

**PLANNING & ZONING COMMISSION**

**City Council Chambers**

**651 Prairie Pointe Drive, Yorkville, IL**

**Wednesday, November 13, 2024 7:00pm**

**Meeting Called to Order**

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

**Roll Call**

Ryan Forristall-yes, Rusty Hyett-yes, Michael Crouch-yes, Greg Millen-yes, Marge Linnane-yes, Richard Vinyard-yes, Danny Williams-yes

**City Staff**

Krysti Barksdale-Noble, Community Development Director  
Sara Mendez, Planner1  
Megan Lamb, City Attorney  
Lynn Dubajic Kellogg, City Consultant  
Chris Funkhouser, Alderman

**Other Guests**

Chris Vitosh, Vitosh Reporting Service	Nathan Nelson
Dan Kramer, Attorney	David & Debra McMaster, Fox Hill
Clayton Marker, Marker Inc.	Phil Czapar, Kylyn's Ridge
Andrew Bennett, via Zoom	Jim Bock, Kylyn's Ridge
Cesar Cruz, Abby Properties, via Zoom	Araceli Maldonado Campbell, Fox Hill
Galaxy S22 (name unknown) via Zoom	Katelynn Phillips, YHS student
Joey Weslo, <i>Kendall County Record</i> , via Zoom	Mallory Taylor, YHS student
Sash Dumanovic	Nina Partida, YHS student
Drew Daniels	Madison Elrod, YHS student
John Tebrugge, Tebrugge Engineering	Melanie Sandoval, YHS student
Mary & Don Bartalone, Kendall Marketplace	Diane Hanson, Fox Hill
Joe Iovinelli, Manhard Consultants, via Zoom	

**Previous Meeting Minutes October 9, 2024**

Motion by Danny Williams and second by Rusty Hyett to approve the minutes as presented. Roll call: Hyett-yes, Crouch-yes, Millen-yes, Linnane-yes, Vinyard-yes, Williams-yes, Forristall-yes Carried 7-0.

**Citizen's Comments** None

**Public Hearings**

Chairman Vinyard stated there were 2 Public Hearings and he explained the order to be followed. He swore in those who would give testimony.

The Public Hearings were opened at 7:02pm, on a motion by Mr. Williams, seconded by Mr. Millen. Roll call: Crouch-yes, Millen-yes, Linnane-yes, Vinyard-yes, Williams-yes, Forristall-yes, Hyett-yes. Carried 7-0.

Chairman Vinyard read the descriptions of the Hearings as follows:

1. **PZC 2024-21 Marker Inc., the contract purchaser and petitioner, along with the United City of Yorkville, the property owner, have submitted applications to the City of Yorkville, Kendall County, Illinois. They are requesting an amendment to the Kendall Marketplace Planned Unit Development (PUD) Agreement and seeking preliminary and final PUD plan approval. The request aims to develop Heartland Meadows West, a mixed-use project featuring twenty (20) single-family residential lots for an active adult community and four (4) commercial outlots. The proposed underlying zoning designations are R-2 Single-Family Traditional Residential District for the residential area and B-3 General Retail District for the commercial area. The petitioner is also requesting deviations to the side and rear yard setbacks within the R-2 District. The subject property is located on the north side of Blackberry Shore Lane, between Northland Lane and Cannonball Trail, on an approximately 8.3-acre vacant parcel.**
2. **PZC 2024-26 Drew Daniels, on behalf of Daniels Malinski Yorkville Family, LLLP, petitioner/owner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. The real property consists of four (4) parcels totaling approximately 268.30 acres and is generally located at the northwest corner of West Veterans Parkway (US 34) and Beecher Road. The petitioner is requesting rezoning approval from R-1 Single Family Suburban Residential District to M-2 General Manufacturing District (contingent on approval of annexation by the City Council).**

*(See court reporter's transcripts of Public Hearings testimony)  
(Petitioner responses to be included in the official transcript)*

The Public Hearings concluded at 7:17pm on a motion and second by Mr. Crouch and Mr. Williams, respectively. Roll call: Millen-yes, Linnane-yes, Vinyard-yes, Williams-yes, Forristall-yes, Hyett-yes, Crouch-yes. Carried 7-0.

