

PLANNING & ZONING COMMISSION

City Council Chambers

651 Prairie Pointe Drive, Yorkville, IL

Wednesday, February 12, 2025 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, Chad Green-yes, Marge Linnane-yes, Richard Vinyard-yes, Danny Williams-yes

City Staff

Krysti Barksdale-Noble, Community Development Director

Sara Mendez, Planner I

David Hansen, Senior Planner

Megan Lamb, City Attorney

Lynn Dubajic Kellogg, City Consultant

Ken Koch, Alderman

Chris Funkhouser, Alderman

Matt Marek, Alderman

Other Guests

Chris Vitosh, Vitosh Reporting Service

Richard Williams, Attorney/1115 LLC

Jeanne Arbet, Kylyn's Ridge

Chris Arbet, Kylyn's Ridge

Tiffany Schrader, Kylyn's Ridge

Christy Fallon, Kylyn's Ridge

Mike Zabramski, Kylyn's Ridge

David Schultz, Fox Haven/HR Green

Dave & Denise Campbell

Michael Tesch, Kylyn's Ridge

Mary Maher Bartalone, Blackberry Shore Ln.

George Allen, Allen Safety Co.

Kim Schmidt, Green Briar

Joan Keller, Prairie Gardens

Jen Klotz, Kendall Marketplace

Dean Friel, Kendall Marketplace

Todd & Amy Vander Myde, Kylyn's Ridge

Brian A. Carrabotta, Kendall Marketplace

Carol Rogers, Kylyn's Ridge

Glenn Erickson, Prairie Gardens

Bob Hyde, Townhomes

John Staller, Blackberry Shore Lane

Erin Trzebiatowski, 2121 Iroquois Lane

Joe Hamman

Patty Luptak, Green Briar

Mike Pitstick, Kylyn's Ridge

Carl & Carol Bosi, Prairie Gardens

Jayne & Prisma Rodriguez, Prairie Gardens

Dave Kellogg

Brent Schalhamer, Fox Haven

Tracy Schalhamer, Fox Haven

Sarah Chillelli, Kylyn's Ridge

Dawn Watson, Cannonball Estates

Tom Falbo, Kylyn's Ridge

Patrick Winninger, Fox Haven

Lauryn Christensen, Fox Haven

Amber Green, Kylyn's Ridge

Don Bartalone, Blackberry Shore Ln.

Nancy Mondek, Blackberry Shore

Marie Reuland, Kylyn's Ridge

Mark Schmidt, Green Briar

Erik Anderson, Kylyn's Ridge

Diane Friel, Kendall Marketplace.

Carol Kicher, Kylyn's Ridge

Steve Palicka, Kylyn's Ridge

Bailey Carrabotta, Kendall Mktplc.

Steve Rogers, Kylyn's Ridge

Sarah Tesch, Kylyn's Ridge

Don McArmin, Maplehurst Farm

Karen Staller, Blackberry Shore Ln.

Paul Reuland, Kylyn's Ridge

Angie Charlton, Green Briar

Michelle Pitstick, Kylyn's Ridge

Carol Wismiller, Prairie Gardens

Attendance via Zoom:

John Phillipchuck--Attorney, Dan Kramer—Attorney, Kyle Corniels, Bart Olson, Kathleen West-Attorney, Katelyn Gregory, Staying Connected LLC, Kreg Wesley—School District #115, Joe Weslo-Kendall County Record, Jen Rakas, Matt Gilbert

Previous Meeting Minutes January 8, 2025

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

Citizen's Comments None

Public Hearings

Chairman Vinyard said there were 4 Public Hearings for the meeting and he explained the procedure to be followed, the taking of testimony and he swore in those who would speak. He gave a brief description of each of the Hearings and entertained a motion to open the Hearings.

At approximately 7:03pm a motion was made and seconded by Mr. Williams and Mr. Hyett, respectively, to open the Public Hearings. Roll call: Crouch-yes, Green-yes, Linnane-yes, Vinyard-yes, Williams-yes, Forristall-yes, Hyett-yes. Carried 7-0.

The Public Hearings are:

1. **PZC 2024-22 Beecher Road Solar, LLC**, contract lessee, and Gary and Betty Bennett, property owners, petitioners, have filed applications with the United City of Yorkville, Kendall County, Illinois, requesting special use authorization and a bulk regulation variance approval. The real property is generally located immediately north of Corneils Road, approximately 1,500 feet west of Beecher Road, and approximately 4,000 feet west of IL Route 47 (N. Bridge Street) consisting of approximately 70 acres. The petitioners are requesting special use permit approval pursuant to Section 10-8-5 of the Unified Development Ordinance for a solar farm. Lastly, the petitioners are requesting a bulk regulation variance to Section 10-4-13-8.c of the Unified Development Ordinance, seeking a reduction from the required one thousand (1,000) foot setback from the nearest solar array to roadway network to 482 feet from Corneils Road.

Mr. Vinyard stated the petitioner had requested the above Hearing be continued to the March 12 Planning and Zoning meeting. He entertained a motion to continue this Hearing for the taking of testimony for the Special Use and Variance for a solar farm. So moved by Mr. Williams and seconded by Ms. Linnane. Roll call: Williams-yes, Forristall-yes, Hyett-yes, Crouch-yes, Green-yes, Linnane-yes, Vinyard-yes. Carried 7-0.

Chairman Vinyard read the 3 remaining Hearing descriptions as follows:

2. **PZC 2024-29 1115, LLC**, the petitioner, in collaboration with property owners Brent and Tracy Schalhamer, has applied to the United City of Yorkville, Kendall County, Illinois, for rezoning and special use authorization for a Planned Unit Development (PUD). The proposal involves purchasing and redeveloping approximately 14 acres, comprising a one-acre parcel to remain zoned B-3 General Business District for future commercial use, and a 13-acre parcel to be rezoned from R-1 Single-Family Suburban Residence District to R-4 General Multi-Family Residence District for a townhome community with 18 buildings and 105 units. The petitioner also seeks a deviation from the Yorkville Unified Development Ordinance's Appearance Standards (Section 10-5-8(C)(2)(b)) to reduce the required use of masonry or premium siding on the front facades of the townhomes from 50% to 25%. The property, formerly Parfection Park, is located west of IL Route 47 (S. Bridge Street), east of the Green Briar subdivision, north of the Prairie Garden development, and commonly addressed as 1115 South Bridge Street.

3. **PZC 2024-31 Dave Hamman, on behalf of Kelaka, LLC**, petitioner/owner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. The real property consists of three (3) parcels totaling approximately 112.44 acres. Two (2) parcels are generally located immediately south of Faxon Road and west of Iroquois Lane and one (1) parcel is located immediately north of West Veterans Parkway (US 34) and east of Eldamain Road. The petitioner is requesting rezoning approval from R-1 Single-Family Suburban Residential District and B-3 General Business District to M-2 General Manufacturing District.
4. **PZC 2024-32 Kyle Corniels**, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois requesting relief from Section 10-5-5 of the Unified Development Ordinance requiring fences not extend beyond the front plane of the primary building facade in residential districts for a residential parcel located at 515 W. Washington Street. The purpose of this request is to allow for the fence on the petitioner's property to extend beyond the front plane of their home. The real property, zoned R-2 Single-Family Traditional Residence District, is located at the end of the cul-de-sac on West Washington Street and immediately south of West Fox Street, in Yorkville, Illinois.

(See Court Reporter's transcript of Public Hearings)

(To be added to official transcripts: 2 page report from school District, Fox Haven Impact Analysis)

At approximately 9:33pm a motion was made by Mr. Williams and seconded by Mr. Hyett to close the Public Hearings. Roll call: Forristall-yes, Hyett-yes, Crouch-yes, Green-yes, Linnane-yes, Vinyard-yes, Williams-yes. Carried 7-0.

Unfinished Business None

New Business

2. PZC 2024-29 1115, LLC (see full description in #2 above)

Mr. Crouch questioned the fact there is only one egress on the property, when two are usually required. Attorney Williams said there is a temporary access onto Rt. 47 and one for emergency uses only. There will also be a cross access easement in the northwest corner when the area develops further. Mr. Crouch also asked if a traffic study has been done. Engineer David Schultz said no traffic study has been done yet as they need an IDOT permit first.

Ms. Noble read the standards and petitioner's responses for the PUD portion of the request and the Commissioners reviewed them. She noted that there is an abundance of office space in the city and development has shifted to housing and that this property has remained undeveloped. The rezoning standards and petitioner's responses were also read by Ms. Noble and considered by the Commissioners. There was no further discussion of either request.

Action Item

PUD

Chairman Vinyard entertained a motion to approve PZC 2024-29 1115, LLC Planned Unit Development. So moved by Mr. Williams and second by Mr. Hyett. Mr. Williams read the motion as follows: Motion: In consideration of testimony presented during a Public Hearing on February 12, 2025 and standards for Planned Unit Development Approval, the Planning and Zoning Commission recommends approval to the City Council of a request to develop a 13-acre townhome community with 17 buildings totaling 105 townhome units with a deviation from the Yorkville Unified Development Ordinance's Appearance Standards (Section 10-5-8(C)(2)(b)) to

reduce the required use of masonry products or premium siding on the front facades of the townhome buildings from 50% to 25% and a signage plan allowing for certain temporary signs to exceed the permitted maximum sign area and sign height for the property generally located west of IL Route 47 (S. Bridge Street), east of the Green Briar subdivision and north of the Prairie Garden development with a common address of 1115 South Bridge Street, subject to the conditions enumerated in a staff memorandum dated February 6, 2025.

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

Action Item

Rezoning

Motion to approve PZC 2024-29 1115, LLC Rezoning request by Mr. Williams and second by Mr. Hyett. Mr. Williams read the motion as follows. Motion: The Planning and Zoning Commission recommends approval to the City Council to rezone a 13-acre parcel generally located west of IL Route 47 (S. Bridge Street), east of the Green Briar subdivision and north of the Prairie Garden development with a common address of 1115 South Bridge Street from R-1 Single-Family Suburban Residence District to R-4 General Multi-Family Residence District. Roll call: Forristall-yes, Hyett-yes, Crouch-yes, Green-yes, Linnane-yes, Vinyard-yes, Williams-yes. Carried 7-0

3. PZC 2024-31 David Hamman, on behalf of Kelaka, LLC (see description #3 above) Ms. Noble read the rezoning standards and petitioner's responses. Some of the Commissioners disagreed with the current proposed zoning of the 3 parcels. Mr. Williams and Mr. Vinyard disagree with the zoning for the area east of Rob Roy Creek and feel it should be kept for residential. They both agreed with the benefits to the community, but not the location.

Action Item

Rezone Parcels #02-19-200-008 and #02-19-200-011

Chairman Vinyard entertained a motion to approve PZC 2024-31 Dave Hamman, on behalf of Kelaka, LLC for rezoning Parcels 02-19-200-008 and 02-19-200-011. Mr. Williams moved and Mr. Crouch seconded. Mr. Williams read the motion as follows. Motion: In consideration of testimony presented during a Public Hearing on February 12, 2025 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 two (2) parcels totaling approximately 62.54 acres and generally located immediately south of Faxon Road and west of Iroquois Lane.

Roll call: Hyett-no, Crouch-no, Green-abstain, Linnane-no, Vinyard-no, Williams-no, Forristall-no. 6-No votes, 1-Abstain. Motion fails.

Action Item

Rezone Parcel #02-19-300-018

Mr. Williams moved and Mr. Crouch seconded a motion to approve rezoning of PZC 2024-31, Parcel #02-19-300-018. Mr. Williams read the motion as follows. Motion: In consideration of testimony presented during a Public Hearing on February 12, 2025 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for rezoning from B-3 General Business District to M-2 General Manufacturing District for a proposed future data center for an approximately 50-acre parcel located immediately north of West Veterans Parkway (US 34) and east of Eldamain Road.

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

4. PZC 2024-32 Kyle Corniels (see full description in #4 above)

Ms. Mendez presented the background for this request for a fence variance from Section 10-5-5, on property located at 515 W. Washington. This would allow the fence to extend beyond the front plane of the primary building facade in a residential district. The home location contributes to the atypical configuration and the front plane of the house extends along what would be considered a side yard. She said the setbacks create a hardship for the property owner and staff supports this request due to the uniqueness of the property. There was no discussion by the Commissioners. Ms. Mendez read the standards and the petitioner's responses.

Action Item

Variance

A motion was made by Mr. Williams and seconded by Mr. Crouch to approve PZC 2024-32 Kyle Corniels request for variance. Mr. Williams read the motion as follows. Motion: In consideration of testimony presented during a Public Hearing on February 12, 2025 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a request to vary the fence regulation contained in Section 10-5-5 of the Unified Development Ordinance to permit a fence to extend beyond the front plane of the primary building facade in a residential district of the subject property.

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

Additional Business

Ms. Noble introduced new Senior Planner David Hansen and he reported that all of the below petitions were approved or not opposed by the City Council.

1. City Council Updates

- a. PZC 2024-33** Stephen Cross/Costco, the PUD Amendment, Special Use and Final Plat
- b. PZC 2024-30** Nicholas S. Bellone solar farm 1.5 Mile Review, no opposition
- c. PZC 2024-21** Marker, Inc., PUD Amendment, Preliminary & Final Plat Approval
- d. PZC 2024-26** Drew Daniels on behalf of Daniels Malinski Yorkville Family LLLP, rezoning

Adjournment

There was no further business and the meeting was adjourned at 10:10pm 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 HEARINGS

651 Prairie Pointe Drive
Yorkville, Illinois

Wednesday, February 12, 2025
7:00 p.m.

1 PRESENT: (In person and via Zoom.)

2 Mr. Rich Vinyard, Chairman,
3 Mr. Danny Williams, Commissioner,
4 Mr. Rusty Hyett, Commissioner,
5 Mr. Ryan Forristall, Commissioner,
6 Ms. Marge Linnane, Commissioner,
7 Mr. Michael Crouch, Commissioner,
8 Mr. Chad Green, Commissioner.

9 ALSO PRESENT:

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

1 APPEARANCES: (In person and via Zoom.)

2 OTTOSEN, DiNOLFO, HASENBALG & CASTALDO,
3 LTD.

4 BY: MS. MEGAN LAMB
1804 North Naper Boulevard, Suite 350
Naperville, Illinois 60563
5 (630) 682-0085

6 appeared on behalf of the United City of
Yorkville;

7 GRIFFIN, WILLIAMS, McMAHON & WALSH, LLP

8 BY: MR. RICHARD L. WILLIAMS

21 North Fourth Street
Geneva, Illinois 60134
9 (630) 457-1205

10 appeared on behalf of the Petitioner in
PZC 2024-29, 1115, LLC;

11 DOMMERMUTH, COBINE, WEST, GENSLER,
12 PHILIPCHUCK & CORRIGAN, LTD.

13 BY: MS. KATHLEEN C. WEST

And

14 MR. JOHN F. PHILIPCHUCK
111 East Jefferson Avenue, Suite 200
Naperville, Illinois 60566
15 (630) 355-5800

16 appeared on behalf of the Petitioner
17 in PZC 2024-31, David Hamman, on behalf
of Kelaka, LLC.

18 - - - - -

I N D E X

WITNESS: (In person and via Zoom.) PAGE:

RICHARD L. WILLIAMS	13
DAVE CAMPBELL	29
DAVID SCHULTZ	31
BRENT SCHALHAMER	32
KREG WESLEY	35
CAROL WISSMILLER	36
MARK SCHMIDT	46
CARL BOSI	50
ANGIE CHARLTON	53
KIM SCHMIDT	54
PATTY LUPTAK	59
KATHLEEN C. WEST	62
MARY MAHER BARTALONE	68
JOHN F. PHILIPCHUCK	72
BRIAN CARRABOTTA	75
DON BARTALONE	82
JOHN STALLER	83
SARAH TESCH	92
NANCY MONDEK	97
TIFFANY SCHRAEDER	97
ERIK ANDERSON	100
DAWN WATSON	111

1	CAROL KICKER	116
2	SARAH CHILELLI	120
3	BAILEY CARRABOTTA	121
4	CHRISTY FALLON	124
5	MICHELLE PITSTICK	125
6	ERIN TRZEBIATOWSKI	126
7	TOM FALLON	127
8	TODD VANDERMYDE	128
9	DEAN FRIEL	138
10	CHRIS FUNKHOUSER	140
11	MATT GILBERT	145
12	KYLE CORNEILS	149

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23 REPORTED BY: Christine M. Vitosh

24 Illinois C.S.R. License No. 084-002883

1 (WHEREUPON, the following
2 proceedings were had in public
3 hearing, commencing at 7:02 p.m.:)

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

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

11 Public testimony from persons
12 present who wish to speak may be for or against
13 the request, or to ask questions of the
14 petitioner regarding 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. You are
18 also asked to sign in at the podium.

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

23 (Witnesses sworn.)

24 CHAIRMAN VINYARD: Please be seated. So

1 the order for receiving testimony will be as
2 follows: We will have the petitioner
3 presentation, and then following that anyone who
4 wishes to speak, whether in opposition of it or
5 in favor of it will go after that.

6 So may I have a motion to open the
7 public hearing on Petition Numbers PZC 2024-22,
8 Beecher Road Solar, LLC, requesting a special use
9 and variance for a solar farm; PZC 2024-29, 1115,
10 LLC, requesting rezoning classification and a
11 Planned Unit Development for a townhome
12 development; PZC 2024-31, David Hamman on behalf
13 of Kelaka, LLC, requesting rezoning
14 classification for a future data center; and PZC
15 2024-32, Kyle Corneils, requesting a variance for
16 a fence.

