

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS,
HELD IN THE CITY COUNCIL CHAMBERS,
651 PRAIRIE POINTE ROAD ON
TUESDAY, OCTOBER 10, 2023**

Mayor Purcell called the meeting to order at 7:00 p.m. and led the Council in the Pledge of Allegiance.

ROLL CALL

City Clerk Behland called the roll.

Ward I	Koch	Present
	Transier	Present
Ward II	Plocher	Present
	Soling	Present
Ward III	Funkhouser	Present
	Marek	Absent
Ward IV	Tarulis	Present
	Corneils	Present

Staff in attendance at City Hall: City Clerk Behland, City Administrator Olson, Chief of Police Jensen, Attorney Lamb, Public Works Director Dhuse, Community Development Director Barksdale-Noble, Finance Director Fredrickson, Parks and Recreation Director Evans, Assistant City Administrator Willrett, and EEI Engineer Sanderson.

Members of the public were able to attend this meeting in person as well as being able to access the meeting remotely via Zoom which allowed for video, audio, and telephonic participation.

A meeting notice was posted on the City’s website on the agenda, minutes, and packets webpage with instructions regarding remote meeting access and a link was included for the public to participate in the meeting remotely: <https://us02web.zoom.us/j/84466808586?pwd=Zi9NK0JrNXJ2VHg0Zks0ZlJldmlyUT09>. The Zoom meeting ID was 844 6680 8586.

QUORUM

A quorum was established.

AMENDMENTS TO THE AGENDA

None.

PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS ON AGENDA ITEMS

Scott Osborn, TurningPoint Energy, shared with the City Council that they have pulled their application for the 106 project and are only moving forward with 105. They will also be doing a wooden privacy fence with a vegetation screen next to the fence. They will still be donating to the community as they donate to the local communities for each project they have completed. Scott thanked the Council for their consideration of the project.

CONSENT AGENDA

- 1. Bill Payments for Approval
 - \$ 655,199.38 (vendors)
 - \$ 366,639.37 (payroll period ending 9/29/23)
 - \$ 1,021,838.75 (total)

Mayor Purcell entertained a motion to approve the consent agenda. So moved by Alderman Tarulis; seconded by Alderman Soling.

Motion approved by a roll call vote. Ayes-7 Nays-0
Koch-aye, Plocher-aye, Funkhouser-aye, Tarulis-aye,
Transier-aye, Soling-aye, Corneils-aye

REPORTS

MAYOR'S REPORT

2023 Tax Levy Estimate

(CC 2023-58)

Mayor Purcell entertained a motion to approve a tax levy estimate for 2023, to be used for the purpose of conducting a public hearing on the tax levy in the amount of \$5,073,005. So moved by Alderman Transier; seconded by Alderman Corneils.

Motion approved by a roll call vote. Ayes-7 Nays-0
Plocher-aye, Funkhouser-aye, Tarulis-aye, Transier-aye,
Soling-aye, Corneils-aye, Koch-aye

Bristol Ridge Solar 105

(PZC 2022-02 & EDC 2023-22)

Ordinance 2023-31

**Approving the First Amendment to the Annexation Agreement
for a Portion of the Bristol Ridge Subdivision (Daniel B Light)**

Mayor Purcell entertained a motion to approve an Ordinance Approving the First Amendment to the Annexation Agreement for a Portion of the Bristol Ridge Subdivision (Daniel B Light) and authorize the Mayor and City Clerk to execute. So moved by Alderman Plocher; seconded by Alderman Corneils.

Alderman Koch asked if they would still be donating to the community. Scott Osborn said they are looking at working with the library and possibly working with their scholarship program. For every project they work on, they donate to that community. Their company aims to reach 1 million donated, currently around 750k donated. Alderman Soling asked about the possible glare from the panels. Scott reported that all calculations are through software that is used across this industry, and there were no issues that arose. They also had a civil engineer review everything as well.

Motion approved by a roll call vote. Ayes-6 Nays-2
Funkhouser-nay, Tarulis-nay, Transier-aye, Soling-aye,
Corneils-aye, Koch-aye, Plocher-aye, Purcell-aye

Ordinance 2023-32

**Approving the Rezoning to the A-1 Agricultural Zoning District
of Certain Territory Generally Located at East of Cannonball Trail
and North of the Burlington Northern Santa Fe Railroad Line**

Mayor Purcell entertained a motion to approve an Ordinance Approving the Rezoning to the A-1 Agricultural Zoning District of Certain Territory Generally Located at East of Cannonball Trail and North of the Burlington Northern Santa Fe Railroad Line and authorize the Mayor and City Clerk to execute. So moved by Alderman Transier; seconded by Alderman Plocher.

Motion approved by a roll call vote. Ayes-5 Nays-2
Tarulis-nay, Transier-aye, Soling-aye, Corneils-aye,
Koch-aye, Plocher-aye, Funkhouser-nay

Ordinance 2023-33

**Granting a Freestanding Solar Energy System Clearance Variance
for the Property Generally Located at East of Cannonball Trail and
North of the Burlington Northern Santa Fe Railroad Line**

Mayor Purcell entertained a motion to approve an Ordinance Granting a Freestanding Solar Energy Systems Clearance Variance for the Property Generally Located at East of Cannonball Trail and North of the Burlington Northern Santa Fe Railroad Line and authorize the Mayor and City Clerk to execute. So moved by Alderman Soling; seconded by Alderman Plocher.

Motion approved by a roll call vote. Ayes-5 Nays-2
Transier-aye, Soling-aye, Corneils-aye, Koch-aye,
Plocher-aye, Funkhouser-nay, Tarulis-nay

Ordinance 2023-34

**Approving a Special Use for the Property Generally Located
at East of Cannonball Trail and North of the Burlington
Northern Santa Fe Railroad Line**

Mayor Purcell entertained a motion to approve an Ordinance Approving a Special Use for the Property Generally Located at East of Cannonball Trail and North of the Burlington Northern Santa Fe Railroad Line and authorize the Mayor and City Clerk to execute. So moved by Alderman Soling; seconded by Alderman Plocher.

Motion approved by a roll call vote. Ayes-5 Nays-2
Soling-aye, Corneils-aye, Koch-aye, Plocher-aye,
Funkhouser-nay, Tarulis-nay, Transier-aye

PUBLIC WORKS COMMITTEE REPORT

No report.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

No report.

PUBLIC SAFETY COMMITTEE REPORT

No report.

