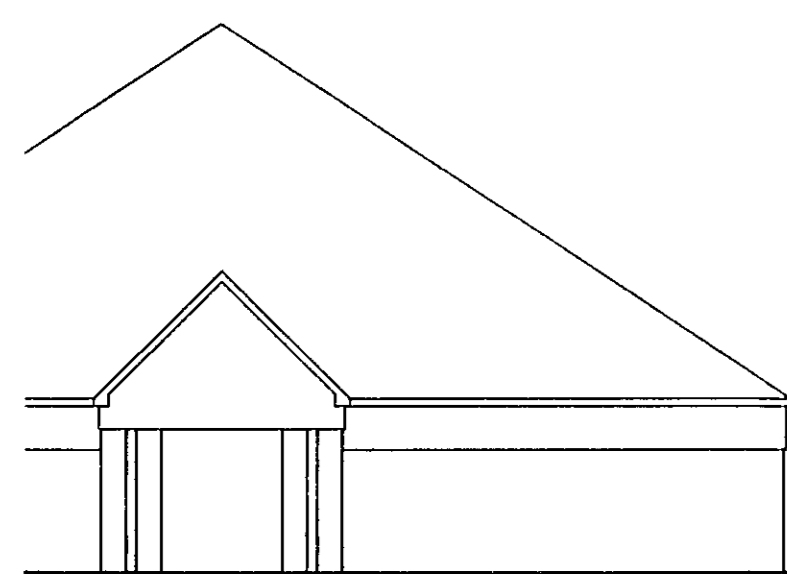
East Elevation



South Elevation

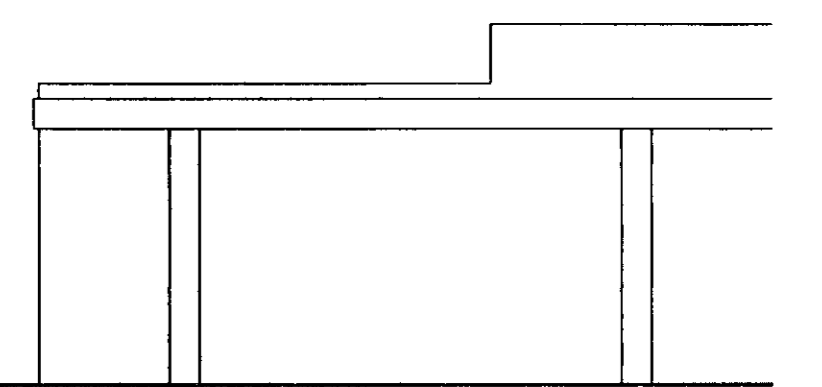
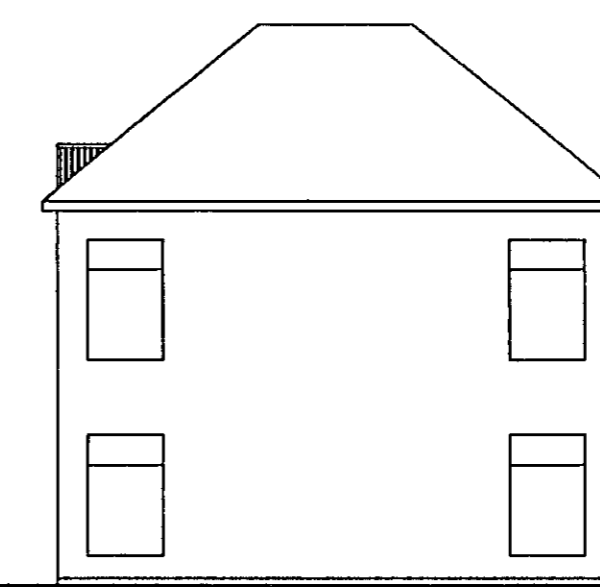


West Elevation



Blackstone

McHugh Road



Casey's



September 25, 2018

Ms. Krysti Barksdale-Noble  
Community Development Director  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560

**Re: *Heartland Unit 1 – Lot 187  
PUD Amendment Request  
United City of Yorkville, Kendall County, Illinois***

Dear Krysti:

We have reviewed the following items for the above referenced project:

- Application for Amendment w/ attachments (10 pages) dated August 22, 2018 and prepared by Marker, Inc.

Our review of these plans is to generally determine their compliance with local ordinances and whether the improvements will conform to existing local systems and equipment. This review and our comments do not relieve the designer from his duties to conform to all required codes, regulations, and acceptable standards of engineering practice. Engineering Enterprises, Inc.'s review is not intended as an in-depth quality assurance review, we cannot and do not assume responsibility for design errors or omissions in the plans. As such, we offer the following comments:

**General**

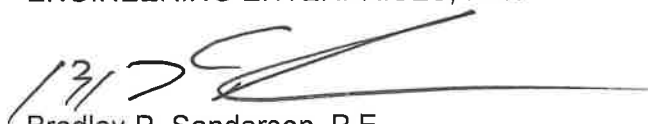
1. We do not object to the reduction in the rear yard setback from 20 feet to 10 feet, as it is adjacent to the Casey's parking/drive area. All other zoning, engineering, and landscaping requirements must be met.
2. We do not support changes to the median along McHugh Road as it would conflict with several turning movements.
3. For the project to proceed, the following shall be submitted to the United City of Yorkville for review during the final engineering process:
  - a) Final Engineering Plans
  - b) Lighting/Photometric Plan
  - c) Landscape Plan

- d) Engineer's Opinion of Probable Construction Cost for public improvements including earthwork, stormwater management, erosion control and work within the road ROW.
  - e) Engineer's Opinion of Probable Construction Cost for all improvements.
4. A single lot development checklist is attached.
  5. A Stormwater Permit and stormwater management report including all required runoff and detention calculations is required for development. Since the proposed site improvements is a non-residential parcel with less than 3 acres in area and resulting in disturbance of more than 5,000 square feet and resulting in 25% or more of the site area as impervious surface, detention will be required. (Section 203.1.c of the Kendall County Stormwater Ordinance).
  6. We have reviewed the available wetland inventory maps and the regulatory floodplain maps and found no issues. This should be confirmed at the project moves in to final engineering.
  7. The acceptability of the amount of parking stalls that are provided will need to be confirmed by the City.
  8. The proposed driveway entrance does not appear to comply with the City Ordinance. This shall be confirmed/ revised during engineering.

The design engineer should make the necessary revisions and resubmit for further review.

Respectfully Submitted,

ENGINEERING ENTERPRISES, INC.



Bradley P. Sanderson, P.E.

Vice President

BPS/TAM

- pc: Mr. Bart Olson, City Administrator (via email)  
Ms. Erin Willrett, Assistant City Administrator (via email)  
Mr. Jason Engberg, Senior Planner (via email)  
Mr. Eric Dhuse, Director of Public Works (via email)  
Mr. Pete Ratos, Building Department (via email)  
Ms. Dee Weinert, Admin Assistant (via email)  
Ms. Lisa Pickering, Deputy Clerk (via email)  
JAM, EEI (Via e-mail)

## **UNITED CITY OF YORKVILLE**

### **GENERAL CHECKLIST FOR COMMERCIAL SITE PLANS/SINGLE LOT DEVELOPMENTS**

- PROFESSIONAL ENGINEER SIGNATURE AND SEAL ON DRAWINGS AND CALCULATIONS
- LOCATION MAP AND ADDRESS, J.U.L.I.E. NOTE INCLUDED ON PLANS
- BENCHMARKS BASED ON NAVD 88 DATUM
- EXISTING UTILITIES AND TOPOGRAPHY TO BE PROVIDED
  - ✓ EXISTING ELEVATIONS AND CONTOURS SHOWN AT 1' INTERVALS
- COMPLIANCE WITH SUBDIVISION GRADING PLAN (IF APPLICABLE) AND/OR PROVIDE PROPOSED GRADING PLAN
  - ✓ PROPOSED ELEVATIONS AND CONTOURS AT 1' INTERVALS
  - ✓ INDICATE BUILDING TOP OF FOUNDATION (2 FT. ABOVE H.W.L.)
  - ✓ STORM WATER DRAINAGE - SAFE OUTLET AVAILABLE AND ADEQUATE CONVEYANCE PROVIDED
- FLOOD PLAIN OR FLOOD WAY REQUIREMENTS TO BE ADDRESSED, IF NECESSARY
- STORM WATER MANAGEMENT
  - ✓ PER KENDALL COUNTY/YORKVILLE STORM WATER MANAGEMENT ORDINANCE
  - ✓ APPLY FOR STORM WATER PERMIT, IF NECESSARY
- PROVIDE STORM WATER POLLUTION PREVENTION (SWPP) PLAN
  - ✓ APPLY FOR NOI PERMIT, IF NECESSARY
  - ✓ NOTE THAT RECEIPT OF NPDES PERMIT REQUIRED PRIOR TO CONSTRUCTION
- PROVIDE TYPICAL PAVEMENT SECTIONS (3" BIT. WITH 10"STONE, MINIMUM)
- PAVEMENT MARKINGS AND SIGNAGE
- ENTRANCE DETAIL
- HANDICAP RAMP DETAIL (USE IDOT STANDARD)
- WATER SERVICE (**USE CITY STANDARD DETAILS AND NOTES**)
  - ✓ PROVIDE SEPARATE FIRE PROTECTION SERVICE LINE
- SANITARY SERVICE WITH INSPECTION MANHOLE (**USE YBSD STANDARD NOTES**)
- APPLY FOR APPROPRIATE IEPA PERMITS – WATER AND SANITARY, IF NECESSARY
- PROVIDE EASEMENTS, IF NECESSARY
- LANDSCAPE PLAN
- SPECIFICATIONS, AS REQUIRED
- COMPLIANCE WITH ZONING CODE
- LIGHTING ANALYSIS (PHOTOMETRIC PLAN)
- PERFORMANCE GUARANTEE FOR PUBLIC IMPROVEMENTS

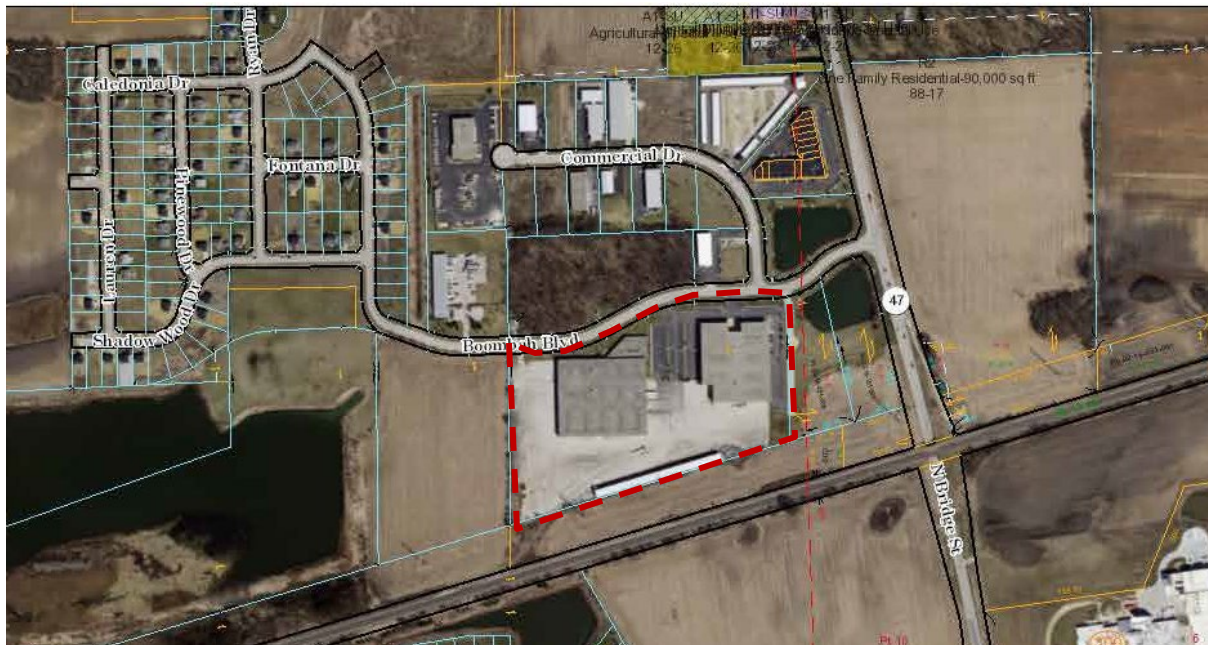


# Memorandum

To: Planning and Zoning Commission  
 From: Krysti J. Barksdale-Noble, Community Development Director  
 CC: Bart Olson, City Administrator  
 Date: February 6, 2019  
 Subject: **PZC 2019-01 204 Boombah Blvd – Lot 3 of Yorkville Business Center Final Plat of Resubdivision Approval**

## Proposed Request:

The petitioner, Boombah Inc., is seeking final plat approval to resubdivide Lot 3 of the Yorkville Business Center, an approximately 21-acre parcel. Located in the southwest quadrant of IL Route 47 (N. Bridge Street) and Boombah Boulevard, this parcel was part of the original Inland Land/F.E. Wheaton Annexation Agreement approved by the City of Yorkville in 1995. Currently, the parcel is improved with two (2) buildings zoned B-3 General Business District utilized by Boombah Inc. for their custom athletic apparel business operations.

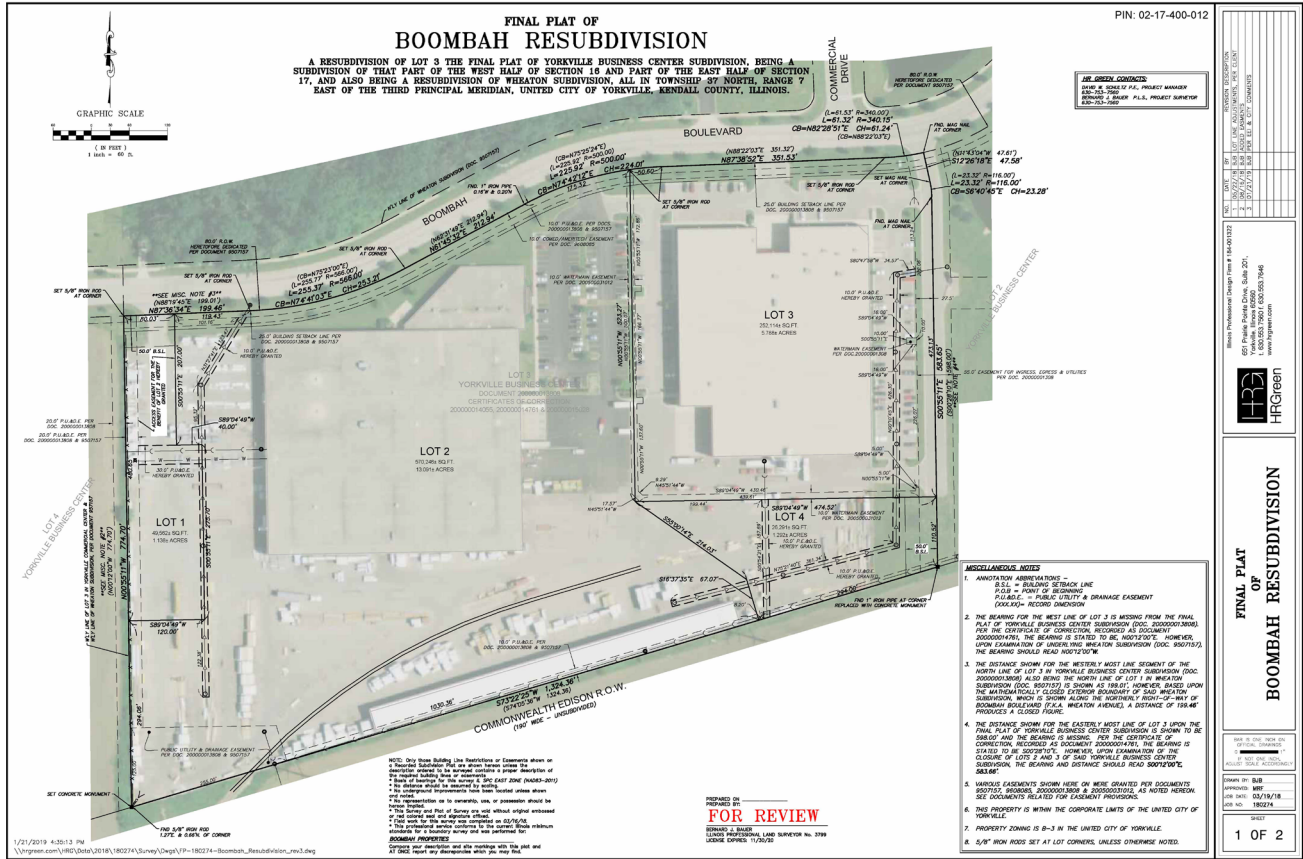


## Proposed Final Plat of Resubdivision:

As proposed, the approximately 21-acre parcel will be resubdivided into four (4) separate lots as defined below:

PARCEL	DESCRIPTION	LOT SIZE	ACCESS AVAILABLE
Lot 1	New Parcel/Unimproved	49,562 sq. ft (1.138 acres)	Existing access from Boombah Blvd.
Lot 2	New Parcel/Existing Building	570,264 sq. ft (13.091 acres)	Existing access from Boombah Blvd. Requires supplemental access easement from Lot 1 to connect Boombah Blvd for accessory truck traffic.
Lot 3	New Parcel/Existing Building	252,114 sq. ft. (5.788 acres)	Existing access from Boombah Blvd and private side road.
Lot 4	New Parcel/Unimproved	26,291 sq. ft (1.292 acres)	Future access from extension of private side road.





The proposed Final Plat of Resubdivision has been reviewed by the City’s engineering consultant, Engineering Enterprises Inc., for compliance with the Subdivision Control Ordinance’s Standards for Specification. Comments dated January 24, 2019 were provided (see attached) and have been responded to by the petitioner’s engineer, HR Green in a resubmitted Final Plat of Resubdivision dated 02/01/19. The subsequent EEI engineering review, has found the submitted plans in general conformance with the City’s requirements and standard engineering practices.

**Staff Comments:**

Based upon the review of the proposed Final Plat of Resubdivision of Lot 3 in the Yorkville Business Center, staff believes the submitted plans are consistent with the approved development site plan and the current subdivision control regulations. Therefore, we recommend **approval** of the final plat of resubdivision as currently presented.

**Proposed Motion:**

*In consideration of the proposed Final Plat of Resubdivision of Lot 3 in the Yorkville Business Center, the Planning and Zoning Commission recommends approval of the plat to the City Council as presented by the Petitioner in a plan prepared by HR Green, dated last revised February 1, 2019, and further subject to {insert any additional conditions of the Planning and Zoning Commission}...*

**Attachments:**

1. Copy of Petitioner’s Application
2. Final Plat of Resubdivision of Lot in the Yorkville Business Center prepared by HR Green date last revised 02/01/19.
3. EEI Letter to the City dated January 24, 2019 re: Boombah, Lot 3 – Final Plat.
4. Plan Council packet materials from January 10, 2019



## **United City of Yorkville**

800 Game Farm Road  
Yorkville, Illinois 60560  
Telephone: 630-553-4350  
Fax: 630-553-3436

# **APPLICATION FOR LOT REPLATTING (RE-SUBDIVIDING)**

## **Purpose of Application**

The purpose of the Subdivision Control Ordinance is to regulate the orderly division of land into two (2) or more lots or parcels by protecting the interests of the landowner, the city and the general public. The process for applying for lot re-platting or “re-subdividing” land allows for the review of a proposed layout of the divided lots and establishes standard design specification to ensure adequate roadways for safe and efficient traffic circulation is provided; safeguard against flood damage; promotes access and availability of utilities; and requires the provision of other necessary public improvements. However, there are some instances where an application for replatting is not required as the type of resubdivision is deemed exempt. Refer to Section 11-1-4 of the Subdivision Control Ordinance for those circumstances.