17 COMMISSIONER WILLIAMS: So moved.

18 COMMISSIONER HYETT: Second.

19 CHAIRMAN VINYARD: Very good. May I
20 have a roll call vote on the motion, please?

21 MS. YOUNG: Yes. Crouch.

22 COMMISSIONER CROUCH: Yes.

23 MS. YOUNG: Green.

24 COMMISSIONER GREEN: Yes.

1 MS. YOUNG: Linnane.

2 COMMISSIONER LINNANE: Yes.

3 MS. YOUNG: Vinyard.

4 CHAIRMAN VINYARD: Yes.

5 MS. YOUNG: Williams.

6 COMMISSIONER WILLIAMS: Yes.

7 MS. YOUNG: Forristall.

8 COMMISSIONER FORRISTALL: Yes.

9 MS. YOUNG: And Hyett.

10 COMMISSIONER HYETT: Yes.

11 CHAIRMAN VINYARD: Everyone still
12 standing, there is room back here and over here
13 in the overflow, there is screens you will be
14 able to see everything, or you can choose --

15 MS. LAMB: There is also some seats up
16 in the front. The whole row is open.

17 CHAIRMAN VINYARD: No one bites.

18 COMMISSIONER CROUCH: We won't bite.

19 COMMISSIONER HYETT: Win a prize.

20 CHAIRMAN VINYARD: There is a winning
21 lottery ticket taped under somebody's seat.
22 Awesome. Okay.

23 So the first public hearing for
24 discussion is PZC 2024-22, Beecher Road Solar,

1 LLC, is requesting a special use and variance for
2 a solar farm.

3 The petitioner has asked that this
4 public hearing be continued until the next
5 regularly scheduled PZC hearing on March 12th.
6 Everyone should have got that supplement sent to
7 them.

8 UNIDENTIFIED AUDIENCE MEMBER: We can't
9 hear you.

10 CHAIRMAN VINYARD: So in consideration
11 for the petitioner's request and there not being
12 a presentation by the petitioner for tonight's
13 PZC meeting for the public hearing, may I have a
14 motion to continue the public hearing for PZC
15 2024-22, Beecher Road Solar, LLC, to March 12,
16 2025 Planning and Zoning Commission meeting for
17 the taking of public testimony on the requested
18 special use and variance for a solar farm?

19 COMMISSIONER WILLIAMS: So moved.

20 COMMISSIONER LINNANE: Second.

21 CHAIRMAN VINYARD: Roll call vote on the
22 motion, please.

23 MS. YOUNG: Williams.

24 COMMISSIONER WILLIAMS: Yes.

1 MS. YOUNG: Forristall.

2 COMMISSIONER FORRISTALL: Yes.

3 MS. YOUNG: Hyett.

4 COMMISSIONER HYETT: Yes.

5 MS. YOUNG: Crouch.

6 COMMISSIONER CROUCH: Yes.

7 MS. YOUNG: Green.

8 COMMISSIONER GREEN: Yes.

9 MS. YOUNG: Linnane.

10 COMMISSIONER LINNANE: Yes.

11 MS. YOUNG: And Vinyard.

12 CHAIRMAN VINYARD: Yes.

13 Very good. The public hearing for
14 PZC 2024-22, Beecher Road Solar, has been moved
15 to the March 12th, 2025 Planning and Zoning
16 Commission meeting.

17 All right. There is a lot of this.

18 MS. NOBLE: Yes.

19 CHAIRMAN VINYARD: The remaining public
20 hearings up for discussion tonight are as
21 follows: PZC 2024-29, 1115, LLC, the petitioner
22 in collaboration with property owners, Brent and
23 Tracy Schalhamer, have applied to the United City
24 of Yorkville, Kendall County, Illinois, for

1 rezoning and special use authorization for a
2 Planned Unit Development.

3 The proposal includes purchasing and
4 redeveloping approximately 14 acres, comprising a
5 one-acre parcel to remain zoned as B-3 General
6 Business District for future commercial use, and
7 a 13-acre parcel to be re-zoned as R-1
8 Single-Family Suburban Residential District to
9 R-4 General Multi-Family Residential District for
10 a townhome community with 18 buildings and
11 105 units.

12 The petitioner also seeks a
13 deviation from the Yorkville Unified Development
14 Ordinance appearance standards, Section 10-8 --
15 10-5-8, Subsection (C)(2)(b), to reduce the
16 required use of masonry or premium siding on the
17 front facades of the townhomes from 50 percent to
18 25 percent.

19 The property, the former Parfection
20 Park, is located west of Illinois Route 47, east
21 of the Greenbriar subdivision, and north of the
22 Prairie Garden development, and commonly
23 addressed as 1115 South Bridge Street.

24 Bear with me. The next one, PZC

1 2024-31, David Hamman, on behalf of Kelaka, LLC,
2 petitioner/owner, has filed an application with
3 the United City of Yorkville, Kendall County,
4 Illinois, requesting rezoning classification.

5 The real property consists of three
6 parcels totaling approximately 112.44 acres. Two
7 parcels are located immediately south of Faxon
8 Road and west of Iroquois Lane and one parcel is
9 located immediately north of West Veterans
10 Parkway and east of Eldamain Road.

11 The petitioner is requesting
12 rezoning approval from R-1 Single-Family Suburban
13 Residential District and B-3 General Business
14 District to M-2 General Manufacturing District.

15 PZC 2024-32, Kyle Corneils,
16 petitioner, has filed an application with the
17 United City of Yorkville, Kendall County,
18 Illinois, requesting relief from Section 10-5-5
19 of the Unified Development Ordinance requiring
20 fences not extend beyond the front plane of the
21 primary building facade in residential districts
22 for a residential parcel located at 515 West
23 Washington Street.

24 The purpose of this request is to

1 allow for the fence on the petitioner's property
2 to extend beyond the front plane of their home.

3 The real property, zoned R-2
4 Single-Family Traditional Residential District,
5 is located at the end of a cul-de-sac on West
6 Washington Street and immediately south of West
7 Fox Street in Yorkville, Illinois.

8 All right. So is the petitioner for
9 PZC 2024-29, 1115, LLC, present and prepared to
10 make its presentation on their proposed requests?

11 MR. WILLIAMS: We are, sir.

12 CHAIRMAN VINYARD: Thank you.

13 RICHARD L. WILLIAMS,
14 having been first duly sworn, testified before
15 the Commission from the podium as follows:

16 MR. WILLIAMS: Can you hear me okay?
17 Good evening. My name is Richard Williams. I am
18 an attorney for the petitioner, 1115, LLC, which
19 is an Illinois Limited Liability Company.

20 The principals of that company are
21 Matt Christensen and Patrick Winninger; both are
22 present today. We also have or engineer, David
23 Schultz, present from HR Green.

24 Our -- Sorry. There we go. And

1 then our builder is Ryan Homes, who we will be
2 partnering with for this project, Mark Fields and
3 Charles Conde.

4 Ryan Homes is a well respected
5 national home builder. They are building two
6 projects in town already. They do business in 16
7 states. The city is familiar with them, and we
8 are confident that they are going to be an asset
9 to this project in this area of the city.

10 As stated before, we own or are
11 contract purchaser for 14 acres. Of that 14
12 acres, we are asking to rezone a 13-acre parcel
13 to R-4 with a special use for a planned unit
14 development. We are meeting all of the bulk
15 regulations for the R-4 District.

16 The Comp Plan identifies this
17 property as commercial office. If this petition
18 is approved, it's my understanding that the city
19 will amend its Comp Plan in accordance with the
20 new zoning, but we feel the R-4 zoning is an
21 appropriate PUD, is an appropriate zoning, for
22 this property.

23 The Schalhamers, who are present
24 here, have owned this property for many years and

1 they've had it for sale since 2018, and it's been
2 vacant for the last seven, six years, so we
3 believe that this is a good transitional use of
4 the project and we are excited to bring this to
5 the city.

6 As stated before, the property at
7 1115 South Bridge Street was formerly used as
8 Parfection driving range. After the Schalhamers
9 closed their operations, it has been vacant.

10 The surrounding properties, we have
11 R-2 Residential to the west, that's the
12 Greenbriar subdivision; to the south we have R-3
13 Residential, that's Prairie Garden subdivision;
14 we are retaining one acre, approximately a
15 one-acre parcel, on Bridge Street that will be
16 remain B-3; and then to the north is
17 unincorporated vacant land.

18 I believe the correct number is 17
19 buildings. I could be wrong, but my count was
20 17.

21 We are providing our own stormwater
22 detention. We are seeking access to Route 47
23 from IDOT. We are currently under permitting
24 control with them.

1 This project will have amenities for
2 the residents, those amenities including a
3 walking path, fair amount of open space, a future
4 park and ample off-street visitor parking.

5 We will be establishing an HOA for
6 this project. The HOA will govern all aspects of
7 the maintenance of the property. The roads will
8 be private roads; they will not be maintained by
9 the City of Yorkville.

10 This next slide depicts the project,
11 and as I alluded to a moment ago, the detention
12 basin is on the north side of the property and
13 that's because functionally that's where it needs
14 to go. It's the lowest point of the development.

15 We will be doing extensive
16 landscaping for the buffering to the west in
17 addition to the tree line that's already there.

18 We are going to have a six-foot
19 privacy fence, which -- well, I'm not that
20 sophisticated with your pointer, so -- but on the
21 west side of the property you will see a fairly
22 large buffer. There is a significant building
23 setback line. That would be landscaped in
24 addition to the tree line that's already present,

1 and we did everything we could to shift the
2 development to the east to give the maximum
3 amount of buffer that we could provide for
4 Greenbriar because we really view this as a
5 transitional neighborhood between single-family
6 and then the multi-family you have to the south
7 already and then the commercial to the east, so
8 we believe this is an appropriate use of the
9 property.

10 You can also see by the site plan
11 that there is a significant amount of parking
12 provided. We are providing 345 total parking
13 spaces, which is 110 in excess of what is
14 required by your ordinance.

15 Construction is anticipated to last
16 roughly two years. We will, of course, follow
17 all City of Yorkville construction codes, hours
18 of operation, dust control, things of that
19 nature.

20 We have met with some of the
21 neighbors to the west and we heard their concerns
22 about construction activities, and what's nice
23 about us here is that our team is local. We live
24 in this community. We will be there to make sure

1 that it operates smoothly and as unobtrusively
2 to the neighbors as possible.

3 As I've mentioned before, we have
4 maximized the buffer between Fox Haven and
5 Greenbriar. The current minimum required setback
6 line is 40 feet with the closest proposed
7 building being 82 and a half feet from the
8 property line, so we are more than double what
9 your ordinance requires.

10 As you will see in a slide in a
11 moment, the west property line has an extensive
12 line of mature trees that we are going to
13 preserve, we are going to leave in place, and it
14 provides very dense screening between Fox Haven
15 and its neighbors, and then, as I mentioned
16 before, we will have a significant amount of
17 additional landscaping in addition to the
18 six-foot privacy fence.

19 As part of the review and approval
20 process, we will be providing a photometric plan.
21 We realize we have to keep all our light on our
22 property, so there won't be spillage into the
23 neighboring property, so we are going to be
24 coming forward to you with that at a later time.

1 There we go. This is a conceptual
2 landscape plan. We will meet or exceed your
3 landscape requirements in the City of Yorkville.
4 This pause is not for dramatic affect, I can
5 assure you. It does not seem to want to advance
6 the slide.

7 MS. NOBLE: We are going to try to
8 advance it for you.

9 MS. MENDEZ: Yeah.

10 MS. NOBLE: Do you want to try and see
11 if you can do it now?

12 MR. WILLIAMS: Try it again?

13 MS. NOBLE: Yeah.

14 MR. WILLIAMS: It's the right button,
15 right?

16 MS. NOBLE: Yeah.

17 MR. WILLIAMS: Yeah.

18 COMMISSIONER HYETT: Batteries?

19 MS. NOBLE: Could be the batteries. We
20 are going to -- we are going to see if we can do
21 it here.

22 CHAIRMAN VINYARD: Folks, there's a
23 couple seats up here or you can fit in one of the
24 overflow rooms, or stand.

1 MS. LAMB: You can come up to the second
2 row, it's open.

3 MS. NOBLE: It's advancing on our
4 computer, but it's not advancing on --

5 MR. WILLIAMS: There we go.

6 MS. NOBLE: There we go, okay.

7 MR. WILLIAMS: So this photo -- these
8 photos I should say were taken in December and
9 show -- if you look at the top left-hand corner,
10 looking -- it's from the subject property looking
11 west at Greenbriar, the middle top again looking
12 west at Greenbriar more towards the middle of the
13 project, and then on the upper right-hand corner
14 it's looking towards the north side of Greenbriar
15 where we applied, and then, of course, the bottom
16 photo shows the existing tree line set back a
17 way, so you get a better perspective.

18 So it's being sensitive to our
19 neighbors to the west. You know, we know that
20 not everybody is thrilled about development
21 coming in next door, but we believe we have done
22 everything we could possibly do, in addition to
23 the nature that's already there, that will
24 minimize any visual effect of this project.

1 Frozen again. Technology is a
2 wonderful thing when it works.

3 MS. NOBLE: There we go.

4 MR. WILLIAMS: Thank you. As stated
5 before, we anticipate 105 units. Each unit will
6 have an attached two-car garage along with
7 two-car parking in the driveway, in addition to
8 ample off-site parking for guests.

9 Your bulk standard allows for a
10 maximum height of 40 feet; our building will be
11 29 and a half feet as measured by the city code.

12 Your minimum standard for units of
13 this type are 1400 square feet; our minimum
14 square footage for these units will be at least
15 1650 square feet.

16 Our starting sale price for this
17 product will be in the upper 300,000 range.
18 These are not entry level units.

19 We have asked for a variance from
20 your premium siding and brick because we want
21 premium architectural features to break up the
22 view of the product, as we will talk about in the
23 next slide, and another thing that's come up with
24 some of the neighbors is there is a concern that

1 this is going to be a rental community.

2 This is not a rental community, this
3 is an owner-occupied project, and we will have
4 provisions in our covenants that prevent
5 short-term rentals. No airbnbs, no
6 month-to-month leases, none of that.

7 MS. NOBLE: Are you --

8 MR. WILLIAMS: I am trying.

9 CHAIRMAN VINYARD: Bear with us, folks.

10 MS. NOBLE: Let's see if she can advance
11 it without --

12 MS. LAMB: Is it the batteries? I have
13 a couple of triple As in my purse.

14 MS. NOBLE: We have batteries at the
15 bottom of the dais also, but --

16 MR. WILLIAMS: Well, I can try. It
17 looks like they are the wrong size.

18 MS. NOBLE: Yeah, don't --

19 MR. WILLIAMS: Looks like I need triple
20 A, those are double.

21 MS. LAMB: How many triple As do you
22 need? I've got two.

23 MS. NOBLE: She has batteries.

24 CHAIRMAN VINYARD: You're kidding me.

1 MS. NOBLE: The attorney to the rescue.

2 CHAIRMAN VINYARD: Were you a Girl
3 Scout?

4 MS. LAMB: No.

5 MR. WILLIAMS: Well, it was a good
6 effort.

7 MS. NOBLE: Yeah. Let's see what we can
8 do here.

9 MR. WILLIAMS: We really need to just
10 get through one more slide.

11 MS. NOBLE: Yeah.

12 MR. WILLIAMS: I can talk about the
13 rest, but the next slide is important to give you
14 a perspective of what we are planning.

15 Well, I will tell you what. While
16 we are working on that, why don't I move on to a
17 subject that I think -- I've heard some rumblings
18 recently --

19 CHAIRMAN VINYARD: Please.

20 MR. WILLIAMS: -- this afternoon that
21 there's some concern about the impact of this
22 project on the school district. I've run some
23 numbers to give some illustrations to this body
24 to help us through this process, so --

1 CHAIRMAN VINYARD: Would you like this
2 entered into the record?

3 MR. WILLIAMS: Yes. We have been told
4 that there is concerns that the schools can't
5 handle the development or don't have the
6 financial resources, and what I wanted to do was
7 illustrate really how low an impact this
8 development will have on the generation of school
9 children.

10 It's 105 units, but if you look at
11 the National Association of Home Builders' study
12 from 2020, the link of which I have in this
13 handout, owner-occupied new construction
14 single-family attached generates 22 school-aged
15 children for every hundred units.

16 So the second column where it says
17 students, we anticipate, based upon the National
18 Association of Home Builders' study, only 23
19 students will be generated.

20 If I take a conservative value of
21 these units at \$350,000, the EAV will be a third
22 of that, which is \$116,000. Per your ordinance
23 and per the school district's requirements, we
24 will be paying impact fees and land cash

1 contributions of \$4,494.49 per unit. That will
2 be a lump sum payment, or an upfront payment as
3 permits go, of \$471,000 in land cash and impact
4 fees.

5 We also will be generating a
6 significant amount of real estate tax from this
7 project. Right now it's on the tax rolls as
8 vacant land. We anticipate \$12,250,000 of total
9 EAV at full build.

10 If we apply the last known tax rate
11 for the school district of -- well, if you look
12 at a tax bill, it says 6.2, but for my purposes
13 for math I have to do it this way.

14 At full build-out we will generate
15 \$761,668 per year for the school district. I
16 have laid those numbers out below.

17 On a per-child-basis, this
18 development will generate \$32,972 in tax revenue
19 per student that it generates, which is more than
20 enough to cover the cost, and if the school
21 district is struggling, it's going to need fees
22 and tax revenues to be able to expand.

23 So you are in a Catch 22; if you sit
24 there and do nothing, you are still going to have

1 people moving into Yorkville, you are still going
2 to have an increase in the demand on
3 infrastructure, and particularly the schools, so
4 we feel that this development is better for --
5 generates less school-aged children, as you will
6 see in the chart below, than single-family
7 detached homes.

8 So if you did four units an acre of
9 single-family, you would generate -- on this
10 project you would actually generate more
11 school-aged children than we will be generating,
12 so we think this is a better choice for the
13 school district.