ADMINISTRATION COMMITTEE REPORT

No report.

PARK BOARD

Halloween Events

Parks and Recreation Director Evans reported the Halloween Egg Hunt is Friday, October 20th, at 7:00 p.m. at Town Square Park. The Halloween Costume Contest will occur before the Halloween Egg Hunt at Town Square Park at 6:30 p.m. The Biz Boo! Community Trick-or-Treat is Saturday, October 21st, from 10:00 a.m. to 2:00 p.m. A large part of the event is at NCG Yorkville Cinemas. There are also participating businesses around the community. The City of Yorkville also has Halloween Hawaiian shirts available at City Hall for purchase. As a reminder, Trick-or-Treat hours in the City of Yorkville on Tuesday, October 31st, are 4:00 p.m. to 7:00 p.m.

PLANNING AND ZONING COMMISSION

No report.

CITY COUNCIL REPORT

No report.

CITY CLERK’S REPORT

No report.

COMMUNITY & LIAISON REPORT

Yorkville Bristol Sanitary District

Alderman Soling reported that the Yorkville Bristol Sanitary District expansion project will be a three-year project. They will also have a UV inspection building.

STAFF REPORT

No report.

MAYOR’S REPORT (cont’d)

**Unified Development Ordinance -Presentation
(PZC 2023-09 & EDC 2023-36)**

Community Development Director Barksdale-Noble presented on the Unified Development Ordinance. (*see attached presentation*). After the presentation, a discussion took place on cluster developments and the possibility of a density bonus for cluster developments. Discussions continued on yard signs and terms used within the UDO. There was concern from an alderman that some recommendations from the UDO Advisory Committee and Planning and Zoning Commission might have been wrong, and they would like the recommendations looked over. Mayor Purcell said staff will review the items and make a list or checklist for each item that the Council needs to approve before the final UDO approval.

**City Buildings Update
(CC 2021-04)**

City Administrator Olson shared that after the goal-setting sessions are complete, staff will bring forward a public works facility discussion in the next few months. Staff will meet with the architect soon and hope to have an action plan shortly after at a committee meeting.

**Water Study Update
(CC 2021-38)**

City Administrator Olson reported the City received a positive hearing officer recommendation and is one step closer to the approval. Now, IDNR has 90 days to approve or deny the hearing officer recommendation. Alderman Koch asked how the other towns are doing in their approval process. City Administrator Olson said Oswego was just approved, and Montgomery has just received their hearing officer.

ADDITIONAL BUSINESS

None.

CITIZEN COMMENTS

Molly Krempski, a Yorkville resident, shared with the Council that she believes it does matter what the recommendations are and what/who recommended it. Staff needs to report accurately.

Mike Krempski, a Yorkville resident, stated all yard signs are permitted, and both groups removed all restrictions. He asked what the point of committees was. And noted this is a waste of taxpayer's money. He also shared both committees recommended “family” be left in.

EXECUTIVE SESSION

None.