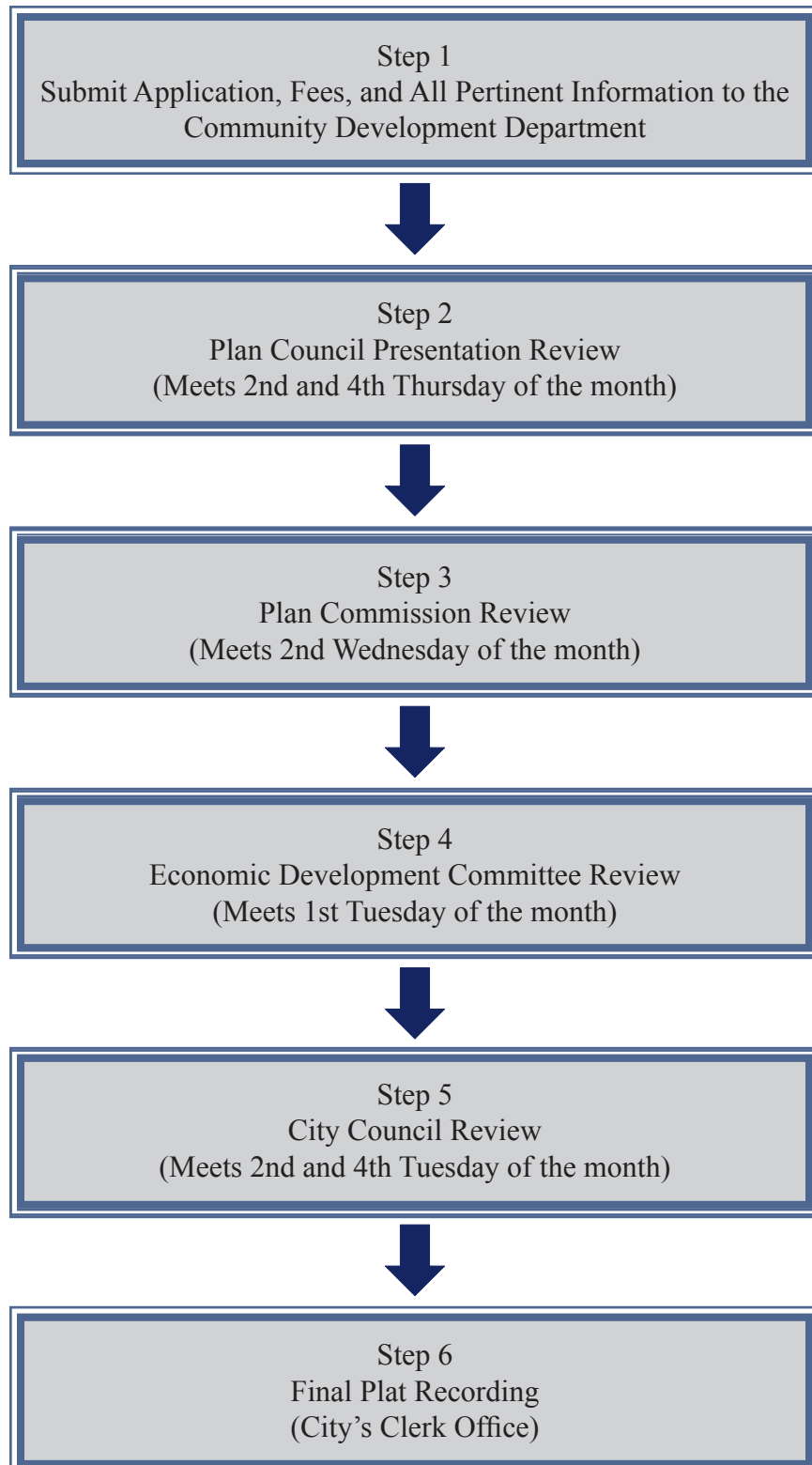
This packet explains the process to successfully submit and complete an Application for Resubdividing a Lot. It includes a detailed description of the process and the actual application itself (Pages 7 and 10). Please type the required information in the application on your computer. The application will need to be printed and signed by the applicant. The only item that needs to be submitted from this packet is the application. The rest of the packet is to help guide you through the process unto completion.

For a complete explanation of what is legally required throughout the Replatting process, please refer to “Title 11 Subdivision Control” of the Yorkville, Illinois City Code.



# Application Procedure

## Procedure Flow Chart



# Application Procedure

## Step 1

### **Application Submittal**

The following must be submitted to the Community Development Department:

- 2 original signed applications with legal description.
- 5 copies each of the application, proposed drawings, location map, site plan.
- Appropriate filing fee. (See attached Fee Sheet on page 6)
- 1 CD containing an electronic copy (pdf) of each of the signed application (complete with exhibits), proposed drawings, location map, and site plan.
- Subdivision Plats: 15 copies depicting the originally platted lots, the proposed new lots, the proposed modifications and adjustments. 5 of the copies must be full size while the remaining 10 must be 11” by 17”.

Within one (1) week of submittal, the Community Development Department will determine if the application is complete or if additional information is needed. These materials must be submitted a minimum of 45 days prior to the targeted Plan Commission meeting. An incomplete submittal could delay the scheduling of the project.

Applicant is responsible for making submittals to other review agencies such as Kendall County, Illinois Department of Transportation, Illinois Department of Natural Resources, U.S. Army Corps of Engineers, etc., to allow timely review by the City.

Applicant will be responsible for payment of recording fees and public hearing costs, including written transcripts of the public hearing and outside consultant costs (i.e. legal review, land planner, zoning coordinator, environmental, etc.). The applicant will be required to establish a deposit account with the city to cover these fees. The Petitioner Deposit Account/Acknowledgement of Financial Responsibility form is attached to this document and must be submitted with the application.

## Step 2

### **Plan Council**

Applicant must present the proposed subdivision re-plat to the Plan Council. The Plan Council meets on the 2nd and 4th Thursday of the month. The members of the Council include the Community Development Director, City Engineer, the Building Department Official, the Public Works Director, the Director of Parks and Recreation, a Fire Department Representative, and a Police Department Representative. Upon recommendation by the Plan Council, applicant will move forward to the Plan Commission hearing.

# Application Procedure

## Step 3

### **Plan Commission**

Applicant will attend a public hearing conducted by the Plan Commission. The Plan Commission meets on the 2nd Wednesday of the Month at 7:00pm. Notice will be placed in the Kendall County Record by the United City of Yorkville. The applicant is responsible for sending certified public hearing notices to adjacent property owners within 500 feet of the subject property no less than 15 days and no more than 30 days prior to the public hearing date. Twenty Four (24) hours prior to the public hearing, a certified affidavit must be filed by the applicant with the Community Development Department containing the names, addresses and permanent parcel numbers of all parties that were notified. The Plan Commission will conduct a public hearing on the request, take public comments, discuss the request, and make a recommendation to City Council.

## Step 4

### **Economic Development Committee**

Applicant must present the proposed plan to the Economic Development Committee. Economic Development Committee meets at 7:00 p.m. on the 1st Tuesday of each month. This session is to discuss and consider recommendations prior to full City Council considerations and provide informal feedback. The Economic Development Committee will submit its recommendation to City Council.

## Step 5

### **City Council**

Applicant must present the proposed subdivision replat to the City Council. The City Council meets the 2nd and 4th Tuesdays of every month at 7:00 p.m. in the Yorkville City Hall Council Chambers. The proposal will be discussed at the City Council hearing where formal voting takes place. City Council will make the final approval of the replatting.

## Step 6

### **Final Plat Recording**

Once the final subdivision plat is approved by the City Council and all required documents, bonds, and letters of credit are submitted to the city, the final plat must be recorded with Kendall County. Submit the final plat mylar to the Deputy Clerk for signatures. When all city signatures are in place, the developer or his surveyor may take the mylar to the Kendall County Clerk for their signature. The next step is to have six (6) paper prints made and return to the Kendall County Recorder's office for recording. Kendall County requires the mylar and 4 paper copies. The City of Yorkville requires that you submit 2 recorded paper copies to the Deputy Clerk.

# Application Procedure

## Dormant Applications

The Community Development Director shall determine if an application meets or fails to meet the requirements stated above. If the Director determines that the application is incomplete it will become dormant under these circumstances:

- The applicant has been notified of such deficiencies and has not responded or provided a time line for completing the application within ninety (90) days from the time of notification.
- The applicant has not responded in writing to a request for information or documentation from the initial plan commission review within six (6) months from the date of that request.
- The applicant has not responded to a request for legal or engineering deposit replenishment for city incurred costs and fees within ninety (90) days from the date of the request.

If the Community Development Director has sent the required notice and the applicant has not withdrawn their application or brought it into compliance, then the director shall terminate the application. After termination, the application shall not be reconsidered except after the filing of a completely new application.

Withdrawal or termination of an application shall not affect the applicant's responsibility for payment of any costs and fees, or any other outstanding debt owed to the city. The balance of any funds deposited with the city that is not needed to pay for costs and fees shall be returned to the applicant. (Ord. 2011-34, 7-26-2011)



**United City of Yorkville**

800 Game Farm Road  
Yorkville, Illinois 60560  
Telephone: 630-553-4350  
Fax: 630-553-7575

**INVOICE & WORKSHEET  
PETITION APPLICATION**

CONTACT:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEVELOPMENT/ PROPERTY:

\_\_\_\_\_  
Acreage: \_\_\_\_\_  
Date: \_\_\_\_\_

**Concept Plan Review:**     Yes     No    \$ \_\_\_\_\_  
Engineering Plan Review Deposit of \$500 due

**Amendment:**     Yes     No    \$ \_\_\_\_\_  
\$500.00 Fee due for each: (Annexation) (Plan) (Plat) (PUD)

**Annexation:**     Yes     No    \$ \_\_\_\_\_  
\$250.00, plus \$10/acre for each acre over 5.  
# of acres: \_\_\_\_\_ - 5 = \_\_\_\_\_ x \$10 = \_\_\_\_\_ + \$250

**Rezoning:**     Yes     No    \$ \_\_\_\_\_  
\$200.00, plus \$10/acre for each acre over 5.  
# of acres: \_\_\_\_\_ - 5 = \_\_\_\_\_ x \$10 = \_\_\_\_\_ + \$200  
If annexing and rezoning, charge only 1 per acre fee.  
If rezoning to a PUD, charge PUD Development Fee- not Rezoning Fee.

**Special Use:**     Yes     No    \$ \_\_\_\_\_  
\$250.00, plus \$10/acre for each acre over 5.  
# of acres: \_\_\_\_\_ - 5 = \_\_\_\_\_ x \$10 = \_\_\_\_\_ + \$250

**Mile and 1/2 Review:** \$250.00     Yes     No    \$ \_\_\_\_\_

**Zoning Variance:** \$85.00     Yes     No    \$ \_\_\_\_\_  
Outside Consultants deposit of \$500.00 due

**Preliminary Plan Fee:** \$500.00     Yes     No    \$ \_\_\_\_\_

**P.U.D. Fee:** \$500.00     Yes     No    \$ \_\_\_\_\_

**Final Plat Fee:** \$500.00     Yes     No    \$ \_\_\_\_\_

**Engineering Plan Review Deposit:**     Yes     No    \$ \_\_\_\_\_  
 Less than 1 acre = \$1,000 due  
 Over 1 acre and less than 10 acres = \$2,500 due  
 Over 10 acres and less than 40 acres = \$5,000 due  
 Over 40 acres and less than 100 acres = \$10,000 due  
 Over 100 acres = \$20,000 due

**Outside Consultants Deposit:**     Yes     No    \$ \_\_\_\_\_  
Legal, Land Planner, Zoning Coordinator, Environmental Services  
Annexation, subdivision and Special Use:  
 Less than 2 acres = \$1,000 due  
 Over 2 acres and less than 10 acres = \$2,500 due  
 Over 10 acres = \$5,000 due

**TOTAL AMOUNT DUE:** \_\_\_\_\_ \$ \_\_\_\_\_

## Application For Lot Replatting (Re-Subdividing)

### STAFF USE ONLY

Date of Submission  PC#

Development Name

### Applicant Information

Name of Applicant(s)

Business Address

City  State  ZIP

Business Phone  Business Fax

Business Cell  Business E-mail

### Property Information

Property Street Address

Property Existing Zoning

Property Total Acreage  Number of Lots to be Created

#### Proposed Lot Areas and Dimensions

Lot Number	Lot Dimensions (W x L, in ft.)	Lot Area (sq. ft.)

# Application For Lot Replatting (Re-Subdividing)

## Attachments

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

## Additional Contact Information

### Attorney

Name

Address

City  State  ZIP

Phone  Fax

E-mail

### Engineer

Name

Address

City  State  ZIP

Phone  Fax

E-mail

### Land Planner/Surveyor

Name

Address

City  State  ZIP

Phone  Fax

E-mail

# Application For Lot Replatting (Re-Subdividing)

## 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





THIS APPLICATION MUST BE NOTARIZED

PLEASE NOTARIZE IN THE SPACE BELOW:

Signed + sealed before  
me on this 12<sup>th</sup> day of  
September, 2018  






United City of Yorkville  
 County Seat of Kendall County  
 800 Game Farm Road  
 Yorkville, Illinois, 60560  
 Telephone: 630-553-4350  
 Fax: 630-553-7575  
 Website: www.yorkville.il.us

# Petitioner Deposit Account / Acknowledgment of Financial Responsibility

<b>Development/Property Address:</b> 204 Boombah Blvd.	<b>Project No.: FOR CITY USE ONLY</b>	<b>Fund Account No.: FOR CITY USE ONLY</b>
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**Petition/Approval Type:** check appropriate box(es) of approval requested

- Concept Plan Review     Amendment (Text) (Annexation) (Plat)     Annexation
- Rezoning     Special Use     Mile and 1/2 Review
- Zoning Variance     Preliminary Plan     Final Plans
- P.U.D.     Final Plat

**Petitioner Deposit Account Fund:**

It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the **INVOICE & WORKSHEET PETITION APPLICATION**. This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15<sup>th</sup> of the month in order for the refund check to be processed and distributed by the 15<sup>th</sup> of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.

**ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY**

<b>Name/Company Name:</b> Boombah, Inc.	<b>Address:</b> 202 Boombah Blvd.	<b>City:</b> Yorkville	<b>State:</b> IL	<b>Zip Code:</b> 60560
<b>Telephone:</b> 815.941.1431	<b>Mobile:</b> 630.360.0344	<b>Fax:</b> 630.518.4173	<b>E-mail:</b> mike.mann@boombah.com	

**Financially Responsible Party:**

I acknowledge and understand that as the Financially Responsible Party, expenses may exceed the estimated initial deposit and, when requested by the United City of Yorkville, I will provide additional funds to maintain the required account balance. Further, the sale or other disposition of the property does not relieve the individual or Company/Corporation of their obligation to maintain a positive balance in the fund account, unless the United City of Yorkville approves a Change of Responsible Party and transfer of funds. Should the account go into deficit, all City work may stop until the requested replenishment deposit is received.

Print Name: Mike Mann Title: Director of Sales and Marketing  
 Signature\*:  Date: 9-17-18

*\*The name of the individual and the person who signs this declaration must be the same. If a corporation is listed, a corporate officer must sign the declaration (President, Vice-President, Chairman, Secretary or Treasurer)*

**FOR CITY USE ONLY**

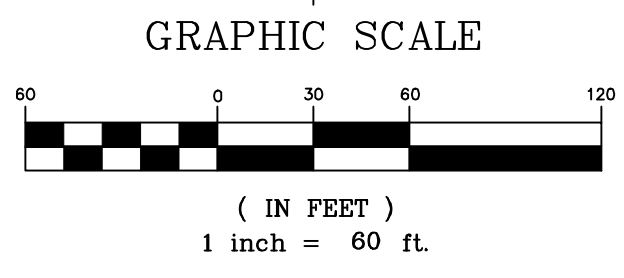
**ACCOUNT CLOSURE AUTHORIZATION:**

Date Requested: \_\_\_\_\_  Completed  Inactive  
 Print Name: \_\_\_\_\_  Withdrawn  Collections  
 Signature: \_\_\_\_\_  Other

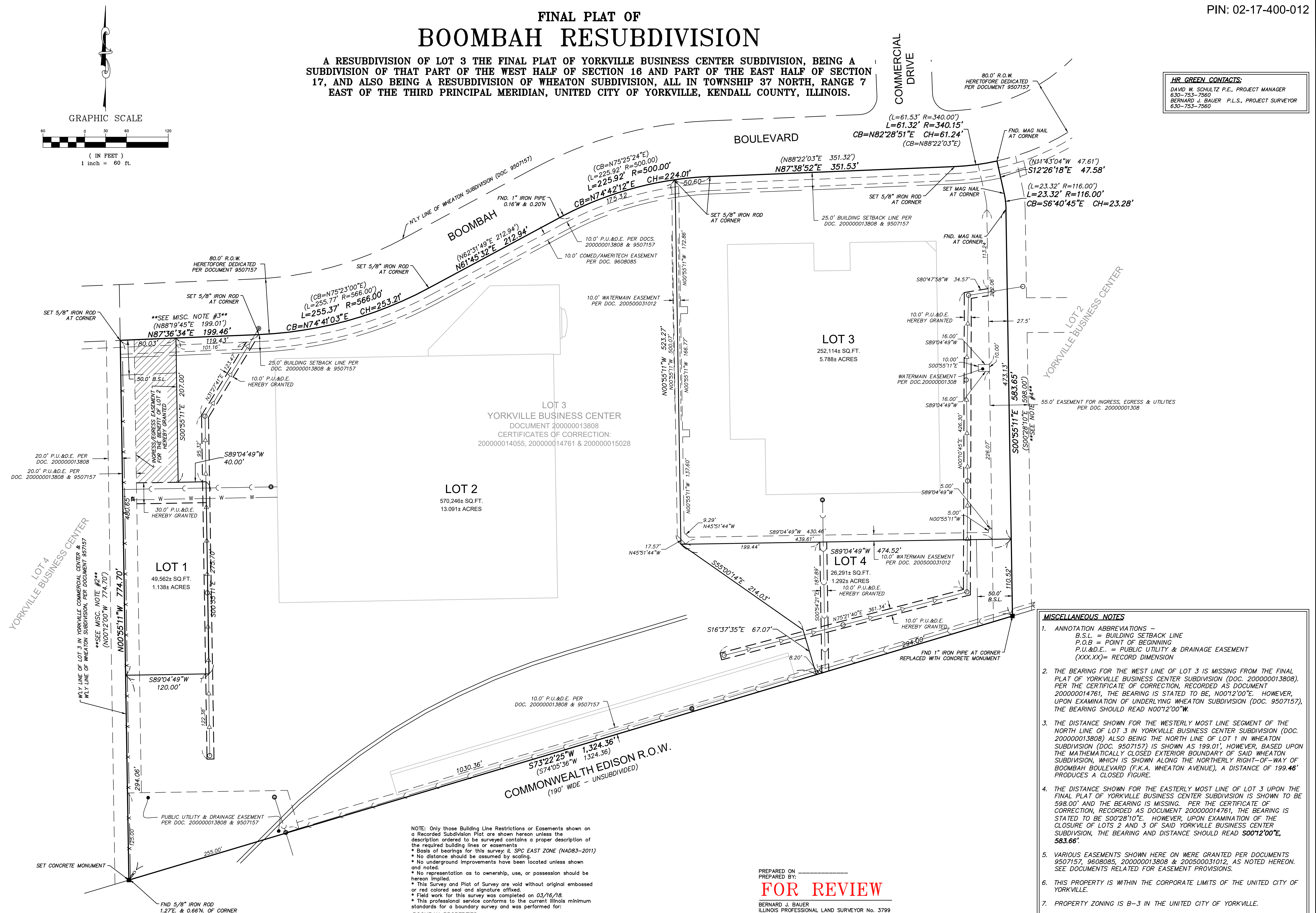
**DEPARTMENT ROUTING FOR AUTHORIZATION:**  Comm Dev.  Building  Engineering  Finance  Admin.