14 So I would like to enter that into
15 the record, please.

16 CHAIRMAN VINYARD: Please. Absolutely.

17 MR. WILLIAMS: The next slide shows a
18 head-on view of the project, and we've got folks
19 here who can talk about this better than me if
20 you have questions.

21 What you don't really capture in
22 this illustration is the depth of the product.
23 It's not a barrack. It's not a flat wall. It's
24 offset. There is depth to this project.

1 There is a mixture of brick and
2 gables and other architectural features, which
3 Charles can tell you about better than I, bay
4 windows that offsets the view, and it's more --
5 it's a more attractive product in our view than
6 if it was just all Hardie board or all brick or
7 all LP siding. Okay.

8 MS. NOBLE: We are doing it.

9 MR. WILLIAMS: You are going to do it
10 then. Okay. Next slide, please. I am just
11 going to wrap up here.

12 So, in summary, we have asked for no
13 relief on the building permits. We have asked
14 for no relief on the school or park fees.

15 We are committed to this community.
16 We are committed to paying our fair share. We
17 have asked for no variances from your bulk R-4
18 regulations.

19 The variance we have asked for,
20 building siding, we are offsetting with our
21 architecture per your code, so we are following
22 your code.

23 We are asking for no relief from
24 your landscaping; we will meet or exceed your

1 landscaping requirements. We are installing a
2 privacy fence as well.

3 So it's a good location to
4 transition from single-family to a multi-family
5 product such as we are offering here. One more
6 slide and I am done.

7 We believe that this project, with
8 its close proximity to downtown, offers a lot of
9 amenities to our future residents and to our
10 businesses here in town.

11 There is a need for this housing
12 type in this area of the city. There is a huge
13 demand. We are doing this with what we believe
14 is a premium product, and we are partnering with
15 a well-known, respected national home builder, so
16 we are excited by the project.

17 We are looking forward to a
18 long-term relationship with the city, and our
19 team is here to answer any questions you might
20 have.

21 CHAIRMAN VINYARD: Thank you, sir. Is
22 there anyone present who wishes to speak in favor
23 or opposition of this request? Go over to the
24 podium and sign in, please.

1 THE REPORTER: There is no paper there
2 to sign in on.

3 CHAIRMAN VINYARD: Oh. Where did that
4 go?

5 MS. YOUNG: There is a sign-in.

6 MS. NOBLE: Where is the sign-in sheet?

7 MS. YOUNG: It's on a clipboard.

8 MS. NOBLE: There is a clipboard
9 circulating that's a sign-in sheet. Does anyone
10 have that clipboard?

11 MS. YOUNG: I'll go get it.

12 CHAIRMAN VINYARD: Thank you. You can
13 go ahead, sir. You can sign it when you are
14 done.

15 MR. CAMPBELL: I've already signed it.

16 CHAIRMAN VINYARD: You already signed
17 it?

18 MR. CAMPBELL: Yes.

19 CHAIRMAN VINYARD: Beautiful.

20 DAVE CAMPBELL,
21 having been first duly sworn, testified before
22 the Commission from the podium as follows:

23 MR. CAMPBELL: My name is Dave Campbell.
24 I live on Elizabeth Street. Over the years we've

1 had trouble with water from the south heading
2 north onto our street. That's our biggest
3 concern. We are not opposed to the project other
4 than disbursement of water. Yeah. That's it.

5 CHAIRMAN VINYARD: Very good. I believe
6 that has been addressed with the engineering.

7 MR. CAMPBELL: I saw the detention pond.
8 There is another one already there that went --
9 the last time it overflowed and we got water,
10 significant water, in our crawlspace.

11 So I see where the detention pond
12 is. I mean, it's -- you know, I can throw a rock
13 and hit it.

14 CHAIRMAN VINYARD: Sure.

15 MR. CAMPBELL: So that concerns me. If
16 that fills up, where is the water going to go?
17 It's going to come to us.

18 CHAIRMAN VINYARD: Okay.

19 MR. CAMPBELL: So if there is any -- I
20 mean, the next property over is Carol's, which is
21 the unincorporated, you know. It just always
22 comes this way, you know, north to our property,
23 to our street, so --

24 CHAIRMAN VINYARD: Okay. Very good.

1 Thank you, sir.

2 MR. CAMPBELL: Yes.

3 CHAIRMAN VINYARD: Would you guys like
4 to address that? Sir, he will address your
5 question right now.

6 DAVID SCHULTZ,
7 having been first duly sworn, testified before
8 the Commission from the podium as follows:

9 MR. SCHULTZ: Good evening. David
10 Schultz, HR Green, senior project manager,
11 engineer for the project.

12 What we have to do for this project
13 is provide on-site detention for the difference
14 in imperviousness of the area.

15 So the previous site was developed,
16 has an existing basin, stormwater basin, that was
17 sized appropriately for that development.

18 What we have to do now is enhance
19 and grow that basin to account for everything, so
20 there is larger restrictions, slowing down the
21 water, releasing per the rates.

22 We have to follow the city
23 ordinances, we have to follow the Kendall County
24 Stormwater Ordinance which they adopted, so we

1 have to confine basically to all the regulations
2 that are set in place by the city.

3 CHAIRMAN VINYARD: Thank you. Would
4 anyone else like to speak on this? Okay. Go
5 ahead, sir. Sign in, please.

6 MR. SCHALHAMER: I signed in already.

7 CHAIRMAN VINYARD: Very good.

8 BRENT SCHALHAMER,
9 having been first duly sworn, testified before
10 the Commission from the podium as follows:

11 MR. SCHALHAMER: Yeah. My name is Brent
12 Schalhamer. I am the current property owner. My
13 wife is here, Tracy, with me. I want to just be
14 brief. I don't have any slides to go through.

15 CHAIRMAN VINYARD: Thank you.

16 MR. SCHALHAMER: So what I do want to
17 say is, you know, there is neighbors here from
18 Greenbriar and I know some are opposed to this.
19 I hope they change their mind.

20 I've had this property for sale
21 longer than 2018, basically 2014 before I closed
22 Parfection Park. I find it ironic that I am --
23 you know, there is opposition maybe to this
24 development.

1 When I had the property started in
2 '92 and Greenbriar came around, I was kind of
3 opposed to that. It's come kind of full circle.
4 Very ironic to that.

5 I could whine and complain all night
6 that I haven't been able to sell the property
7 since 2014. I actually tried to sell it as early
8 as 2008 when things were booming. Probably a
9 year too late.

10 Not to say that I wasn't enjoying
11 running the business or the business wasn't
12 successful because, yeah, I hope it contributed
13 to the city.

14 So I did want to say the property
15 was purchased by my wife and I in 1991. In '92
16 we went in front of the city, completely
17 different office spaces at that time, but -- to
18 get a special use for the driving range, which
19 was the first part of the business.

20 I was given the special use permit,
21 and at that time, way back in '92, that's when
22 R-1 was designated for the property. That was
23 34 years ago, 33 years ago, so I don't feel like
24 R-1 should apply anymore.

1 I am in favor of this development
2 after all the other opportunities that came this
3 way because I think it's a good middle ground
4 between R-1 and apartments.

5 I think being three-quarters of a
6 mile from downtown Yorkville, which is growing
7 and having festivals, I think it's great that
8 people could walk down there, especially this
9 many in the townhomes.

10 I mean, they will be there to buy
11 groceries, food, go to restaurants, gas, all
12 support secondary revenue for the city, not only
13 the tax base.

14 I am paying property taxes, I don't
15 consider them vacant-type taxes, and it's a
16 burden. My wife and I want to move on.

17 So yeah, I am in favor of this. I
18 am asking for your recommendation in front of
19 City Council and to move this forward, so thank
20 you. Any questions, glad to answer them as
21 well.

22 CHAIRMAN VINYARD: Thank you, sir.
23 Mr. Wesley on Zoom, I believe you are my next
24 speaker.

1 MS. NOBLE: Sorry.

2 CHAIRMAN VINYARD: Sir, we can't hear
3 you. Hold on one second.

4 MR. WESLEY: Can you hear me now?

5 CHAIRMAN VINYARD: Yes, I can. Very
6 well, sir.

7 KREG WESLEY,
8 having been first duly sworn, testified before
9 the Commission from the podium as follows:

10 MR. WESLEY: Thank you. So Kreg Wesley.
11 I represent the Yorkville School District, and we
12 are not opposed to the concept. Ryan Homes is a
13 fine builder.

14 Our concern is the density, and when
15 I applied the population calculation based on the
16 105 units, the calculation that the City of
17 Yorkville utilizes, I came up with larger
18 numbers, so I would just ask that the city take a
19 look at that because 105 units based on their --
20 this population calculation is 75 school-aged
21 children, 24 pre-K, 31 elementary, nine at the
22 middle school and ten at the high school applying
23 that computation, so our concern is just the
24 density.

1 I think there is value in this type
2 of development, I think there is the opportunity
3 for the EAV, the attorney that spoke is exactly
4 correct. It's just the density and the timing.

5 The school district is having our
6 issues with capacity and this is just going to
7 contribute to it, so that's what I would like
8 added to the record.

9 CHAIRMAN VINYARD: Very good, sir.
10 Thank you.

11 Would anyone else like to speak?
12 This is your only opportunity to speak on this
13 matter.

14 CAROL WISSMILLER,
15 having been first duly sworn, testified before
16 the Commission from the podium as follows:

17 MS. WISSMILLER: I am Carol Wissmiller
18 and I have already signed in. I own the property
19 that's north, the nine acres.

20 MS. NOBLE: I'm sorry, can you speak
21 into the microphone? Thank you.

22 MS. WISSMILLER: I am Carol Wissmiller,
23 I already signed in, and I own the property
24 that's to the north, that nine acres of

1 unincorporated Kendall County.

2 Can you bring the plot plan back up
3 again, please? That one. Okay.

4 See where that walking path goes all
5 the way around? How do I make sure nobody gets
6 onto my property?

7 CHAIRMAN VINYARD: That's a great
8 question.

9 MS. WISSMILLER: I have livestock.

10 CHAIRMAN VINYARD: Do you guys plan on
11 putting anything other than the landscape buffer
12 on the north side?

13 MR. SCHULTZ: No, just landscaping
14 buffering, and to the north there is actually a
15 sanitary sewer easement that we share with the
16 City Council.

17 MS. WISSMILLER: I know, they ran it
18 through my property.

19 MR. SCHULTZ: Oh. So the easement is on
20 your property.

21 MS. WISSMILLER: Well, part of it is,
22 yeah. So there is nothing in this plan to stop
23 people from walking off of that walking path onto
24 my nine acres to the north.

1 MR. WILLIAMS: Do you have a fence?

2 MS. WISSMILLER: Not along the property
3 line. I do for the pasture land, but not the
4 property line.

5 So how do I keep people from
6 trespassing onto my property?

7 UNIDENTIFIED AUDIENCE MEMBER: No
8 trespassing signs?

9 MR. WILLIAMS: With all due respect,
10 ma'am, I think you have the same problem now
11 whether we are there or not.

12 MS. WISSMILLER: No, I don't. There is
13 nobody there. It's vacant land.

14 MR. WILLIAMS: People could trespass at
15 any time. We are certainly not going to
16 encourage trespassing. If you want us to post no
17 trespassing signs along the property line, we are
18 more than happy to do that.

19 If you come into problems, you know,
20 you can call the sheriff or the police
21 department, but we really can't keep people from
22 breaking the law.

23 I mean, if they're going to -- we
24 don't encourage it, we don't condone it, we don't

1 anticipate it. We are happy to post some signage
2 on the path, but I don't know what else we can
3 really do to alleviate a concern, which is really
4 just, frankly, just a general concern, it's a
5 kind of a what-if-maybe type of concern.

6 MS. WISSMILLER: It's a liability
7 concern, yes.

8 MR. WILLIAMS: And I am not discounting
9 your concern.

10 MS. LAMB: Let's make sure we speak one
11 at a time so the court reporter can keep track.

12 MR. WILLIAMS: It certainly is a valid
13 concern to have, I am not trying to insult you or
14 say that it's not -- minimize your concern, but
15 we all have the liability of somebody coming on
16 our property and trespassing, whether we have a
17 pool or we have a gym set or something that's an
18 attractive nuisance.

19 We will do our best, I can assure
20 you, to prevent that and certainly will not
21 encourage it.

22 CHAIRMAN VINYARD: Thank you.

23 MS. WISSMILLER: So it sounds like I am
24 going to have to put a fence up.

1 CHAIRMAN VINYARD: That would be
2 completely your prerogative on what you do on
3 your property. At this point I don't believe we
4 can force them to put up a fence there.

5 They are following all regulations
6 of the UDO. Short of the fact that you have a
7 storm easement in there, not knowing what the
8 exact distance is offhand, I am assuming it's
9 probably a little bit more than 40 feet, that's
10 my assumption, but, for that matter, it would
11 become a police issue.

12 MR. WILLIAMS: I can add maybe a little
13 bit more color, too. We are more than willing to
14 have in our new resident packet acknowledgment
15 that it's private property and discouraging any
16 trespassing, and there will be an HOA, so if you
17 run into issues with people trespassing, you are
18 invited and welcome to call the HOA and the HOA
19 will work with you to mitigate any future issues.

20 MS. WISSMILLER: Okay. Because I -- I
21 do have a current problem with people cutting
22 across my back pasture walking. It doesn't do
23 any good.

24 The only thing that I can think

1 about is putting up a fence.

2 CHAIRMAN VINYARD: Okay.

3 MS. WISSMILLER: And then also in
4 regards to the water retention, about once every
5 five years the retention pond that is located
6 behind -- what's the building that's adjacent to
7 it, North American Building Company there, that's
8 right next to the property to the north, they
9 have a small retention pond there currently.
10 About once every five years it overflows and runs
11 all over my property.

12 What's going to happen -- Is this
13 detention pond big enough to hold the water?

14 CHAIRMAN VINYARD: Ma'am, these
15 developers have to follow every regulation within
16 the city, so they do all the calculations, the
17 city verifies the calculations, that this can
18 handle appropriate stormwater detention, so,
19 again, that's another -- we are discussing a
20 property away from it, I understand they are two
21 different ones.

22 We can't hold them to a standard of
23 somebody else's property, just their own. They
24 are providing enough detention based on the

1 calculations through the city staff. I wish I
2 had more for you. I understand.

3 MS. WISSMILLER: I've seen the
4 overflows, and that's when all this property has
5 been under grass and it's been able to absorb the
6 water.

7 CHAIRMAN VINYARD: Sure.

8 MS. WISSMILLER: Now you are putting
9 what, two-thirds of it under pavement? And it's
10 not going to have the ability to absorb all that
11 water anymore.

12 CHAIRMAN VINYARD: So also with that,
13 they have to -- they have to abide by a standard
14 of the amount of permeable area, so they actually
15 are under that I believe, aren't they?

16 MR. SCHULTZ: Yeah.

17 MS. WISSMILLER: Sorry.

18 CHAIRMAN VINYARD: Something tells me it
19 was like 60 percent.

20 MR. SCHULTZ: David Schultz again, HR
21 Green. The allowable imperviousness is
22 70 percent based on the zoning. The current plan
23 is at 65 percent, so we are under that
24 requirement right now.

1 MS. WISSMILLER: Under the requirement?

2 MR. SCHULTZ: Under the requirement.

3 And regarding the sizing, everything has to go
4 through the review, we have to size for a
5 hundred-year storm.

6 I can't comment on the existing
7 site, I can't comment whether or not it is sized
8 appropriately. There has been updates in
9 stormwater rainfall intensities and stuff like
10 that, so we are -- we have to adhere to the
11 current standards of today, so previously that
12 may not have been the case, it may not have been
13 sized appropriately, but I am just guessing at
14 that, but moving forward we have to size
15 according to what is shown on the plan.

16 MS. WISSMILLER: So you are currently
17 below the standard?

18 CHAIRMAN VINYARD: That's correct.

19 MR. SCHULTZ: No.

20 MS. WISSMILLER: You said 65 percent,
21 you said the standard is 70.

22 MR. SCHULTZ: That is of impervious
23 area, so we can develop 70 percent of this
24 property.

1 MS. WISSMILLER: Okay.

2 MR. SCHULTZ: We are developing at
3 65 percent.

4 MS. WISSMILLER: Got it, okay.

5 MR. SCHULTZ: That's the difference.

6 MS. WISSMILLER: Okay.

7 CHAIRMAN VINYARD: Thank you.

8 MS. WISSMILLER: That was my -- that was
9 my two biggest concerns.

10 CHAIRMAN VINYARD: Thank you.

11 MS. WISSMILLER: So it sounds like I am
12 going to have to put a fence up. Okay. I'm
13 sorry everybody over in Greenbriar, but I am
14 going to have to put a fence up.

15 CHAIRMAN VINYARD: I am hoping for a
16 very good neighborly transition with you.

17 MS. WISSMILLER: From what I have
18 experienced with subdivisions behind me right
19 now, the school kids cross the property all the
20 time.

21 CHAIRMAN VINYARD: I'm sure it's
22 frustrating.

23 MS. WISSMILLER: And I put off putting
24 up a fence because they've gotten better in the

1 last couple of years. I just don't see it
2 getting any better with this, so --

3 CHAIRMAN VINYARD: I'm sorry. I hope
4 that's the absolute opposite.

5 MS. WISSMILLER: Okay. Thank you.

6 CHAIRMAN VINYARD: Would anyone else
7 like to speak? Please.

8 MR. SCHALHAMER: I just wanted to
9 address the concerns. Nice to meet you. We
10 haven't met before. I've been trying to track
11 you down for a while.

12 I understand exactly where she is
13 coming from. As a property owner, I've seen
14 trespassing, I've had vandalism on my property.
15 Valid concern.