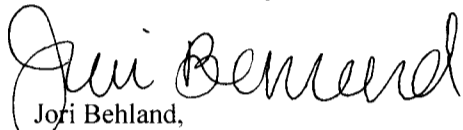
ADJOURNMENT

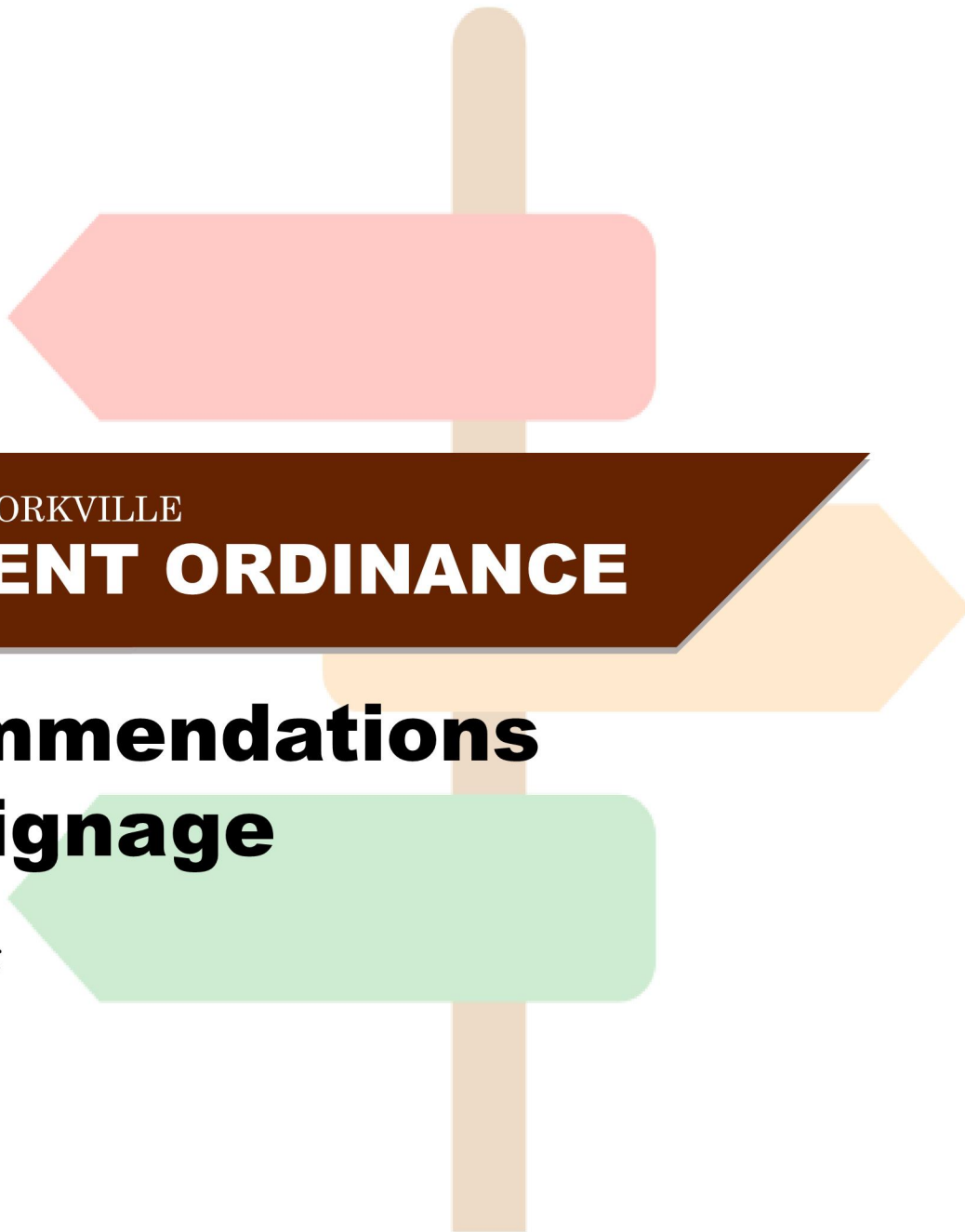
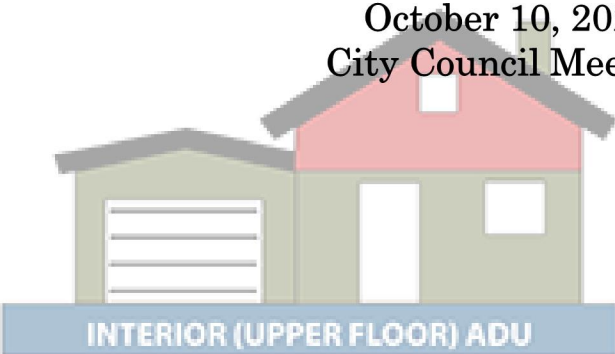
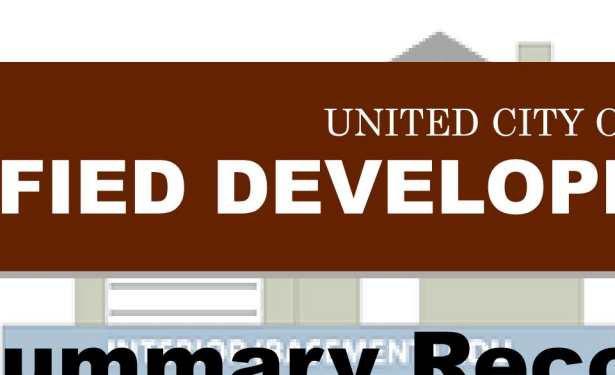
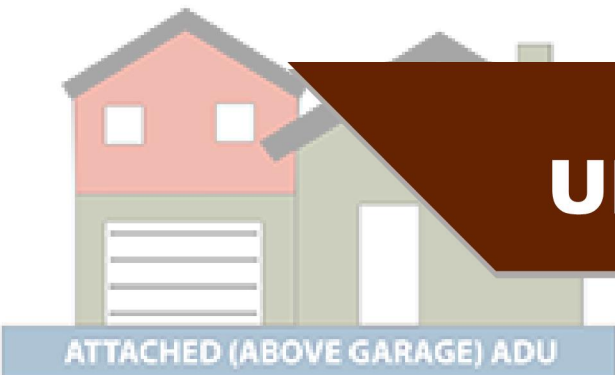
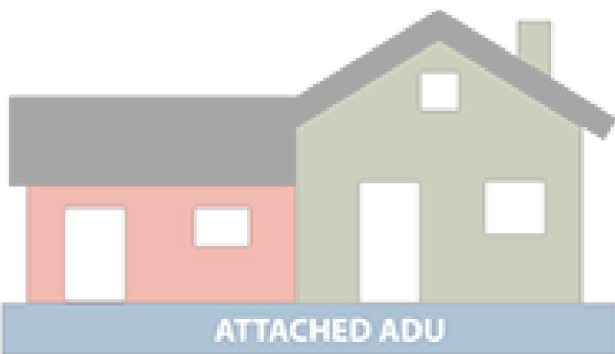
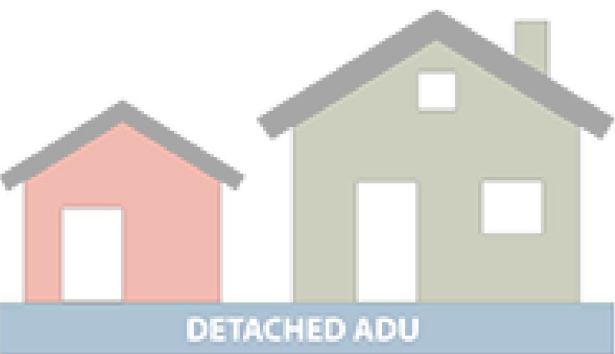
Mayor Purcell entertained a motion to adjourn the City Council meeting. So moved by Alderman Soling; seconded by Alderman Plocher.

Motion unanimously approved by a viva voce vote.

Meeting adjourned at 8:07 p.m.

Minutes submitted by:

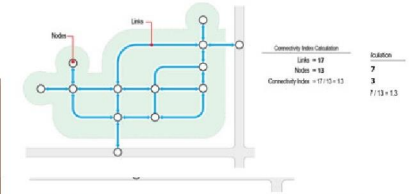

Jori Behland,
City Clerk, City of Yorkville, Illinois



UNITED CITY OF YORKVILLE
UNIFIED DEVELOPMENT ORDINANCE

**Summary Recommendations
ADUs & Signage**

October 10, 2023
City Council Meeting

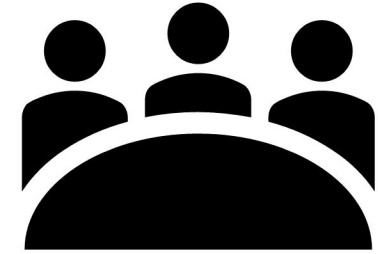


Unified Development Ordinance Summary of Recommendations



CITY COUNCIL FEEDBACK

- UDO COMMITTEE FINAL MEETING
- ECONOMIC DEVELOPMENT COMMITTEE MEETING
- PLANNING & ZONING COMMISSION PUBLIC HEARING
- CITY COUNCIL INITIAL REVIEW
- **CITY COUNCIL DISCUSSION (ADUs & SIGNAGE)**



August 8, 2023

August 31, 2023

September 5, 2023

September 13, 2023

September 26, 2023

October 10, 2023

Unified Development Ordinance

Summary of Recommendations

	DRAFT UDO	UDO ADVISORY COMMITTEE	PLANNING & ZONING COMMITTEE
Chpt. 2 - Definitions	Uses <u>new</u> term "Dwelling Unit"	Recommends <u>retain</u> "Family Unit"	Recommends <u>new</u> term "Dwelling Unit"

CITY COUNCIL DECISION ?

