

PLANNING & ZONING COMMISSION

**City Council Chambers
651 Prairie Pointe Drive, Yorkville, IL
Wednesday, May 8, 2024 7:00pm**

Meeting Called to Order

Commissioner Daniel Williams called the meeting to order at 7:00pm, roll was called and a quorum was established.

Roll Call

Ryan Forristall-yes, Rusty Hyett-yes, Greg Millen-yes, Daniel Williams-yes

Absent: Reagan Goins, Richard Vinyard

City Staff

Krysti Barksdale-Noble, Community Development Director
Sara Mendez, Planner I

Other Guests

Lynn Dubajic Kellogg, City Consultant (via Zoom)
Chris Vitosh, Vitosh Reporting Service
Matt Asselmeier, Kendall County PBZ
Dan Kramer, Attorney (via Zoom)
David Petesch, *Kendall County Record* (via Zoom)

Previous Meeting Minutes April 10, 2024

Motion by Mr. Millen and second by Mr. Hyett to approve the minutes as presented.
Roll call: Hyett-yes, Millen-yes, Williams-present, Forristall-yes Carried 3-0 yes and 1-present.

Citizen's Comments None

Public Hearings

Commissioner Williams informed the Board that Public Hearings PZC 2024-07 Kelaka and PZC 2024-08 Hagemann Trust would not be heard tonight since the property owners within 500 feet had not been notified of the scheduled Hearing.

A motion was made and seconded by Mr. Hyett and Mr. Millen, respectively, to move Public Hearings PZC 2024-07 and PZC 2024-08 to the June 12, 2024 PZC meeting.
Roll call: Millen-yes, Williams-yes, Forristall-yes, Hyett-yes. Carried 4-0.

Mr. Williams stated the procedure for the remaining Hearing. At approximately 7:04pm, a motion was made by Mr. Millen and seconded by Mr. Forristall to open the Public

Hearing PZC 2024-13 United City of Yorkville. Roll call: Millen-yes, Williams-yes, Forristall-yes, Hyett-yes. Carried 4-0.

3. PZC 2024-13 United City of Yorkville, petitioner, is proposing to amend Section 10-7-9 Park and Recreation Land and School Site Dedication of the Unified Development Ordinance related to criteria and formula for determining the minimum required park and recreation and school site dedication. The proposed text amendment will revise Table 10-7-9(A)(1): Parkland Dedication Requirements, Table 10-7-9(B)(1): School Dedication Requirements and Table 10-7-9(D): Estimated Population Per Dwelling Unit within the United City of Yorkville's Unified Development Ordinance.

(See Court Reporter's Transcript)

Since there was no further testimony or comment regarding this Hearing, a motion to close the Public Hearing was made by Mr. Forristall, (no second) at approximately 7:11pm. Roll call: Williams-yes, Forristall-yes, Hyett-yes, Millen-yes. Carried 4-0.

Unfinished Business None

New Business

(out of sequence)

6. PZC 2024-13 United City of Yorkville. A motion was made by Mr. Hyett and seconded by Mr. Millen to move Item #6, PZC 2024-13, amendment, to be the first item under New Business. Roll call: Williams-yes, Forristall-yes, Hyett-yes, Millen-yes. Carried 4-0.

Action Item

Text Amendment

There was no discussion and Mr. Millen moved and Mr. Forristall seconded the motion to approve PZC 2024-13 Text Amendment regarding Park and Recreation Land and School Site Dedication. Roll call: Williams-yes, Forristall-yes, Hyett-yes, Millen-yes. Carried 4-0.

(resume agenda as printed)

1. PZC 2024-07 Kelaka, LLC, Green Door Capital
(moved to June 12th PZC meeting)

2. PZC 2024-08 Hagemann Trust, Green Door Capital
(moved to June 12th PZC meeting)

3. PZC 2024-09 Kendall County Petition 24-04 Larry Nelson, petitioner, on behalf of the Fox Valley Family YMCA, Inc. (owner), is requesting site plan approval to construct a YMCA recreational facility, parking and related infrastructure to a property at 1520 Cannonball Trail in Bristol Township. The real property is located at the southeast corner of Cannonball Trail and Galena Road in unincorporated Kendall County.