16 What I have learned is the more I've
17 been out there, whether mowing or have somebody
18 mow it or bale it or just have activity on the
19 property, maintain it, the more eyes out there,
20 the less problems you have.

21 So I am thinking that when you get
22 all those townhomes out there that you are going
23 to have more eyes on that property, and people
24 are pretty good with their cell phones, you know,

1 taking pictures of people trespassing, they will
2 help that keep in check.

3 So I think this development will
4 actually cut down on the amount of trespassers
5 and I think it will be its own resolution, and
6 that's what I feel and observed at my property.

7 CHAIRMAN VINYARD: Very good. Thank
8 you. Would anyone else like to speak? Please.

9 MARK SCHMIDT,
10 having been first duly sworn, testified before
11 the Commission from the podium as follows:

12 MR. SCHMIDT: My name is Mark Schmidt.
13 I am a resident in Greenbriar subdivision.

14 I wanted to understand a little bit
15 more about the rental property concern because we
16 met with Patrick and his associates at the
17 community event they had at Craft'd, and I guess
18 the concern I got coming away from that is after
19 the HOA takes over, which I think was after
20 70 percent capacity, then the HOA has voting
21 rights and the developer has no more say in what
22 happens to the property, so worst case, you know,
23 your development is not sold out, maybe you have
24 50 percent -- well, I'm sorry, if an LLC

1 corporation or somebody were to come in and buy
2 up a majority of those remaining units, could
3 they vote with the HOA to turn it into a rental
4 property?

5 CHAIRMAN VINYARD: That's a great
6 question that I can't answer. Would you like to
7 address that, please?

8 MR. WILLIAMS: As somebody who
9 represents -- Rick Williams again. As somebody
10 who represents HOAs, I can tell you there is a
11 process to amend covenants, but it's not an easy
12 process.

13 We have to turn over the association
14 when we are at basically 70 percent, or three
15 years, whichever occurs first.

16 We have an incentive to keep this
17 community marketable. I can tell you that
18 short-term rentals are not attractive to somebody
19 living in an HOA community for the same reason
20 this gentleman from Greenbriar is concerned. If
21 I lived in the community, I would not want
22 short-term rentals next door.

23 Typically what we do in the
24 covenants, it requires a two-third majority of

1 the owners to sign a document amending that.

2 It's very difficult to do.

3 Could it be done? In theory, yes,
4 but if that's happening, you know, then this -- I
5 don't know, I don't want to talk this way, but
6 this project has been a failure and someone has
7 come in and bought it up, and we don't anticipate
8 that happening.

9 We have a lot of money invested in
10 this, Ryan Homes will have a lot of money
11 invested in this. They have a track record in
12 Yorkville of being successful. They are going to
13 be successful here.

14 In the worst case, it would be very
15 difficult to change that covenant.

16 CHAIRMAN VINYARD: Sir, does that
17 address your concern?

18 MR. SCHMIDT: I mean, is there anything
19 legally that you can put in the covenants to
20 prevent that down the road?

21 MR. WILLIAMS: We will put in -- it will
22 require a supermajority of the residents to --
23 property owners to amend the covenants, okay, and
24 that's not an easy process. We will put in the

1 supermajority, but we cannot -- once we are done
2 with a project, we can't stop what the residents
3 do.

4 I can tell you that what I have
5 observed in communities with a homeowner's
6 association is they actually amend the covenants
7 when they do this to prevent short-term renters
8 because if there is -- if it were to be silent as
9 to rentals, then you could have an airbnb and you
10 can have a short-term renter and most communities
11 don't want that, so they require a minimum
12 one year, if not longer, lease, and also approval
13 rights as well.

14 So I think the market will dictate
15 that it will not be ever short-term rentals, and
16 we certainly are not going to encourage that.

17 MR. SCHMIDT: I hope you are right. I
18 mean --

19 CHAIRMAN VINYARD: Thank you.

20 MR. SCHMIDT: -- because we had had --
21 just one more point, the house we are in, we had
22 a homeowner there who -- she moved, but then she
23 started renting her property out, and for I think
24 nine years the renters went from bad to worse to

1 worse, and now we finally got a family in there,
2 we've actually had two families in there, so
3 it's -- so I hope this project works out well and
4 you do sell it out and you have great neighbors
5 and they pay taxes and build up the schools, but
6 it's worst case scenario, but it's still
7 possible.

8 CHAIRMAN VINYARD: Valid concern. Thank
9 you. Anybody else? Sir.

10 CARL BOSI,
11 having been first duly sworn, testified before
12 the Commission from the podium as follows:

13 MR. BOSI: Hi. My name is Carl Bosi. I
14 live in Prairie Garden. I have a couple quick
15 questions for you.

16 Now, when you said you are going to
17 put a privacy fence up, is that going to go the
18 whole length of the yard from the back all the
19 way front?

20 Because we are a retirement
21 community and we have a lot of people -- they are
22 not here -- that are worried about the neighbors,
23 the new neighbors, when they come, their kids
24 come and playing in the retention, because we

1 have a retention pond there, having them playing
2 in there, coming up and disturbing them. Number
3 one.

4 Another one I have, is this is going
5 to be single-family, correct? It's not going to
6 be multi-family units, housing units?

7 And I will let you get -- one more
8 thing, and for the storm sewer they were talking
9 about, are they going to bring the storm sewer
10 for this unit into our storm sewer for Prairie
11 Garden?

12 Because we have two retention ponds
13 behind our units, and when it rains, it barely
14 keeps up. I mean, it starts flooding, it takes a
15 while. We've had to start calling up, you know,
16 the city to have them check it out and whatever.

17 Now, if you tie into ours, our units
18 are going to get flooded, our sump pumps are
19 going to be going off constantly, burning up.
20 Those are my concerns.

21 Thank you.

22 CHAIRMAN VINYARD: We will get you an
23 answer for that.

24 MR. WILLIAMS: So I'm going to take two

1 of the questions and then Dave will handle the
2 last.

3 The privacy fence is along the
4 entire westerly boundary, it's not along the
5 southerly boundary. This is a single-family
6 attached housing, not multi-family.

7 And then I will let Dave handle the
8 stormwater issue.

9 MR. SCHULTZ: Sure. Regarding the
10 question on the storm sewer, no, we are not tying
11 into the storm sewer system. This development is
12 independent and will take care of their own area,
13 so they will have their own storm sewer, their
14 own on-site detention.

15 We have to follow drainage laws, so
16 if the water comes to us, we have to accept it
17 and we also have to pass it on. So hopefully
18 that answers your question.

19 CHAIRMAN VINYARD: Thank you.

20 MR. CAMPBELL: One more question.

21 CHAIRMAN VINYARD: Sir, you've got to
22 address me. Let him -- You can come back up.

23 MR. CAMPBELL: Okay. Dave Campbell. So
24 that whole development is going to take on its

1 own water and disperse into that detention pond,
2 right? So after -- once it fills up, then it
3 goes into the city storm sewer?

4 MR. SCHULTZ: No. First of all, the
5 question, yes, all of our water goes into our own
6 storm sewer, which then discharges into the
7 detention basin, and then from that it is
8 released at a slow rate to the north based on the
9 tributary area, just like today.

10 There is an existing basin
11 essentially in the same location and that
12 releases to the north. Everything is tributary
13 to the north based on the topography of the
14 property today.

15 CHAIRMAN VINYARD: Would anyone else
16 like to speak? Please.

17 ANGIE CHARLTON,
18 having been first duly sworn, testified before
19 the Commission from the podium as follows:

20 MS. CHARLTON: Hi. I live in
21 Greenbriar, East Barberry Circle.

22 CHAIRMAN VINYARD: Could you state your
23 name, please?

24 MS. CHARLTON: Angie Charlton.

1 CHAIRMAN VINYARD: Thank you.

2 MS. CHARLTON: I am concerned there is a
3 considerable amount of units in such a small
4 area, number one.

5 Number two, we have enough problems
6 getting out of Greenbriar and Sunflower onto 47
7 now, so this is only going to add to the issue,
8 and I realize that's a state issue, but it's
9 still a big issue for everybody in our
10 subdivision on the south side.

11 And as far as the rental properties,
12 I've seen it happen before, over time where they
13 get in the majority of the people that want to
14 rent and then it becomes a big problem, so
15 that's -- those are my concerns about it.

16 CHAIRMAN VINYARD: Thank you. Ma'am?

17 KIM SCHMIDT,
18 having been first duly sworn, testified before
19 the Commission from the podium as follows:

20 MS. SCHMIDT: Hi. My name is Kim
21 Schmidt. I, too, live in Greenbriar. I am in
22 the north part of the area where all the
23 stormwater will be funneling into.

24 I currently, when we have torrential

1 downpours, a little bit of water that is
2 currently sitting in my backyard, as well as a
3 couple of the yards next to me as well, and I
4 think in a perfect world, you know, hopefully
5 this retention pond will work, but what is the
6 recourse that we will have when it doesn't, you
7 know, when my basement is overflowing with water
8 and I am taking more than just a little bit of
9 water in my backyard?

10 You know, and I, too, have to echo
11 the concerns that, you know, I don't think that
12 we are against having a multi-family unit like
13 this, I think it's a great idea, I think we do
14 need it in our community, just not in this
15 location.

16 I think we have single-family homes,
17 you know, to the west, we have R-3, which is a
18 great, lovely community for the seniors, which we
19 need more of.

20 I mean, I am all for either -- I
21 mean, I would love to have this remain a golf
22 course or something that our kids need. I have
23 kids in the school district, we have been here
24 for 27 years, and we need more places of open

1 space and parks and community gardens and such
2 like that, but if it has to turn into a
3 residential, you know, community, because it is
4 still R-1, you know, why not turn it into the
5 R-3, why not take the Prairie Gardens and extend
6 it forward instead of putting, you know,
7 105 units, which, you know, equates to a minimum
8 of another 200 cars.

9 I really do have a difficult time
10 getting, you know, my kids to and from school, my
11 husband getting to work during rush hour.

12 I mean, it's four lanes of traffic
13 and we've got more cars coming and going, and
14 even just turning to go southbound on 47, you
15 know, there is just a lot of traffic, you know,
16 between that preschool that's there, and that
17 brings a lot of cars into Prairie Meadows as well
18 as Briarwood, too. There is just a huge amount
19 of traffic there as well. So those are my
20 concerns.

21 CHAIRMAN VINYARD: Thank you. Anybody
22 else?

23 MS. SCHMIDT: Can somebody answer the
24 question? I'm sorry.

1 MS. LAMB: This is a period for public
2 comment, so you can't really request that. The
3 Chair can ask for it.

4 CHAIRMAN VINYARD: Would you like to
5 address that?

6 MR. WILLIAMS: Sure. I will do the best
7 I can. You know, as it relates to stormwater,
8 Mr. Schultz is a professional engineer with HR
9 Green. He is a reputable engineer. He is
10 putting his license on the line certifying that
11 this development is going to retain stormwater in
12 accordance with state law and your ordinances.

13 I will also tell you as to what kind
14 of recourse you would have, well, state law says
15 we cannot increase the flow of stormwater from
16 our property onto your property.

17 If we were to do that, if someone
18 were to increase the flow of water, they would be
19 subject to a lawsuit and you could obtain civil
20 penalties from them. We don't want that to
21 happen.

22 Typically when these developments
23 are put in place, they will -- and I am talking
24 in generalities here because I am not an

1 engineer, but our goal is to make the stormwater
2 situation better for the community.

3 They generally make the situation
4 better because we can control it. You might have
5 a field, but if it all runs off to the north, you
6 are going to have no way to detain that water.
7 We will be detaining that water.

8 So I think, while these are all
9 valid concerns, we are addressing them, and the
10 city engineer has looked at what our engineer has
11 done and they agree with that.

12 CHAIRMAN VINYARD: So I understand that
13 stormwater is an issue with most people here.
14 Let me just let you guys know that an engineer --
15 multiple engineers look at this, so there is
16 somebody cross-checking the next person.

17 We understand that that is an issue,
18 but please know that it's not just one person
19 designing this, there is checks and balances with
20 these systems. That's just part of the process
21 of getting the permits, so just for your
22 knowledge. Ma'am? Sorry.

23 MR. SCHULTZ: David Schultz, HR Green.
24 I just have one more comment for the record. We

1 have stormwater management techniques from
2 yesterday and we also have the increased run-off
3 coefficients, increased rainfall.

4 It's a dynamic situation where it's
5 ever changing, so we now have to design to higher
6 standards today, so this stormwater detention
7 on-site is going to be at a higher standard than
8 what it is previously sitting on-site. The whole
9 point of this is to really slow it down.

10 The current site now, it's grass, it
11 runs off, it has no control, so by this
12 development, it's going to enhance and help that
13 whole entire situation down to one release.

14 CHAIRMAN VINYARD: Thank you. Ma'am?

15 PATTY LUPTAK,
16 having been first duly sworn, testified before
17 the Commission from the podium as follows:

18 MS. LUPTAK: My name is Patty Luptak. I
19 am a Greenbriar resident and I live directly west
20 from Parfection Park.

21 My basic question is the roadway
22 will run right along that tree line. Will any of
23 that tree line be removed or will that still
24 remain in place?

1 And then is there going to be any
2 type of lighting on that roadway that the cars
3 will be going on going through those tree lines?

4 CHAIRMAN VINYARD: Would you guys like
5 to address that as well?

6 MR. WILLIAMS: Sure.

7 MR. SCHULTZ: Sure. Regarding the
8 lighting, we have to meet city code for lighting,
9 so there will be street lighting units, stuff
10 like that.

11 Earlier we discussed as a
12 requirement of the city code we have what's
13 called site photometrics, so we have to run this
14 through a program that basically will prove that
15 there is no bleed off at the property line, it's
16 called zero foot-candles, so we have to provide
17 that for review to the city to sign off on it as
18 well.

19 I think the other question was about
20 the traffic, the loop road I think is what you
21 were talking about. All of the trees on the west
22 side remain. We don't want to disturb any of
23 those trees. With the additional setbacks and
24 everything pushing away from the trees, that will

1 help the situation, keep it as far as possible
2 away.

3 We are also incorporating a privacy
4 fence and then additional screening as well.

5 MS. LUPTACK: Thank you.

6 CHAIRMAN VINYARD: Thank you. Anybody
7 else?

8 (No response.)

9 CHAIRMAN VINYARD: All right. Are there
10 any questions from the Commissioners for the
11 petitioner?

12 (No response.)

13 CHAIRMAN VINYARD: Do you guys have any
14 questions?

15 (No response.)

16 CHAIRMAN VINYARD: No? All right. Is
17 the petitioner for PZC 2024-31, David Hamman on
18 behalf of Kelaka, LLC, present and prepared to
19 make its presentation for the proposed request?

20 Hold on one second, we can't hear
21 you. Okay. You can try it now. Go ahead,
22 ma'am. Can you hear us?

23 MS. LAMB: You might want to have the
24 microphone on her way and then speaker on echo.

1 MS. NOBLE: Yeah, that's what we are --

2 CHAIRMAN VINYARD: Give us one second,
3 ma'am.

4 MS. NOBLE: Try that.

5 CHAIRMAN VINYARD: Go ahead.

6 MS. WEST: Can you hear me now?

7 MS. NOBLE: There we go.

8 MS. WEST: This is Kathy West.

9 CHAIRMAN VINYARD: We can. Go ahead.

10 KATHLEEN C. WEST,
11 having been first duly sworn, testified before
12 the Commission via Zoom as follows:

13 MS. WEST: Okay. Thank you. Good
14 evening. I am Kathleen West from the law firm of
15 Dommermuth, Cobine, West, Gensler, Philipchuck &
16 Corrigan. With me this evening is my law
17 partner, John Philipchuck. Our lawfirm
18 represents Kelaka, LLC.

19 Kelaka owns three parcels of land;
20 two of the parcels are located south of Faxon
21 Road and west of the Kylyn Ridge single-family
22 subdivision.

23 These parcels consist of 62 acres.
24 They are unincorporated and are zoned A-1

1 Agricultural in Kendall County. Kelaka has
2 requested that these parcels of land be annexed
3 to the City of Yorkville and upon annexation to
4 be zoned M-2 General Manufacturing District.

5 The other parcel is located on the
6 north side of Route 34 and east of Eldamain Road.
7 This parcel is 50 acres in size and is annexed to
8 the city and is zoned B-3 General Business
9 District. Kelaka is requesting that this
10 property be rezoned from B-3 to M-2.

11 You can see the two parcels; this is
12 the east parcel and then this is the west parcel.
13 The property is located between -- the Kelaka
14 east parcel and the Kelaka west parcel are known
15 as the Green Door and the Daniels Malinski
16 properties. Both of these properties are annexed
17 to the city and are zoned M-2.

18 It is anticipated that these
19 properties will be developed as a data center
20 campus. The Kelaka parcels will complete the
21 assemblage of this data center campus.

22 Village staff has proposed four
23 conditions to be placed on their approval of the
24 Kelaka properties. One, that if a data center

1 campus is not developed on the property, then the
2 allowable M-2 uses are restricted.

3 Two, that a minimum hundred foot
4 landscape buffer setback be provided adjacent to
5 existing residential areas and major roadways.

6 Three, that any proposed development
7 is subject to site plan review and approval by
8 the City Council.

9 And, four, that if the property does
10 not develop within the 20-year term of the
11 annexation agreement, the zoning of the property
12 will revert to R-1.

13 Kelaka has agreed to all of these
14 conditions. In addition, Kelaka suggests the
15 following conditions also be included, one, the
16 height of any structures immediately abutting the
17 Kylyn Ridge subdivision be limited to 55 feet,
18 exclusive of rooftop mechanical equipment.