Unified Development Ordinance

Summary of Recommendations

	DRAFT UDO	UDO ADVISORY COMMITTEE	PLANNING & ZONING COMMITTEE																																	
Chpt. 3 - District Standards	<p>Retains Current Regulations for R-1 & R2 Zoning Districts:</p> <table><tr><th>District</th><th>Regulation</th><th>Current Zoning</th></tr><tr><td>R-1</td><td>Min. Lot Size Min. Lot Width. Front Yard Side Yard Rear Yard</td><td>18,000 sq. ft. 100 ft. 40 ft. 15 ft. 50 ft.</td></tr><tr><td>R-2</td><td>Min. Lot Size Min. Lot Width. Front Yard Side Yard Rear Yard</td><td>12,000 sq. ft. 80 ft. 30 ft. 10 ft. 40 ft.</td></tr></table>	District	Regulation	Current Zoning	R-1	Min. Lot Size Min. Lot Width. Front Yard Side Yard Rear Yard	18,000 sq. ft. 100 ft. 40 ft. 15 ft. 50 ft.	R-2	Min. Lot Size Min. Lot Width. Front Yard Side Yard Rear Yard	12,000 sq. ft. 80 ft. 30 ft. 10 ft. 40 ft.	<p>Recommends Revise R-1 & R-2 Zoning District Regulations and Create New R2A Zoning District:</p> <table><tr><th>District</th><th>Regulation</th><th>Proposed Zoning</th></tr><tr><td>R-1</td><td>Min. Lot Size Min. Lot Width. Front Yard Side Yard Rear Yard</td><td>12,000 sq. ft. 80 ft. 40 ft. 15 ft. 50 ft.</td></tr><tr><td>R-2</td><td>Min. Lot Size Min. Lot Width. Front Yard Side Yard Rear Yard</td><td>10,000 sq. ft. 70 ft. 25 ft. 10 ft. 30 ft.</td></tr></table> <table><tr><th>District</th><th>Regulation</th><th>Proposed Zoning</th></tr><tr><td>R-2A</td><td>Min. Lot Size Min. Lot Width. Front Yard Side Yard Rear Yard</td><td>6,000 sq. ft. 65 ft. 25 ft. 10 ft. 25 ft.</td></tr></table>	District	Regulation	Proposed Zoning	R-1	Min. Lot Size Min. Lot Width. Front Yard Side Yard Rear Yard	12,000 sq. ft. 80 ft. 40 ft. 15 ft. 50 ft.	R-2	Min. Lot Size Min. Lot Width. Front Yard Side Yard Rear Yard	10,000 sq. ft. 70 ft. 25 ft. 10 ft. 30 ft.	District	Regulation	Proposed Zoning	R-2A	Min. Lot Size Min. Lot Width. Front Yard Side Yard Rear Yard	6,000 sq. ft. 65 ft. 25 ft. 10 ft. 25 ft.	<p>Recommends Retain Current Regulations for R-1 & R-2 Zoning Districts:</p> <table><tr><th>District</th><th>Regulation</th><th>Current Zoning</th></tr><tr><td>R-1</td><td>Min. Lot Size Min. Lot Width. Front Yard Side Yard Rear Yard</td><td>18,000 sq. ft. 100 ft. 40 ft. 15 ft. 50 ft.</td></tr><tr><td>R-2</td><td>Min. Lot Size Min. Lot Width. Front Yard Side Yard Rear Yard</td><td>12,000 sq. ft. 80 ft. 30 ft. 10 ft. 40 ft.</td></tr></table>	District	Regulation	Current Zoning	R-1	Min. Lot Size Min. Lot Width. Front Yard Side Yard Rear Yard	18,000 sq. ft. 100 ft. 40 ft. 15 ft. 50 ft.	R-2	Min. Lot Size Min. Lot Width. Front Yard Side Yard Rear Yard	12,000 sq. ft. 80 ft. 30 ft. 10 ft. 40 ft.
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CITY COUNCIL DECISION – August 8, 2023

Unified Development Ordinance

Summary of Recommendations

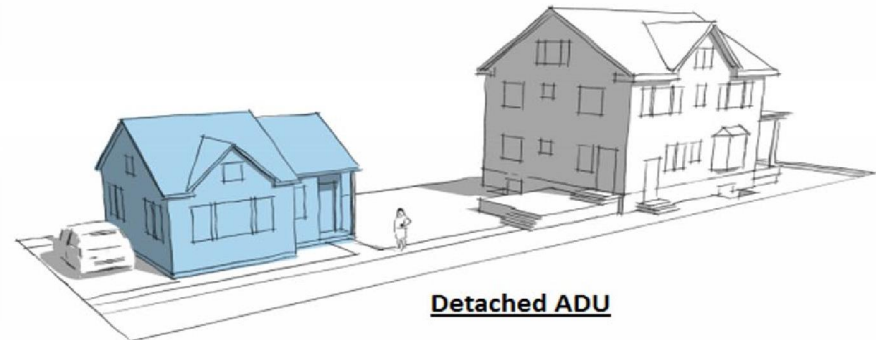
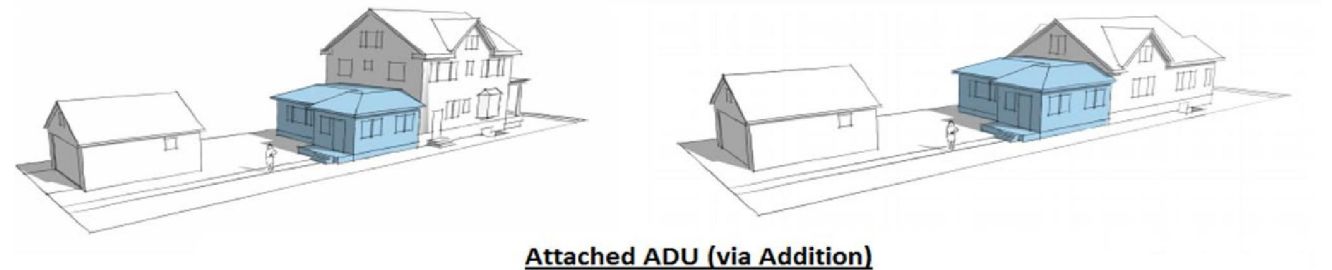
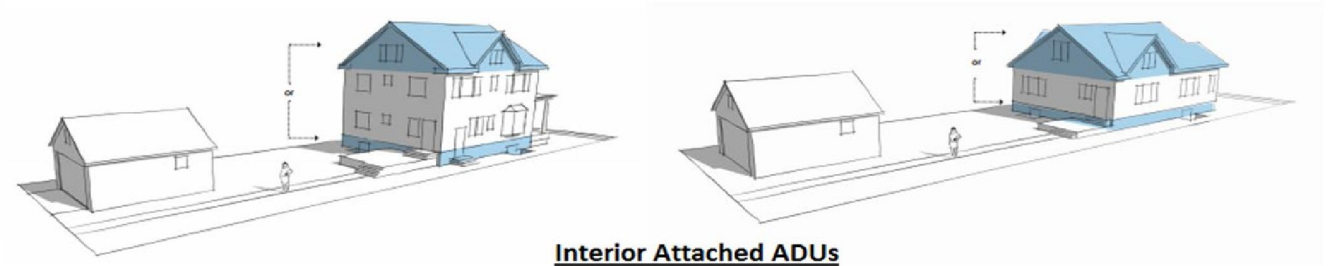
	DRAFT UDO	UDO ADVISORY COMMITTEE	PLANNING & ZONING COMMITTEE
Chpt. 4 – Use Standards	Accessory Dwelling Units (ADUs) permitted in A-1, R-1, R-2, R-2D and R-3 Districts (single-unit dwellings only)	Accessory Dwelling Units (ADUs) permitted in A-1, R-1, R-2, R-2D and R-3 Districts (single-unit dwellings only)	Accessory Dwelling Units (ADUs) <u>attached</u> permitted and <u>detached</u> special uses in A-1, R-1, R-2, R-2D and R-3 Districts (single-unit dwellings only)