**Unfinished Business** None

**New Business**

**3. PZC 2024-21 Marker Inc. (see full description in #1 above)**

Ms. Noble presented a summary of this project and described the property. The residential lots are zoned R-2 and the commercial lots are B-3. Adjustments would be made to the setbacks by a decrease in the rear yard setback from 40 feet to 20 feet and side yard to 5 feet. Some of the front yard setbacks may be requested to be reduced from 25 feet to 20 feet. This is due to existing water main. The commercial lots will have shared parking and cross access with other Kendall Marketplace businesses. She commented on the buffering landscape and building materials. She said the fees for water and sanitary sewer will be locked for 5 years per the sales contract and school transition fees will be waived. Engineering and staff have reviewed. She said feedback was received from the Economic Development committee meeting on November 6 with recommendations about the setbacks for the homes and commercial lots. Staff prepared a list of conditions for the PUD amendment regarding deviations, bulk regulations, street design.

Attorney Kramer addressed the setbacks and said his client would meet the 30 foot setback for the commercial. It is not known at this time what use the commercial buildings will have.

The Commissioners cited safety concerns when discussing the parking in the residential area and they would be OK with no parking on the east side near the ballfield rather than no parking on the

west side. The orientation of lots 1 and 2 were also discussed and they also talked about the front setbacks being inconsistent with the others in the area.

The PUD standards and responses were also reviewed by Ms. Noble and they will be included in the record.

### **Action Item**

#### **PUD Amendment, Preliminary**

Chairman Vinyard entertained a motion to approve the Findings of Fact and the petition PZC 2024-21 Heartland Meadows West. So moved by Mr. Williams and seconded by Mr. Hyett. Danny Williams read the motion as follows:

**Motion:** In consideration of testimony presented during a Public Hearing on November 13, 2024 and standards for Planned Unit Development Approval, the Planning and Zoning Commission recommends approval to the City Council of a request for an amendment to the Kendall Marketplace Planned Unit Development Agreement to develop Heartland Meadows West, a mixed-use project featuring twenty (20) single-family residential lots for an active adult community and four (4) commercial outlots with underlying zoning designations of R-2 Single-Family Traditional Residential District and B-3 General Retail District for an approximately 8.3 acre parcel located on the north side of Blackberry Shore Lane, between Northland Lane and Cannonball Trail, subject to the conditions enumerated in a staff memorandum dated November 5, 2024 and further subject to 30-foot building setbacks for the commercial lots.

Roll call: Linnane-yes, Vinyard-yes, Williams-yes, Forristall-yes, Hyett-yes, Crouch-yes, Millen-yes. Carried 7-0.

### **Action Item**

#### **Final PUD Plan Approval**

**Motion:** The Planning and Zoning Commission recommends approval to the City Council of the Heartland Meadows West Preliminary Plat of Subdivision prepared by Dale Floyd Land Engineering and Heartland Meadows West Final PUD Plan prepared by Tebrugge Engineering and dated August 12, 2024, subject to new comments prepared by EEI, Inc. dated October 3, 2024 and subject to 30-foot building setbacks for the commercial outlots and further subject to 15-foot building setbacks for the residential lot 2.

Roll call: Vinyard-yes, Williams-yes, Forristall-yes, Hyett-yes, Crouch-yes, Millen-yes, Linnane-yes. Carried 7-0.

Citizen Jim Bock of Redtail Lane said his property backs up to the proposed development. He said there are multiple empty store fronts at Kendall Marketplace and he questioned the need for more commercial there, but he is fine with the additional homes. He said there is a detention pond to the north and he asked if the new development will dump into that retention or to the sewer system. Mr. Clayton Marker said drainage for the new development will flow into the Kendall Marketplace basin.