19 Two, the Kylyn Ridge subdivision
20 presently has a 50-foot setback from the Kelaka
21 property. Kelaka is proposing a 250-foot-wide
22 setback from the residents in the Kylyn Ridge
23 subdivision, from the closest building on the
24 Kelaka property between the proposed Kelaka

1 setback and the existing Kylyn Ridge subdivision.
2 This would create a total setback of 300 feet.

3 Also, the setback on the Kelaka
4 property would decrease in width when it abuts
5 the stormwater detention facility on the Kylyn
6 Ridge property. Within the eastern 100 feet of
7 the 200-foot setback along the Kylyn Ridge
8 subdivision, there will be an eight to ten-foot
9 high berm.

10 And, fourth, there shall be a
11 250-foot setback along the north property line of
12 the lots fronting Blackberry Shore Lane.

13 The requested rezoning of the Kelaka
14 properties comply with the standards of rezoning
15 as follows: One, the proposed rezoning of the
16 Kelaka properties is not consistent with the
17 existing Comprehensive Plan in that the
18 Comprehensive Plan designates these properties as
19 Estate Conservation Residential; however, due to
20 the trend in rezoning and development in the
21 area, the Kelaka annexation rezoning is
22 consistent with the city's understanding of the
23 evolution of the Comprehensive Plan.

24 The proposed rezoning of the Kelaka

1 properties is consistent with the trend of
2 development and planned uses and zoning of the
3 surrounding properties as shown on the city's
4 data center project map.

5 The Kelaka properties are being
6 rezoned so as to create a data center campus with
7 the adjacent Green Door and Daniels Malinski
8 properties. These properties are suitable for
9 uses in the M-2 District. Upon rezoning of the
10 Kelaka properties, this entire area will be zoned
11 M-2.

12 The Kelaka properties meet the
13 minimum frontage and lot use requirements of the
14 M-2 zoning classification.

15 This area of the city is being
16 developed with data center campuses as the need
17 for these facilities increase. This area is
18 attractive to such users due to the proximity of
19 the ComEd facilities and Eldamain bridge.

20 Finally, the Kelaka properties are
21 in agricultural uses. In 2007 the west parcel
22 was proposed to be developed for a commercial
23 center. That development never materialized.
24 There is now a need for data centers; the Kelaka

1 properties will help to fulfill this need.

2 Based on the information presented
3 to the Planning and Zoning Commission, Kelaka
4 requests that the Commission recommend approval
5 of the zoning request.

6 John and I am happy to answer any
7 questions. We would like an opportunity to
8 respond to any public testimony, and thank you
9 for your consideration.

10 CHAIRMAN VINYARD: Very good. Thank
11 you, ma'am.

12 MS. LAMB: Mr. Chairman, may I make one
13 clarifying comment?

14 CHAIRMAN VINYARD: Yes, ma'am.

15 MS. LAMB: Regarding the reverter after
16 20 years, it would not revert back -- it would
17 not revert to R-1, it would revert to the
18 previous use, so the land that is B-3 would
19 revert back to B-3 and the land that's R-1 would
20 revert back to R-1.

21 CHAIRMAN VINYARD: Did you understand
22 that?

23 MS. WEST: Yes, I did. Thank you.

24 CHAIRMAN VINYARD: Okay. Thank you. Is

1 there anyone present who wishes to speak in favor
2 or opposition of this request? Please.

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

6 MS. MAHER BARTALONE: And I signed in.
7 My name is Mary Maher Bartalone. I live at 1171
8 Blackberry Shore Lane. That is the very last
9 house on Blackberry Shore Lane, and my property
10 sits directly south of the two parcels in
11 question; the sixty -- the 56 acres that is
12 adjacent to Blackberry Shore Lane and Kylyn's
13 Ridge.

14 Additionally, I am also the Bristol
15 Township assessor. With that comes just a little
16 bit of background that I want to share. For the
17 last ten years I have been working in that office
18 managing the property values of more than 13,000
19 properties.

20 Prior to that I was a real estate
21 appraiser in Kendall County for 15 years
22 appraising residential properties. Prior to that
23 I was a realtor for ten years.

24 So for the last 35 years in Kendall

1 County, which I have lived in my entire life, I
2 have been putting property values and determining
3 highest and best use and how things should be
4 done since I graduated college.

5 So I stand here feeling quite
6 qualified to render an opinion in complete
7 opposition to the M-2 zoning that the Kelaka
8 company is proposing, and this is why.

9 UNIDENTIFIED SPEAKER: Yeah, I can take
10 them on in a minute.

11 MS. MAHER BARTALONE: Excuse me?

12 CHAIRMAN VINYARD: Somebody unmuted.
13 Please continue.

14 MS. MAHER BARTALONE: Okay. So I oppose
15 this M-2 zoning. M-2 zoning on a property that
16 is surrounded on three sides by residential homes
17 is a devastating factor for people who live there
18 in terms of their property value.

19 It's something I really can't even
20 put a quantifying number to until we see how it
21 plays out, but I can tell you right now, it is
22 not good.

23 If someone wants to sell their
24 house, they're going to have to tell them it's

1 M-2 zoning. If someone wants to refinance their
2 house, the appraiser is going to have to explain
3 what is going to be used with the land behind
4 them.

5 And I am not speaking speculative.
6 I was an appraiser who had to deal with
7 underwriters who have questions about how things
8 are going to play out.

9 There is no logical reason why this
10 land, this little piece of triangle, should
11 become M-2 zoning. In the Comprehensive Plan it
12 was slated for Estate Residential. That's how it
13 should remain and nothing else.

14 Now, we -- and I feel like I speak
15 for a lot of people here -- do not oppose the
16 general concept of the data centers, okay? It
17 makes sense when they are large farm properties
18 up against busy four-lane roads. That makes
19 sense.

20 But there has got to be a boundary
21 where it stops being a data center and becomes
22 what it was supposed to be or what it was
23 already, which is agricultural and maybe in the
24 future residential, and the Rob Roy Creek in my

1 opinion represents an excellent boundary to where
2 it has to stop, and the continuation and
3 extension of Beecher Road as well.

4 That road is planned to be extended
5 northwest up to meet with the existing Beecher
6 Road. That can also represent a southwest
7 boundary to this data center assemblage.

8 So I just find it completely wrong
9 for the data center assemblage to sit there and
10 say well, I see that little triangle and it makes
11 sense for it to be a part of this assemblage, but
12 it is not. You can't do it. You cannot.

13 And I stood here last night in
14 opposition to the annexation and I stand here
15 tonight in complete opposition to the rezoning
16 from both a personal opinion and a professional
17 one.

18 And I also will say that I am an
19 unbiased opinion on this matter. My house
20 backs -- is immediately adjacent to the Daniels
21 property, their property hits our property, and I
22 have on three occasions stood in front of this
23 board and said I support that.

24 I don't like it, but I support it,

1 because it logically it makes sense, and I will
2 absolutely be at every single zoning meeting to
3 make sure how that lays out because there is
4 decisions to be made there as well.

5 That's all I have to say. Thank
6 you.

7 CHAIRMAN VINYARD: Thank you.

8 MR. PHILIPCHUCK: Mr. Chairman?

9 CHAIRMAN VINYARD: Yes, sir.

10 MR. PHILIPCHUCK: If I may, I am John
11 Philipchuck, one of the attorneys, and I have
12 some questions to ask Miss Bartalone, if she
13 could go back up to the microphone, please.

14 MS. LAMB: Are you okay with that,
15 Chair?

16 MS. NOBLE: Yes.

17 CHAIRMAN VINYARD: Yeah.

18 MS. LAMB: Okay.

19 JOHN F. PHILIPCHUCK,
20 having been first duly sworn, testified before
21 the Commission via Zoom follows:

22 MS. MAHER BARTALONE: Yes.

23 MR. PHILIPCHUCK: Yes. Thank you.
24 Thank you for your testimony this evening.

1 You do realize that as part of what
2 we are doing here is slightly different than what
3 the Daniels Malinski property owners did adjacent
4 to your property.

5 They were giving you a 100-foot
6 buffer, the Kelaka, LLC folks are giving you a
7 250-foot buffer, and they are also going to be
8 putting on an eight to ten-foot berm and there
9 will be landscaping also.

10 You mentioned that the -- your
11 observation of real estate appraising and the tax
12 assessing that you have done over the years, that
13 the development of this property out here for a
14 data center campus is going to lower the property
15 values for the residents in the single-family
16 homes in the area, did you not?

17 MS. MAHER BARTALONE: I did.

18 MR. PHILIPCHUCK: And does that then
19 mean, ma'am, as the township assessor that you
20 will be going through those subdivisions and you
21 will be looking at the assessed valuation of the
22 properties, and because it's your opinion that
23 the property values are going to be negatively
24 affected, that you are going to reduce the

1 property values of these properties and,
2 therefore, they should have a reduction in the
3 property taxes that they will pay because of you
4 making all of these reductions in the assessed
5 valuation, is that correct?

6 MS. MAHER BARTALONE: I never stated
7 that I would be reducing the property values of
8 the properties, that would have to come as a
9 result of the analysis that we conduct
10 year-by-year of the sales, the assessed values
11 compared to the sales that are occurring in the
12 neighborhood, so I would have to wait and see how
13 that would play out.

14 MR. PHILIPCHUCK: So, in reality, to say
15 that the property values are all going to drop
16 isn't necessarily true, is it?

17 MS. MAHER BARTALONE: Well, I don't
18 think that I am up here as a testimony.

19 CHAIRMAN VINYARD: Sir.

20 MR. PHILIPCHUCK: Excuse me?

21 UNIDENTIFIED AUDIENCE MEMBER: Is this a
22 trial?

23 CHAIRMAN VINYARD: Sir. Sir.

24 UNIDENTIFIED AUDIENCE MEMBER: Yeah.

1 UNIDENTIFIED AUDIENCE MEMBER: What is
2 this?

3 UNIDENTIFIED AUDIENCE MEMBER: Is this a
4 trial?

5 CHAIRMAN VINYARD: Hold on. Hold on.

6 UNIDENTIFIED AUDIENCE MEMBER: It sounds
7 like she is on trial.

8 CHAIRMAN VINYARD: Point of order.

9 MS. LAMB: No. No comments from the
10 audience. This is not how this works, please.

11 CHAIRMAN VINYARD: Okay. Point of
12 order. We are not having an argument over this.
13 She stated her fact. I understand your fact as
14 well, sir. We are going to go ahead and move
15 on --

16 MS. MAHER BARTALONE: Thank you.

17 CHAIRMAN VINYARD: -- to the next
18 person. Thank you.

19 The next person who would like to
20 speak, please.

21 BRIAN CARRABOTTA,
22 having been first duly sworn, testified before
23 the Commission from the podium as follows:

24 MR. CARRABOTTA: Good evening. My name

1 is Brian Carrabotta. I already have signed in.
2 I live on 1131 Blackberry Shore Lane with my wife
3 and my two small children.

4 Some of you may know me from our
5 previous correspondence, the email to express my
6 concerns and questions about the hearing process.

7 There has been a dark cloud hanging
8 over our neighborhood since we received our
9 notices for this annexation and rezoning
10 proposal, Hamman-Kelaka, LLC.

11 The reason my neighbors and I are
12 here are due to the proximity of the proposed
13 annexation slash rezoning south of Faxon, west of
14 Iroquois Lane.

15 As you can see from the aerial maps,
16 23 existing residential -- residences will be
17 directly impacted, as well as hundreds of
18 residents who live in Kylyn Ridge and Kendall
19 Marketplace.

20 If you haven't already, I encourage
21 you to take a short drive over to the requested
22 area to see how close this proposal is to many of
23 our homes.

24 The Yorkville City Administrator,

1 Bart Olson, was quoted, I don't think this
2 Council or future council will allow a data
3 center to be near existing residential areas or
4 the river. Prove Bart right.

5 Prior to this evening, there have
6 been extensive amounts of Yorkville land rezoned
7 and annexed as general manufacturing, as you saw
8 by the maps earlier.

9 270 acres of land just west of our
10 neighborhood, west of Beecher Road, north of U.S.
11 34, was rezoned for general manufacturing by
12 DMYF, LLLP.

13 Over 200-plus acres of land north of
14 Faxon and Eldamain also have been rezoned to
15 manufacturing anticipating data centers
16 constructed by Hagemann trust.

17 The Hagemann Trust CyrusOne data
18 center is already moving forward with plans for
19 nine data center buildings, an electrical station
20 and six stormwater basins.

21 A new proposal to rezone an A-1
22 Agricultural to manufacturing to a future data
23 center just north of Faxon is proposed on the
24 land of DMYF Loftus.

1 I reiterate all these recent
2 upcoming rezonings and annexations to the council
3 to show this proposal of Hamman-Kelaka, LLC in
4 our neighborhood is redundant and unwarranted.

5 The Yorkville tax revenue from data
6 centers for the city of Yorkville is already in
7 the works away from this area.

8 I was here the night the council
9 proposed to rezone for A-1 Agricultural north on
10 Eldamain and Hagemann Trust. Two of the council
11 members here tonight voted no for the rezoning
12 since it would directly impact two current
13 Yorkville residences and needed further
14 information prior to voting yes. Tonight that
15 number has increased to 23 homes directly and
16 over a hundred indirectly.

17 I drove up Eldamain dropping off my
18 kids at daycare this morning and now see the two
19 homes that were directly impacted have been
20 bought out and now are available to rent.

21 My wife and I moved to Yorkville to
22 grow our family and be part of a welcoming
23 community. While working on recent home
24 improvements, I had this intrusive thought

1 crawling into my mind: Do we continue to make
2 our houses homes or is Hamman-Kelaka, LLC and the
3 Yorkville Council pushing for us to put for-sale
4 signs in front of our yard. We did not sign up
5 to live in manufacturing zoning.

6 Some key highlights against data
7 centers: Exclusive (sic) light pollution, noise
8 pollution, manufacturing traffic which the
9 neighborhood streets cannot handle, ample amounts
10 of energy consumption needed for the data center,
11 and maintaining outdated cooling systems.

12 As far as I am aware, successful
13 Yorkville data centers are still waiting to be
14 seen. On average a data center lasts 10 to
15 15 years, depending on maintenance and ever
16 evolving digital development.

17 Let the existing zoned areas for
18 data centers pave the way to prove Yorkville data
19 centers are worth it, not Kylyn Ridge and Kendall
20 Marketplace residents.

21 We are here tonight to ask for your
22 help to prove Bart Olson's thoughts about the
23 council right. Tonight our neighborhood has one
24 chance to keep our houses homes.

1 Over 450 acres of land are already
2 in development for data centers in Yorkville with
3 more on the way. The data for Yorkville data
4 centers are still unproven prior to making this
5 decision tonight.

6 The website states that the United
7 City of Yorkville is located in the fourth
8 fastest growing -- quote, growing county in the
9 nation. 2022 population of Yorkville was shy of
10 24,000; 2023 was nearing 25,000.

11 This council recently approved a
12 residential expansion and approved Heartland
13 Meadows West, proving council believes that our
14 neighborhood can grow residentially.

15 Allow Kylyn and Kendall Marketplace
16 to grow residentially and not cover us in
17 manufacturing zoning. Prove Bart right about his
18 thoughts about this council.

19 Thank you.

20 CHAIRMAN VINYARD: Thank you.

21 MR. PHILIPCHUCK: May I respond,
22 Mr. Chairman?

23 CHAIRMAN VINYARD: Go ahead, sir.

24 MR. PHILIPCHUCK: Yes. I would just

1 like to point out that we are providing buffers
2 behind the homes that this gentleman suggested
3 are along Blackberry Shore Lane, 250-foot setback
4 to the closest of any building, if, in fact,
5 buildings are built there.

6 We are not sure because as the plans
7 develop, we are looking for some of this area in
8 these two parcels to be annexed will probably be
9 stormwater management basins.

10 But the big thing that's happened in
11 this area is that the movement has been away from
12 residential and residential in the future has
13 been the construction of the Eldamain Road
14 bridge.

15 The Eldamain Road bridge was not
16 contemplated at the time that the current
17 Comprehensive Plan was done for the City of
18 Yorkville, and much as we know has happened in
19 the city since that plan was adopted, and
20 certainly the Eldamain Road bridge is a wonderful
21 thing that's happened to our community, it's
22 relieved a lot of the truck traffic off of
23 Route 47, but the bottom line is that this
24 particular structure has now drawn attention to

1 this area as a manufacturing area and, of course,
2 Commonwealth Edison, as a wonderful electrical
3 supplier with the power capacities that they
4 have, obviously we have to be able to satisfy
5 their requirements, but it is certainly a
6 location that is attracting data centers, which
7 ultimately benefit the 24,000 residents of the
8 City of Yorkville due to the tax generation for
9 the community and the utility taxes.

10 I understand from some testimony
11 that I heard that the CyrusOne data center will,
12 upon build-out, it's estimated that they would
13 contribute \$11 million a year to the City of
14 Yorkville.

15 CHAIRMAN VINYARD: Thank you.

16 MR. CARRABOTTA: I'm good?

17 CHAIRMAN VINYARD: Yes, sir. You know
18 if I let you sit back down, I'd have to get you
19 back up.

20 Next person.

21 DON BARTALONE,
22 having been first duly sworn, testified before
23 the Commission from the podium as follows:

24 MR. BARTALONE: Don Bartalone, resident.

1 1171 Blackberry Shore Lane. I am Mary's husband.
2 This isn't Elk Grove, is it?

3 CHAIRMAN VINYARD: No.

4 MR. BARTALONE: We all know what Elk
5 Grove is. We don't need a data center Elk Grove.
6 I oppose.

7 CHAIRMAN VINYARD: Thank you, sir. Next
8 person.

9 UNIDENTIFIED AUDIENCE MEMBER: I'll go.

10 JOHN STALLER,
11 having been first duly sworn, testified before
12 the Commission from the podium as follows:

13 MR. STALLER: Good evening. My name is
14 John Staller. I reside at 1151 Blackberry Shore
15 Lane. I am the third house from the end where
16 the data center is being built currently, and I
17 am here to oppose parcel number 1 and 2 being
18 zoned as M-2. I believe that they should remain
19 either as they are or as some other residential
20 in Yorkville.