# FINAL PLAT OF BOOMBAH RESUBDIVISION

A RESUBDIVISION OF LOT 3 THE FINAL PLAT OF YORKVILLE BUSINESS CENTER SUBDIVISION, BEING A SUBDIVISION OF THAT PART OF THE WEST HALF OF SECTION 16 AND PART OF THE EAST HALF OF SECTION 17, AND ALSO BEING A RESUBDIVISION OF WHEATON SUBDIVISION, ALL IN TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.



**HR GREEN CONTACTS:**  
DAVID W. SCHULTZ P.E., PROJECT MANAGER  
630-753-7560  
BERNARD J. BAUER P.L.S., PROJECT SURVEYOR  
630-753-7560



- MISCELLANEOUS NOTES**
- ANNOTATION ABBREVIATIONS -  
B.S.L. = BUILDING SETBACK LINE  
P.O.B = POINT OF BEGINNING  
P.U.&D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT  
(XXX.XX) = RECORD DIMENSION
  - THE BEARING FOR THE WEST LINE OF LOT 3 IS MISSING FROM THE FINAL PLAT OF YORKVILLE BUSINESS CENTER SUBDIVISION (DOC. 200000013808). PER THE CERTIFICATE OF CORRECTION, RECORDED AS DOCUMENT 200000014761, THE BEARING IS STATED TO BE, N00°12'00"E. HOWEVER, UPON EXAMINATION OF UNDERLYING WHEATON SUBDIVISION (DOC. 9507157), THE BEARING SHOULD READ N00°12'00"W.
  - THE DISTANCE SHOWN FOR THE WESTERLY MOST LINE SEGMENT OF THE NORTH LINE OF LOT 3 IN YORKVILLE BUSINESS CENTER SUBDIVISION (DOC. 200000013808) ALSO BEING THE NORTH LINE OF LOT 1 IN WHEATON SUBDIVISION (DOC. 9507157) IS SHOWN AS 199.01', HOWEVER, BASED UPON THE MATHEMATICALLY CLOSED EXTERIOR BOUNDARY OF SAID WHEATON SUBDIVISION, WHICH IS SHOWN ALONG THE NORTHERLY RIGHT-OF-WAY OF BOOMBAH BOULEVARD (F.K.A. WHEATON AVENUE), A DISTANCE OF 199.46' PRODUCES A CLOSED FIGURE.
  - THE DISTANCE SHOWN FOR THE EASTERLY MOST LINE OF LOT 3 UPON THE FINAL PLAT OF YORKVILLE BUSINESS CENTER SUBDIVISION IS SHOWN TO BE 583.00' AND THE BEARING IS MISSING. PER THE CERTIFICATE OF CORRECTION, RECORDED AS DOCUMENT 200000014761, THE BEARING IS STATED TO BE S00°28'10"E. HOWEVER, UPON EXAMINATION OF THE CLOSURE OF LOTS 2 AND 3 OF SAID YORKVILLE BUSINESS CENTER SUBDIVISION, THE BEARING AND DISTANCE SHOULD READ S00°12'00"E, 583.66'.
  - VARIOUS EASEMENTS SHOWN HERE ON WERE GRANTED PER DOCUMENTS 9507157, 9608085, 200000013808 & 200500031012, AS NOTED HEREON. SEE DOCUMENTS RELATED FOR EASEMENT PROVISIONS.
  - THIS PROPERTY IS WITHIN THE CORPORATE LIMITS OF THE UNITED CITY OF YORKVILLE.
  - PROPERTY ZONING IS B-3 IN THE UNITED CITY OF YORKVILLE.
  - 5/8" IRON RODS SET AT LOT CORNERS, UNLESS OTHERWISE NOTED.

NOTE: Only those Building Line Restrictions or Easements shown on a Recorded Subdivision Plat are shown hereon unless the description ordered to be surveyed contains a proper description of the required building lines or easements.  
 \* Basis of bearings for this survey: IL SPC EAST ZONE (NAD83-2011)  
 \* No distance should be assumed by scaling.  
 \* No underground improvements have been located unless shown and noted.  
 \* No representation as to ownership, use, or possession should be hereon implied.  
 \* This Survey and Plat of Survey are void without original embossed or red colored seal and signature affixed.  
 \* Field work for this survey was completed on 03/16/18.  
 \* This professional service conforms to the current Illinois minimum standards for a boundary survey and was performed for:

**BOOMBAH PROPERTIES**  
 Compare your description and site markings with this plat and AT ONCE report any discrepancies which you may find.

PREPARED ON \_\_\_\_\_  
 PREPARED BY: \_\_\_\_\_  
**FOR REVIEW**  
 BERNARD J. BAUER  
 ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3799  
 LICENSE EXPIRES: 11/30/20

NO.	DATE	BY	REVISION DESCRIPTION
1	05/22/18	BJB	LOT LINE ADJUSTMENTS, PER CLIENT
2	08/16/18	BJB	ADDED EASEMENTS
3	01/21/19	BJB	PER EET & CITY COMMENTS
4	02/01/19	BJB	ADDES INGRESS/EGRESS EASEMENT PROVISIONS

Illinois Professional Design Firm # 184-001322  
 651 Prairie Pointe Drive, Suite 201,  
 Yorkville, Illinois 60560  
 t. 630.553.7560 f. 630.553.7646  
 www.hrgreen.com



## FINAL PLAT OF BOOMBAH RESUBDIVISION

BAR IS ONE INCH ON OFFICIAL DRAWINGS  
 IF NOT ONE INCH, ADJUST SCALE ACCORDINGLY

DRAWN BY: BJB  
 APPROVED: MRF  
 JOB DATE: 03/19/18  
 JOB NO: 180274



# FINAL PLAT OF BOOMBAH RESUBDIVISION

PIN: 02-17-400-012

A RESUBDIVISION OF LOT 3 THE FINAL PLAT OF YORKVILLE BUSINESS CENTER SUBDIVISION, BEING A SUBDIVISION OF THAT PART OF THE WEST HALF OF SECTION 16 AND PART OF THE EAST HALF OF SECTION 17, AND ALSO BEING A RESUBDIVISION OF WHEATON SUBDIVISION, ALL IN TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

### OWNERSHIP CERTIFICATE

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) S.S.

THIS IS TO CERTIFY THAT BOOMBAH PROPERTIES, INC. AN ILLINOIS LIMITED LIABILITY COMPANY, IS THE FEE SIMPLE OWNER OF THE PROPERTY DESCRIBED FOREGOING SURVEYOR'S CERTIFICATE AND HAVE CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED, AND PLATTED AS SHOWN HEREON FOR THE USES AND PURPOSES HEREIN SET FORTH AS ALLOWED AND PROVIDED FOR BY STATUTE, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

THE UNDERSIGNED HEREBY DEDICATE FOR PUBLIC USE THE LANDS SHOWN ON THIS PLAT FOR THROUGHFARES, STREETS, ALLEYS AND PUBLIC SERVICES; AND HEREBY ALSO RESERVES FOR ANY ELECTRIC, GAS, TELEPHONE, CABLE TV OR OTHER TELECOMMUNICATIONS COMPANY UNDER FRANCHISE AGREEMENT WITH THE UNITED CITY OF YORKVILLE, THEIR SUCCESSORS AND ASSIGNS, THE EASEMENT PROVISIONS WHICH ARE STATED HEREON.

THE UNDERSIGNED FURTHER CERTIFY THAT ALL OF THE LAND INCLUDED IN THIS PLAT LIES WITHIN THE BOUNDARIES OF YORKVILLE COMMUNITY UNIT SCHOOL DISTRICT 115.

DATED AT \_\_\_\_\_, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

CORPORATION NAME \_\_\_\_\_

COMPLETE ADDRESS \_\_\_\_\_

BY: \_\_\_\_\_ SECRETARY  
\_\_\_\_\_  
PRINTED NAME PRINTED NAME

### NOTARY CERTIFICATE

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) S.S.

I, \_\_\_\_\_, NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, HEREBY CERTIFY THAT \_\_\_\_\_, PERSONALLY KNOW TO ME TO THE PRESIDENT AND SECRETARY OF \_\_\_\_\_, AS SHOWN ABOVE, APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THAT AS SUCH OFFICERS, THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AND CAUSED THE CORPORATE SEAL TO BE AFFIXED THERETO AS THEIR FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID CORPORATION, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_

### MORTGAGOR'S CERTIFICATE

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) S.S.

I, \_\_\_\_\_, HOLDER OF A MORTGAGE ON THE PROPERTY DESCRIBED HEREIN, HEREBY CONSENTS TO THE EXECUTION AND RECORDING OF THE ABOVE AND FOREGOING PLAT OF SUBDIVISION AND HEREBY SUBMITS ITS MORTGAGE RECORDED \_\_\_\_\_ AS DOCUMENT NUMBER \_\_\_\_\_ IN THE OFFICE OF THE RECORDER OF DEEDS, \_\_\_\_\_ COUNTY, ILLINOIS, TO ALL OF THE PROVISIONS THEREOF.

IN WITNESS WHEREOF, THE SAID \_\_\_\_\_ HAS CAUSED THIS INSTRUMENT TO BE SIGNED BY ITS DULY AUTHORIZED OFFICERS ON ITS BEHALF AT \_\_\_\_\_

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

Bank Name and Complete Address \_\_\_\_\_

By: \_\_\_\_\_  
Printed Name and Title

Attest: \_\_\_\_\_  
Printed Name and Title

### NOTARY CERTIFICATE

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) S.S.

I, \_\_\_\_\_, NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, HEREBY CERTIFY THAT \_\_\_\_\_, PERSONALLY KNOW TO ME TO THE PRESIDENT AND SECRETARY OF \_\_\_\_\_, AS SHOWN ABOVE, APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THAT AS SUCH OFFICERS, THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AND CAUSED THE CORPORATE SEAL TO BE AFFIXED THERETO AS THEIR FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID CORPORATION, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_

### INGRESS/EGRESS EASEMENT PROVISIONS

THE NONEXCLUSIVE RIGHT OF INGRESS AND EGRESS IS HEREBY GRANTED THE PORTION OF LOT 1 INDICATED HEREON AS "INGRESS/EGRESS EASEMENT" FOR THE BENEFIT OF LOT 2 FOR THE PASSAGE OF VEHICLES TO AND FROM LOT 1 TO BOOMBAH BOULEVARD.

### PUBLIC UTILITIES AND DRAINAGE EASEMENT PROVISIONS

A NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO SBC AMERITECH, NICOR, COM ED, COMCAST, OTHER PUBLIC UTILITIES, AND HOLDERS OF EXISTING FRANCHISES GRANTED BY THE CITY OF YORKVILLE, ILLINOIS, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS WITHIN THE AREAS SHOWN ON THE PLAT AS "PUBLIC UTILITY & DRAINAGE EASEMENT" (abbreviated P.U. & D.E.) TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE, INSPECT, MAINTAIN AND OPERATE UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND LINES UNDER THE SURFACE OF THE "PUBLIC UTILITY & DRAINAGE EASEMENT", INCLUDING WITHOUT LIMITATION TO TELEPHONE CABLE, GAS MAINS, ELECTRIC LINES, CABLE TELEVISION LINES, AND ALL NECESSARY FACILITIES APPURTENANT THERETO, TOGETHER WITH THE RIGHT OF ACCESS THERETO FOR THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES AND TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS UNDER THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS THEREON.

A NON-EXCLUSIVE EASEMENT IS ALSO HEREBY RESERVED FOR AND GRANTED TO THE UNITED CITY OF YORKVILLE, ILLINOIS TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE AND INSPECT FACILITIES FOR THE TRANSMISSION AND DISTRIBUTION OF WATER, STORM SEWERS, SANITARY SEWERS AND ELECTRICITY, WITHIN THE AREAS SHOWN ON THE PLAT AS "PUBLIC UTILITY & DRAINAGE EASEMENT", TOGETHER WITH A RIGHT OF ACCESS THERETO FOR THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES.

THE ABOVE NAMED ENTITIES ARE HEREBY GRANTED THE RIGHT TO ENTER UPON EASEMENTS HEREIN DESCRIBED FOR THE USES HEREIN SET FORTH AND THE RIGHT TO CUT, TRIM, OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS WITHIN THE AREAS DESIGNATED AS "PUBLIC UTILITY AND DRAINAGE EASEMENT" WHICH INTERFERE WITH THE CONSTRUCTION, INSTALLATION, RECONSTRUCTION, REPAIR, REMOVAL, REPLACEMENT, MAINTENANCE AND OPERATION OF THEIR UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND FACILITIES APPURTENANT THERETO, NO PERMANENT BUILDINGS, STRUCTURES, OR OBSTRUCTIONS SHALL BE CONSTRUCTED IN, UPON, OR OVER ANY AREAS DESIGNATED AS "PUBLIC UTILITY & DRAINAGE EASEMENT", BUT SUCH AREAS MAY BE USED FOR GARDENS, SHRUBS, TREES, LANDSCAPING, DRIVEWAYS, AND OTHER RELATED PURPOSES THAT DO NOT UNREASONABLY INTERFERE WITH THE USES HEREIN DESCRIBED.

THE OCCUPATION AND USE OF THE NON-EXCLUSIVE EASEMENT HEREIN GRANTED AND RESERVED FOR THE ABOVE NAMED ENTITIES BY EACH OF SUCH ENTITIES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH OR PRECLUDE THE OCCUPATION AND USE THEREOF BY OTHER ENTITIES FOR WHICH SUCH EASEMENTS ARE GRANTED AND RESERVED. THE CROSSING AND RE-CROSSING OF SAID EASEMENTS BY THE ABOVE NAMED ENTITIES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH, DAMAGE, OR DISTURB ANY TRANSMISSION AND DISTRIBUTION SYSTEMS AND FACILITIES APPURTENANT THERETO EXISTING WITHIN THE EASEMENTS BEING CROSSED OR RE-CROSSED. NO USE OR OCCUPATION OF SAID EASEMENTS BY THE ABOVE NAMED ENTITIES SHALL CAUSE ANY CHANGE IN GRADE OR IMPAIR OR CHANGE THE SURFACE DRAINAGE PATTERNS.

FOLLOWING ANY WORK TO BE PERFORMED BY THE UNITED CITY OF YORKVILLE IN THE EXERCISE OF ITS EASEMENT RIGHTS HEREIN GRANTED, SAID CITY SHALL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION, INCLUDING BUT NOT LIMITED TO, THE RESTORATION, REPAIR OR REPLACEMENT OF PAVEMENT, CURB, GUTTERS, TREES, LAWN OR SHRUBBERY, PROVIDED, HOWEVER, THAT SAID CITY SHALL BE OBLIGATED FOLLOWING SUCH MAINTENANCE WORK, TO BACKFILL AND MOUND ALL TRENCH CREATED SO AS TO RETAIN SUITABLE DRAINAGE, TO COLD PATCH ANY ASPHALT OR CONCRETE SURFACE, TO REMOVE ALL EXCESS DEBRIS AND SPOIL, AND TO LEAVE THE MAINTENANCE AREA IN A GENERALLY CLEAN AND WORKMANLIKE CONDITION.

### CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF KENDALL ) S.S.

APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

MAYOR \_\_\_\_\_

### CITY ENGINEER'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF KENDALL ) S.S.

I, \_\_\_\_\_, CITY ENGINEER FOR THE UNITED CITY OF YORKVILLE, DO HEREBY CERTIFY THAT THE REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED OR THE REQUIRED GUARANTEE COLLATERAL HAS BEEN POSTED FOR THE COMPLETION OF ALL REQUIRED IMPROVEMENTS, DATED AT YORKVILLE, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

CITY ENGINEER \_\_\_\_\_

### CITY ADMINISTRATOR'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF KENDALL ) S.S.

APPROVED AND ACCEPTED BY THE CITY ADMINISTRATOR OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

CITY ADMINISTRATOR \_\_\_\_\_

### CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF KENDALL ) S.S.

APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, ILLINOIS, BY ORDINANCE No. \_\_\_\_\_ AT A MEETING HELD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

CITY CLERK \_\_\_\_\_

### RECORDER'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF KENDALL ) S.S.

THIS INSTRUMENT NO. \_\_\_\_\_ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS. THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.

KENDALL COUNTY RECORDER \_\_\_\_\_

### COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF KENDALL ) S.S.

I, \_\_\_\_\_, COUNTY CLERK OF KENDALL COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE PLAT HEREIN DRAWN. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE PLAT HEREIN DRAWN.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT YORKVILLE, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

COUNTY CLERK \_\_\_\_\_

### CITY PLANNING AND ZONING COMMISSION CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF KENDALL ) S.S.

APPROVED AND ACCEPTED BY THE PLANNING AND ZONING COMMISSION OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

CHAIRMAN \_\_\_\_\_

### KENDAL COUNTY RIGHT TO FARM STATEMENT

NOTICE: KENDALL COUNTY HAS A LONG, RICH TRADITION IN AGRICULTURE AND RESPECTS THE ROLE THAT FARMING CONTINUES TO PLAY IN SHAPING THE ECONOMIC VIABILITY OF THE COUNTY. PROPERTY THAT SUPPORTS THIS INDUSTRY IS INDICATED BY A ZONING INDICATOR - A-1 OR AG SPECIAL USE. ANYONE CONSTRUCTING A RESIDENCE OR FACILITY NEAR THIS ZONING SHOULD BE AWARE THAT NORMAL AGRICULTURAL PRACTICES MAY RESULT IN OCCASIONAL SMELLS, DUST, SIGHTS, NOISE, AND UNIQUE HOURS OF OPERATION THAT ARE NOT TYPICAL IN OTHER ZONING AREAS.

### SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF KENDALL ) S.S.

THIS IS TO CERTIFY THAT I, BERNARD J. BAUER, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003799, AT THE REQUEST OF THE OWNER(S) THEREOF, HAVE SURVEYED, SUBDIVIDED AND PLATTED THE FOLLOWING DESCRIBED PROPERTY:

LOT 3 IN YORKVILLE BUSINESS CENTER, BEING A SUBDIVISION OF PART OF THE WEST 1/2 OF SECTION 16 AND PART OF THE EAST 1/2 OF SECTION 17, AND ALSO BEING A RESUBDIVISION OF WHEATON SUBDIVISION ALL IN TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT RECORDED OCTOBER 10, 2000 AS DOCUMENT 200000013808 SLOT 718 AND 719 AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 12, 2000 AS DOCUMENT 200000014055 AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 25, 2000 AS DOCUMENT 200000014761 AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 31, 2000 AS DOCUMENT 20000015028, LOCATED IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

I FURTHER CERTIFY THAT THE PLAT HEREON DRAWN IS A CORRECT AND ACCURATE REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DISTANCES ARE SHOWN IN U.S. SURVEY FEET AND DECIMAL PARTS THEREOF.

I FURTHER CERTIFY THAT NO PART OF THE ABOVE DESCRIBED PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY BASED ON FIRM MAP NO. 17093C00374, BEARING AN EFFECTIVE DATE OF JANUARY 8, 2014. ALL OF THE PROPERTY IS LOCATED IN ZONE "X" (UNSHADED), AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.

I FURTHER CERTIFY THAT I HAVE SET ALL EXTERIOR SUBDIVISION MONUMENTS AND DESCRIBED THEM ON THIS FINAL PLAT, AND THAT ALL INTERIOR MONUMENTS SHALL BE SET AS REQUIRED BY STATUTE (ILLINOIS REVISED STATUTES 1989, CHAPTER 109 SECTION 1).