#### **4. PZC 2024-26 Drew Daniels, on behalf of Daniels Malinski Yorkville Family, LLLP, Petitioner/Owner** (See full description in #2 above)

Ms. Noble presented the background for this petition. She said they are seeking annexation and rezoning for 270 acres/4 parcels north of US 34 and adjacent to Kendall Marketplace. The current use is for farming. The Public Hearing for their annexation request was held the previous night at City Council and includes rezoning from ag to single family zoning, R-1, then a request to M-2 General Manufacturing. She said the annexation agreement will stay with the land for 20 years. The city attorney is looking at language sunsetting the clause for rezoning to reset to R-1 if nothing is done with the land. The petitioner held a discussion with local homeowners as requested by the Plan Council.

The standards and responses were reviewed by Ms. Noble and she also noted that discussions are underway for alignment of Beecher Rd. and will be discussed at the Public Works committee.

### **Action Item**

#### **Rezone**

Chairman Vinyard entertained a motion to approve the Findings of Fact and petition 2024-26 Daniels Malinski Yorkville Family, LLLP. So moved by Mr. Williams and seconded by Ms. Linnane.

**Motion:** Mr. Williams read the motion as follows: In consideration of testimony presented during a Public Hearing on November 13, 2024 and discussion of the Findings of Fact, the Planning and Zoning Commission recommends approval to the City Council a request for rezoning from R-1 Single-Family Residential to M-2 General Manufacturing District for a proposed future data center, contingent upon approval of annexation by the City Council, for a 270-acre property generally located just north of US 34 (Veterans Parkway), west of Beecher Road and Kendall Marketplace, and approximately 850 feet east of Eldamain Road.

Roll call: Forristall-yes, Hyett-yes, Crouch-yes, Millen-yes, Linnane-yes, Vinyard-yes, Williams-yes. Carried 7-0.

**5. PZC 2024-27 Grande Reserve Units 18 & 25, the petitioner, Cesar Cruz on behalf of GR Yorkville Residents, LLC, owner, is seeking Final Plat approval for an approximately 22-acre site consisting of 164 new residential townhome lots and four (4) open space outlots located north of the BNSF railroad and east of Tuscany Trail in Yorkville.**

Ms. Noble described the property. She added that some updates to architectural standards were made and described the building materials to be used. Staff and EDC offered feedback on architectural design materials which were incorporated. The petitioner said it is more modern and sleek look. The Final Plats are in compliance and EEI has recommended approval. This property was initially annexed in 2003 and minor density adjustments were made. The HOA will be responsible for cul-de-sac maintenance.

### **Action Item**

#### **Final Plat**

There was no discussion from the the Commissioners and Chairman Vinyard entertained a motion of approval for PZC 2024-27 Grande Reserve Unit 18 & 25. Moved and seconded by Mr. Williams and Mr. Hyett, respectively.

**Motion** read by Mr. Williams as follows: In consideration of the proposed Final Plat of Subdivision of Grande Reserve Units 18 and 25, the Planning and Zoning Commission recommends approval of the plats and architectural elevations to the City Council as presented by the Petitioner in plans prepared by Manhard Consulting, Ltd. dated last revised 9-18-24.

Roll call: Forristall-yes, Hyett-yes, Crouch-yes, Millen-yes, Vinyard-yes, Williams-yes, Linnane-yes. Carried 7-0.

**6. PZC 2024-28 Grande Reserve Unit 21, the petitioner, Cesar Cruz on behalf of GR Yorkville Residents, LLC, owner, is seeking Final Plat Approval for an approximately 10-acre site consisting of 60 new residential duplex dwelling units on 30 lots located west of the intersection of Crooker Drive and Brady Street in Yorkville.**

Staff report was given by Ms. Noble and she described the property noting that this development will complete this neighborhood. This was annexed in 2003 as part of the original Grande Reserve PUD and the density is slightly less than originally planned. The design meets the appearance code and the developer did incorporate some suggestions by staff. There was no discussion.

**Action Item**

**Final Plat**

Moved by Mr. Williams and seconded by Mr. Hyett to approve PZC 2024-28 Grande Reserve Unit 21.