21 Thank you for the opportunity to
22 speak about the proposed annexation and
23 subsequent rezoning of the parcels of land next
24 to the Kylyn and Blackberry Shores.

1 Firstly I want to express my
2 gratitude to the members of the Yorkville public
3 offices for all you have -- all the good you have
4 done in developing a city which has become dear
5 to our hearts since we moved here in 2020.

6 It's vibrant, it's accessible,
7 historic, quaint, and full of people who are
8 sincere in working together with you to grow,
9 support and maintain that environment that
10 attracts likewise neighbors and businesses.

11 Secondly, I want the council to know
12 that I am not anti-business or
13 anti-manufacturing. We need both these entities
14 to invest in Yorkville and act as partners in
15 looking to the future needs of our fine city,
16 creating a solid tax base while at the same time
17 striving to maintain Yorkville's reputation as a
18 family-oriented, safe and much-sought-after
19 location for new families, new businesses and
20 manufacturing facilities.

21 The explosive growth of the city
22 since we have been here speaks of the success of
23 your hard work and that of your residents, of
24 which my wife and I are proud to be part.

1 The proposed annexation of
2 additional properties by the city makes a ton of
3 sense as we need to continue to expand our
4 footprint to have available sites for current and
5 future development.

6 I understand that the parcels we are
7 talking about are ideal as it would help in
8 increasing that footprint by approximately
9 112 acres combined, bringing additional tax
10 revenues and ability to support future expansion.

11 My concern, as I'm sure you have
12 already determined, is regarding the zoning of
13 those parcels.

14 Again, I am not asking -- I am not
15 against attracting and supporting manufacturing
16 in our city, we do need that sector represented
17 as we look towards the future of Yorkville.

18 My concern is the appropriateness of
19 zoning that single parcel of about 50 acres out
20 of the 1,000 acres recently -- recently annexed
21 as an M-2 manufacturing point; specifically, the
22 approximate 50-acre triangle-shaped parcel that
23 is directly bordered on two sides by established
24 Yorkville residences, the only parcel in the

1 whole 1,000 acres you recently annexed that is
2 abutted right next to residences.

3 People with families that
4 support their -- people with families that
5 support their city with taxes, support their
6 local businesses, support their neighbors with
7 acts of kindness, community and charity, they
8 selected their homes by painstakingly
9 investigating the city, the neighborhood, the
10 school system, the economic climate and the track
11 record of the people in charge.

12 With this information in hand, they
13 determined that the price they would pay was
14 consummate with the expectation of living long
15 and satisfied lives as active residents in
16 Yorkville. Zoning of this parcel as M-2
17 dramatically changes that perspective.

18 Talk all you want about making or
19 placing limitations on property. There could be
20 no guarantee that the building sizes, materials
21 and designs are neighborhood friendly until it
22 happens.

23 There can be no guarantee that the
24 landscaping, berms and setbacks will effectively

1 protect the neighborhood from excessive eyesore,
2 noise pollution or light pollution until it
3 happens.

4 There can be no guarantee that the
5 infrastructure regarding road accessibility,
6 water and sewage supply or electrical grid
7 requirements will not negatively impact these
8 neighborhoods until it happens.

9 And there can be no guarantee that
10 the homeowner investments, the homeowner
11 investments that have been made in this
12 neighborhood, will reap a satisfying return when
13 the properties are destined to change hands in
14 the future until it happens.

15 But I think there can and should be
16 an alternate option available to all three
17 parties involved with a decision as to how to
18 move forward.

19 I am not a city planner or engineer
20 or some other kind of expert in this field, and I
21 am not certainly not privy to all the discussions
22 you have probably been having as the proposal has
23 been drafted and made, but I hope to give just a
24 brief example of how we can turn this into a win,

1 win, win for the manufacturer, the homeowners and
2 Yorkville.

3 Entertaining the idea of moving
4 forward with the annexation, this combined with
5 the previous annexation, a zoning of M-2 results
6 in an increased footprint of about a thousand
7 acres for Yorkville.

8 Then move forward with zoning only
9 the property of this annexation directly abutting
10 neighborhood subdivisions, about 50 acres, or
11 five percent, as residential.

12 Zone to remain -- zone the remaining
13 950 as M-2, decrease manufacturing restrictions
14 to reflect the separation of manufacturing campus
15 from immediate neighborhoods, allow the new
16 residential and small commercial developers to
17 self-determine what the properties in that
18 section are worth to their target clients based
19 on proximity to manufacturing.

20 As I see it, this type of strategy
21 is a win, win, win. The manufacturer gets a
22 decrease in complexity of landscaping,
23 infrastructure and footprint, resulting in cost
24 savings and a benefit of goodwill from the

1 residents of Yorkville.

2 The City of Yorkville gets
3 additional manufacturing space to strengthen the
4 tax base and provide additional residential
5 zoning to support the employees that are going to
6 be considering Yorkville as their new hometown
7 and a reputation as a model city where different
8 sectors look to the future and work together to
9 accomplish goals.

10 The current residents of those
11 affected neighborhoods get the satisfaction of
12 knowing their home investments are not going to
13 go down, yet welcome the industries that help
14 secure tax base, allowing their city to continue
15 to grow, drawing families, talent and businesses
16 for years to come.

17 Finally, as I say thank you again
18 for letting me have a few moments, I look over
19 behind the screen and I see the medallion that
20 graces the wall behind you. It says United City
21 of Yorkville.

22 I know it relates to the historic
23 past. As Yorkville experiences strong growth, I
24 hope we can all reimagine it as meaning we are

1 all united in our desire to make Yorkville a city
2 where residents, government, community entities
3 and manufacturers work together to build a
4 fantastic future.

5 Thank you for your time.

6 CHAIRMAN VINYARD: Thank you.

7 MR. PHILIPCHUCK: Mr. Chairman?

8 CHAIRMAN VINYARD: Go ahead, sir.

9 MR. PHILIPCHUCK: If I may, I just had a
10 comment. Perhaps the gentleman doesn't know, but
11 the fact is is that the guarantees that he was
12 talking about, that these things will happen as
13 far as what promises we are making, I just wanted
14 everyone to know that part of the annexation
15 agreement for these properties, there is a
16 requirement that before we can do anything on the
17 property as far as any buildings, plans have to
18 come before the City Council of the City of
19 Yorkville and City Council will approve the
20 plans.

21 I am telling you now that if there
22 are no berms, if those setbacks aren't there, et
23 cetera, et cetera, we are not going to get a plan
24 approved.

1 I know change is uncomfortable, but
2 the fact is we are doing the best we can given
3 the situation. We are trying to assemble these
4 properties with the Green Door and the Daniels
5 Malinski properties that have an attractive
6 campus for data centers.

7 I know there is going to be concern
8 about, you know, lighting, traffic, et cetera,
9 but the traffic generated by these data centers
10 is usually minimal as compared to, say, a
11 residential subdivision. In a residential
12 subdivision, you are going to have street
13 lighting and things of that nature.

14 So, I mean, there are gives and
15 takes to all development, and I think the
16 direction that we have here as to the lay of the
17 land, we anticipate that stormwater management,
18 which is an ancillary use to the actual
19 development of the property as a data center, is
20 something that because of the underlying
21 zoning -- we are zoning it M-2, we anticipate
22 that this -- or much of this area be adjacent to
23 the residential uses are probably going to be
24 stormwater management areas. I can't guarantee

1 it at this point, but it will certainly be looked
2 at.

3 Given our overall land area that we
4 have, that's what we are going to be looking at,
5 but one thing we are committing to right now is
6 the additional setback to the 250 feet, which
7 would be behind this gentleman's home, and that
8 there will be a berm, landscape berm, and open
9 space, and there is not going to be a situation
10 where we have buildings up to their property
11 line, so I just wanted to make that clear, that
12 there is a requirement any plans for this
13 property must come to the City Council and we
14 have to have City Council approval.

15 Thank you.

16 CHAIRMAN VINYARD: Thank you. Ma'am?

17 SARAH TESCH,
18 having been first duly sworn, testified before
19 the Commission from the podium as follows:

20 MS. TESCH: Good evening. Sarah Tesch.
21 I am a Kylyn's Ridge resident, and I have already
22 signed in.

23 CHAIRMAN VINYARD: Thank you.

24 MS. TESCH: I also oppose the rezoning

1 of the land directly alongside our subdivision.
2 I know the slide was up earlier, but it's this
3 triangle that really is just needling like, you
4 know, all of us, and I just want to reiterate,
5 some of this has been said, but after a data
6 center campus is constructed, potential issues
7 include the noise pollution, from an article I
8 read, between 55 and 85 decibels typically, where
9 70 and over is considered too loud.

10 The noise tends to be more
11 noticeable in rural areas, where massive
12 nondescript buildings replace spaces that used to
13 be forests or farmland.

14 It's a drain on resources, that's
15 already been talked about, but one large data
16 center can use between 1,000,000 and 5,000,000
17 gallons of water daily.

18 Additionally, they are among the
19 most energy intensive buildings in existence,
20 consuming up to more than 50 times more power
21 than standard offices.

22 I understand that there will be a
23 substation built, but it will likely continue to
24 need help from the local electrical

1 infrastructure.

2 Number three, massive buildings
3 replacing what used to be our sunset views in the
4 west, decreasing home values, as were stated
5 before. We don't know yet, but there is a data
6 center in your backyard.

7 Kylyn's Ridge -- well, Yorkville,
8 has been such a sought-after area and Kylyn's
9 Ridge in particular, a sought-after subdivision
10 in which to live.

11 There is the potential for
12 greenhouse gases and pollution and potential EMF
13 pollution. Data centers require very high power
14 and current flow, which results in higher
15 electromagnetic fields, so just lots of concerns
16 for health.

17 Growth can be good, like the
18 gentleman said so well, I shouldn't be following
19 him, but growth can be good if we appreciate it,
20 and I appreciate the additional concessions being
21 made with the berms and the setbacks, but I still
22 just don't feel there should be a behemoth of
23 potentially five stories in people's backyards.
24 Why so close to our homes and our neighborhood?

1 I ask you to just consider how much
2 are you willing to change the landscape of this
3 place that we call home. Yorkville will continue
4 to be sought after potentially if we build right.
5 Why would we diminish the value of what we have
6 while we have it?

7 I moved here in 2006 and into
8 Kylyn's in 2008. I didn't think I was going to
9 stay and eventually there was some growth and I
10 really fell in love with the diversity of the
11 small and large businesses and the farmland and
12 the forest preserves and the restaurants and the
13 bike paths and the wonderful neighborhoods, and I
14 just implore you to consider what you want
15 Yorkville to look like in the future, and can we
16 grow responsibly to keep the magic and the beauty
17 of Yorkville alive.

18 I appreciate your consideration.
19 Thank you.

20 CHAIRMAN VINYARD: Thank you.

21 MR. PHILIPCHUCK: Mr. Chairman?

22 CHAIRMAN VINYARD: Yes, sir.

23 MR. PHILIPCHUCK: I would just like to
24 point out that some of the concerns that the

1 resident mentioned are -- with regard to the data
2 center, much of that is interior, and, of course,
3 the data centers know what things they need to do
4 to minimize noise within the data centers,
5 minimize the heat exposure.

6 Some of these other things like EMFs
7 and things, a lot of that is out on the internet,
8 and the bottom line is they are talking about
9 coal-fired electrical generating facilities and
10 that's how they point to oh, this -- you know,
11 data centers are going to ruin the environment.

12 But, let's face it, we all need the
13 data centers for our everyday uses of our
14 computers these days, and of course with AI
15 coming and growing stronger and stronger, it's
16 going to be something that's going to be even
17 more important to us all in the future.

18 But we will meet any city noise
19 requirements as far as any ambient noise from the
20 property, so, yes, I can understand the concern
21 and I am glad that the young lady mentioned it,
22 but I just wanted -- wanted you to understand,
23 too, that we do have requirements that we will
24 have to meet, and we will meet them, so we are

1 aware of some of these things and we certainly
2 address them as we go along.

3 Thank you.

4 CHAIRMAN VINYARD: Thank you.

5 NANCY MONDEK,
6 having been first duly sworn, testified before
7 the Commission from the podium as follows:

8 MS. MONDEK: Nancy Mondek. I am at 1141
9 Blackberry Shore Lane, and this is going to be in
10 my backyard. I oppose this.

11 CHAIRMAN VINYARD: I was just going to
12 say, I am guessing you are opposing that. Thank
13 you. Ma'am.

14 TIFFANY SCHRAEDER,
15 having been first duly sworn, testified before
16 the Commission from the podium as follows:

17 MS. SCHRAEDER: Hi. I signed in
18 already. Tiffany Schraeder. I am actually the
19 president of the Kylyn's Ridge Homeowner's
20 Association, so I kind of speak for all the
21 residents who didn't feel comfortable coming up.
22 I don't have anything prepared.

23 But I have lived in that subdivision
24 since 2003, and I guess I want to look at all of

1 you and I want to ask how would you feel if that
2 big ass building, sorry, is in your backyard,
3 okay? Like that's not okay.

4 My kids grew up in this home, I want
5 my grandkids to grow up in this home. That's a
6 horrible eyesore. We don't need that. There is
7 so much more farmland. Like they said, there is
8 another 950 acres they can build on.

9 They don't need to build on this
10 little piece of land that's literally in our
11 backyard. Literally. We have a little retention
12 pond, a little retention pond, and then it's the
13 land.

14 Like I walk my dogs every day and we
15 walk down Faxon and we stop right where that land
16 is and they enjoy that little land, but, anyways,
17 like it's right there.

18 And I am researching it a little
19 more now and it would affect our water. I am a
20 breast cancer survivor of a year. I don't need
21 any more health problems, so, I mean, now my
22 health is concerned.

23 You know, when we were walking out
24 last night, a gentleman mentioned Medinah had the

1 same thing. They got it shut down because it
2 does affect your water, so would I hope you guys
3 would look into that a little more. It can
4 contaminate it. That's a big concern, I mean,
5 for all of us.

6 CHAIRMAN VINYARD: Sure.

7 MS. SCHRAEDER: So I really, really,
8 really oppose it and I really hope you guys take
9 a drive down there, like they said, and take a
10 look at it. It's literally in our backyard.
11 There is no reason for that.

12 And if you start doing it there,
13 what about these other subdivisions that have
14 farmland? Are you going to do that all over
15 Yorkville? Like they said, we're going to lose
16 what Yorkville is. It's going to become an Elk
17 Grove, and Elk Grove doesn't have much
18 residential.

19 And we don't want to move. We love
20 our homes, especially people on Blackberry Shore.
21 They just built those beautiful, beautiful homes.
22 Beautiful.

23 Yeah, our subdivision is very
24 wanted. People -- the houses sell very quick.

1 That comes in, who is going to buy?

2 So thank you for your time and, like
3 I said, please drive down there, just look at
4 what we're talking about, because that little map
5 that they showed doesn't really show really how
6 close it would be.

7 CHAIRMAN VINYARD: I'm very familiar
8 with the property.

9 MS. SCHRAEDER: You are.

10 CHAIRMAN VINYARD: Yes.

11 MS. SCHRAEDER: Okay. Well, appreciate
12 that. Thank you.

13 CHAIRMAN VINYARD: Thank you. Go ahead,
14 sir.

15 ERIK ANDERSON,
16 having been first duly sworn, testified before
17 the Commission from the podium as follows:

18 MR. ANDERSON: Erik Anderson, 1123
19 Western Lane in Kylyn's Ridge. As Tiffany just
20 stated and the other bearded gentleman, this is
21 our home. These are our homes. I am trying to
22 make this, you know, something to keep continuing
23 improvements on.

24 To the gentleman lawyer, I have a

1 few key points, I will try to be brief with
2 everyone. As a Local 134 union electrician who
3 has worked on many data centers, the concerns I
4 do have, sir, are the construction traffic coming
5 in off of Beecher or Faxon.

6 As somebody that has worked in
7 numerous data centers, including Meta up in
8 DeKalb, numerous in the city of Chicago, Elk
9 Grove Village, all around, I for one hand or
10 firsthand know the amount of construction traffic
11 that goes into a data center.

12 So that would be a concern of
13 entering the property. You have no access of off
14 Eldamain through Faxon, so it's Beecher or Faxon
15 or through the subdivision.

16 People fly through our neighborhood
17 already as it is. Most of you might know me, I
18 am the guy that's out there yelling at cars that
19 fly through the bus stops or yell at them slow
20 down, there is kids playing here. So I know
21 firsthand on the construction that the data
22 centers take.

23 The energy consumption is a major,
24 major, major concern. Again, as a union

1 electrician who is also certified in high voltage
2 splicing, I do work with companies like Meade,
3 ComEd, Aldridge, that we do have to worry about
4 the power grid and everything. Those are all
5 improvements that are now going to have to be
6 made.

7 I work in these places. That's a
8 great job for me. I could walk to work. The
9 overtime hours on this job is phenomenal. I
10 don't poop where I eat. I don't want this in my
11 backyard.

12 Also, as somebody who served eight
13 years as a United States Army Ranger with sniper
14 training, I would like to know your distances
15 again.

16 For a 55-foot building at a 250-foot
17 setback, what is an eight-foot berm going to do
18 to limit visibility?

19 UNIDENTIFIED AUDIENCE MEMBER: Hear,
20 hear.

21 (Applause.)

22 MR. ANDERSON: I would like to know
23 that. What is an eight-foot berm, whether it's
24 butt up to the people immediately on Iroquois

1 Lane or it's set back a hundred foot. An
2 eight-foot berm on a 55-foot high building is not
3 going to do anything for line of sight.