CITY COUNCIL DECISION ?

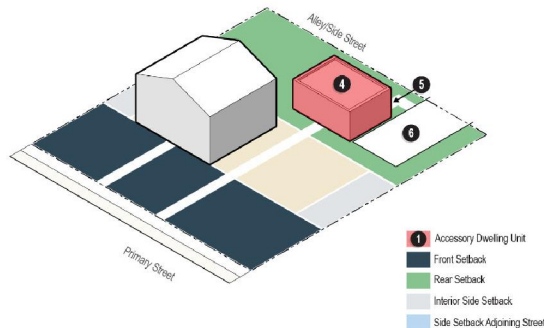
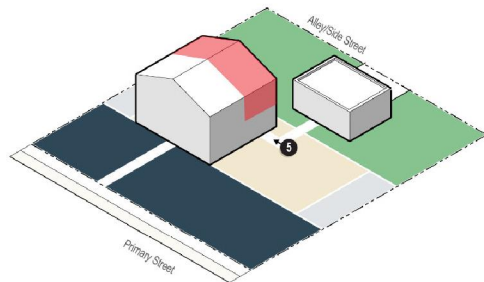
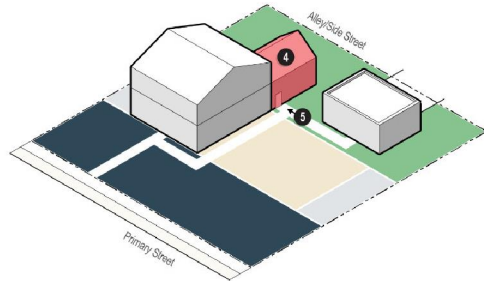
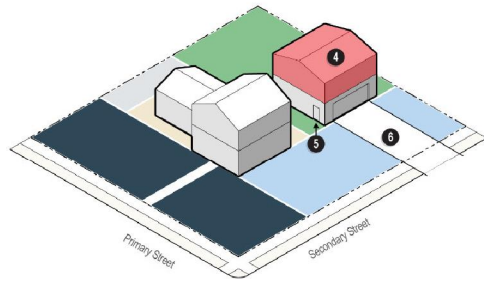
Unified Development Ordinance
Chapter 4 – Use Standards

ACCESSORY DWELLING UNITS

An accessory dwelling unit (ADU) is a small dwelling on the same grounds as, or attached to, a single-family house. For example, it could be an apartment over the garage, a basement apartment, or a stand-alone house in the backyard.