Motion was read by Mr. Williams as follows: In consideration of the proposed Final Plat of Subdivision of Grande Reserve Unit 21, the Planning and Zoning Commission recommends approval of the plat and architectural elevations to the City Council as presented by the Petitioner in plans prepared by Manhard Consulting, Ltd. dated last revised 2-7-24.

Roll call: Forristall-yes, Hyett-yes, Crouch-yes, Millen-yes, Linnane-yes, Vinyard-yes, Williams-yes. Carried 7-0.

**Additional Business**

**1. City Council Action Updates**

**a. PZC 2024-19 Steve Weber on Behalf of PTS Corp.**

Ms. Noble stated their recent application for a cannabis dispensary was withdrawn.

**b. PZC 2024-23 Kendall County Petition 24-26 Timothy Tremain**

The 1.5 Mile Review Petition was approved.

**c. PZC 2024-24 Kendall County Petition 24-27, Steve W. Jeffers**

The 1.5 Mile Review Petition was approved.

**Adjournment**

There was no further business and the meeting was adjourned at 8:18pm on a motion by Mr. Williams and second by Mr. Hyett. 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, November 13, 2024  
7:00 p.m.

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PRESENT:

Mr. Rich Vinyard, Chairman,  
Mr. Danny Williams,  
Mr. Greg Millen,  
Mr. Rusty Hyett.  
Mr. Ryan Forristall,  
Ms. Marge Linane,  
Mr. Michael Crouch.

ALSO PRESENT:

Ms. Krysti Barksdale-Noble, Community  
Development Director;  
Ms. Sara Mendez, Planner;  
Ms. Marlys Young, Minute Taker.

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APPEARANCES:

OTTOSEN, DiNOLFO, HASENBALG & CASTALDO,  
LTD.  
BY: MS. MEGAN LAMB  
1804 North Naper Boulevard, Suite 350  
Naperville, Illinois 60563  
(630) 682-0085

appeared on behalf of the United City of  
Yorkville;

LAW OFFICES OF DANIEL J. KRAMER,  
By: DANIEL J. KRAMER,  
1107A South Bridge Street  
Yorkville, Illinois 60560  
(630) 553-9500

appeared on behalf of Heartland  
Development, LLC.

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I N D E X

WITNESS:	PAGE:
DANIEL J. KRAMER	8
SASH DUMANOVIC	14
DREW DANIELS	17
MARY MAHER BARTALONE	19

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1 (WHEREUPON, the following  
2 proceedings were had in public  
3 hearing, commencing at 7:03 p.m.:)

4 CHAIRMAN VINYARD: We are in the public  
5 hearings. There are two public hearings  
6 scheduled for tonight's Planning and Zoning  
7 Commission meeting.

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

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

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

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

24 (Witnesses sworn.)

1 CHAIRMAN VINYARD: Okay. So the order  
2 for receiving testimony will be as follows:  
3 First we're going to start with the petitioner  
4 presentation, followed by those who wish to speak  
5 in favor of the request, followed by those who  
6 wish to speak in opposition of the request.

7 So may I have a motion to open the  
8 public hearing on Petition Number PZC 2024-21,  
9 Marker, Incorporated, requesting PUD agreement  
10 amendments, preliminary and final PUD plan  
11 approval, and PZC 2024-26, Daniels Malinski  
12 Yorkville Family, LLLP, requesting rezoning  
13 approval?

14 MR. WILLIAMS: So moved.

15 MR. MILLEN: Second.

16 CHAIRMAN VINYARD: Roll call on the  
17 motion.

18 MS. YOUNG: Yes. Crouch.

19 MR. CROUCH: Yes.

20 MS. YOUNG: Millen.

21 MR. MILLEN: Yes.

22 MS. YOUNG: Linane.

23 MS. LINANE: Yes.

24 MS. YOUNG: Vinyard.

1 CHAIRMAN VINYARD: Yes.

2 MS. YOUNG: Williams.

3 MR. WILLIAMS: Yes.

4 MS. YOUNG: Forristall.

5 MR. FORRISTALL: Yes.

6 MS. YOUNG: And Hyett.

7 MR. HYETT: Yes.

8 CHAIRMAN VINYARD: Okay. Very good. So  
9 the first public hearing up for discussion  
10 tonight is PZC 2024-21, Marker Incorp., the  
11 contract purchaser and petitioner, along with the  
12 United City of Yorkville, the property owner,  
13 have submitted applications to the City of  
14 Yorkville, Kendall County, Illinois.