Discussion: Ms. Noble presented the background for this 1.5 Mile Review. Mr. Nelson wishes to build a new facility in unincorporated area, which was previously annexed in

2001 and de-annexed in 2020. The petitioner acquired the property in 2015. Currently it has B-4 zoning. The facility would be built in 2 phases and she described the amenities. The city engineer had some questions regarding stormwater management and staff noted that the facility would be served by septic and well. There are existing water main and sanitary sewer hookups adjacent to the property. If the project moves forward, staff will re-evaluate the Comprehensive Plan.

Commissioner Hyett asked if Cannonball Trail will be re-directed due to accidents and Mr. Asselmeier said Cannonball and Dickson Rd. will be aligned. Mr. Williams briefly commented about the facility having their own water systems.

Action Item

1.5 Mile Review

Commissioner Williams entertained a motion of approval for PZC 2024-09 YMCA, Kendall County Petition 24-04. So moved by Mr. Hyett and seconded by Mr. Millen. Roll call: Forristall-yes, Hyett-yes, Millen-yes, Williams-yes. Carried 4-0.

4. PZC 2024-10 Kendall County Petition 24-05 George S. and Heidi R. Oliver are requesting approval of a Plat of Vacation to vacate the public easements between two (2) parcels (Lots 223 and 224) within the Whitetail Ridge subdivision. The real property is located at 7709 and 7731 Bentgrass Circle in unincorporated Kendall County.

Discussion: Ms. Mendez provided background for this petition. The petitioners are seeking a Plat of Vacation on the 10-foot drainage and utility easement on the 2 parcels located in the Whitetail subdivision, where they plan to construct a house. The HOA and city staff are OK with this.

Action Item

1.5 Mile Review

There was no discussion by the Commissioners and a motion was made by Mr. Hyett and seconded by Mr. Millen to approve this petition PZC 2024-10, county petition 24-05. Roll call: Forristall-yes, Hyett-yes, Millen-yes, Williams-yes. Carried 4-0.

5. PZC 2024-11 Kendall County Petition 24-06 Jerry Styrzula, petitioner, on behalf of A&D Properties, LLC is requesting approval of a map amendment (rezoning) 16.4 +/- acres located on the west side of Route 47, commonly known as address 7789 Route 47, from B-3 Highway Business District to M-1 Limited Manufacturing District. The purpose of the request is to operate a trucking business for the sale and storage of semi-trailers, small trailers, semi-tractors and similar uses at the subject property.

Discussion: Ms. Mendez provided the background and said the petitioner, Jerry Styrzula, is seeking a map amendment to rezone from B-3 to M-1 for a trucking business. There are 2 parcels totaling 16.4 acres with 2 existing buildings. The petitioner would be selling semi-trailers only (a change from previously submitted information).

She described the property and said a new site plan is being compiled. An amendment was also made to the Kendall County Land Use Plan. Attorney Kramer commented

briefly and said the project would provide a large amount of tax to the school district and he asked for a positive recommendation.

Action Item

1.5 Mile Review

It was moved and seconded by Mr. Hyett and Mr. Forristall, respectively, to approve the map amendment (rezoning) of this project, PZC 2024-11, Kendall County petition 24-06. Roll call: Forristall-yes, Hyett-yes, Millen-yes, Williams-yes. Carried 4-0.

Additional Business

1. Appointment of Vice Chair

Ms. Noble stated that the ordinance requires a Vice-Chairman be selected annually. Currently, Mr. Vinyard is serving as Vice-Chairman. A motion was made and seconded by Mr. Hyett and Mr. Millen, respectively, to move this selection to the June 12th meeting. Roll call: Hyett-yes, Millen-yes, Williams-yes, Forristall-yes. Carried 4-0.

2. City Council Action Updates

a. PZC 2024-06 Corneils Road Solar, LLC. Ms. Noble said this item will be on the May 14th City Council agenda. They have had their Public Hearing with no objections and written comments were received from one individual.