4 The other major concern I have,
5 construction debris. Anyone that's lived on
6 Blackberry Shore, Western Lane, Iroquois,
7 anywhere in there, knows that those townhomes
8 that have been built, we've had nothing but
9 construction debris.

10 Now factor in how many parcels of
11 land with how many acres, how many different
12 buildings, not to mention the length of
13 construction.

14 Meta has been going on for how many
15 years now in construction? Bless you.

16 UNIDENTIFIED AUDIENCE MEMBER: Thank
17 you.

18 MR. ANDERSON: I see how these data
19 centers, they go up quick and everything, so
20 these are my key concerns.

21 I'm sorry I am not eloquently
22 spoken, I don't have anything prepared, I just
23 kind of shoot from the hip.

24 Strongly oppose this, but I'd like

1 to know what the answers are to those questions.

2 MR. PHILIPCHUCK: Mr. Chairman?

3 CHAIRMAN VINYARD: Go ahead, sir.

4 MR. PHILIPCHUCK: First of all, I would
5 like to thank the gentleman for his service.

6 MR. ANDERSON: I appreciate it.

7 MR. PHILIPCHUCK: We appreciate our
8 veterans. The construction, as far as
9 construction traffic, that obviously can be
10 directed by the city as to what roads they want
11 us to use.

12 We've got Eldamain, we also have
13 Route 34 that would be available to us to bring
14 construction traffic in and out.

15 And let's not forget, even if you
16 were to build residential subdivisions in here,
17 there is going to be construction traffic, there
18 is going to be cranes coming in to set all of the
19 roofing structures and things of that nature, so
20 yeah, there is -- there is busyness at the time
21 and constructions debris is an issue sometimes,
22 it depends on who is looking after it, and that
23 is important, and that's something that with the
24 help of the neighbors, that if that becomes an

1 issue, we certainly want to address it, but I
2 believe based on the information that I have been
3 receiving about some of the data centers that
4 that is something that's easily controlled.

5 So I would just want to say that we
6 are not trying to hide the buildings with the
7 berm, we are trying to say that, you know, when
8 you look out your first -- at least your first
9 story window, you know, with the setbacks that we
10 have, we are not just talking about a berm and
11 then there is going to be a 55-foot tall building
12 behind it.

13 As I said earlier, I'm not sure that
14 we will have any buildings back on this area or
15 it will be all stormwater management, we don't
16 know yet, but the idea, the fact that we set the
17 buildings back from the residences -- the
18 better the view would be for those folks, and
19 that's certainly something that we are looking at
20 and that's why we are providing more setback than
21 what some of the earlier approvals have done.

22 So, again, I thank the gentleman for
23 his comments.

24 MR. ANDERSON: May I interject really

1 quick?

2 CHAIRMAN VINYARD: Please.

3 MR. ANDERSON: So going back to the berm
4 line issue again, you mentioned the first story
5 window, okay, second story window. So instead of
6 the sun setting at 7:00, the sun is going to set
7 at 6:00 is basically what we're saying.

8 A 55-foot building is not going to
9 be diminished by an eight-foot berm whether you
10 are on the first story or not. We should have
11 the freedom of that.

12 Going back to the power consumption
13 issue, and as well as -- since we have had a
14 civil engineer here talking about the water
15 run-off, I have yet to hear anything about that.

16 These buildings tend to be
17 substantial size on the roof. The run-off from
18 these can be potentially great, you know,
19 especially compared.

20 Now, when you bring in residential,
21 working in the construction industry, I can tell
22 you right now, at any given time, Meta out in
23 DeKalb has had 700 wiremen out there, 700 A card
24 and C card electricians out there at any given

1 time for the years that that project is going on.
2 When they ramp up, they go to 900 wiremen. Been
3 there. I've seen it from experience.

4 I work at a company right now that
5 we do nothing but data centers and all kinds of
6 things, so I was just in a data center downtown
7 today.

8 So the construction traffic is
9 significantly increased when you talk about
10 manufacturing, commercial versus residential
11 projects. I can almost guarantee that. I have
12 worked both facets.

13 But going back to the water run-off
14 and the power consumption, what's going to be
15 done about that?

16 MR. PHILIPCHUCK: Mr. Chairman.

17 CHAIRMAN VINYARD: Go ahead, sir.

18 MR. PHILIPCHUCK: As to the power
19 consumption, obviously the reason that this is an
20 attractive area is because of the location of the
21 ComEd facilities, the high power lines, that are
22 coming through the area, the substations that are
23 presently there or that will be built, and it's
24 all about being able to deliver the kind of power

1 that the data centers require, and that's the
2 reason this area is attractive and that's the
3 reason that it is an ideal place in which to
4 locate.

5 The amount of traffic can vary
6 obviously depending on the size of the buildings.
7 I understand they have some pretty large
8 buildings out in the DeKalb area that they are
9 putting up out there.

10 As of this time we don't know what
11 the size of the buildings on our campus will be,
12 but that's certainly one of the things that the
13 City Council will be able to look at, they will
14 be able to evaluate, and they have to approve our
15 plans because our whole idea here is to try to
16 assemble a parcel to take -- to take care of what
17 the needs would be without, you know, a dramatic
18 impact on the city.

19 As far as stormwater management,
20 yes, that's why we are saying that we think some
21 of this area over there is going to be stormwater
22 management because, as the gentleman probably
23 knows and you heard earlier with the townhome
24 development over at the Parfection driving range,

1 we have to follow the City of Yorkville's
2 stormwater management regulations, and so for all
3 of the structural coverage we put on the
4 property, there has to be stormwater management
5 to take this run-off, and there are formulas that
6 are out there in the stormwater ordinance, and as
7 was stated earlier in the meeting tonight, we
8 will have civil engineers that will be looking
9 and working on these matters, and then, of
10 course, the city's engineers will also be
11 reviewing them, and the bottom line is that
12 everyone has to be satisfied that we meet all of
13 the standards of the stormwater ordinances in
14 managing the water that is coming off of the
15 improved site.

16 So, yes, that is an issue and, yes,
17 that will be addressed, and that is something
18 that the city looks very closely at.

19 Thank you.

20 MR. ANDERSON: Really quick I just want
21 to say, one --

22 MS. LAMB: If I may. If I may. If I
23 may, please. Hi. I am over here.

24 MR. ANDERSON: Oh, sorry.

1 MS. LAMB: This is intended to be public
2 comment. It is a period when you guys get to
3 voice your concerns. These --

4 MR. ANDERSON: These are my concerns,
5 ma'am. With all due respect, these are my
6 concerns.

7 MS. LAMB: Let me finish, please. Let
8 me finish. It is not intended to be a
9 question-and-answer session. You may state your
10 concerns, but we're not going to let this be a
11 continual back and forth.

12 MR. ANDERSON: Okay. Such as -- So as
13 the gentleman so willingly grilled the first
14 woman that spoke, these are my concerns, and, I'm
15 sorry, in order to calm our concerns, some
16 questions should be answered. I think most
17 people here would agree with me on that.

18 CHAIRMAN VINYARD: Mr. Anderson, do you
19 have any more questions?

20 MR. ANDERSON: The only thing I would
21 like to say is I implore you of the board to
22 really think about this. Think about this. This
23 is your home, too. This is our home.

24 I really implore the board to think

1 about this and to go no on that. It's just --
2 it's not good for Yorkville.

3 The gentleman mentioned about the
4 power needs for the data centers. What about the
5 power needs for us? What about all the needs for
6 us?

7 I really implore you to really go
8 against this. Please. Thank you.

9 CHAIRMAN VINYARD: Very good. Thank
10 you, sir.

11 One more thing. Can we keep the
12 applause down to a minimum? We've got a lot of
13 people and that actually does eat up a little bit
14 of time, so just ask you for that. Ma'am?

15 DAWN WATSON,
16 having been first duly sworn, testified before
17 the Commission from the podium as follows:

18 MS. WATSON: Hi. My name is Dawn
19 Watson. I live at 604 Yellowstone Lane, which is
20 technically part of Cannonball Estates, but is
21 right in with Kylyn's Ridge, so basically the
22 same subdivision there. I am coming here very
23 much opposed to rezoning to -- the parcel as
24 manufacturing.

1 As a resident of Kylyn's Ridge slash
2 Cannonball Estates, our family moved here in
3 2016. After driving through the neighborhood and
4 seeing families outside, lots of small children,
5 seeing all the Halloween decorations up, if you
6 haven't been to our neighborhood at Halloween, we
7 even have a house that puts up an actual haunted
8 house and they have a food cart there, you can go
9 get food. It's a huge community event.

10 We go and we celebrate at Christmas,
11 we have another house that puts on a light show,
12 you can go check that out, and for many, many
13 years, including the year that we moved in, many
14 houses do this whole community thing where they
15 put green on the trunks of their trees and white
16 on the top, and the reason why I am tying this
17 in, I know you're probably like this has nothing
18 to do with manufacturing, is I just want you to
19 give a sense of this is a strong-knit community.

20 We moved here because it's
21 residential and it has a strong-knit community.
22 We never ever would have agreed to move here if
23 we thought that this area behind us was going to
24 turn into a manufacturing area.

1 And it's not just about our property
2 values going down, which we know they will, and
3 yay, we have a little extra bonus because maybe
4 our taxes will go down, too, and so in the long
5 run we can save a thousand and lose a hundred,
6 but that's okay.

7 My biggest concern is the safety. I
8 am a teacher, I am a mother. There are many
9 small children that live in our neighborhood.
10 Some of those small children are ones that I
11 teach, and I am very concerned at looking at the
12 water piece to it and also something that was
13 addressed earlier, the EMFs.

14 And my friend Google, when I asked
15 AI on Google, I googled how far away should you
16 live from a data center to be safe from both EMFs
17 and RFs, and AI answered me saying, according to
18 current scientific understanding, living a few
19 hundred feet away from a data center is generally
20 considered safe enough to avoid any negative
21 effects from EMF or RF radiation as the levels
22 emitted are typically well below the safety
23 standards; however, if concerned, maintaining a
24 distance of a quarter mile, or 1,320 feet, or

1 more should be considered prudent based on
2 precautionary measures.

3 So looking at the fact that we do
4 have so many children in this community, and you
5 have seen the visual, that is not a long
6 distance, it's literally up against those
7 property lines, I would ask that you please
8 consider not rezoning this to manufacturing for
9 the safety of the children that live in our area.

10 I planned to only speak on the
11 children, but recently we included a senior
12 housing center that's going to be going in and
13 generally seniors have a lower immune system as
14 well, so I also ask for you to specifically think
15 about those seniors that we're asking to move in,
16 that you have just given that approval for, and
17 please consider their needs.

18 I also ask that you specifically
19 think of the people that you just invited to live
20 in Blackberry Shores. They just bought their
21 houses and built there a few years ago, and I
22 feel like it's like a big joke on them, of like
23 hey, here's a great community for you to live in,
24 and now let's flip it for you, and you can go

1 ahead and live next to a data center. You didn't
2 see that one coming, did you?

3 Thank you for listening.

4 CHAIRMAN VINYARD: Thank you.

5 MR. PHILIPCHUCK: Mr. Chairman?

6 CHAIRMAN VINYARD: Go ahead, sir.

7 MR. PHILIPCHUCK: The concerns that was
8 mentioned, you can go on the internet and you can
9 find all kinds of things out there, pros and
10 cons, and the thing is that, you know, for years
11 there were concerns about the EMFs that were
12 coming off of all of our high power lines, and,
13 you know, there was people that said well, we
14 can't build subdivisions anywhere near these high
15 power lines because the EMFs are so dangerous,
16 and yet I don't believe that it's been proven
17 that, in fact, that has been the case, and we
18 have subdivisions all over the area, and we ran
19 into this a lot in Naperville years ago when that
20 community was doing a lot of building of some of
21 the power lines and new subdivisions that were
22 going to be built in and adjacent to some of
23 these lines, and my gosh, now we even have
24 prairie paths and hiking paths and things right

1 underneath these high power lines.

2 So you can read and you can see all
3 kinds of things, and I think we all just have to
4 use some -- some common sense and look at what
5 really has happened and not look at everything we
6 see on the internet and believe everything we see
7 on the internet.

8 Thank you.

9 CHAIRMAN VINYARD: Christine? Do you
10 need a break?

11 THE REPORTER: No, let's keep going.

12 CHAIRMAN VINYARD: Are you sure?

13 THE REPORTER: Yes, let's get it done.

14 CHAIRMAN VINYARD: Okay. Ma'am?

15 THE REPORTER: Thank you.

16 CAROL KICKER,
17 having been first duly sworn, testified before
18 the Commission from the podium as follows:

19 MS. KICKER: Yes. Hello. My name is
20 Carol Kicker and I live at 2301 Iroquois Lane,
21 right in Kylyn's Ridge, and I will be one of the
22 lucky ones who gets to have the data center in my
23 backyard, so every day that I go and I look out
24 my back window, I get the pleasure of seeing a 50

1 to 70-foot building, and the reason I bring this
2 up is I am a teacher, I am a special education
3 teacher, and I have been working out in Belvidere
4 for four months, and every stinking day I drive
5 past all those data centers up there, and I
6 wasn't worried. I wasn't worried at all, and
7 then all of a sudden I got this beautiful
8 certified letter and my heart broke.

9 My family and I came here 20 years
10 ago. My children and I came to Illinois from
11 Pittsburgh, which is a manufacturing center, you
12 know about the steel mills there.

13 We were looking for property, we
14 were looking for peace. We went and visited
15 Plainfield, not too crazy about all the
16 construction there. Went to Oswego, not too
17 crazy about there.

18 We came on to Yorkville, family
19 oriented, peaceful. My children and I walked the
20 back empty lots along the retention pond backing
21 up to Rob Roy Creek. There were no houses there
22 at the time, 20 years ago, just a bunch of
23 markers.

24 My kids and I looked at that

1 property and we were like oh, my gosh, we finally
2 have a little peace of heaven. We don't have to
3 worry about anybody looking at our place.

4 One of the lots that backed up to
5 Rob Roy farms is -- Rob Roy farm is where we
6 decided to build our home. We even agreed,
7 according to the contractor, which I'm sure was
8 agreed to 20 years ago with the city, we agreed
9 to pay an extra \$10,000. Every single one of us
10 who back up to Rob Roy farm paid an additional
11 \$10,000 to guarantee that no one would build
12 behind us.

13 There was a retention pond and there
14 was a floodplain, plus there was a beautiful
15 farm. I understand farms go away. My parents
16 owned seven acres, my mom and dad came to live
17 with me until they both died of cancer.

18 I enjoyed raising my children in
19 peace in my home at 2301 Iroquois Lane. Today my
20 four-year-old grandson and my two-year-old
21 granddaughter live in the area. I have them come
22 and visit me. We sit on my back porch. They say
23 GaGa, can we make a fire pit? Can we watch the
24 stars? What's going to happen to that view?

1 It breaks my heart to look out and
2 to think how terrible it's going to be to have a
3 50 to 70-foot data center backing up to our
4 homes. There is going to be power lines and
5 lights and noise.

6 I am constantly full of anxiety, and
7 I would ask you to really think about and
8 consider what's going to be happening to this
9 property, and I would just like to say that I
10 have always wanted to be an active member of
11 Yorkville.

12 I am a substitute teacher, I've seen
13 all of you around from time to time, and I want
14 you to know it's a pleasure to see you
15 face-to-face, the people that I vote to -- vote
16 for on that ballot, and I hope to become more and
17 more active now that -- since my mom and dad are
18 gone.

19 Thank you.

20 CHAIRMAN VINYARD: Sarah, real quick.
21 So what we've got out here, we have -- we are
22 concerned with noise, right? We are concerned
23 with possible EMFs, we are concerned with the
24 lighting, we are concerned with the setback and

1 the view, construction debris, construction
2 traffic, stormwater run-off.

3 Are we all in agreement --

4 UNIDENTIFIED AUDIENCE MEMBER: Yes.

5 CHAIRMAN VINYARD: -- that we are right
6 there?

7 UNIDENTIFIED AUDIENCE MEMBER: Yes.

8 CHAIRMAN VINYARD: Could we start --
9 What else?

10 MS. SCHRAEDER: The water.

11 CHAIRMAN VINYARD: The water, yes.
12 Could we start taking on a little more -- We
13 understand that. Message received. We've got
14 you there.

15 If anyone has any other concerns
16 than those, again, please let us know. Go ahead,
17 Sarah.

18 SARAH CHILELLI,
19 having been first duly sworn, testified before
20 the Commission from the podium as follows:

21 MS. CHILELLI: Hi. My name is Sarah
22 Chilelli. I live at 2397 Iroquois in Kylyn's
23 Ridge. Been there for 20 years.

24 And I will keep this brief. I am

1 just going to say that I oppose this because
2 everything has already been addressed, so please
3 consider not -- this little bitty parcel, that
4 like 50, 60-acre parcel, I think that's all that
5 any of us are really concerned about. The data
6 centers are coming. Just if we could maintain
7 that little area for Blackberry Shore and
8 Iroquois Lane, that would be great.

9 Thank you.

10 CHAIRMAN VINYARD: Thank you. Next?

11 BAILEY CARRABOTTA,
12 having been first duly sworn, testified before
13 the Commission from the podium as follows:

14 MS. CARRABOTTA: Hi. My name is Bailey
15 Carrabotta. A lot of what I will say has been
16 touched on, but I want to share because I took
17 the time to prepare.

18 I do want to start by saying a
19 250-foot setback and an eight-foot berm are
20 unacceptable and I would expect at least 400 feet
21 and maybe a ten-foot berm, something of that
22 sort.