15 They are requesting an amendment to  
16 the Kendall Marketplace Planned Unit Development  
17 Agreement and seeking preliminary and final PUD  
18 plan approval.

19 The request aims to develop  
20 Heartland Meadows West, a mixed use project  
21 featuring 20 single-family residential lots for  
22 an active adult community and four commercial  
23 outlots.

24 The proposed underlying zoning

1 designations are R-2 Single-Family Traditional  
2 Residential District for the residential area and  
3 B-3 General Retail District for the commercial  
4 area.

5 The petitioner is also requesting  
6 deviations to the side and rear yard setbacks  
7 within the R-2 District.

8 The subject property is located on  
9 the north side of Blackberry Shore Lane between  
10 Northland Lane and Cannonball Trail on an  
11 approximately 8.3-acre vacant parcel.

12 Is the petitioner for PZC 2024-21  
13 prepared to make a presentation?

14 MR. KRAMER: We are.

15 CHAIRMAN VINYARD: Please, sir.

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

19 MR. KRAMER: Thank you. Good evening.  
20 My name is Daniel J. Kramer. I am an attorney  
21 licensed to practice law in the state of  
22 Illinois. My address is 1107A South Bridge  
23 Street, Yorkville, Illinois, and I represent  
24 Heartland Development, LLC, as you mentioned in

1 reading the introduction, who is the contract  
2 purchaser of the property.

3 I also have with me tonight in case  
4 there is questions that I can't answer, and I am  
5 certainly no engineer, we have our engineer, John  
6 Tebrugge in the blue sweater and we have Clayton  
7 Marker, the young lad here in the corner in  
8 front, who is one of the principals of the  
9 petitioner.

10 This property became available when  
11 the City decided it was surplus property in the  
12 past year or so. The City had it appraised and  
13 they have had feelers out seeing if anybody was  
14 interested for quite some time, and, as I  
15 understand it, the Marker Group at Heartland  
16 Development was the only people that submitted a  
17 written offer, which was accepted by the City  
18 Council.

19 The contract is contingent upon the  
20 developer getting approval of the plan that you  
21 see behind you, and we tried to stay faithful to  
22 the zoning classes that were in place, simply  
23 moved them around and designed what we think is a  
24 high-end development for the city.

1           The Markers, as you know, or most of  
2           you probably know, over on Freemont Street by  
3           St. Patrick's Catholic Church have done a  
4           55-and-over active adult community, and that's  
5           exactly what they are proposing to do on the 20  
6           single-family lots, so it's a good thing for the  
7           city, you keep your seniors in the city, doesn't  
8           throw any kids in the school district.

9           They still pay land cash for both  
10          the parks and the schools even though they are  
11          not kicking kids in, but they don't pay impact  
12          fees because, again, other than a short period of  
13          visitation, it's the one time the federal  
14          government allows discrimination in housing that  
15          you can have active adults 55 and older.

16          The four commercial lots back up to  
17          Blackberry Shore Lane. We think that's a good  
18          buffer for the single family, and it also allows  
19          the opportunity to become a very walkable  
20          community.

21          You've got Kendall Marketplace out  
22          there with Target, you've got other stores,  
23          Kohl's, and the smaller users out there.

24          It wouldn't surprise me terribly

1 from what we've done in other communities,  
2 Sandwich, Oswego, Montgomery, that some of those  
3 buildings would be medical related frankly, not  
4 that people my age always need doctors, but we  
5 need them more than the young folks, and that's  
6 just a natural if you've got a walkable  
7 community, plus the retail next door.