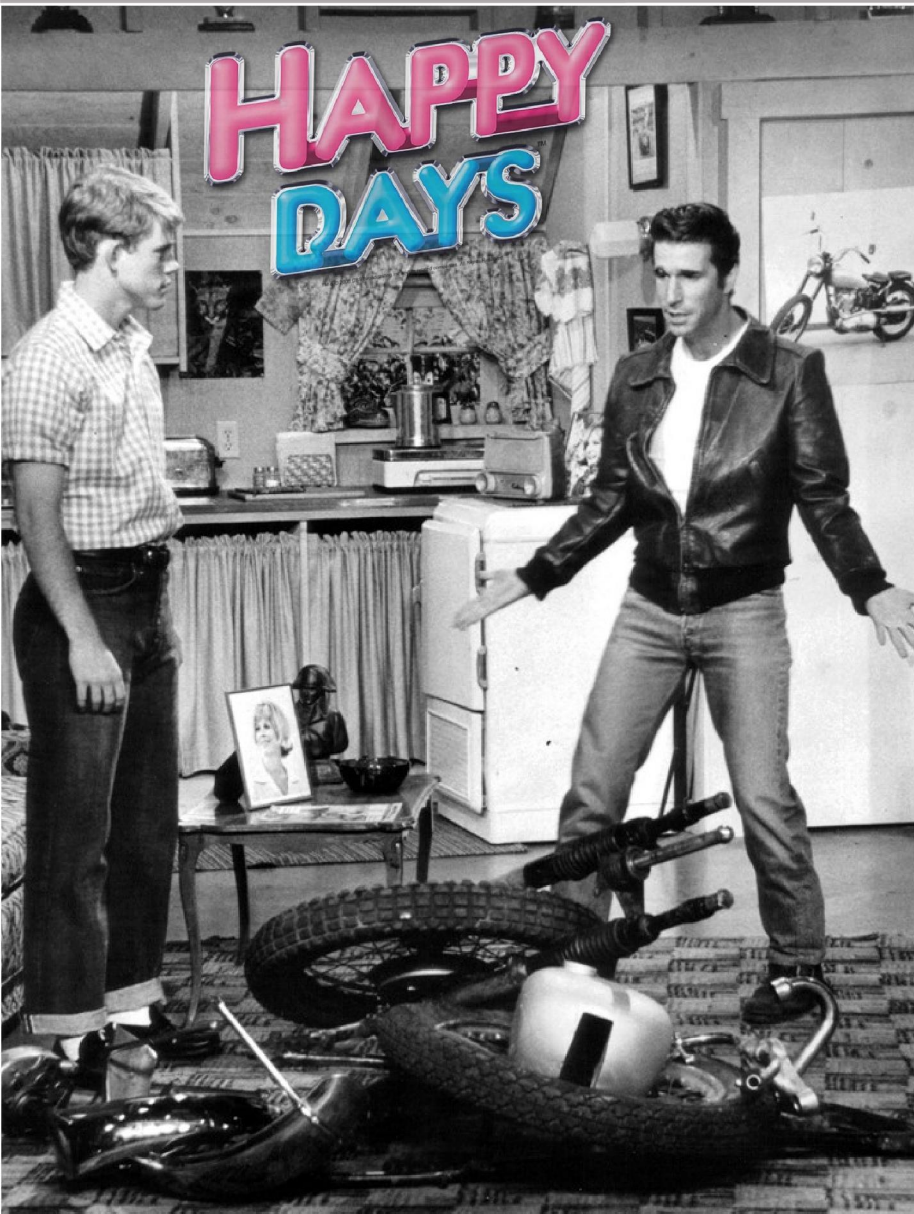
ACCESSORY DWELLING UNITS



- One (1) accessory dwelling unit shall be permitted on a lot. The accessory dwelling shall only be allowed on a lot on which the sole principal use is a single-unit dwelling.
- Detached accessory dwelling units shall not exceed nine hundred (900) square feet or ten (10) percent of size of the lot, whichever is less.
- Attached accessory dwelling units shall not exceed nine hundred (900) square feet or thirty (30) percent of the size of the principal building, whichever is less.
- Detached and attached secondary dwelling units shall be located to the rear of the primary building.
- Only one (1) entrance shall be located on the front façade of the primary building. Entrances to secondary dwelling units must be located on the side or rear façade.
- Both the principal structure and the accessory dwelling unit shall be served by one (1) common driveway connecting the principal and accessory dwelling units to a public or private road.
- Parking for the accessory dwelling unit shall be in addition to the parking space(s) required for the primary dwelling unit. The parking for the accessory dwelling unit shall not be located in the required front yard setback. A tandem parking space, where one (1) car is parked behind another within the driveway, with the spaces required for the primary building shall be prohibited.
- The accessory dwelling shall use the same mailbox, water meter, and trash containers as the principal dwelling unit. The use of additional mailboxes, water meters, and trash containers by the accessory dwelling unit separate from the principal dwelling unit shall be prohibited.
- Accessory dwelling units shall be similar in character to the primary building and to abutting properties including roof pitch, eaves, exterior building cladding materials, windows, trim, color, and landscaping.

Unified Development Ordinance

Famous ADU Dwellers



Accessory Dwelling Units (Typical Examples)



Accessory Dwelling Units (Current Code)

Current Zoning Ordinance anticipated Accessory Dwelling Units, but provided no use standards or regulations

TABLE 10.16.03
MINIMUM OFF-STREET PARKING REQUIREMENTS

10/8/23, 9:34 AM

Yorkville, IL Code of Ordinances

Use	Minimum Spaces Required
<i>Residential uses:</i>	
Single-family dwelling unit	2 per dwelling unit
Multi-family dwelling unit:	
Dwelling units with 1,000 square feet or less	2 per dwelling unit
Dwelling units with 1,001 square feet or more	2 per dwelling unit
Accessory dwelling unit	1 per dwelling unit
Elderly housing	0.5 per dwelling unit

Accessory Commercial Units (Special Use)



Unified Development Ordinance

Summary of Recommendations

	DRAFT UDO	UDO ADVISORY COMMITTEE	PLANNING & ZONING COMMITTEE																																																								
Chpt. 5 – Development Standards	Revise Minimum required off-street parking to 1 per dwelling unit :	Revise Minimum required off-street parking to 2 per dwelling unit :	Revise Minimum required off-street parking to 2 per dwelling unit :																																																								
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CITY COUNCIL DECISION ?

Unified Development Ordinance

Summary of Recommendations

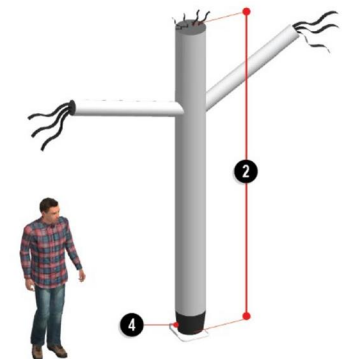
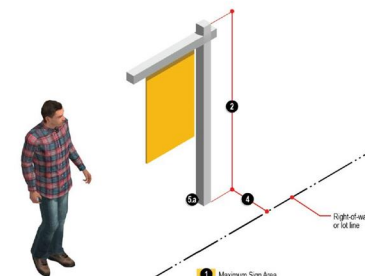
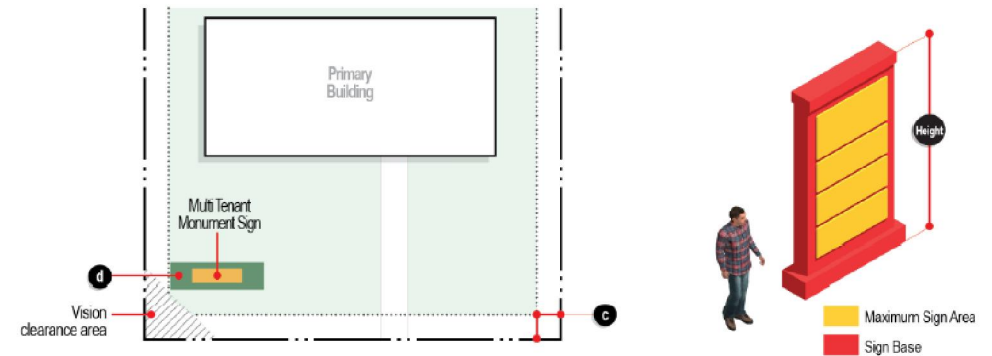
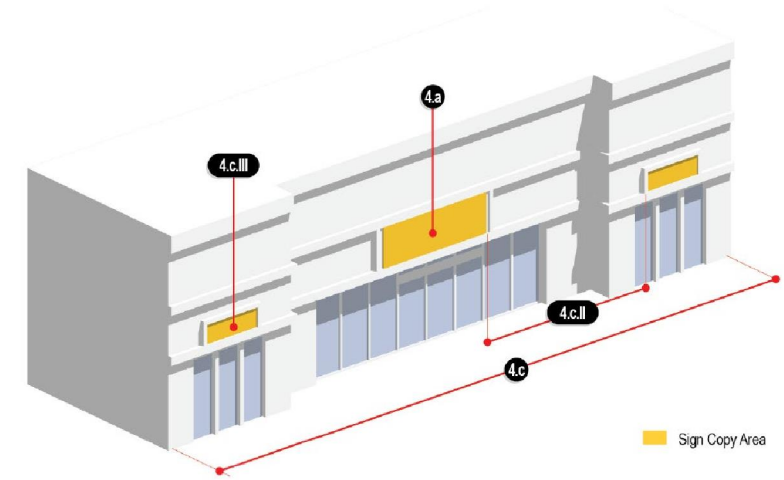