I FURTHER CERTIFY THAT THE PROPERTY SHOWN ON THE PLAT HEREON DRAWN IS SITUATED WITHIN THE CORPORATE LIMITS OF THE UNITED CITY OF YORKVILLE, ILLINOIS, WHICH IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS AMENDED.

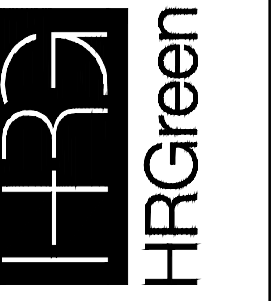
GIVEN UNDER MY HAND AND SEAL AT YORKVILLE, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

**FOR REVIEW**

BERNARD J. BAUER, P.L.S. (bbauer@hrgreen.com)  
ILLINOIS PROFESSIONAL LAND SURVEYOR, NO. 035-003799  
LICENSE EXPIRATION DATE: 11/30/20

NO.	DATE	BY	REVISION DESCRIPTION
1	05/22/18	BJB	LOT LINE ADJUSTMENTS, PER CLIENT
2	08/16/18	BJB	ADDED EASEMENTS
3	01/21/19	BJB	PER EEI & CITY COMMENTS

Illinois Professional Design Firm # 184-001322  
651 Prairie Pointe Drive, Suite 201,  
Yorkville, Illinois 60560  
t. 630.553.7580 f. 630.553.7646  
www.hrgreen.com



FINAL PLAT OF  
BOOMBAH RESUBDIVISION

BAR IS ONE INCH ON  
OFFICIAL DRAWINGS  
IF NOT ONE INCH,  
ADJUST SCALE ACCORDINGLY

DRAWN BY: BJB  
APPROVED: MRF  
JOB DATE: 03/19/18  
JOB NO: 180274

SHEET  
2 OF 2

Xrefs: 180274-Entry\_Base





Engineering Enterprises, Inc.

January 24, 2019

Ms. Krysti Barksdale-Noble  
Community Development Director  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560

**Re: Boombah, Lot 3 – Final Plat – 2<sup>nd</sup> Review  
United City of Yorkville, Kendall County, Illinois**

Dear Krysti:

We are in receipt of the following items for the above referenced project:

- Final Plat of Boombah Resubdivision, revised dated 1/21/19, prepared by HR Green

Our review of these plans is to generally determine their compliance with local ordinances and whether the improvements will conform to existing local systems and equipment. This review and our comments do not relieve the designer from his duties to conform to all required codes, regulations, and acceptable standards of land surveying and engineering practice. Engineering Enterprises, Inc.'s review is not intended as an in-depth quality assurance review, we cannot and do not assume responsibility for design errors or omissions in the plans. As such, we offer the following comments:

1. Access easement provisions are needed.
2. On Lot 4, the P.E. & D.E. needs to be changed to P.U. & D.E.

The Developer should make the necessary revisions and re-submit the Plat for further review. If you have any questions or require additional information, please contact our office.

Sincerely,

ENGINEERING ENTERPRISES, INC.

Bradley P. Sanderson, P.E.  
Vice President

BPS/MGS/TNP

pc: Mr. Bart Olson, City Administrator (Via e-mail)  
Ms. Erin Willrett, Assistant City Administrator (Via e-mail)  
Mr. Jason Engberg, Senior Planner (Via e-mail)  
Mr. Eric Dhuse, Director of Public Works (Via e-mail)  
Mr. Pete Ratos, Building Department (Via e-mail)  
Ms. Dee Weinert, Admin Assistant (Via e-mail)  
Ms. Lisa Pickering, Deputy Clerk (Via e-mail)  
Mr. David Schultz, HR Green (Via e-mail)  
TNP, JAM, EEI (Via e-mail)

\\Milkyway\EEI\_Storage\Docs\Public\Yorkville\2018\YO1861-DR 204 Boombah- Lot 3\Docs\PlanCouncil PlatRev02.doc

52 Wheeler Road, Sugar Grove, IL 60554 ~ (630) 466-6700 tel ~ (630) 466-6701 fax ~ www.eeiweb.com



# Memorandum

To: Plan Council  
 From: Krysti Barksdale-Noble, Community Development Director  
 Date: December 5, 2018  
 Subject: **PC 2019-01 204 Boombah Blvd – Lot 3 (Final Plat)**  
 Proposed Resubdivision of Approximately 21-acres

I have reviewed the application for Final Plat approval received November 14, 2018 as submitted by HR Green on behalf of Boombah, Inc., Petitioner, as well as a Final Plat of Resubdivision prepared by HR Green, Inc. dated last revised 08/16/18.

The petitioner is seeking Final Plat approval for an approximately 21-acre site located in the southwest quadrant of IL Rte 47 (N. Bridge St.) and Boombah Blvd. Based upon my review of the application documents and plans; I have compiled the following comments:

**GENERAL ZONING/PLANNING COMMENTS:**

1. **ZONING** - The subject property is currently zoned B-3 General Business District. The following are the current immediate surrounding zoning and land uses:

	Zoning	Land Use
North	OS-1 Open Space (Passive) B-3 General Business District (Yorkville Business Center)	Wheaton Woods Park Commercial
South	Public Utilities	ComEd right-of-way BNSF Railroad
East	B-3 General Business District (Yorkville Business Center)	Undeveloped
West	M-1 Limited Manufacturing District	Undeveloped

2. **AERIAL OVERLAY** – Staff is requesting an aerial overlay of the proposed resubdivision of land, as there are two (2) existing buildings on Lots 2 and 3 which also have parking lots. Please provide a calculation of the parking that will be provided on each parcel after the proposed resubdivision as well building setback dimensions for each resubdivided lot.
3. **BUILDING SETBACKS** – the following building setbacks are for parcels zoned B-3 General Business District:

BUILDING SETBACK	REQUIRED MINIMUM	PROPOSED SETBACK
Side/Corner Yard Setback	20 <sup>2</sup> /30 <sup>2</sup>	25' (East/West)
Front Yard	50'	25' (North)
Rear Yard/Transitional Yard	20 <sup>2</sup> /30 <sup>2</sup>	Unknown (South)

According to the proposed Final Plat, there is a building setback of 25 feet which references recorded document 200000013808 & 9507157. However, per Ordinance No. 1995-5 which annexed the original development, any approved bulk regulations for this development were locked into place until the term of the document. The annexation agreement (Ord. No, 1995-5) expired March 23, 2015. Therefore, the proposed new lots will have to meet the current building setback standard.

4. **MAXIMUM BUILDING HEIGHT** - Maximum building height for the B-3 District is 80 feet.
5. **MAXIMUM LOT COVERAGE** – Per Section 10-7-1 of the Yorkville Zoning Code, the maximum lot coverage for the B-3 General Business District (inclusive of sidewalks, parking areas and all impervious surfaces) is 80%.
6. **FINAL SUBDIVISION PLAT** – Refer to engineer’s comments.



*Engineering Enterprises, Inc.*

January 2, 2019

Ms. Krysti Barksdale-Noble  
Community Development Director  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560

**Re: *Boombah, Lot 3 – Final Plat  
United City of Yorkville, Kendall County, Illinois***

Dear Krysti:

We are in receipt of the following items for the above referenced project:

- Application for Final Plat
- Final Plat of Boombah Resubdivision, dated 8/16/18, prepared by HR Green

Our review of these plans is to generally determine their compliance with local ordinances and whether the improvements will conform to existing local systems and equipment. This review and our comments do not relieve the designer from his duties to conform to all required codes, regulations, and acceptable standards of land surveying and engineering practice. Engineering Enterprises, Inc.'s review is not intended as an in-depth quality assurance review, we cannot and do not assume responsibility for design errors or omissions in the plans. As such, we offer the following comments:

**Final Plat**

1. The Plat shows PU&DE easements being added on the west side of the property for the existing storm sewer and sanitary sewer service for the existing building. These are privately owned and maintained utilities and do not require public utility easements.
2. Additional information is required for the proposed Lot 1. There are PU&DE easements shown with Lot 1 but without information on the purpose of the easements we can't complete our review.
3. Remove the provisions titled Easement Provisions.

Ms. Krysti Barksdale-Noble

January 2, 2019

Page 2

4. Change the provisions title Easement for Public Utilities and Drainage Provisions to Public Utilities and Drainage Easement Provisions.

The Developer should make the necessary revisions and re-submit the Plat and supporting documentation along with a disposition letter for further review. If you have any questions or require additional information, please contact our office.

Sincerely,

ENGINEERING ENTERPRISES, INC.



Bradley P. Sanderson, P.E.  
Vice President

BPS/MGS/TNP

pc: Mr. Bart Olson, City Administrator (Via e-mail)  
Ms. Erin Willrett, Assistant City Administrator (Via e-mail)  
Mr. Jason Engberg, Senior Planner (Via e-mail)  
Mr. Eric Dhuse, Director of Public Works (Via e-mail)  
Mr. Pete Ratos, Building Department (Via e-mail)  
Ms. Dee Weinert, Admin Assistant (Via e-mail)  
Ms. Lisa Pickering, Deputy Clerk (Via e-mail)  
Mr. David Schultz, HR Green (Via e-mail)  
TNP, JAM, EEI (Via e-mail)





# Memorandum

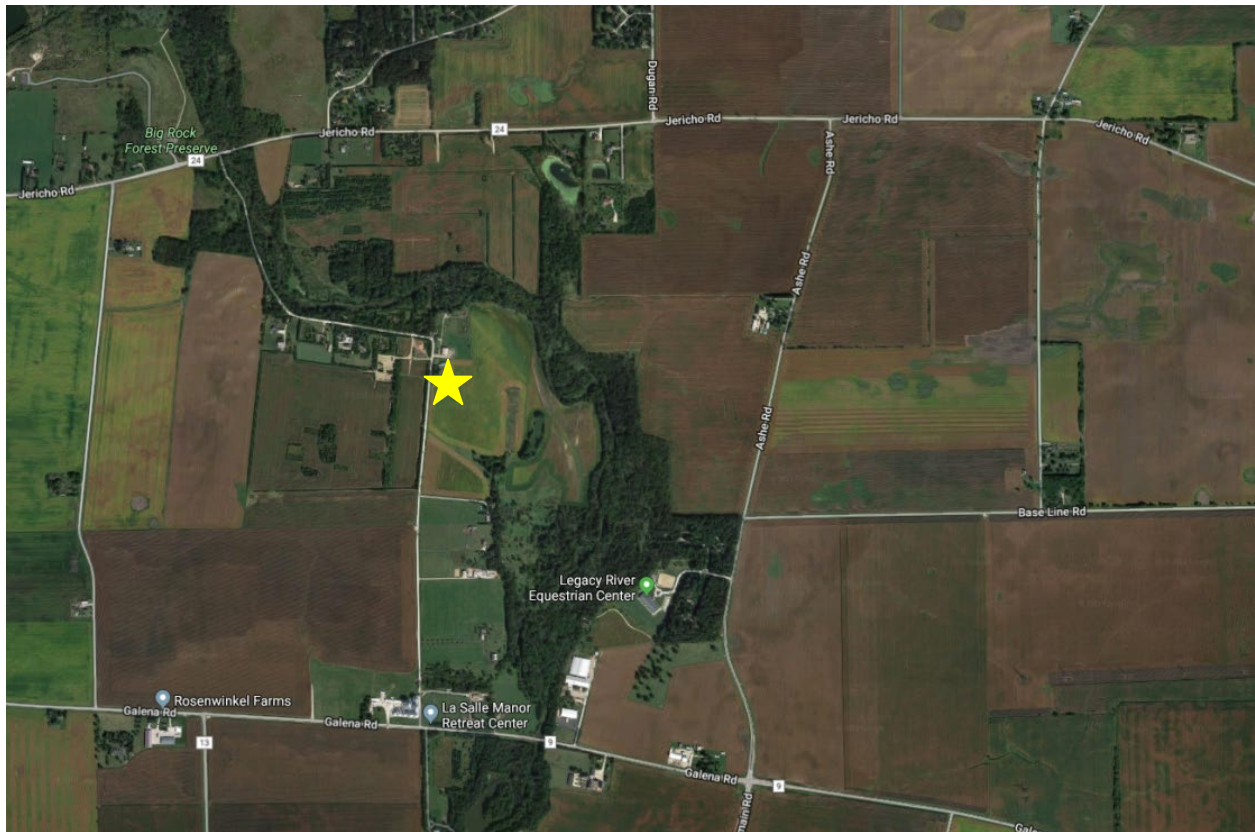
To: Economic Development Committee  
From: Jason Engberg, Senior Planner  
CC: Bart Olson, City Administrator  
Krysti J. Barksdale-Noble, Community Development Director  
Date: December 18, 2018  
Subject: **PZC 2019-04** – Kane County 95661 Jeter Road (Rezone) 1.5 Mile Review

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## Proposal Summary

Staff has reviewed a request from Kane County Development Department with the subsequent documents attached. The property is located within one and a half miles of the Yorkville Municipal Boundary which allows us the opportunity to review and provide comments to Kane County.

The petitioners, Forest Preserve District of Kane County, are requesting a map amendment to rezone a 5 acre portion of the property from the F District Farming to the F-1 District-Rural Residential. There are no proposed changes to any parts of this property. The entire 82.71 acre property is located in between Galena Road and Jericho Road along Jeter Road which is located northwest of Yorkville.



The purpose for the rezoning of this property is to preserve the existing residential and farmhouse structures on the property while enabling either development or preservation for the existing farmland. As stated in the Kane County Zoning Ordinance:

## **Sec. 8.2. F1 District–Rural Residential**

### **8.2-1 Purpose**

The Kane County Board has established and adopted as a long-range goal, the preservation of prime agricultural land and has implemented this long-range goal through the adoption of a Comprehensive Plan and a Zoning Ordinance. However, the County Board is aware that some of the land indicated as agriculture in the Comprehensive Plan and zoned for agriculture will not be utilized as such because of soil productivity, vegetation, topography, man-made barriers, etc. The Rural Residential District is intended only for single-family residences and only for those areas indicated in the Comprehensive Plan for agriculture and for those areas therein shown to be unsuitable for such use.

To summarize, the County is following through on their Comprehensive Plan initiative to preserve historic rural residential structures without inhibiting future development opportunities.

As illustrated in the picture to the right, the red outlined section will be separated and zoned as F-1 to preserve the existing rural residential structures.

The petitioner is the Forest Preserve of Kane County and plans to sell this part of the property to a potential homeowner. Staff has discussed this request with the Zoning Department from the County and they stated the Forest Preserve does not plan on leasing or renting this space.

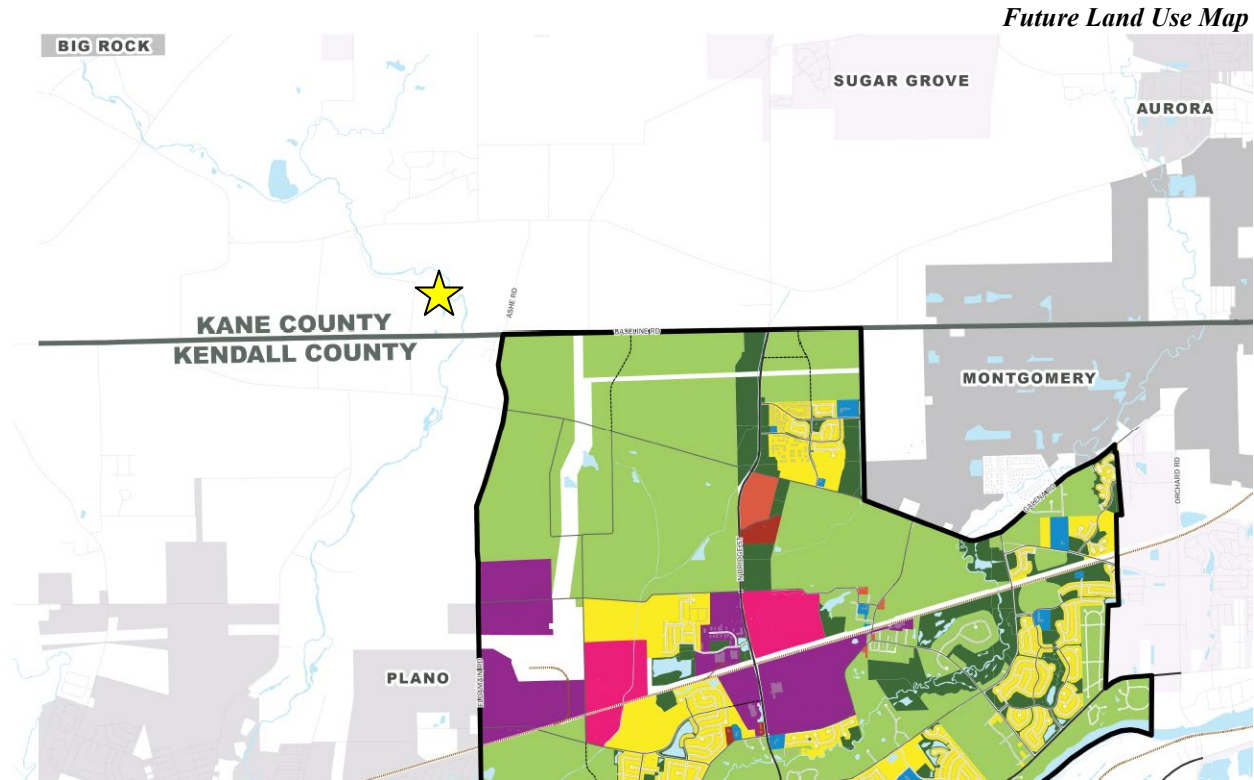
Therefore, if the request is approved, the short and long term plans for this property will remain the same as the current use.

### **Yorkville Comprehensive Plan**

Yorkville's current 2016 Comprehensive Plan designation for this property is not stated. This property is within a mile and a half of the City's current boundary but this property is not within the



Planning Boundary of the Comprehensive Plan. The northwest corner of the City's Planning Boundary is the intersection of Baseline Road and Eldamain Road. Kane County has given us the courtesy of review since it is within one and a half miles of the current municipal boundary. Therefore, the City of Yorkville has no future land use designation for this property.



### **Staff Recommendation & Comments**

Staff has reviewed the request for rezone and *does not* have an objection to the petitioner's request. Staff is seeking input from the Economic Development Committee for this request. This review will also be brought to the Planning and Zoning Commission at the February 13, 2018 meeting. This item was delivered to the City on December 7, 2018 with feedback requested prior to Kane County Board consideration.

### **Attachments**

1. Application with Attachments

# COUNTY OF KANE

**DEVELOPMENT & COMMUNITY  
SERVICES DEPARTMENT**  
Mark D. VanKerkhoff, AIA, Director



**County Government Center**  
719 Batavia Avenue  
Geneva, IL 60134  
Phone: (630) 232-3480  
Fax: (630) 232-3411

November 30, 2018

This rezoning petition will be going before the Kane County Zoning Board of Appeals at its meeting scheduled for Tuesday, January 8, 2019. Please send any comments to our office by that day to ensure they can be considered by the Board.

Thank you.