Adjournment

There was no further business and the meeting was adjourned at 7:32pm on a motion by Mr. Hyett and second by Mr. Millen. Unanimous voice vote approval.

Respectfully submitted by
Marlys Young, Minute Taker

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UNITED CITY OF YORKVILLE
YORKVILLE, ILLINOIS

PLANNING AND ZONING COMMISSION
PUBLIC HEARING

651 Prairie Pointe Drive
Yorkville, Illinois

Wednesday, May 8, 2024
7:00 p.m.

1 PRESENT:

2 Mr. Danny Williams, Chairman,

3 Mr. Greg Millen,

4 Mr. Rusty Hyett.

5 Mr. Ryan Forristall.

6
7
8 ALSO PRESENT:

9 Ms. Krysti Barksdale-Noble, Community

10 Development Director;

11 Ms. Sara Mendez, Planner;

12 Ms. Marlys Young, Minute Taker.

13 - - - - -

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

4 CHAIRMAN WILLIAMS: There are three
5 public hearings scheduled for tonight's Planning
6 and Zoning Commission meeting; however, the
7 Petitioners for PZC 2024-07 and PZC 2024-08 have
8 not notified the surrounding property owners of
9 the scheduled hearing.

10 Therefore, the agenda items for the
11 Kelaka and Hagemann Trust rezoning requests will
12 not be open for discussion and testimony will not
13 be taken at tonight's meeting.

14 Due to the absence of required
15 notification to property owners within 500 feet
16 of the subject properties, may I have a motion to
17 move the public hearing scheduled for PZC 2024-07
18 and PZC 2024-08 from May 8th, 2024 Planning and
19 Zoning Commission meeting until June 12th, 2024,
20 Planning and Zoning Commission meeting at the
21 same time and place as the originally planned
22 hearing?

23 MR. HYETT: I so move.

24 CHAIRMAN WILLIAMS: I believe that

1 was --

2 MS. YOUNG: Motion, so Hyett.

3 MS. NOBLE: Seconded.

4 MR. HYETT: I made the motion.

5 MS. NOBLE: Oh, you made the motion.

6 MR. HYETT: Yes.

7 MR. MILLEN: Second.

8 CHAIRMAN WILLIAMS: Sorry about that.

9 Roll call vote on the motion, please.

10 MS. YOUNG: Yes. Millen.

11 MR. MILLEN: Yes.

12 MS. YOUNG: Williams.

13 CHAIRMAN WILLIAMS: Yes.

14 MS. YOUNG: Forristall.

15 MR. FORRISTALL: Yes.

16 MS. YOUNG: And Hyett.

17 MR. HYETT: Yes.

18 CHAIRMAN WILLIAMS: The public hearings
19 for PZC 2024-07 and PZC 2024-08 have been moved
20 to the June 12th, 2024 Planning and Zoning
21 Commission meeting.

22 There is now one public hearing
23 scheduled for tonight's Planning and Zoning
24 Commission meeting. The purpose of this hearing

1 is to invite testimony from members of the
2 community regarding the proposed request that is
3 being considered before this Commission
4 tonight.

5 Public testimony from persons
6 present who wish to speak may be for or against
7 the motion -- or for or against the request, or
8 to ask questions of the petitioner regarding the
9 request being heard.

10 Those persons wishing to testify are
11 asked to speak clearly, one at a time, and state
12 your name and who you represent, if anyone. You
13 are also asked to sign in at the podium.

14 If you plan to speak during
15 tonight's public hearing as a petitioner or as a
16 member of the public, please stand, raise your
17 right hand, and repeat after me. Seeing as I
18 don't believe there is anyone, I will move on
19 from there.

20 May I have a motion to open the
21 public hearing on petition number PZC 2024-13,
22 United City of Yorkville, for a text amendment to
23 the Unified Development Ordinance?