Minimum 1-car garage vs. Minimum 2-car garage

Unified Development Ordinance

Chapter 6 - Sign Standards

- Complete rewrite due to Reed V Gilbert (2015)
- Content neutral sign regulations
- Goal is to improve the quality of signs without limiting options for businesses
 - Created a two-tiered sign material classification
 - Base Quality Materials (stone veneer, fiber cement, wood, EIFs, precast panels) Max. 32 sq. ft.
 - High Quality Materials (Masonry, Natural Stone, Steel/wrought iron) Max. 48 sq. ft.
- Comprehensive Sign Plan
 - Provides an alternative procedure under which signs can be designed, constructed, and erected. The objective of the comprehensive sign plan is to encourage a higher level of design than is possible under the regular sign regulations.



Unified Development Ordinance

Summary of Recommendations

	DRAFT UDO	UDO ADVISORY COMMITTEE	PLANNING & ZONING COMMITTEE
Chpt. 6 – Signs	<p>Regulate <u>Yard Signs</u> as below:</p> <ul style="list-style-type: none">• 32 sq. ft. on parcels that have frontage along a major arterial road.• 16 sq. ft. for all other parcels• Max. Height 4 feet• Max. 2 yard signs, except, 60 days before and 15 days after an election, an unlimited number of signs may be displayed.	<p>Regulate <u>Yard Signs</u> as below:</p> <ul style="list-style-type: none">• 32 sq. ft. on all parcels• Max. Height 4 feet• No max. number of yard signs	<p>Do not Regulate <u>Yard Signs</u>.</p>

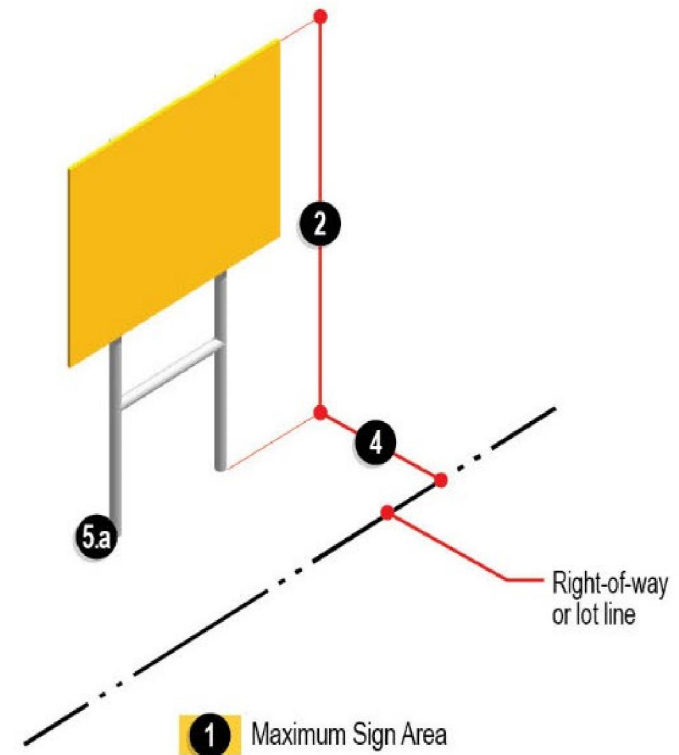
CITY COUNCIL DECISION ?

Chapter 6 – Signs (YARD SIGNS)

Current Zoning Ordinance does not regulate the number of yard signs on private property

G. Yard Signs.

1. **Sign Area.** The maximum sign area of yard signs shall be as follows.
 - a. Thirty-two (32) square feet for parcels that have frontage along a major arterial road.
 - b. Sixteen (16) square feet for all other parcels.
2. **Sign Height.** The maximum height of a yard sign shall not exceed four (4) feet.
3. **Number of Signs.** A maximum of two (2) yard signs may be displayed concurrently. However, during the period sixty (60) days before and fifteen (15) days after a federal, state, or local election an unlimited number of yard signs may be displayed concurrently subject to all other applicable regulations of this section.
4. **Location.** Yard signs shall be located a minimum of five (5) feet from all property lines, rights-of-way, and utility easements, shall not block points of ingress or egress, shall not be placed in any sidewalk or pedestrian circulation system and shall not be located in a vision clearance area as detailed in Section 10-5-6.
5. **Other Provisions.**
 - a. Yard signs shall be securely anchored into the ground or secured in a portable base designed for such function.
 - b. Yard signs shall be maintained in good condition and shall not sag, lie on the ground, be torn, or otherwise kept in a disorderly state.
 - c. One (1) yard sign displayed for a period of up to seventy-two (72) hours shall be exempt from the requirements for this section.