Keith T. Berkhout

Kane County Development Department

Attn: Zoning

719 S. Batavia Avenue

Geneva, Illinois 60134

630-232-3495

[berkhoutkeith@co.kane.il.us](mailto:berkhoutkeith@co.kane.il.us)



KANE COUNTY DEVELOPMENT DEPARTMENT

Zoning Division, Kane County Government Center

719 Batavia Avenue

Geneva, Illinois 60134

Office (630) 444-1236 Fax: (630) 232-3411

Received Date

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

**Instructions:**

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

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

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

1. Property Information:	Parcel Number (s): 1336300032 1336400006
	Street Address (or common location if no address is assigned): 95661 Jeter Road, Big Rock IL 60511

2. Applicant Information:	Name Forest Preserve District of Kane Co.	Phone 630-232-5981
	Address 1996 S. Kirk Road, Suite 320	Fax 630-232-5924
	Geneva, IL 60134	Email meyermonica@kaneforest.com

3. Owner of record information:	Name Same as above	Phone
	Address	Fax
		Email

**Zoning and Use Information:**

2040 Plan Land Use Designation of the property: agriculture

Current zoning of the property: F

Current use of the property: agriculture w/residence

Proposed zoning of the property: F-1

Proposed use of the property: agriculture w/residence

If the proposed Map Amendment is approved, what improvements or construction is planned? (An accurate site plan may be required)

none

**Attachment Checklist**

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

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

FPDUC/mini m magy, Executive Director 10/10/2018  
Record Owner Date

FPDUC/mini m magy, Executive Director 10/10/2018  
Applicant or Authorized Agent Date

# Findings of Fact Sheet – Map Amendment and/or Special Use

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

Big Rock Rd - Jeter Road / FFDKC  
Name of Development/Applicant

10/10/2018  
Date

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

agriculture / residential

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

agriculture, residential, open space

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

It is suitable

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

Existing agriculture, residential and open space

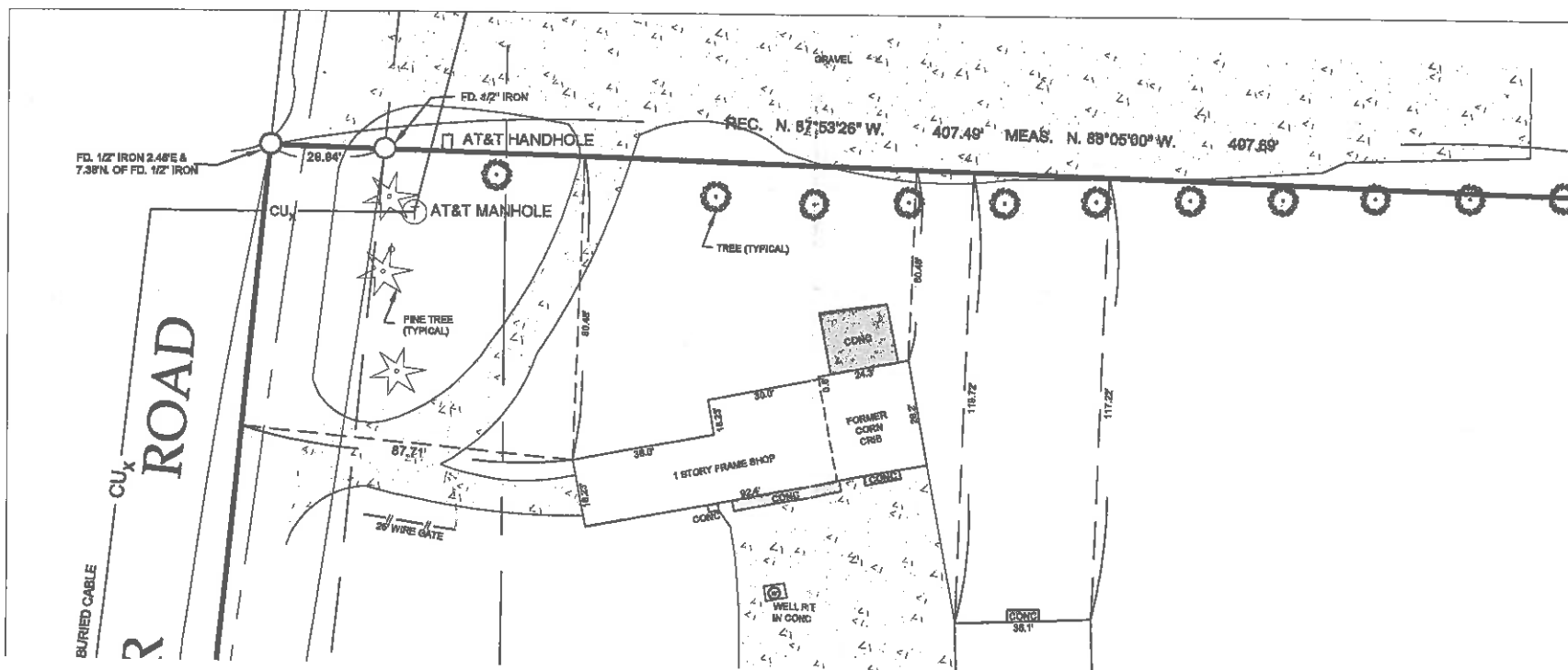
5. How does the projected use of the property, relate to the Kane County 2040 Land Use Plan?

agriculture and open space

# BOUN

## LEGAL DESCRIPTION:

THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING DESCRIBED BY COMMENCING AT A POINT ON THE SOUTH LINE OF SAID SECTION 36, LOCATED 249.92 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE NORTH 05 DEGREES 33 MINUTES 08 SECONDS EAST ALONG A LINE DRAWN THAT WOULD INTERSECT THE CENTER OF SAID SECTION 36, A DISTANCE OF 2024.73 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 05 DEGREES 33 MINUTES 08 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 518.04 FEET; THENCE SOUTH 84 DEGREES 26 MINUTES 52 SECONDS EAST, A DISTANCE OF 414.47 FEET; THENCE NORTH 04 DEGREES 44 MINUTES 32 SECONDS EAST, A DISTANCE OF 544.14 FEET; THENCE NORTH 88 DEGREES 05 MINUTES 00 SECONDS WEST, A DISTANCE OF 407.69 FEET TO THE POINT OF BEGINNING, ALL IN THE TOWNSHIP OF BIG ROCK, KANE COUNTY, ILLINOIS.





# JETER

MEAS. S. 05°33'08" W.

# ROAD

2024.73'

AT&T BURIED CABLE

WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 36,  
TOWNSHIP 38 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN

31.37'E

FD. 1/2" IRON AT  
RECORD CORNER

MEAS. S. 05°33'08" W.  
518.04'

DEED N. 05°40'17" E.  
MEAS. N. 05°33'08" E.

492.58'  
485.40'

REC. N. 87°53'26" W.  
407.49'  
MEAS. N. 88°05'00" W.  
407.69'

FD. 1/2" IRON

SEE BUILDING  
DETAIL

SET 1/2" IRON

S. 84°26'52" E.  
414.47'

SET 1/2" IRON

N. 04°44'32" E. 544.14'

FD. 1/2" IRON AT  
RECORD CORNER

REC. S. 04°56'06" W. 684.15'  
MEAS. S. 04°44'32" W. 684.15'

PINE TREES

AT&T BURIED CABLE CU.

FD. 1/2" IRON 1.80'E & 1.63'  
OF FD. IRON & 5.76'W OF  
SPLIT RAIL FENCE CORNE

DEED N. 89°20'50" E. 399.69'  
MEAS. N. 89°09'16" E. 399.69'

FD. 1/2" IRON 1.44'E &  
1.75'N. OF FD. 1/2" IRON

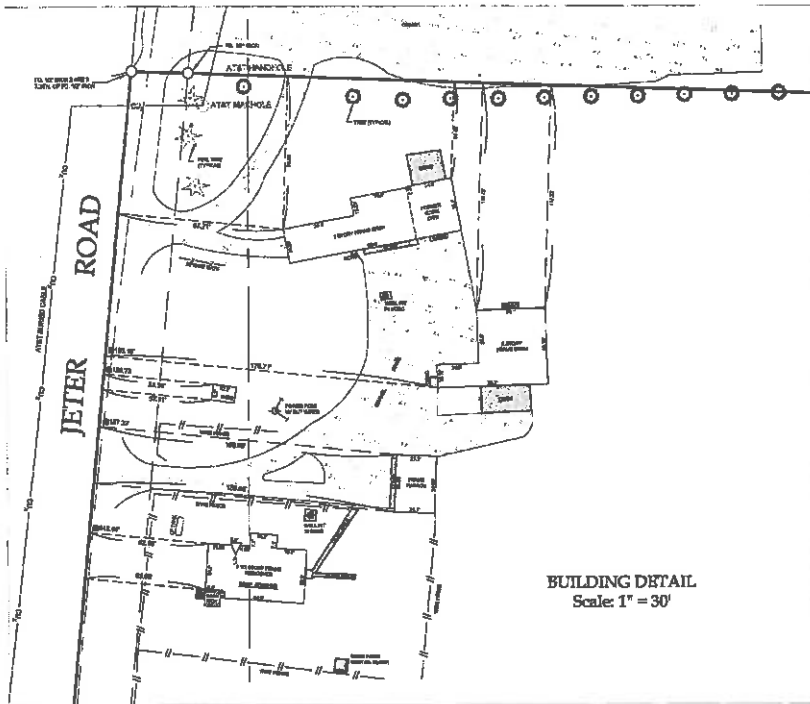
AREA = 5.0

SUBJECT TO 0.3574 ACR

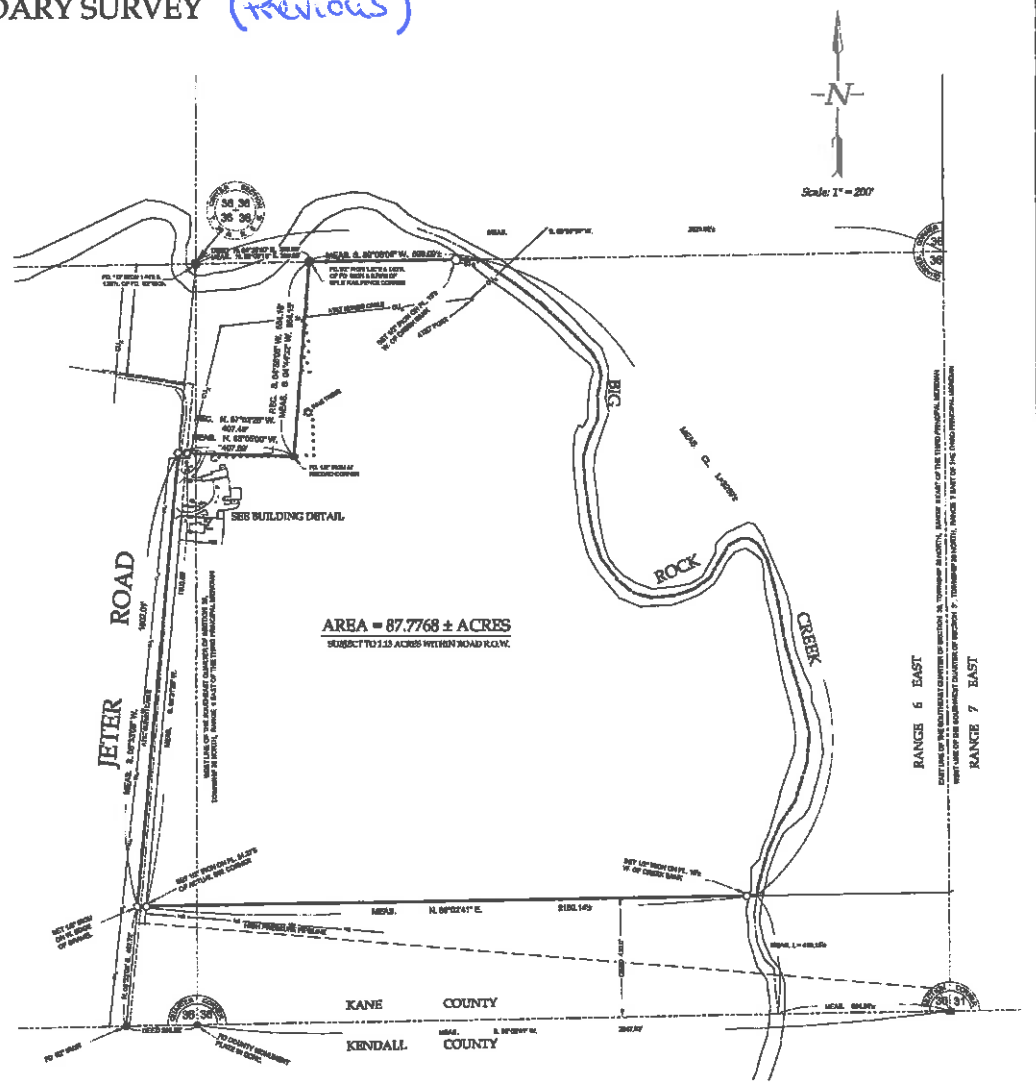
# BOUNDARY SURVEY (REVISI**ON**)

**LEGAL DESCRIPTION:**

THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING DESCRIBED BY COMMENCING AT A POINT ON THE SOUTH LINE OF SAID SECTION 36, LOCATED 249.82 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER; THENCE NORTH 08 DEGREES 33 MINUTES 08 SECONDS EAST, A DISTANCE OF 422.72 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 400.0 FEET OF SAID SOUTH HALF OF SECTION 36 FOR THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 02 MINUTES 41 SECONDS EAST ALONG SAID NORTH LINE, A DISTANCE OF 2100.14 FEET MORE OR LESS TO THE CENTER LINE OF BIG ROCK CREEK; THENCE NORTHWESTERLY ALONG THE CENTER LINE OF BIG ROCK CREEK, A DISTANCE OF 3257 FEET MORE OR LESS TO THE NORTH LINE OF SAID SOUTH HALF OF SAID SECTION 36; THENCE SOUTH 89 DEGREES 08 MINUTES 08 SECONDS WEST ALONG SAID NORTH LINE, A DISTANCE OF 680.08 FEET TO A POINT 399.89 FEET EAST OF THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 36; THENCE SOUTH 04 DEGREES 44 MINUTES 32 SECONDS WEST, A DISTANCE OF 686.18 FEET; THENCE NORTH 84 DEGREES 08 MINUTES 08 SECONDS WEST, A DISTANCE OF 407.89 FEET TO THE POINT OF INTERSECTION OF A LINE DRAWN FROM THE POINT OF BEGINNING TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 36; THENCE SOUTH 05 DEGREES 33 MINUTES 08 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 1922.01 FEET TO THE POINT OF BEGINNING, ALL IN THE TOWNSHIP OF BIG ROCK, KANE COUNTY, ILLINOIS.



**BUILDING DETAIL**  
Scale: 1" = 30'



**AREA = 87.7768 ± ACRES**  
SUBJECT TO 1.15 ACRES WITHIN ROAD R.O.W.

**SURVEYOR'S CERTIFICATE**  
STATE OF ILLINOIS }  
COUNTY OF KENDALI } SS

THIS IS TO CERTIFY TO THE CLIENT, LAWYER/LAW FIRM, THAT I, RONALD D. SAUER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR IN AFORESAID COUNTY AND STATE, HAVE COMPLETED A BOUNDARY SURVEY ON THE GROUND OF THE PROPERTY HEREIN DESCRIBED. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY AND THAT THE PLAT HEREIN DRAWN REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY. THIS SURVEY DOES NOT CONSTITUTE A RECORD TITLE SEARCH AND ALL EASEMENTS AND OR SERVICES SHOWN ARE EITHER THOSE DEPICTED ON THE RECORDED SUBDIVISION PLAT OR THOSE PROVIDED TO US BY OTHER DOCUMENTATION. NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE OF PUBLIC UTILITIES OR STORM WATER RUNOFF EITHER ONTO OR OFF FROM THE SITE. THE FINAL FIELD WORK WAS COMPLETED ON THE 05 DAY OF MARCH, 2016.

GIVEN UNDER MY HAND AND SEAL AT PLANO, ILLINOIS THIS 05th DAY OF MARCH, 2016 A.D.

*Ronald D. Sauer*  
ILLINOIS PROFESSIONAL LAND SURVEYOR #3262  
REGISTRATION EXPIRES 11-30-2018

REFER TO A CURRENT TITLE INSURANCE POLICY FOR EASEMENTS NOT PROVIDED. THIS DRAWING IS THE PROPERTY OF RB & ASSOCIATES CONSULTING, INC. AND SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN SET FORTH WITHOUT THE WRITTEN CONSENT OF AN AUTHORIZED AGENT OF RB & ASSOCIATES CONSULTING, INC. THIS DRAWING IS NOT CONSIDERED TO BE ORIGINAL UNLESS THE SURVEYOR'S SEAL IS AN IMPRESSED SEAL OR DISPLAYED IN RED INK.

**GENERAL NOTES:**  
SEE AN UPDATED TITLE COMMITMENT FOR ANY EASEMENTS OF RECORD.

**rbac** **RB & ASSOCIATES CONSULTING, INC**

4 W MAIN STREET  
PLANO, IL 60545  
(830) 552-7452

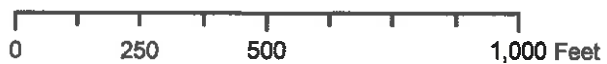
DESIGN FIRM #  
104-004475  
www.rb-associates.net



# Big Rock Forest Preserve



PIN #13-36-300-032 & 13-36-400-006  
Approx. 5 acres  
9S661 Jeter Road, Big Rock, IL 60511

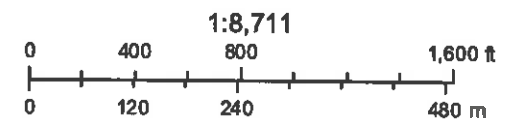




# Map Title



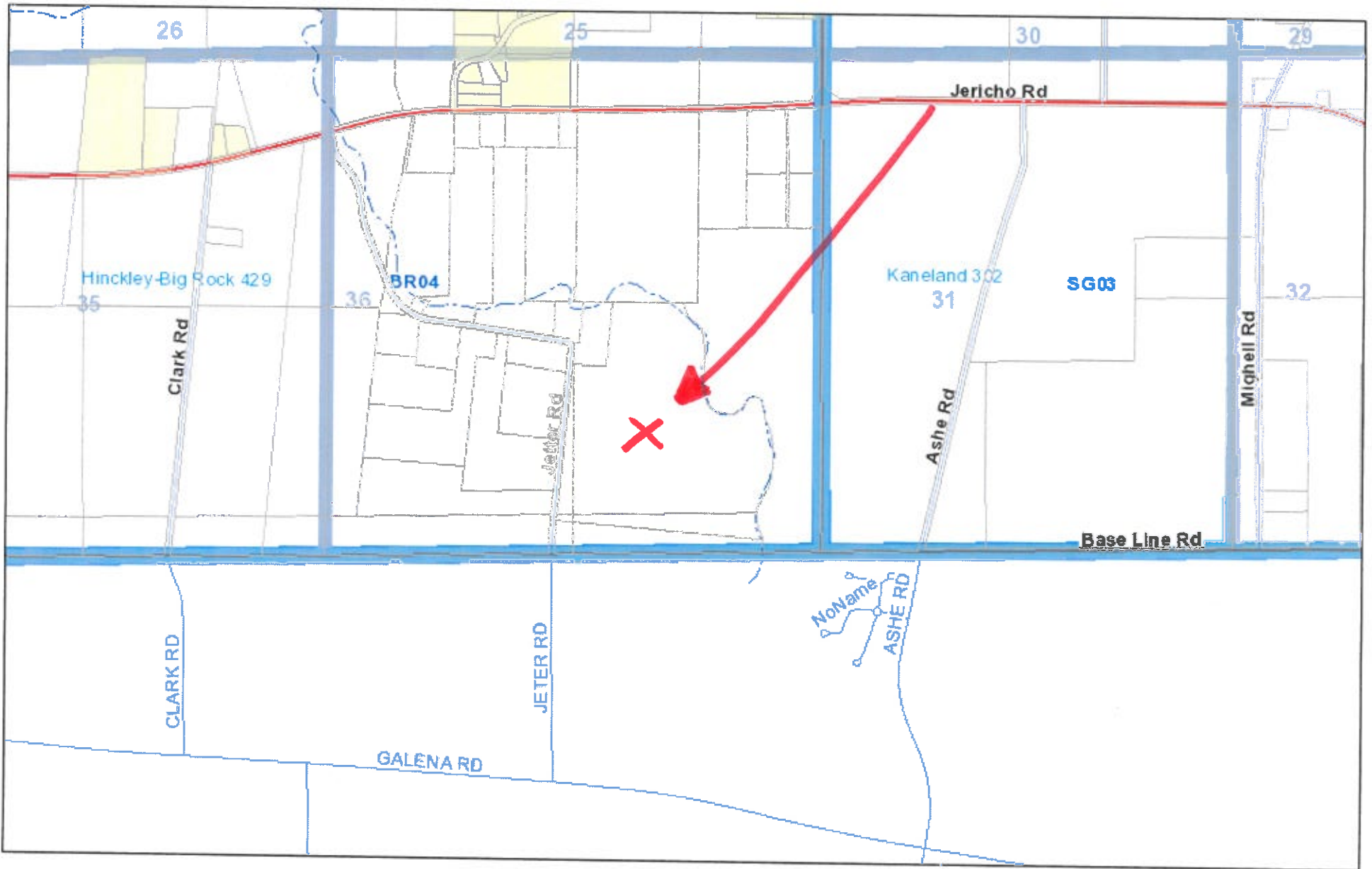
November 30, 2018



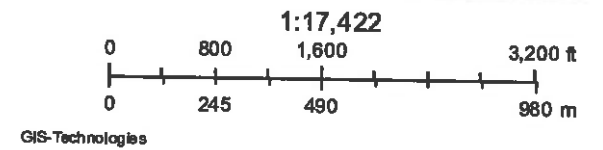
These layers do not represent a survey. No Accuracy is assumed for the data delineated here, either expressed or implied by Kane County or its employees. These layers are compiled from official records, including plats, surveys, recorded deeds, and contracts, and only contains information required for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

GIS-Technologies  
Kane County Illinois

# Map Title



November 30, 2018



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GIS-Technologies  
Kane County Illinois



# Memorandum

To: Planning and Zoning Commission  
From: Krysti J. Barksdale-Noble, Community Development Director  
CC: Bart Olson, City Administrator  
Jason Engberg, Senior Planner  
Date: February 6, 2019  
Subject: **Planning & Zoning Commissioner's Training Series 2019**

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## Summary

The Planning and Zoning Commission expressed an interest in having training sessions on a variety of specialized topics which would further aid them in the performance of their duties recommending entitlements for land development, overseeing the Comprehensive Plan and making amendments to the Zoning Ordinance for the City of Yorkville.