24 MR. MILLEN: So moved.

1 CHAIRMAN WILLIAMS: Second, please?

2 MR. FORRISTALL: Second.

3 CHAIRMAN WILLIAMS: Thank you. Roll
4 call vote on the motion, please.

5 MS. YOUNG: Yes. Millen.

6 MR. MILLEN: Yes.

7 MS. YOUNG: Williams.

8 CHAIRMAN WILLIAMS: Yes.

9 MS. YOUNG: Forristall.

10 MR. FORRISTALL: Yes.

11 MS. YOUNG: And Hyett.

12 MR. HYETT: Yes.

13 CHAIRMAN WILLIAMS: The public hearing
14 up for discussion tonight is as follows: The
15 United City of Yorkville, Petitioner, is
16 proposing to amend Section 10-7-9, Park and
17 Recreation Land and School Site Dedication of
18 the Unified Development Ordinance related to
19 criteria and formula for determining the minimum
20 required park and recreation and school site
21 dedication.

22 The proposed text amendment will
23 revise Tables 10-7-9(A)(1), Parkland Dedication
24 Requirements; Table 10-7-9(B)(1), School

1 Dedication Requirements; and Table 7 -- I'm
2 sorry, Table 10-7-9(D), Estimated Population Per
3 Dwelling Unit within the United City of
4 Yorkville's Unified Development Ordinance.

5 Staff, please present on behalf of
6 the city for PZC 2024-13, Text Amendment to the
7 Yorkville Unified Development Ordinance.

8 MS. NOBLE: Okay. Just a brief
9 refresher if you all don't recall, last year,
10 last couple of years, we were going through the
11 Unified Development Ordinance process. It's a
12 four-year process.

13 Members of this committee were part
14 of that advisory committee, and we came up with
15 some modernization standards for our zoning
16 ordinance and combining all of our
17 development-related ordinances, and the land cash
18 ordinance is one of those ordinances.

19 So history about the land cash. In
20 January, 1996 the city adopted its land cash
21 ordinance, and that ordinance derived
22 calculations based off of at that time the
23 Illinois State Board of Education's
24 recommendations for, you know, site criteria for

1 a school, what would be a middle school ideal
2 size, what would be the, you know, average
3 population of residents that would utilize the
4 middle school, like what are the school-age kids,
5 and that information ended up becoming part of a
6 formula of how we calculate the minimum acreage
7 required to be dedicated for new residential
8 developments.

9 So every time a residential
10 development comes in, we have a subdivision, we
11 estimate based off of the unit type, if it's
12 single family, if it's multi family, if it's a
13 townhome, how many people will be generated from
14 that site and how many would be school-age kids.

15 So around that time there was a
16 model that all communities used, it was called
17 the Naperville model, and this is what we based
18 off our standards, and that model was created or
19 utilized the formula from 1993, so we adopted it
20 in 1996 and we hadn't changed it in almost
21 30 years.

22 So as a part of the UDO, we thought
23 that there needed to be an update to the land
24 cash methodology, and even the ordinance itself,

1 the '96 ordinance, recognized that the formula
2 for land cash dedication, a fee in lieu of, was
3 going to be periodically renewed and updated, and
4 hadn't been in 30 years.

5 So we undertook that process and we
6 created criteria and formulas based off of a
7 2010 model of the Illinois Capital Development
8 Board. This is a board that regulates the
9 construction of schools for Illinois, and most
10 schools follow these standards when they are
11 deciding to construct a new facility, how many
12 students, what's the minimum acreage, that
13 information.

14 And so we researched other
15 communities, and other communities use this
16 technology as well. Some local around here would
17 be Oswego, St. Charles, Joliet, Elgin, New Lenox,
18 Woodridge, so on.

19 So once we adopted it, a comparison
20 was done on a random generic subdivision, and
21 what we found was that the numbers ended up
22 reducing the land dedication and the cash
23 dedication required by half, so the current
24 ordinance, if you look in the memo, there is a

1 generic subdivision, residential subdivision, of
2 about 100 single-family dwellings, 50 townhomes
3 and 20 duplexes, so total 170 dwelling units.