8 We've had extensive staff  
9 reviewing and planning council that Krysti or  
10 Sara will tell you about when it's staff's  
11 presentation.

12 We have met with the EDC committee  
13 and have gotten recommendations from them, as  
14 well as staff, and that consists of four members  
15 of the City Council, and so this is the time for  
16 the public, if they have comments, to weigh in.

17 I won't drone on any further, and we  
18 will see what comments are for and against, and  
19 if you want us to get back up in a public hearing  
20 or the work session where you actually consider  
21 for a vote, we will be happy to.

22 Thank you.

23 CHAIRMAN VINYARD: Thank you. Okay. Is  
24 there anyone present who wishes to speak in favor

1 of the request?

2 (No response.)

3 CHAIRMAN VINYARD: Anybody?

4 (No response.)

5 CHAIRMAN VINYARD: Okay. Is there  
6 anyone present who wishes to speak in opposition  
7 of the request?

8 (No response.)

9 CHAIRMAN VINYARD: No one wants to speak  
10 tonight? Okay.

11 (No response.)

12 CHAIRMAN VINYARD: Are there any  
13 questions from the commissioners for the  
14 petitioner?

15 (No response.)

16 CHAIRMAN VINYARD: Anybody? Nothing?  
17 Okay.

18 (No response.)

19 MR. DUMANOVIC: Take questions from the  
20 public?

21 CHAIRMAN VINYARD: Yeah, that's what I  
22 was just asking.

23 MR. DUMANOVIC: I'm not --

24 MS. LAMB: Sir, Chair, can you swear

1 him?

2 CHAIRMAN VINYARD: Yeah, that was --  
3 that's why I asked. Would you like to speak?

4 MR. DUMANOVIC: I didn't plan on it, but  
5 yes, I can be sworn, that's fine.

6 CHAIRMAN VINYARD: Okay. All right.  
7 Please, would you go ahead and stand up?

8 MR. KRAMER: You should be sworn, too.  
9 You weren't in here before.

10 (Witnesses duly sworn.)

11 CHAIRMAN VINYARD: All right. Thank  
12 you. You guys may be seated. Okay. So let's go  
13 back to this.

14 Is there anyone present who wishes  
15 to speak in opposition of the request?

16 (No response.)

17 CHAIRMAN VINYARD: Okay. You have no  
18 questions from the commissioners, correct?

19 (No response.)

20 CHAIRMAN VINYARD: Very good.  
21 Petitioner, you would like to have your responses  
22 to the standards entered into public record,  
23 correct?

24 MR. KRAMER: Sure.

1 CHAIRMAN VINYARD: Very good.

2 MR. KRAMER: And if this gentleman would  
3 like to get up and speak, we'll see if he has  
4 questions.

5 SASH DUMANOVIC,  
6 having been first duly sworn, testified from the  
7 podium as follows:

8 MR. DUMANOVIC: Yes, I have a question.  
9 So is that at the --

10 CHAIRMAN VINYARD: Yes.

11 MR. DUMANOVIC: Okay. Fair enough. The  
12 question was are we for or against. I don't know  
13 yet, you know, what if -- I need more  
14 information. I need to hear pros and cons and  
15 everything.

16 So where do I present my questions  
17 as we go?

18 CHAIRMAN VINYARD: So what are your  
19 questions right now, do you have about the -- And  
20 could you state your name for us just for the  
21 record?

22 MR. DUMANOVIC: Sash Dumanovic.

23 CHAIRMAN VINYARD: Okay. What are your  
24 biggest concerns and thoughts right now? What

1 other pieces of information would you like?

2 MR. DUMANOVIC: I live on the detention  
3 pond across the way there.

4 CHAIRMAN VINYARD: Okay.

5 MR. DUMANOVIC: I think it's a terrific  
6 concept and a good start to a plan. I am  
7 concerned as a neighbor, you know, nearby of the  
8 density, of the commercial aspect, that it's  
9 going to make the neighborhood look a little  
10 different. You know, I could go on, you know, a  
11 little bit, but I won't belabor those points,  
12 so --

13 CHAIRMAN VINYARD: Sure.

14 MR. DUMANOVIC: -- again, I've read the  
15 full packet, I've looked through it to my best  
16 ability, but as we go, I still may have  
17 questions.