In that regard, staff is proposing a series of planning "primers" specifically tailored to Planning and Zoning Commissioners at the end of each meeting on a quarterly schedule. Each primer will last about 15-20 minutes, will be presented by staff or a qualified professional and cover a different subject matter as tentatively scheduled below:

<u>DATE</u>	<u>SERIES TOPIC</u>	<u>PRESENTER</u>
<i>Spring 2019</i>	Construction Plan Basics for Planning & Zoning Commissioners	Commissioner Jeff Olson
<i>Summer 2019</i>	Civil Engineering Basics for Planning & Zoning Commissioners	Engineering Enterprises, Inc.
<i>Fall 2019</i>	Urban Design Basics for Planning & Zoning Commissioners	Jason Engberg & Krysti Barksdale-Noble
<i>Winter 2019</i>	Economic Development Basics for Planning & Zoning Commissioners	Lynn Dubajic, Economic Development Consultant

If you would like to discuss the issues to be covered in these primers or have suggestions for future training sessions, staff will be available at Wednesday night's meeting.



# CITY OF YORKVILLE YEAR IN REVIEW 2018



Community Development Department  
February 13, 2019

# Contents

- I. Executive Summary
- II. Building & Development
  - a. Permits
  - b. Foreclosure Data
  - c. Current Development Projects
- III. Land Use Planning
  - a. Applications & Petitions
  - b. Historic Analysis
- IV. Comprehensive Planning
  - a. Implementation Status
  - b. Downtown Overlay District
  - c. Neighborhood Design Manual
  - d. Industrial Development Focus Group
- V. Future Goals - 2019



# Executive Summary

Over the past year, the Community Development Department, which serves as the liaison between the City Council and the City's appointed boards/commissions that are tasked with reviewing development proposals and requests for certain relief of zoning standards, has had several major accomplishments to share. We also have worked to proactively address challenges that may have previously impeded the efficiency of the approval process for developers and remedy inconsistent or unduly burdensome regulations for our residents.

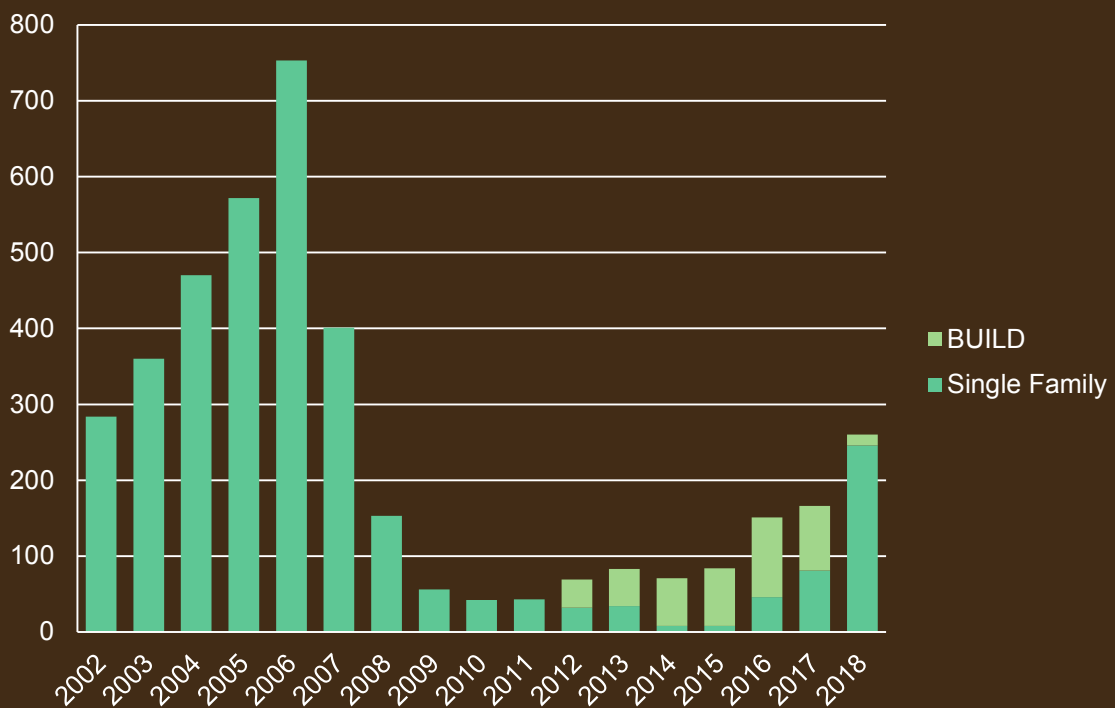
All efforts were done with an eye towards encouraging future growth and orderly development within Yorkville. Therefore, this report highlights the role the Planning and Zoning Commission (PZC) has had in achieving those accomplishments, as well as an introduction of goals for the year ahead which includes the following:

- ❖ There were a total of 1,006 Building Permits issued in 2018.
- ❖ 260 new residential housing starts.
- ❖ Foreclosures continued a steady decline with 56 newly filed foreclosures in 2018.
- ❖ Large development projects recently approved or under construction include: Yorkville Christian High School, Burger King, Flight Tasting Bar & Bottle Shoppe, Capitano's Deli, YPAC Downtown Campus, Bella Donna Tea & Coffee and Raging Waves Waterpark expansion.
- ❖ There were 14 applications for 19 various planning and zoning related requests filed in 2017.
- ❖ Continued implementation of the Comprehensive Plan with several projects underway, such as Downtown Overlay District & Form-based Code, Neighborhood Design Manual, Downtown Wayfinding signage installation and an Industrial Development Forum.
- ❖ Unified Development Ordinance (UDO) RFP.

# Buildings & Development

- Below are some highlights from the Community Development Department in calendar year 2018:
- Building permit figures:
  - 260** new housing starts (224 Single Family Detached and 36 Single Family Attached)
  - 1,006** total building permits issued in calendar year 2018.
  - Total permit fees collected (all types) **\$2,530,251.39**
  - Total Construction Value **\$55,543,825.00**
  - Average BUILD permit home construction value **\$244,612.57**
  - Average Single Family Detached permit (non-BUILD) construction value **\$157,238.34**
- Successfully concluded the BUILD program in 2018 with a total of **428** permits between the years of 2012-2018.

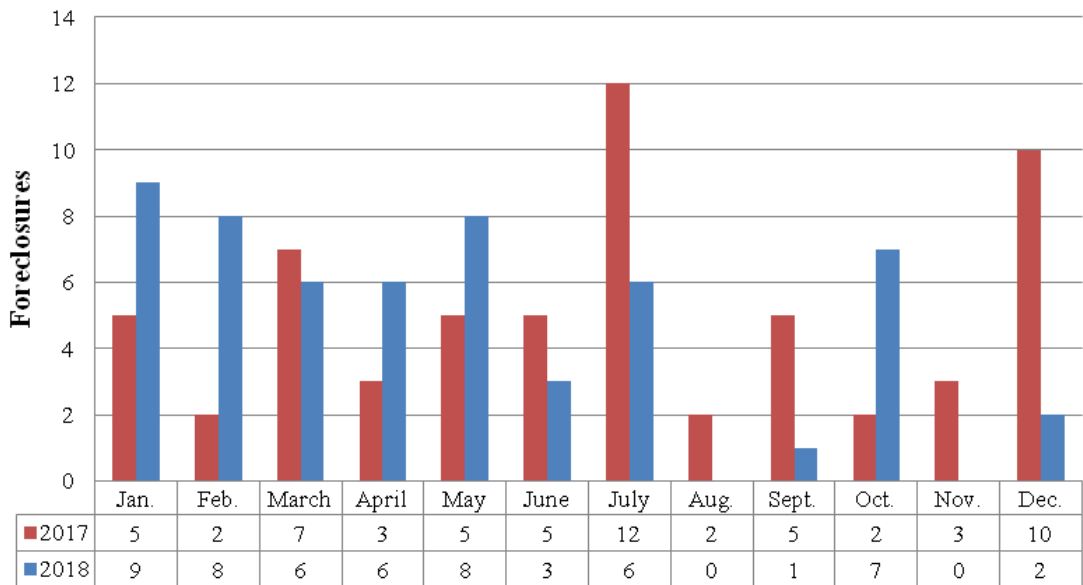
## Building Permits Issued



# Foreclosure Data

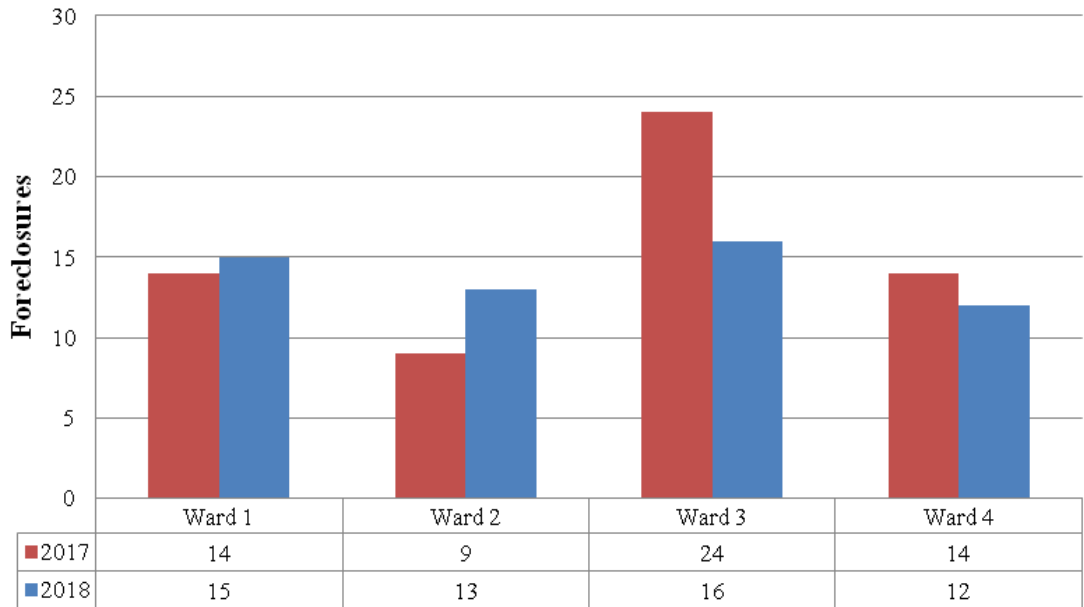
The number of total foreclosures from 2017 to 2018 decreased by approximately 8%. In total, there were 61 newly filed foreclosures in 2017 and 56 in 2018, a decrease by five (5) less filings. While this represents a marginal decline in new foreclosure filings, the overall effect appears to represent stabilization in the housing market for Yorkville.