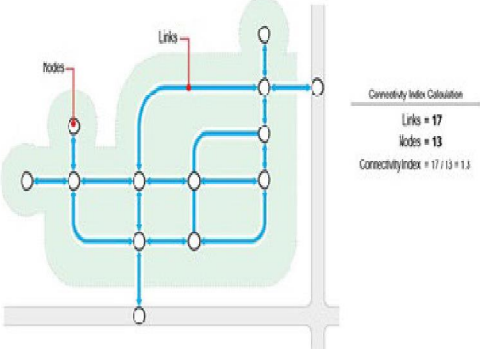
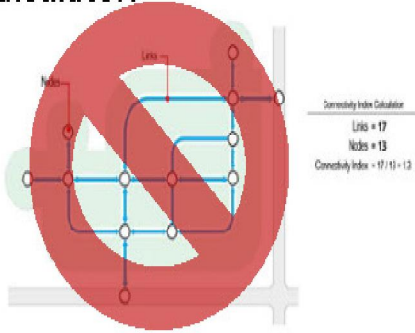
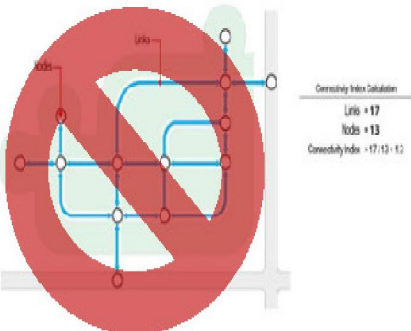


YARD SIGNS (Typical Examples)



Unified Development Ordinance

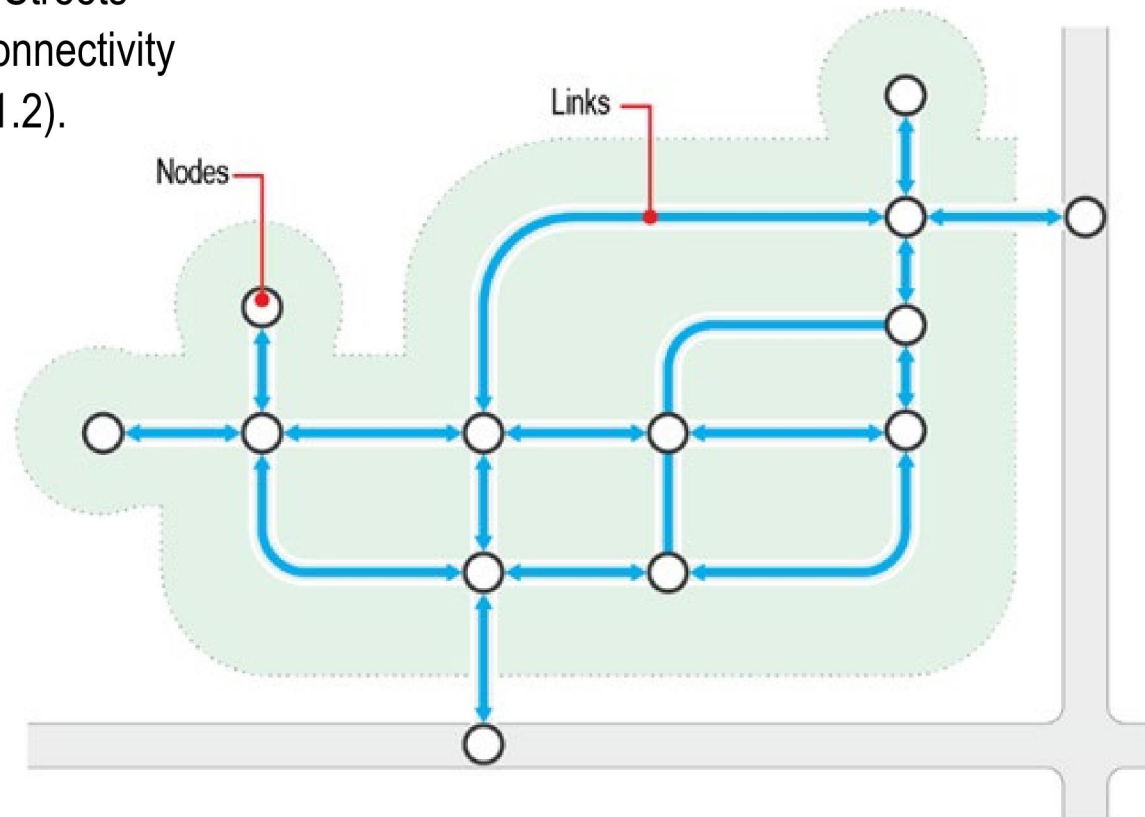
Summary of Recommendations

	DRAFT UDO	UDO ADVISORY COMMITTEE	PLANNING & ZONING COMMITTEE
Chpt. 7 - Subdivisions	<div>Create <u>Connectivity Index Calculator</u>:</div> <div></div>	<div>Remove Connectivity Index Calculator:</div> <div></div>	<div>Remove Connectivity Index Calculator:</div> <div></div>

CITY COUNCIL DECISION ?

CONNECTIVITY INDEX CALCULATION

- a. **Connectivity Index.** A connectivity index shall be used to determine the adequacy of street layout design. A connectivity index is calculated as the ratio of the number of street links (road sections between intersections) in the subdivision street layout divided by the number of street nodes (intersections and cul-de-sac heads). Streets within a subdivision shall have a minimum connectivity index measurement of one and two-tenths (1.2).



Connectivity Index Calculation




Links = 17

Nodes = 13

Connectivity Index = $17 / 13 = 1.3$

Unified Development Ordinance

Summary of Recommendations

	DRAFT UDO	UDO ADVISORY COMMITTEE	PLANNING & ZONING COMMITTEE
Chpt. 7 - Subdivisions	<p>Proposed <u>Cluster Development</u> allowed as Planned Unit Development (PUD):</p>  <p>The image shows two site plans side-by-side. The left plan, labeled 'Conventional Sprawl', depicts a typical suburban layout with a grid of streets, individual lots, and scattered trees. The right plan, labeled 'Conservation Development', shows a more naturalistic layout with winding roads, larger green spaces, and a central water feature. Both plans include labels for 'Cluster Development', 'Conservation Development', and 'Conventional Sprawl'.</p>	<p><u>Cluster Development</u> allowed outright:</p>  <p>This image is identical to the one in the Draft UDO column, showing a comparison between 'Conventional Sprawl' and 'Conservation Development' site plans.</p>	<p>Proposed <u>Cluster Development</u> allowed as Planned Unit Development (PUD):</p>  <p>This image is identical to the ones in the previous columns, showing a comparison between 'Conventional Sprawl' and 'Conservation Development' site plans.</p>

CITY COUNCIL DECISION ?

Density Bonus for Cluster Developments



Conventional Sprawl

This example shows 32 homes
Gross Density = 1 Dwelling Units/Acre
Net Density = 1 Dwelling Units/Acre



Conservation Development

This example shows 32 homes
Gross Density = 1 Dwelling Units/Acre
Net Density = 4 Dwelling Units/Acre

UNITED CITY OF YORKVILLE

UNIFIED DEVELOPMENT ORDINANCE