4 Under our previous ordinance, they
5 would be required to -- the subdivision would
6 have to dedicate about 5.3 acres of land for park
7 and 7.1 acres of land for a school, and if they
8 couldn't do that, then they would have to pay the
9 equivalent of that, and the equivalent value for
10 the park, that five-acre park, would be 537,000,
11 and the equivalent of that seven-acre school site
12 would be 717,000, so the city would collect for
13 the park half a million and the school would
14 collect about 700,000.

15 Well, under our new formula, the
16 school would collect about \$350,000 or 3.5 acres
17 of land, which nothing can be done with
18 three acres of land for a school, and the city
19 would get about 2.8 acres for a park, or about
20 280 acres -- \$288,000 for cash donation.

21 With this in mind, we felt that it
22 would be best to revisit this and do a deeper
23 dive, one more specific to Yorkville rather than
24 using a formula that everyone has used over a

1 couple of years because of the impact it had on
2 development, and so some developments have fee
3 lots, so some would be subject to this
4 regulation, some wouldn't.

5 We just felt we would revert back to
6 our original methodology and formula and then
7 revisit this in the future and get a better
8 understanding of what our population generation
9 really is rather than use a model.

10 So if you have any questions for me,
11 I will be happy to answer them or we can wait
12 until we get to the deliberation period.

13 CHAIRMAN WILLIAMS: Thank you, Krysti.
14 All right. Is there anyone present who wishes to
15 speak in favor of the request? I'm going to say
16 no.

17 (No response.)

18 CHAIRMAN WILLIAMS: Is there anyone
19 present who wishes to speak in opposition to the
20 request?

21 (No response.)

22 CHAIRMAN WILLIAMS: Again, going to say
23 no. Are there any questions from the
24 petitioners at this time -- or I'm sorry. Are

1 there any questions from the commissioners at
2 this time for the petitioner?

3 (No response.)

4 CHAIRMAN WILLIAMS: I figure we can just
5 save them for open session later on.

6 Since all public testimony regarding
7 this petition has been taken, may I have a motion
8 to close the taking of testimony in this public
9 hearing?

10 MR. MILLEN: So moved.

11 MR. HYETT: So moved.

12 CHAIRMAN WILLIAMS: Okay. Thank you.
13 Roll call vote on the motion, please.

14 MS. YOUNG: Williams.

15 CHAIRMAN WILLIAMS: Yes.

16 MS. YOUNG: Forristall.

17 MR. FORRISTALL: Yes.

18 MS. YOUNG: Hyett.

19 MR. HYETT: Yes.

20 MS. YOUNG: And Millen.

21 MR. MILLEN: Yes.

22 MS. YOUNG: Thank you.

23 CHAIRMAN WILLIAMS: The public hearing
24 portion of tonight's meeting is closed.

(Which were all the proceedings had
in the public hearing portion of
the meeting, concluding at 7:12
p.m.)

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

3 I, CHRISTINE M. VITOSH, a Certified
4 Shorthand Reporter of the State of Illinois, do
5 hereby certify:

6 That previous to the commencement
7 of any testimony heard, the witnesses were duly
8 sworn to testify the whole truth concerning the
9 matters herein;

10 That the foregoing public hearing
11 transcript, Pages 1 through 15, was reported
12 stenographically by me by means of machine
13 shorthand, was simultaneously reduced to
14 typewriting via computer-aided transcription
15 under my personal direction, and constitutes a
16 true record of the testimony given and the
17 proceedings had;

18 That the said public hearing was taken
19 before me at the time and place specified;

20 That I am not a relative or employee or
21 attorney or counsel, nor a relative or employee
22 of such attorney or counsel for any of the
23 parties hereto, nor interested directly or
24 indirectly in the outcome of this action.

1 I further certify that my certificate
2 attached hereto applies to the original
3 transcript and copies thereof signed and
4 certified under my hand only. I assume no
5 responsibility for the accuracy of any reproduced
6 copies not made under my control or direction.

7 IN WITNESS WHEREOF, I do hereunto set my
8 hand at Leland, Illinois, this 10th day of May,
9 2024.

10
11
12 /s/ Christine M Vitosh

13 CHRISTINE M. VITOSH,
14 C.S.R. Certificate No. 084-02883
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