## 2017 vs. 2018 Foreclosures

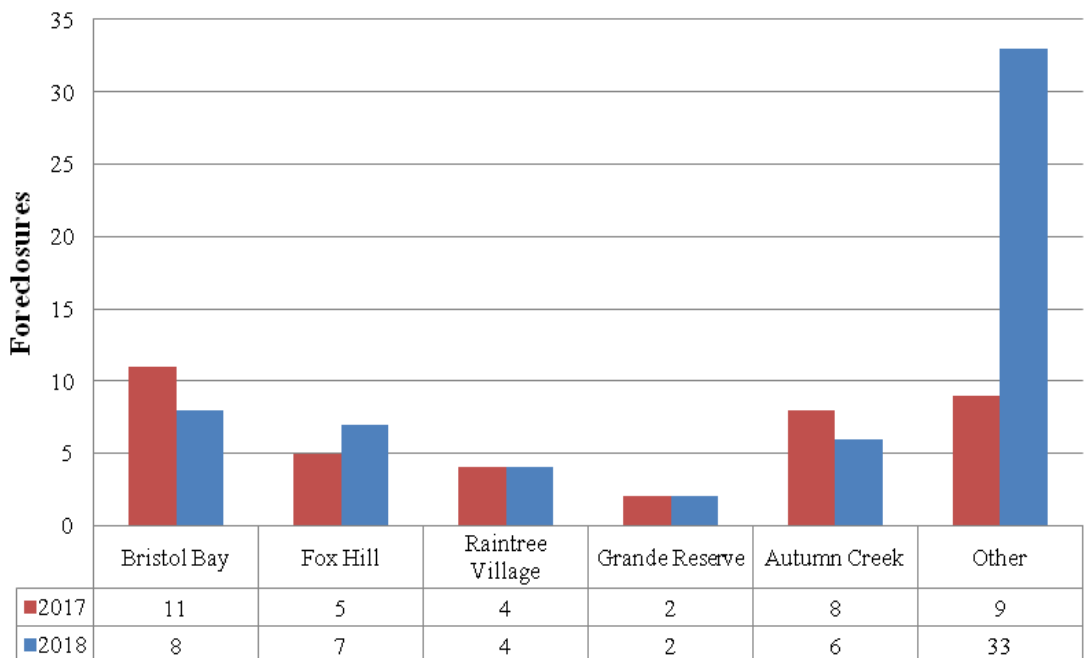


# Foreclosure Data

## 2017 vs. 2018 Ward Breakdown

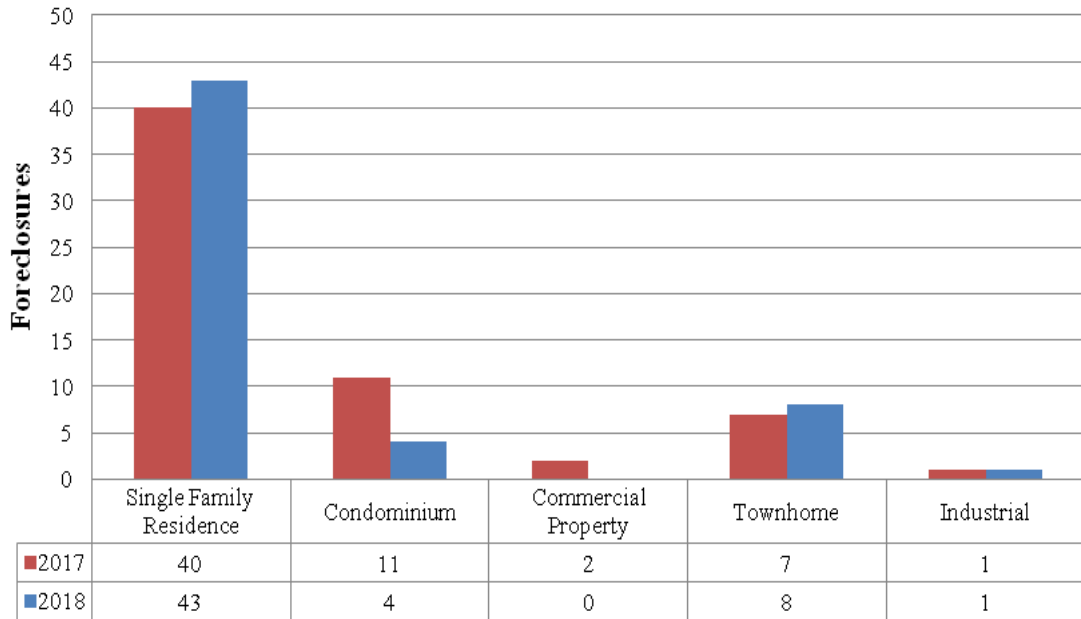


## 2017 vs. 2018 Subdivision Breakdown

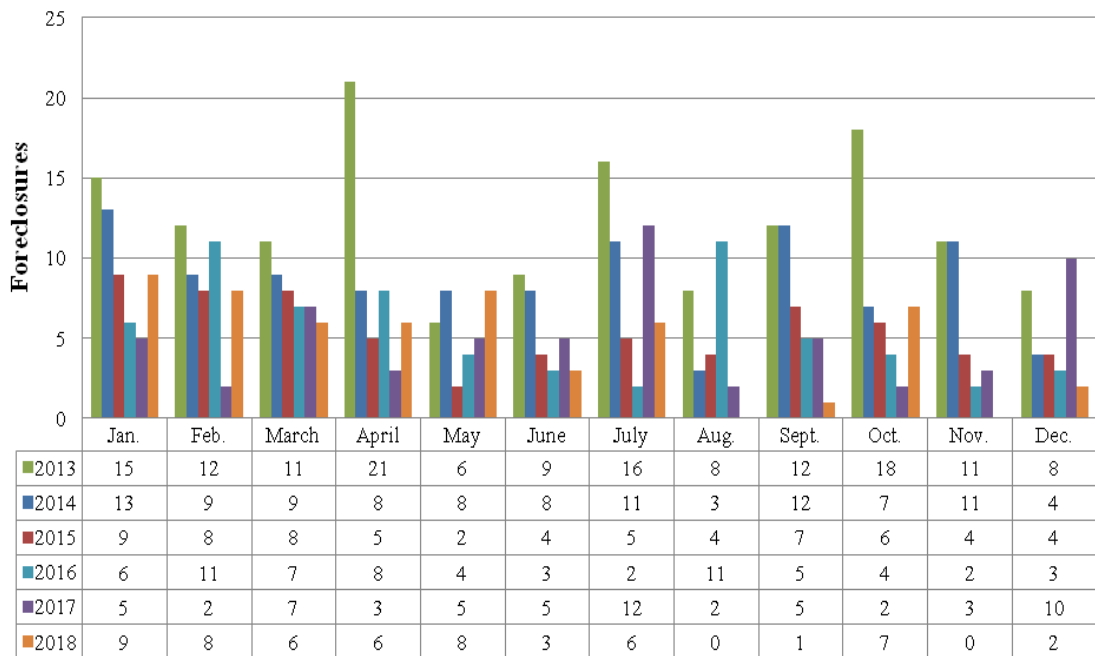


# Foreclosure Data

## 2017 vs. 2018 Property Type Breakdown



## Comparison of 2013 - 2018

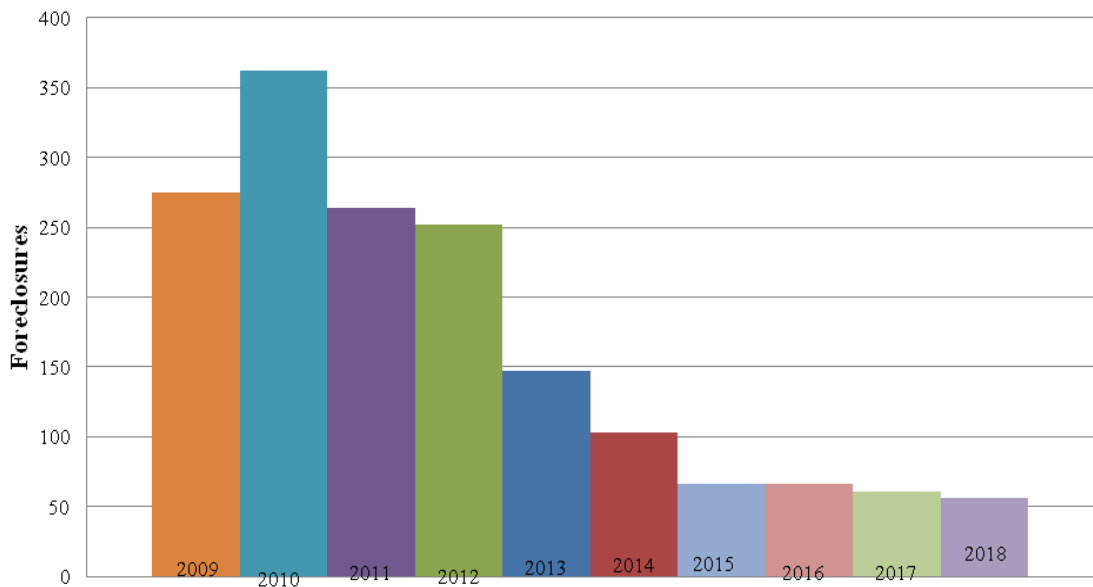


# Foreclosure Data

According to *RealtyTrac* Illinois has a newly filed foreclosure rate of 1 in every 1,420 (down from 1 in every 1,196 in 2017). In 2018, Kendall County is no longer ranked in the top 5 counties with the highest rates of foreclosures in Illinois. Comparatively, in 2017, Kendall County had a newly filed foreclosure rate of 1 in every 825 homes. Expectations are that the foreclosures will continue to level off or decrease in 2019 as compared to 2018. Below is a graph illustrating the trend of foreclosures in Yorkville for calendar years 2009 to 2018.

<http://www.realtytrac.com/statsandtrends/foreclosuretrends/il>

## Comparison of 2009 - 2018

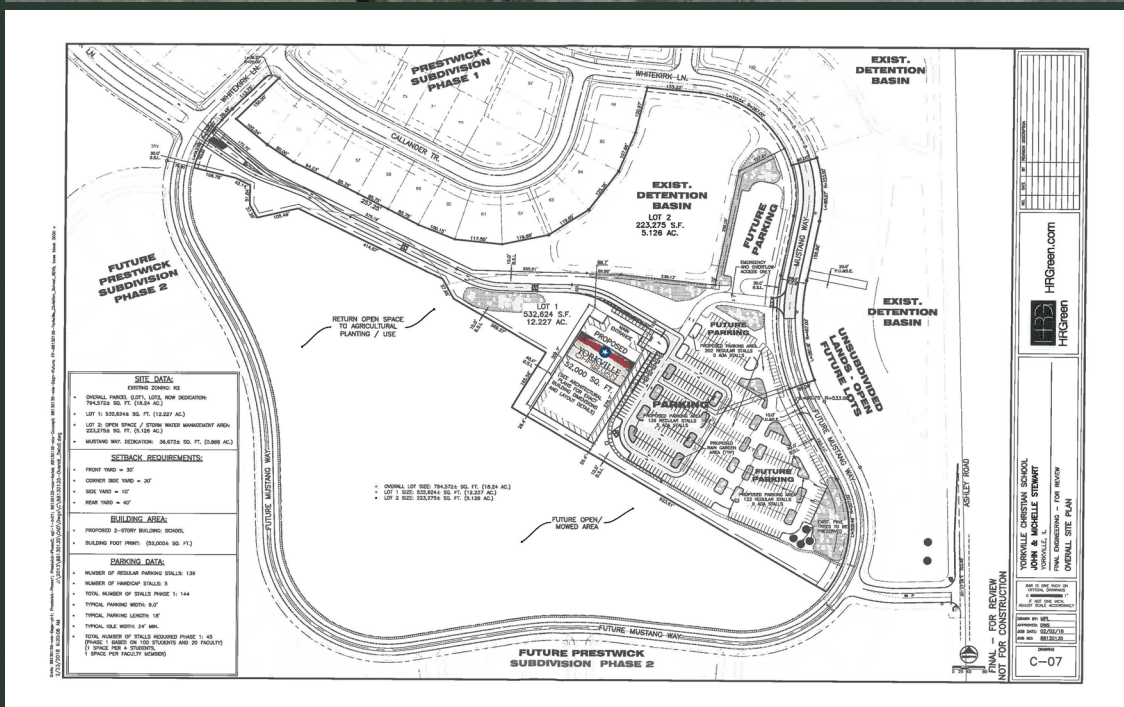




# Current Development Projects

## Yorkville Christian High School

- A new two-story, 75,600 square foot private high school completed construction in Fall 2018. The property consists of approximately 17 acres, and is generally located at the southwest corner of IL 126 (Schoolhouse Road) and Ashley Road, in Yorkville, Illinois.





# Current Development Projects

## Raging Waves Waterpark – New Attraction Expansion

- Illinois' largest waterpark, Raging Waves, expanded its operations by adding 4 new kiddie slides, a zero-depth pool, interactive play features and 2 new body slides which opened in the summer of 2018. The property consists of approximately 60 acres, and is generally located at the southeast corner of IL 47 (Bridge Street) and Galena Road, in Yorkville, Illinois.





# Land Use Planning

## 2018 Applications & Petitions

During the calendar year of 2018, the United City of Yorkville's Plan Commission, Zoning Board of Appeal and now the Planning and Zoning Board reviewed a total of fourteen (18) applications for various planning and zoning related requests.

United City of Yorkville  
800 Garret Farm Road  
Yorkville, Illinois 60560  
Telephone: 630-553-4350  
Fax: 630-553-7575  
Website: www.yorkville.il.us

**APPLICATION FOR AGREEMENT AMENDMENT**

INVOICE & WORKSHEET PETITION APPLICATION

CONCEPT PLAN REVIEW	<input type="checkbox"/> Engineering Plans
AMENDMENT	<input type="checkbox"/> Annexation <input type="checkbox"/> Plan <input type="checkbox"/> Plat <input type="checkbox"/> PUD
ANNEXATION	<input type="checkbox"/> \$250.00 + \$30 per Acre over 5
REZONING	<input type="checkbox"/> \$200.00 + \$30 per Acre over 5
SPECIAL USE	<input type="checkbox"/> \$250.00 + \$30 per Acre over 5
ZONING VARIANCE	<input type="checkbox"/> \$85.00 + \$500.00
PRELIMINARY PLAN FEE	<input type="checkbox"/> \$500.00
PUD FEE	<input type="checkbox"/> \$500.00
FINAL PLAT FEE	<input type="checkbox"/> \$500.00
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre <input type="checkbox"/> Over 1 acre, less than 10 acres, less <input type="checkbox"/> Over 10 acres, less than 40 acres, less <input type="checkbox"/> Over 40 acres
OUTSIDE CONSULTANTS DEPOSIT	Legal and Accounting outside For Annexation, Subd <input type="checkbox"/> Less than 2 acres <input type="checkbox"/> Over 2 acres, less than 10 acres <input type="checkbox"/> Over 10 acres

United City of Yorkville  
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Yorkville, Illinois 60560  
Telephone: 630-553-4350  
Fax: 630-553-7575  
Website: www.yorkville.il.us

**APPLICATION FOR AGREEMENT AMENDMENT**

**STAGE 2: PLAN COUNCIL REVIEW**

Petitioner must present the proposed amended plan to the Council at 7:00pm, on the 3rd Tuesday of each month in the full City Council consideration and provide informal fee

**STAGE 3: ECONOMIC DEVELOPMENT COMMITTEE REVIEW**

Petitioner must present the proposed amendment agreement to the Economic Development Committee at 7:00pm, on the 3rd Tuesday of each month in the full City Council consideration and provide informal fee

**STAGE 4: PLANNING & ZONING COMMITTEE REVIEW**

Petitioner will attend a public hearing conducted by the Planning & Zoning Commission on the 2nd and 4th Tuesdays of the month at 7:00pm. City Council will meet on the 3rd Tuesday of the month at 7:00pm.

**STAGE 5: CITY COUNCIL PUBLIC HEARING**

Petitioner will attend the City Council meeting where the 2nd and 4th Tuesdays of the month at 7:00pm. City Council will meet on the 3rd Tuesday of the month at 7:00pm.

**DORMANT APPLICATIONS**

The Community Development Director shall determine if an application is incomplete it will become dormant under the following conditions:

- the petitioner has been notified of such decision days from the time of notification.
- the petitioner has not responded in writing to a request for information within six (6) months from the date of that request.
- the petitioner has not requested a request for information from the date of the request.

If the Community Development Director has not sent the request the director shall terminate the application. After the application is terminated, the petitioner shall be notified.

Withdrawal or termination of an application shall not affect the city. The balance of any funds deposited with the City shall be returned to the petitioner.

United City of Yorkville  
800 Garret Farm Road  
Yorkville, Illinois 60560  
Telephone: 630-553-4350  
Fax: 630-553-7575  
Website: www.yorkville.il.us

**APPLICATION FOR AGREEMENT AMENDMENT**

**INTENT AND PURPOSE:**

Annexation Agreements specify the desired zoning and other requested approvals (i.e., bulk regulations, variances, building codes, development impacts and contributions, etc.) that will affect the property and successor owners. Planned Unit Development (PUD) Agreements are unique and a complex form of zoning which differs from the conventional approval process allowing for flexibility in the design and land use of larger scale developments. Such approvals require agreements that are contractual in nature, therefore an amendment must be sought when a change, minor or substantial, in the original terms of the annexation or Planned Unit Development (PUD) Agreement occurs.

This packet explains the process to successfully submit and complete an Application to Amend an Annexation or Planned Unit Development Agreement. It includes a detailed description of the process and the actual application itself. Please type the required information in the application on your computer. The application will need to be printed and signed by the petitioner. The only item that needs to be submitted to the City from this packet is the application. The rest of the packet is to help guide you through the process until completion.

For a complete explanation of what is legally required throughout the Amendment process, please refer to "Title 10, Chapter 4, Section 10 Amendments" of the Yorkville, Illinois City Code.

**APPLICATION PROCEDURE:**

<b>STAGE 1</b> Submit Application, Fees, and All Pertinent Information to the Community Development Department	<b>STAGE 2</b> Plan Council Review (if applicable) Meets on the 2nd and 4th Thursday of the Month	<b>STAGE 3</b> Economic Development Committee Meets on the 1st Tuesday of the Month	<b>STAGE 4</b> Planning & Zoning Commission Public Hearing (PUD only) Meets on the 2nd Wednesday of the Month	<b>STAGE 5</b> City Council Public Hearing Meets on the 2nd and 4th Tuesday of the Month
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**STAGE 1: APPLICATION SUBMITTAL**

The following must be submitted to the Community Development Department:

- One (1) original signed application with legal description.
- Three (3) 11" x 17" copies each of the exhibits, proposed drawings, location map, and site plan. Large items must be folded to fit in a 10" x 13" envelope.
- Appropriate filing fee.
- One (1) CD or portable USB drive containing one (1) electronic copy (pdf) of each of the following: signed application (complete with exhibits), proposed drawings, location map, and site plan. A Microsoft Word document with the legal description is also required.

Within one (1) week of submittal, the Community Development Department will determine if the application is complete or if additional information is needed. These materials must be submitted a minimum of forty-five (45) days prior to the targeted Planning & Zoning Commission meeting. An incomplete submittal could delay the scheduling of the project.

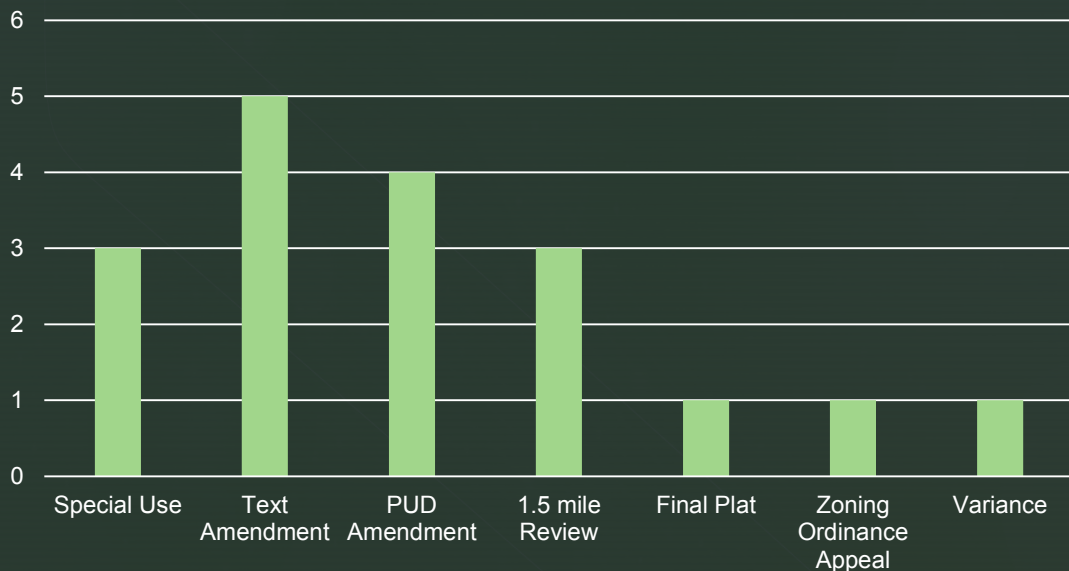
Petitioner will be responsible for payment of recording fees and public hearing costs, including written transcripts of the public hearing and outside consultant costs (i.e. legal review, land planner, zoning coordinator, environmental, etc.). The petitioner will be required to establish a deposit account with the city to cover these fees. The Petitioner Deposit Account/Acknowledgement of Financial Responsibility form is attached to this document and must be submitted with the application.

# Land Use Planning

## *Number of Requests*

Over the past year, the Planning and Zoning Commission considered a totaled of 18 various land use entitlement requests. The majority of these requests were text amendments (28%) which were primarily identification of new permitted uses (i.e., breweries, food trucks, and small cell towers) and refining existing regulations (i.e., building mounted signage and engineering deposit fees).

LAND USE ENTITLEMENT REQUESTS IN 2018

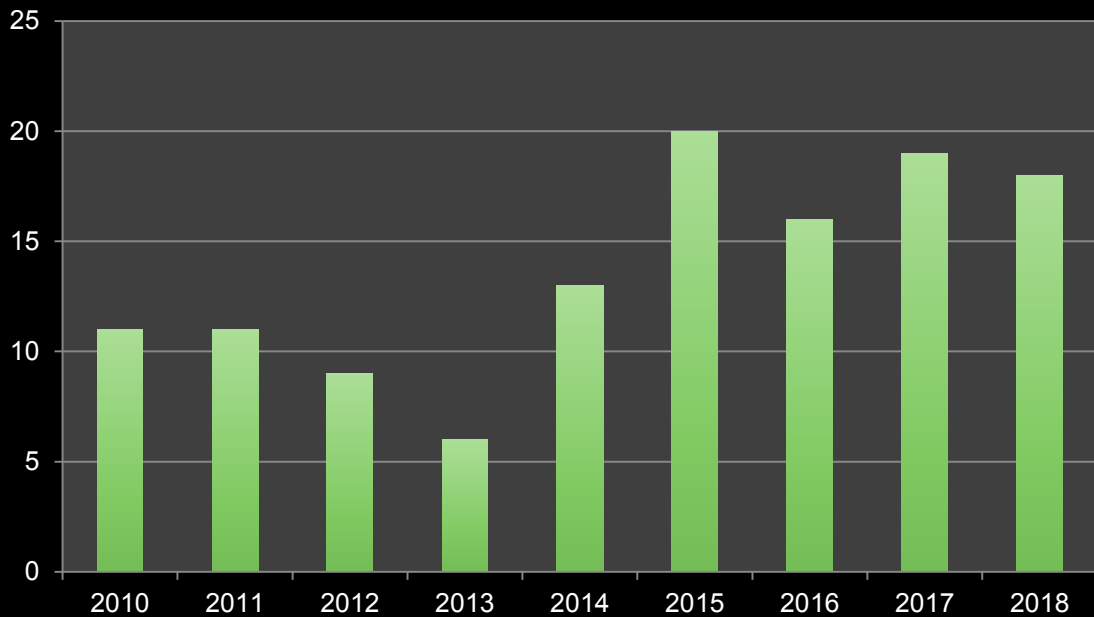


# Land Use Planning

## Historic Analysis of Entitlement Requests

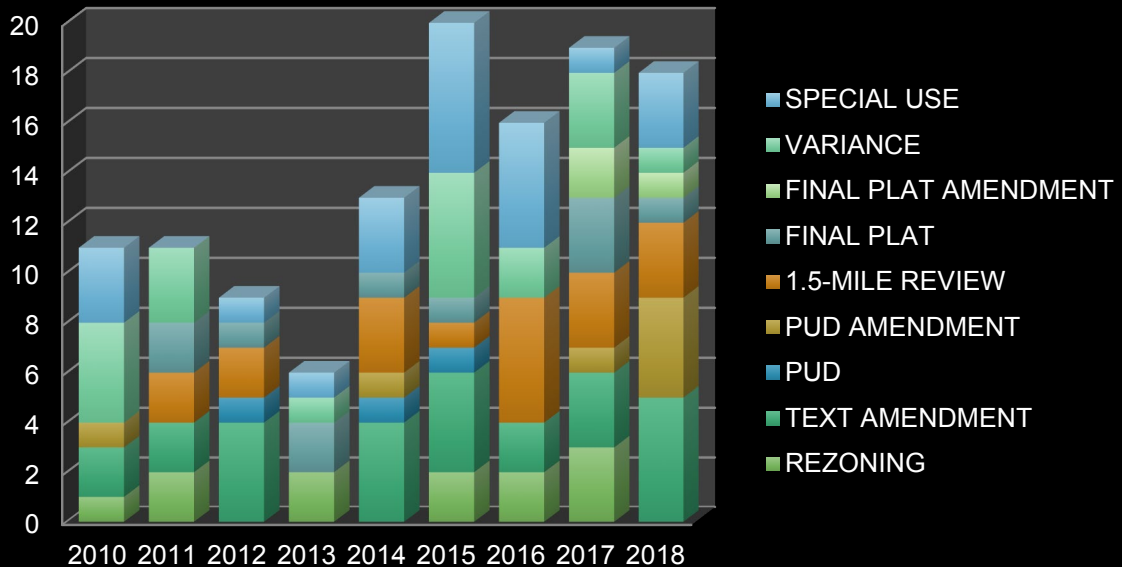
Staff undertook a historical analysis of the number and various types of entitlement requests applied for between 2006 and 2018 to see if there was any insight to be gained for future reference, such as the effectiveness of the most recent adoption of the Zoning Code update completed in November 2014. There were a total of 123 cases reviewed by the various boards and commissions regarding land use entitlements during that period. The following data tables represents the findings of the historical analysis.