18 CHAIRMAN VINYARD: Sure.

19 MR. DUMANOVIC: So when -- you know, do  
20 I come up here each and every time I have a  
21 question?

22 CHAIRMAN VINYARD: We can have that  
23 addressed when you do have a question.

24 MR. DUMANOVIC: Fair enough.

1 CHAIRMAN VINYARD: Fair enough?

2 MR. DUMANOVIC: Yes. Thank you.

3 CHAIRMAN VINYARD: Okay. Very good. So  
4 he wants his standards put in there.

5 So the second public hearing up for  
6 tonight's discussion is PZC 2024-26, Drew Daniels  
7 on behalf of Daniels Malinski Yorkville Family,  
8 LLLP, petitioner/owner, has filed an application  
9 with the United City of Yorkville, Kendall  
10 County, Illinois, requesting rezoning  
11 classification.

12 The real property consists of four  
13 parcels totaling approximately 268.30 acres and  
14 is generally located at the northwest corner of  
15 Veterans Parkway, U.S. 34 and Beecher Road.

16 The petitioner is requesting  
17 rezoning approval from R-1 Single-Family Suburban  
18 Residential District to M-2 General Manufacturing  
19 District.

20 So is the petitioner for PZC  
21 2024-26, Daniels Malinski Yorkville Family, LLLP,  
22 present and prepared to make its presentation  
23 for --

24 MR. DANIELS: Yes.

1 CHAIRMAN VINYARD: -- their proposed  
2 request?

3 MR. DANIELS: Yes.

4 CHAIRMAN VINYARD: Please, sir.

5 DREW DANIELS,  
6 having been first duly sworn, testified from the  
7 podium as follows:

8 MR. DANIELS: Hi there. I am Drew  
9 Daniels. I represent the Daniels Malinski  
10 Yorkville Family, LLLP.

11 This is a property that my family  
12 and I have owned for over 50 years now, and as  
13 you all know, it's been -- it's been farmed all  
14 those years.

15 It has been in unincorporated  
16 Kendall County, and what we have -- what we have  
17 moved here -- what we are here tonight for is for  
18 the annexation and rezoning of the property, so  
19 when you -- right now it's currently zoned  
20 agricultural, but when we annex into a new town,  
21 the zoning automatically goes down to an R-1, so  
22 what we are requesting here is we'd like to  
23 change the R-1 that we are annexing into M-2, and  
24 that is specifically for what is going on in the

1 area that everyone is obviously so familiar with,  
2 which is especially just to the north with that  
3 ComEd substation and directly almost to the  
4 north is the CyrusOne property that was zoned  
5 recently.

6 So, you know, there is not much to  
7 say about the property other than about one-third  
8 of it is west of the creek, two-thirds is east of  
9 the creek, and that's about it. That's it for  
10 now.

11 CHAIRMAN VINYARD: Thank you.

12 MR. DANIELS: Yeah.

13 CHAIRMAN VINYARD: Is there anyone  
14 present who wishes to speak in favor of this  
15 request?

16 (No response.)

17 CHAIRMAN VINYARD: Is there anyone  
18 present who wishes to speak in opposition of this  
19 request?

20 Please, could you stand up and state  
21 your name?

22 MS. BARTALONE: Mary Maher Bartalone.

23 CHAIRMAN VINYARD: Could you sign in at  
24 the podium when he is done?

1 MS. BARTALONE: I will.

2 CHAIRMAN VINYARD: Thank you.

3 MARY MAHER BARTALONE,  
4 having been first duly sworn, testified from the  
5 podium as follows:

6 MS. BARTALONE: Okay. My name is Mary  
7 Maher Bartalone. I kind of wear two hats here; I  
8 am a property owner immediately adjacent to the  
9 eastern edge of that -- of the M-2 zoning  
10 proposition land, but also I am the Bristol  
11 Township assessor, so I guess I come in here in  
12 favor on one hand because we really do need a  
13 lot more assessed value in this like aggregate  
14 form. It will help with the property taxes in  
15 the long run getting this kind of property value  
16 added.