### **# of Requests to All Boards & Commissions 2010-2018**

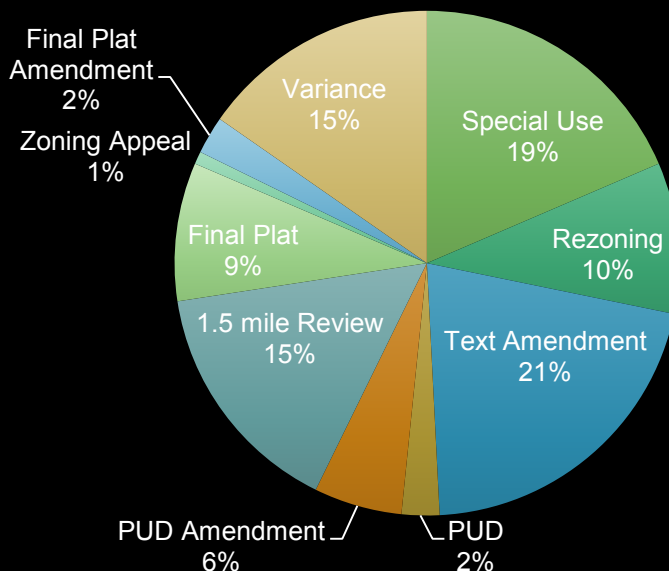


# Land Use Planning

## TYPES OF ENTITLEMENT REQUESTS BY YEAR BETWEEN 2010-2018



## TYPES OF ENTITLEMENT REQUESTS BETWEEN 2010-2018





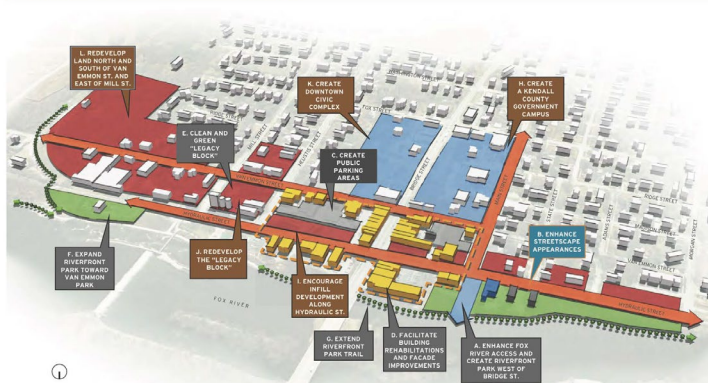
# Comprehensive Planning

## Comprehensive Plan Implementation Update

As part of the 2016 Comprehensive Plan Update, several implementation goals were suggested to be completed within two (2) years of adoption. Staff prepared a summary of those goals and their current status.

### Downtown as the Center of Yorkville

Figure 5.1: Downtown Revitalization Strategies



### SECTION 5 - VIBRANT CITY

Section 5 of the Comprehensive Plan Update, "Vibrant City," outlines key planning goals and strategies for the Downtown district and Yorkville's other commercial areas along Illinois Routes 47 and 24. For Yorkville stakeholders, revitalizing Downtown Yorkville is a high priority while facilitating the build-out of recently developed commercial areas should be a focus of targeted community and economic development efforts.

#### DOWNTOWN YORKVILLE

Downtown Yorkville, defined by Van Dusen Park on the east Chicago and East Fox Streets on the south, Morgan Street to the west, and the Fox River on the north, is a historic commercial area in central Yorkville that has long been an important part of the city's economic and cultural life. The City's historic downtown, located in the north, has been the site of many historic buildings and is an important part of the city's heritage. The City's historic downtown, located in the north, has been the site of many historic buildings and is an important part of the city's heritage.

**Goals:**

- Encourage historic preservation and historic building rehabilitation programs to enhance historic commercial buildings and streetscapes and encourage new development in historic buildings.
- Encourage historic preservation and historic building rehabilitation programs to enhance historic commercial buildings and streetscapes and encourage new development in historic buildings.
- Encourage historic preservation and historic building rehabilitation programs to enhance historic commercial buildings and streetscapes and encourage new development in historic buildings.

**Strategies:**

- Encourage historic preservation and historic building rehabilitation programs to enhance historic commercial buildings and streetscapes and encourage new development in historic buildings.
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- Encourage historic preservation and historic building rehabilitation programs to enhance historic commercial buildings and streetscapes and encourage new development in historic buildings.

#### STRATEGY A: ENHANCE FOR RIVER ACCESS AND CREATE RIVERFRONT PARK WEST OF BRIDGE STREET (ILLINOIS ROUTE 47)

This strategy focuses on enhancing river access and creating a new park area west of Bridge Street. The new park would be a multi-use area with walking paths, bicycle paths, and open spaces. It would also include a new public parking lot and a new public building. The City's historic downtown, located in the north, has been the site of many historic buildings and is an important part of the city's heritage.

**Goals:**

- Enhance river access and create a new park area west of Bridge Street.
- Enhance river access and create a new park area west of Bridge Street.
- Enhance river access and create a new park area west of Bridge Street.

**Strategies:**

- Enhance river access and create a new park area west of Bridge Street.
- Enhance river access and create a new park area west of Bridge Street.
- Enhance river access and create a new park area west of Bridge Street.

APA Illinois 2017,  
Daniel Burnham Award for Comprehensive Planning

# Comprehensive Planning

GOAL	STRATEGY/INITIATIVE	STATUS
Enhance the visual appearance, pedestrian environment and functionality of Downtown Yorkville.	Enhance Fox River riverfront access and create a riverfront park west of Bridge Street	
	Enhance streetscape appearances and improve the walkability of Hydraulic, Main and Van Emmon Streets.	
	Create public parking areas.	COMPLETED
	Facilitate building rehabilitation and façade improvements.	IN PROGRESS
Retain and enhance the character and livability of Yorkville's traditional neighborhoods.	Clean and green the Legacy Block (short-term)	IN PROGRESS
	Prepare a neighborhood design manual.	COMPLETED
Facilitate the completion of Yorkville subdivision developments in the Tiers 1 and 2 residential neighborhoods.	Explore a National Register District designation for Traditional Neighborhood areas.	
	Facilitate build out of Tier 1 and 2 subdivisions.	IN PROGRESS
Implement alternative land use and housing strategies in Tiers 3 and 4 residential neighborhoods. Improve residential subdivision design and neighborhood physical appearances.	Reposition Tier 3 and 4 subdivisions to accommodate different land uses and housing products.	IN PROGRESS
	Adopt conservation and estate residential subdivision codes.	IN PROGRESS
Yorkville transportation network to accommodate various modes of transportation.	Update the bike trail plan that considers on-street connections and bicycle facilities. Conduct a comprehensive pedestrian crossings assessment, potentially as part of an updated bike trail plan.	
Manage Downtown Yorkville's parking supply effectively and efficiently.	Conduct a Downtown parking assessment and management study. Create Downtown parking facilities. Review and revise parking requirements.	COMPLETED
Ensure City infrastructure systems are updated and modernized to meet the needs of current residents and future development.	Prepare an updated water supply infrastructure plan to accommodate system maintenance and future growth. Coordinate with the YBSD on preparation of a sanitary system and where growth is anticipated.	COMPLETED
Promote and implement an effective growth management practices.	Prepare and adopt boundary agreements with the Village of Millbrook and Joliet. Adopt a new planning boundary.	
Maintain an enhanced and well-preserved parks and open space system.	Update the Parks and Recreation Department Master Plan. Implement expansions to Bicentennial Riverfront Park. Consider park and recreation facility expansion near the Raging Waves Water Park.	
Promote orderly growth along Illinois Route 47, and enhance and maintain the corridor's visual environment and land use pattern.	Implement gateway, wayfinding, landscaping and other placemaking treatments. Consider zoning overlays, new design standards or other tools to promote desired corridor character.	IN PROGRESS

# Comprehensive Planning

## Downtown Overlay District

Creates concrete design guidelines and elements to enhance downtown redevelopment outcomes. Farr Associates hired to prepare the plan which begin in January 2018 and is set to complete in Spring 2019.

### Bridge Street (Long-Term)

#### Minor Upgrades Go a Long Way

The existing Bridge Street right-of-way affords very little flexibility for major improvements, however, that does not mean that meaningful upgrades would not make a positive impact. Squaring in improvements where possible, such as the addition of seasonal barriers to the light poles, repairing the sidewalks with high-quality and interesting materials for pedestrians, or replacing the damaged handrail with a feature handrail that may be an art installation, can make a surprisingly dramatic impact for both drivers and pedestrians. Additionally, if the buildings better engage the sidewalks through accessible entrances, signage, and outdoor seating options, this would improve this highly visible stretch of downtown Yorkville.



Figure 13 - Improved, Feature handrail (Hype Science)

A reduction in lane width would require a reclassification from IDOT to remove its truck route status. With alternative routes already being considered, it may simply be a matter of time and funding before truck traffic is routed off of Bridge Street. In this case, a redesign of Bridge Street to a narrower, 3-lane section is recommended. In the meantime, it will be critical for the City to address the perception issues with Bridge Street through near-term solutions that may last many years.



Figure 14 - Seasonal Banners (Farr Associates)

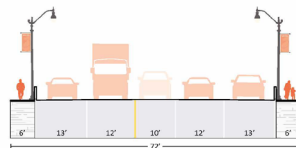
If IDOT does not provide an alternative route for truck traffic, a five-lane street may be the long-term reality. Though it would not be living up to its potential as Yorkville's iconic street, near-term strategies can add value to downtown Yorkville through amplified crosswalks, branding and wayfinding elements, visible outdoor seating, and much more.



Figure 15 - Improved Sidewalk Pavement (California DOT)



Bridge Street (Long-Term)



### Building Types

#### A. Introduction to Building Type Standards

The building detail in this section defines the Building Type parameters for construction or renovated structures within the District that meet the following requirements:

1. General: All Building Types shall meet the following requirements to address the criteria outlined for the District:
  - (a) Zoning District: Each Building Type shall be constructed only within the designated districts. Refer to Tables 10-23-4-1.1, 10-23-4-1.2, and 10-23-4-1.3 for more information on zoning districts.
  - (b) Use: Each Building Type addresses a category of uses depending on the district in which it is located. Refer to 10-23-4-1.1 for more information on zoning districts. Some Building Types have additional restrictions on permitted uses.
  - (c) Other Building Types: All buildings constructed shall meet the standards of one of the Building Types within the zoning district of use.
  - (d) Performance Standards: All buildings constructed shall be constructed to meet or exceed the standards, rules, or codes, or other provisions that would make the structure suitable for use as intended.
  - (e) Accessory Structures:
    1. Attached accessory structures are considered part of the Building Type.
    2. Unattached accessory structures are considered separate buildings. They must meet all applicable codes except the following:
      - (i) Unattached accessory structures are not permitted in the front yard.
      - (ii) Unattached accessory structures shall be located behind the principal structure in the rear yard.
      - (iii) Unattached accessory structures shall not exceed the height or lot coverage of the principal structure.

Building Type	Districts			
	DT-1 Bridge Street	DT-2 Yorkville District	DT-3 Yorkville District	DT-4 Yorkville District
Downtown Commercial	●	●	●	●
Downtown Living	●	●	●	●
Office Building	●	●	●	●
Attached Building	●	●	●	○
Yield Building	○	○	○	○

Table 10-23-4-1.1: Permitted Building Types by District

#### B. Performance Standards

1. Performance Standards: All buildings constructed shall be constructed to meet or exceed the standards, rules, or codes, or other provisions that would make the structure suitable for use as intended.
2. Accessory Structures:
  1. Attached accessory structures are considered part of the Building Type.
  2. Unattached accessory structures are considered separate buildings. They must meet all applicable codes except the following:
    - (i) Unattached accessory structures are not permitted in the front yard.
    - (ii) Unattached accessory structures shall be located behind the principal structure in the rear yard.
    - (iii) Unattached accessory structures shall not exceed the height or lot coverage of the principal structure.

Building Type	Districts			
	DT-1 Bridge Street	DT-2 Yorkville District	DT-3 Yorkville District	DT-4 Yorkville District
Downtown Commercial	●	●	●	●
Downtown Living	●	●	●	●
Office Building	●	●	●	●
Attached Building	●	●	●	○
Yield Building	○	○	○	○

Table 10-23-4-1.2: Permitted Building Types by District

#### How To Use The Code

##### Page Layout

Building Type parameters are organized into a series of tables that provide information on the various Building Types. The tables are organized into a series of tables that provide information on the various Building Types. The tables are organized into a series of tables that provide information on the various Building Types.

##### Building Type Tables

Table 10-23-4-1.1 is an example of a Building Type Table. The table provides information on the various Building Types. The table is organized into a series of tables that provide information on the various Building Types. The table is organized into a series of tables that provide information on the various Building Types.

Table 10-23-4-1.1: Permitted Building Types by District

Table 10-23-4-1.2: Permitted Building Types by District

Figure 10-23-4-1.1: Building Type Table Example



# Comprehensive Planning

## Neighborhood Design Manual

Manual encourages the conservation and preservation of the housing stock in the traditional neighborhood areas of Yorkville, as well as guide new housing construction that is in scale and character with adjacent housing.

### Neighborhood Overview

#### History

The first permanent structure in what would come to be the United City of Yorkville was built in 1833 by Earl Adams, located south of the Fox River along the hill which is now home to the Kendall County Courthouse. Around the same time, Lyman and Burr Bristol began to develop property on the north side of the Fox River. Between 1834 and 1836 the community of Bristol was platted north of the Fox River and in 1835 Rufus Daryus laid out the village of Yorkville on the south side. The designation of Yorkville as the Kendall County seat in 1859 would guarantee future development of Bristol and Yorkville and they would be incorporated by 1861 and 1867 respectively.

The coming of the railroad located south of the river along Hydraulic Street would spur the development of downtown Yorkville making it the business and industrial center of this growing region and leaving Bristol on the north bank of the river as a more residential area. The impacts of this can still be seen today. The area with the highest concentration of pre-1900 homes is overlooking the river on the north bank of the Fox River in what used to be Bristol.



By 1940, downtown Yorkville and Bristol had grown up and away from the river to define the boundaries of what we consider the Traditional Neighborhood area today.

In the years following the Second World War, the population of Yorkville would explode leading to the consolidation of the Yorkville-Bristol governments in 1957. This period would be marked by the prevalence of American suburban tract style housing in previously undeveloped areas but the area around downtown Yorkville would see new infill development as well, particularly in the areas south of Fox St and in the cut-de-sacs West of Morgan and East of Mill Street.



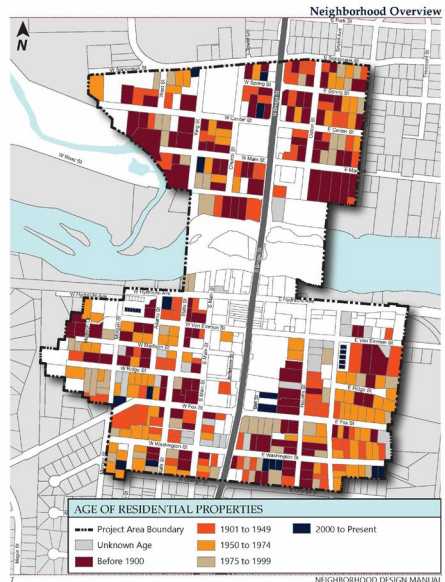
Figure B (Table) & C (Map): Breakdown by Age

Year/Category	Number of Homes	%
Pre 1900	120	28%
1901 - 1949	80	19%
1950 - 1974	86	21%
1975 - Present	69	16%
2000 - Present	27	6%
Unknown	28	6%
<b>Total</b>	<b>421</b>	<b>100%</b>

Figure D: 1939 Aerial Photography courtesy of Kendall Township CAMA Sales Viewer (Below)



Downtown Yorkville & Bristol in 1939



## 01 Neighborhood Overview

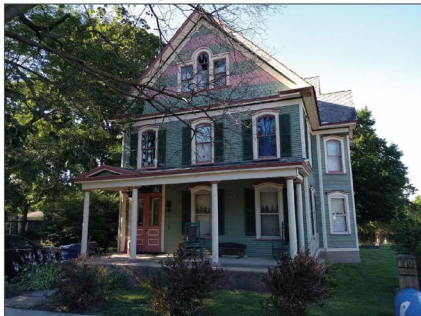
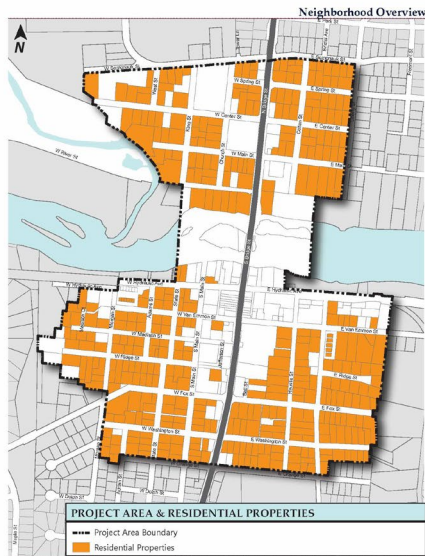


Image 1: A Home on the South side of the Fox River

#### Introduction

Yorkville's traditional neighborhoods are located around Downtown, both north and south of the Fox River (Figure A). The study area for this manual includes those areas with the highest concentration of old homes and irregular lots, consisting of the area running from Somonauk Street on the north side of the Fox River to Orange Street to the south and extending two to three blocks east and west from Bridge Street.

This neighborhood is defined by older homes dating from the original settlement of Yorkville and Bristol in the mid-1800s through the post-War period in the 1960s and includes a huge variety of home types and architectural styles.





# Comprehensive Planning

## Industrial Development Focus Group

The City of Yorkville held an Industrial Development Focus Group on November 15, 2018 to discuss topics related to the manufacturing sector of our community. The panel discussions covered current market, finance and regulatory barriers affecting the industrial/manufacturing businesses, as well as reinvestment and economic incentives available.



United City of Yorkville, Illinois  
**INDUSTRIAL DEVELOPMENT FOCUS GROUP**

### **FOCUS GROUP AGENDA**

**WELCOME & INTRODUCTION**

**OBJECTIVE OF THE FOCUS GROUP**

#### **OPEN PANEL DISCUSSIONS ON THE FOLLOWING TOPICS WITH PARTICIPANTS:**

- Current barriers for industrial/manufacturing market in Yorkville
- Changes in users/tenants of industrial/manufacturing zoned properties
- Regulatory concerns for industrial/manufacturing businesses
- Opportunities for expansion and reinvestment in industrial/manufacturing existing businesses
- Economic incentives needed for new industrial/manufacturing development in Yorkville

**QUESTION AND ANSWER**

**WRAP UP/CONCLUSION**

**THURSDAY  
NOVEMBER 15, 2018  
3:00 PM**

City Hall  
800 Game Farm Road  
Yorkville, IL 60560



Focus Group conducted with the assistance from the following organizations:



# Future Goals 2019

- **Unified Development Ordinance – Kick Off!!**
  - Combines all development standards (zoning, subdivision control, appearance standards, building & landscaping codes) into a single easy-to-read document.
- **Downtown and Strategic Planning**
  - Downtown Tactical Urbanism Plan Projects
  - Downtown Wall Murals
  - Downtown Façade Improvement Program
  - Annexation & Boundary Agreements
- **Special Projects**
  - Hydraulic St. & Van Emmon St. beautification and streetscape master planning project.
  - Planning & Zoning Commission Training Series