17 I do also understand that it's sort  
18 of the future of the corridor of Eldamain Road  
19 for these data farms to be built, but I look at  
20 this piece of property and I am opposed to M-2  
21 zoning at this very moment only because it's so  
22 far down the line.

23 From what I understand it's five to  
24 ten years before this development may happen, and

1 I don't understand or support why you would grant  
2 the zoning now because it could be -- they are  
3 saying right now it could be a data farm, but  
4 what if it could be some -- like what if someone  
5 gets another opportunity and then you are looking  
6 at maybe a manufacturing plant?

7 Well, how are you going to stop it  
8 when you have already granted the M-2 zoning? So  
9 that's for example.

10 Another point is this property was  
11 from what I understand originally supposed to a  
12 commercial belt property, so I guess that's just  
13 fallen by the wayside, but I just kind of wonder  
14 why that wouldn't still be a consideration for  
15 the future.

16 If you look at Route 34 and how it  
17 is as you go, it is a mix of commercial and  
18 residential, and so now we are talking about  
19 70-foot high buildings being constructed right  
20 along, you know, a busy thoroughfare that is  
21 surrounded by residential properties both to the  
22 south and to the east, and also a commercial  
23 property, so it just kind of seems like -- I  
24 don't know.

1                   And then my other direct question  
2                   that I have is how is the extension of Beecher  
3                   Road planned? I would like to know that.

4                   From what I understand, that was  
5                   imminent how that was going to be extended  
6                   because what I saw a picture of put the road up  
7                   against my property line, so -- which I would  
8                   obviously not be happy about.

9                   CHAIRMAN VINYARD: Okay.

10                  MS. BARTALONE: All right. That's it.

11                  CHAIRMAN VINYARD: Very good. Thank you  
12                  so much.

13                  MS. BARTALONE: Thank you.

14                  CHAIRMAN VINYARD: Are there any  
15                  questions from the commissioners for the  
16                  petitioner?

17                                 (No response.)

18                  CHAIRMAN VINYARD: Okay. Would you guys  
19                  like your responses to the standards entered into  
20                  the public record?

21                  MR. DANIELS: Sure.

22                  CHAIRMAN VINYARD: Okay. Very good.  
23                  All right. So this is going to be the conclusion  
24                  of the public hearing.

1                   Since all public testimony regarding  
2 these petitions has been taken, may I have a  
3 motion to close the taking of testimony of these  
4 public hearings?

5                   MR. WILLIAMS: So moved.

6                   MR. CROUCH: So moved.

7                   MR. WILLIAMS: Second.

8                   CHAIRMAN VINYARD: All right. Very  
9 good. Roll call vote on the motion, please.

10                  MS. YOUNG: Yes. Millen.

11                  MR. MILLEN: Yes.

12                  MS. YOUNG: Linane.

13                  MS. LINANE: Yes.

14                  MS. YOUNG: Vinyard.

15                  CHAIRMAN VINYARD: Yes.

16                  MS. YOUNG: Williams.

17                  MR. WILLIAMS: Yes.

18                  MS. YOUNG: Forristall.

19                  MR. FORRISTALL: Yes.

20                  MS. YOUNG: Hyett.

21                  MR. HYETT: Yes.

22                  MS. YOUNG: And Crouch.

23                  MR. CROUCH: Yes.

24                  CHAIRMAN VINYARD: Okay. The public

1 hearing portion of tonight's meeting is now  
2 closed.

3 (Which were all the proceedings had  
4 in the public hearing portion of  
5 the meeting, concluding at 7:19  
6 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 25, 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.

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

IN WITNESS WHEREOF, I do hereunto set my hand at Leland, Illinois, this 20th day of November, 2024.

/s/ Christine M. Vitosh

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

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