23 A lot of us are really uncomfortable
24 with this in general and I don't -- like I said,

1 a lot of what I'll share is more emotional and I
2 am not feeling a ton of empathy tonight outside
3 of the folks in the crowd sharing, so I will just
4 continue on, but, again, my name is Bailey
5 Carrabotta.

6 Earlier you heard from my husband
7 Brian. As he mentioned, we live on Blackberry
8 Shore and our home backs up to the property being
9 discussed today.

10 We moved into our home in 2022. We
11 had a one-year-old daughter and I was
12 eight months pregnant with our son. Don't
13 recommend moving at eight months pregnant, but we
14 did it, and especially for this home.

15 The home and the Yorkville community
16 was one that we felt a really strong connection
17 to. It combined all the conveniences of suburbia
18 and the laid-back quietness of the cornfields.

19 This home and the neighborhood was
20 one that we intended to stay in for the rest of
21 our lives. With open residential lots still
22 available on our street, we imagined those homes
23 being built and filled with families similar to
24 ours.

1 We imagined those lots -- with those
2 lots filled we would finally have a sidewalk that
3 ran all the way down for our kids to safely ride
4 their bikes to their grandmother's house down the
5 street or to the park.

6 Now we fear that converting the land
7 directly behind our homes to manufacturing,
8 especially with the current annexation terms,
9 will not only bring non-residential traffic,
10 constant noise and light pollution, but it's
11 likely to impact the value of our homes and the
12 empty lots to be filled.

13 Who knows if our sidewalk will ever
14 be complete for our kids to enjoy. We, like many
15 other homeowners who will be affected, have
16 poured so much time, love and money into our
17 homes.

18 Please don't promote the destruction
19 of our investments and consider the number of
20 lives impacted by these decisions. It's not the
21 just the homeowners here today, but all that were
22 unable to make it and all of their families.

23 Many parents don't have the luxury
24 of stepping away from their kids late on a

1 weeknight. I am gracious for the support of my
2 mother, who lives down the street from us and is
3 able to watch our kids, but I am proud to be here
4 representing the parents affected by this
5 situation, as well as the children.

6 Thank you.

7 CHAIRMAN VINYARD: Thank you. Ma'am.

8 CHRISTY FALLON,
9 having been first duly sworn, testified before
10 the Commission from the podium as follows:

11 MS. FALLON: Hi. I am Christy Fallon.
12 I live at 2321 Iroquois Lane, and this is
13 literally in my backyard. I am on the opposite
14 side of the pond and my view is going to be
15 directly of this.

16 I know that most of these things
17 have already been covered. It was pointed out
18 that we are not supposed to look on the internet,
19 but I don't know where else we are supposed to
20 get information if we can't research this, so I
21 just want to point out that maybe we don't have
22 enough information then.

23 If you don't want us to search the
24 internet and research this, then maybe we need to

1 do some more studies and find out how this could
2 really affect us.

3 I can tell you that we spend lots of
4 time in the summer in our backyard. We sit in
5 our gazebo, we play games with our kids. I can't
6 even imagine having this thing in my backyard.

7 I just want to say I strongly
8 oppose.

9 CHAIRMAN VINYARD: Thank you. Ma'am.

10 MICHELLE PITSTICK,
11 having been first duly sworn, testified before
12 the Commission from the podium as follows:

13 MS. PITSTICK: My name is Michelle
14 Pitstick. I am at 963 Western in Kylyn's Ridge.
15 I want to strongly oppose this.

16 I feel that as a community, and I
17 speak for many of us, that Kylyn's has given up a
18 lot as it is. We were one of the first people in
19 the second phase. When we moved in, we asked the
20 city and looked for plans. There was nothing but
21 residential around us.

22 I left Aurora for obvious reasons
23 and came to Yorkville because I wanted a
24 community like I had growing up.

1 I am finding that changing. We have
2 already conceded quite a bit. We gave up
3 everything for that albatross we now call Kendall
4 Marketplace, with most of it being empty and
5 undeveloped.

6 We have now conceded to a retirement
7 community, beautiful, and got another strip mall
8 that we don't need. I am just wondering why we
9 have to keep giving up things when there is so
10 many other areas to do that, you know.

11 And as someone else said, I don't
12 think anyone here would want that in their
13 backyard either. We have given a lot to this
14 community, we have sacrificed a lot of space. I
15 would ask that we not do this.

16 Thank you.

17 CHAIRMAN VINYARD: Thank you. Ma'am?

18 ERIN TRZEBIATOWSKI,
19 having been first duly sworn, testified before
20 the Commission from the podium as follows:

21 MS. TRZEBIATOWSKI: Hi. My name is Erin
22 Trzebiatowski and I live at 2121 Iroquois Lane,
23 and I am here representing my family and my two
24 young children, who are six and four.

1 We spend a lot of time outside. We
2 are a homeschool family and we spend a lot of
3 time in nature playing outside and I would just
4 like the green space to remain the green space.

5 My daughter asked me, she was like
6 now, what's going to be built? And I frankly
7 told her, I was like I did not know. So I pulled
8 up this song, it was the Big Yellow Taxi by
9 Counting Crows, and there is a little piece of
10 the line that says please don't pave our paradise
11 to put up a parking lot, and for a six-year-old I
12 felt like that was a good like little bit of
13 knowledge for her to be like you're going to be
14 taking down our land, our beautiful green land,
15 and just replacing it.

16 So that's all, I just oppose the
17 data center and want what we have, so thank you.

18 CHAIRMAN VINYARD: Thank you. Sir?

19 TOM FALLON,
20 having been first duly sworn, testified before
21 the Commission from the podium as follows:

22 MR. FALLON: Hi. My name is Tom Fallon,
23 and most of what I was going to say has already
24 been said, but one thing I did want to say is

1 that I trust or at least hope that one of the
2 main responsibilities of this commission is to
3 protect the residents of Yorkville from
4 environmental and personal impacts of a project
5 like this, so I just encourage you to -- before
6 rezoning to actually consider all the impacts to
7 our families and our neighborhood.

8 CHAIRMAN VINYARD: Absolutely.

9 MR. FALLON: Thank you.

10 CHAIRMAN VINYARD: You're very welcome.

11 Todd?

12 TODD VANDERMYDE,
13 having been first duly sworn, testified before
14 the Commission from the podium as follows:

15 MR. VANDERMYDE: Mr. Chairman and
16 members of the committee, Todd Vandermyde. I
17 live at 2341 Iroquois Lane. My house backs up
18 against this triangle.

19 So I am going to cover -- I will try
20 not to be redundant to what's been covered
21 earlier tonight.

22 A few years ago I had a small gun
23 business. I applied for an exemption to the city
24 of Yorkville code because the license I had at

1 the time was a manufacturer's license, and I
2 asked to be able to run my business out of my
3 garage, a couple hundred square feet, and it
4 wasn't going to have any impact on the traffic in
5 the neighborhood, it wasn't going to be a retail
6 business, nothing like that, and somebody sitting
7 up here on this dais sat there and recommended
8 that I not get an exemption for my license
9 because it was -- it had the word manufacture in
10 it.

11 That's nowhere compared to putting a
12 200-plus-acre manufacturing zone up against a
13 residential neighborhood.

14 My business -- I then moved my
15 business out of Yorkville into Plano, and
16 immediately following that we generated about
17 \$150,000 in sales taxes which went to the city of
18 Plano.

19 With that, I understand that when
20 you are talking, as the other data center has
21 been proposed, \$11,000,000 in revenue, and if
22 this one matches that, that's \$22,000,000, and
23 now you are talking essentially, when the City of
24 Yorkville has a \$37,000,000 annual budget, that

1 the dollar signs on this are just huge for
2 something that hasn't been planned into the
3 budget and what that can do.

4 Unfortunately this money won't go
5 towards our school districts if it's approved, it
6 will go to the Plano school districts, and they
7 get the benefit of the imposition on ours.

8 Last night -- I was at last night's
9 meetings and they talked about a hundred foot
10 berm, evidently that was a misspeak, because now
11 they are talking about a ten-foot berm, and there
12 is a huge difference, because if you make it a
13 mowable berm, I did the quick calculations that a
14 hundred foot berm would require 300 feet, but
15 that was only for one side of it.

16 At a 3:1 slope, which is the IDOT
17 rule for mowable, now you're -- that would have
18 been a 600-base footprint, and I don't think they
19 want to give up 600 feet.

20 But when they talked about the
21 250-foot setback last night, they brought up --
22 you know, they brought that up, but tonight --
23 Could you put that map back up on the board?

24 CHAIRMAN VINYARD: Yes.

1 MR. VANDERMYDE: Not that the one --
2 yeah, that one. So now -- Keep going, scroll
3 down. I live right on that bend up there. You
4 can zoom in, that's really good when you zoom it
5 in, because now what they're talking about is
6 they're not talking about a 250-foot setback all
7 the way around there, they now want to use the
8 pond that's behind several of our yards to
9 include -- because they said there is an
10 exemption, that that doesn't count for the
11 250 feet.

12 So why is our subdivision paying for
13 something that would otherwise be a setback?
14 That's our land, and now they want to include it
15 in their setback because they said -- as I read
16 what was put up there earlier tonight, it doesn't
17 include that area for the 250-foot setback.

18 With that, I got a list, I am just
19 going off some notes, I am trying to -- I think
20 that, you know, the lawyer for the petitioners
21 sat there and argued with the assessor about what
22 the devaluation of potential future values of our
23 properties may be.

24 If he is so convinced about that,

1 then why doesn't the Planning Commission or the
2 City of Yorkville put a hold harmless fund
3 together that's funded by this, so that if, after
4 looking at other comparable properties in the
5 Yorkville area, if our property values don't
6 mature or increase at the same rate they do, that
7 we then get reimbursed for the impact that it has
8 on our property values?

9 If you're talking, you know, five to
10 \$11,000,000 on this, it doesn't seem that, you
11 know, when you are talking 200 homes in Kylyn's
12 Ridge and another 37 along Blackberry Shores,
13 that -- you know, you can buy us out, you could
14 rent it to your employees, whatever, but I think
15 it's something that ought to be considered.

16 If this goes forward, a couple of
17 things that come to mind are, number one, they
18 talk about that area by us possibly being a
19 retention area. I've been there over 20 years.
20 I was there when they put the storm line through
21 running from 34 all the way up towards Faxon, and
22 they had generators and dewatering stations all
23 along that.

24 I'd like to know from the city how

1 deep that storm line runs because I think that's
2 going to have a negative impact on the amount of
3 retention that you're going to actually get
4 because those -- they were running four-inch
5 pumps and there were 50 of them as I recall that
6 were running 24/7 to dewater so they could cut a
7 six-foot trench to get down to do what they did.
8 I think, you know, that's an issue.

9 The question is then if we're going
10 to build this, who is going to be employed there?
11 Or is this just going to be a data center for,
12 you know, customer service calls in India? Is it
13 actually going to employ a number of local
14 people?

15 I have a son who is going into the
16 computer world, the IT world. Walking to work
17 might be a nice idea for him, but in the
18 construction phase -- and I absolutely agree with
19 my brother 134 guy. I am a 150 guy. I am a
20 heavy equipment operator by trade, so I know a
21 little bit about building berms and what it takes
22 to do all this.

23 When we bought it was a flood -- we
24 were told about the floodplain back there and I

1 think Alderman Funkhouser has a drawing about
2 that.

3 Well, in order to build residential
4 back there on a floodplain, you are going to have
5 to do a whole lot of work to bring that up to
6 where it's going to drain properly and you are
7 going to absorb all that.

8 And so I get it, if it's going to be
9 a retention area, that mitigates some of our
10 concerns up at Kylyn's Ridge -- not that I am for
11 it -- but the other part of it would be that
12 there should absolutely be nothing structural,
13 north -- you know, north of the shopping center.

14 The shopping center, the north end
15 of the shopping center where Kohl's is, the back
16 side of that area, in my mind there should be --
17 to protect the people at Blackberry Shores and
18 everybody else, all of the structures, the
19 buildings, anything should be kept down off 34.
20 There should be nothing remotely -- If you're
21 going to put anything at Blackberry Shores,
22 it's -- you know, I would suggest it's either got
23 to be a parking lot, but that berm has got to be
24 more than ten feet. I think it definitely needs

1 to be a mowable slope for that.

2 And the last thing I want to ask is
3 if the City of Yorkville -- and it may not be in
4 your purview -- to request a project labor
5 agreement during the construction phases to make
6 sure that it's built with homegrown labor and not
7 travellers from out of state.

8 And my wife wanted me to bring up
9 the \$10,000 that we paid, but it was already
10 covered by -- because it was a floodplain and we
11 were told maybe residential, but 20 years ago --
12 and I understand plans change, but I'd be happy
13 to answer any questions that you may have, but
14 thank you for your time and consideration.

15 MR. PHILIPCHUCK: Mr. Chairman, I have a
16 couple questions for the gentleman.

17 CHAIRMAN VINYARD: All right.

18 MR. PHILIPCHUCK: At the time that you
19 said you applied for a variance and you needed
20 manufacturing, it was your proposal to get an
21 FFL, was it not?

22 CHAIRMAN VINYARD: Sir. Sir.

23 MR. PHILIPCHUCK: You were going to sell
24 guns out of your garage.

1 CHAIRMAN VINYARD: Sir, this has nothing
2 to do with the development here.

3 MR. PHILIPCHUCK: Well, he mentioned it
4 in his testimony --

5 CHAIRMAN VINYARD: Yeah, I understand.

6 MR. PHILIPCHUCK: -- and that he wasn't
7 given M-2 zoning, but it was because he was going
8 to sell firearms out of his garage.

9 CHAIRMAN VINYARD: Sir. I --

10 MR. PHILIPCHUCK: Okay. And the other
11 thing is I don't know where he came up with a
12 hundred foot high berm. We never stated
13 anywhere that we were going to build a 100-foot
14 berm.

15 UNIDENTIFIED AUDIENCE MEMBER: Yes, you
16 did. Yes, you did.

17 MR. PHILIPCHUCK: That makes absolutely
18 no sense. And his last comment is a good one,
19 that yes, this area probably is going to have
20 more detention and that will be a benefit, and
21 that's what we are anticipating.

22 It's just that until we actually
23 have the user in hand and we take plans into the
24 City Council, we just don't know for sure, but

1 it's certainly our intention to utilize as much
2 of that area up behind the existing subdivisions
3 for setbacks and/or the detention parcels. That
4 would be ideal. And that's really what we are
5 looking for --

6 CHAIRMAN VINYARD: Okay.

7 MR. PHILIPCHUCK: -- but until, again,
8 we get a user, we just can't say, so that will
9 all be addressed, though, at the time that we
10 bring plans into the City Council.

11 Thank you.

12 MR. VANDERMYDE: Mr. Chairman, I
13 wasn't -- my business was not primarily a retail
14 establishment for selling firearms, which is
15 what -- my license was a manufacturer's license
16 and we required that because we destroyed
17 evidence guns, including for the police
18 department of Yorkville, but if the gentleman
19 would like to talk to me more about that, you are
20 free to subpoena me and depose me when this all
21 goes down.

22 CHAIRMAN VINYARD: All right.

23 Beautiful. Thank you very much.

24 Anybody else? Last chance.

1 Alderman Funkhouser? Oop.

2 MR. FRIEL: I just have one.

3 DEAN FRIEL,

4 having been first duly sworn, testified before
5 the Commission from the podium as follows:

6 MR. FRIEL: I am Dean Friel. I am at
7 1161 Blackberry Shore Lane. I just have one
8 question.

9 It seems like didn't we jump the gun
10 here a little bit? Shouldn't we have more facts
11 for this meeting to know how many buildings he is
12 going to build and how big they're going to be
13 and how much water retention we're going to need,
14 where the water retention is going to go?

15 Wouldn't that make more sense to
16 have all that information and then we can have
17 this meeting and talk about what it is?

18 CHAIRMAN VINYARD: So that's not
19 required at this point for them to do. That
20 would be as it moves along in the further stages
21 of the project from my understanding.

22 MR. FRIEL: I'm just --

23 CHAIRMAN VINYARD: Sure.

24 MR. FRIEL: I'm just wondering why -- We

1 don't have enough information really to make good
2 choices on what's -- how to go forward.

3 CHAIRMAN VINYARD: Sure.

4 MR. FRIEL: I mean, if they can build
5 this and put the water retention in that one spot
6 that we're talking about, in that triangle, I
7 don't think there would be anybody here
8 complaining about that at all.

9 CHAIRMAN VINYARD: Sure.

10 MR. FRIEL: But it's just well, maybe we
11 can, maybe we can't, we don't know how many
12 buildings we're going to have, how big they're
13 going to be. You know, that's -- that's all
14 stuff that we need to know.

15 CHAIRMAN VINYARD: At this point we --
16 that's stuff that we can't answer. This is an
17 annexation agreement. This is basically --

18 MS. NOBLE: Rezoning.

19 CHAIRMAN VINYARD: I'm sorry, rezoning
20 agreement. That will come back at a further --
21 at a further meeting.

22 MR. FRIEL: Okay.

23 CHAIRMAN VINYARD: Thank you. Alderman
24 Funkhouser?

1 CHRIS FUNKHOUSER,
2 having been first duly sworn, testified before
3 the Commission from the podium as follows:

4 ALDERMAN FUNKHOUSER: Good evening.
5 Thank you for a minute here. Chris Funkhouser,
6 resident of Kylyn's Ridge, Canyon Trail. Also
7 3rd Ward Alderman. Have been for 14 years.

8 Prior to that I also served five
9 years on the Planning and Zoning Commission.
10 Highly familiar with what goes on here.

11 I typically don't address the Plan
12 Commission. This one is a little unique. I also
13 have a background in land planning, land
14 acquisition and home building, so I am generally
15 qualified in this.

16 I have a relationship with the
17 current attorney that's on here. John and I have
18 done work in the past over different projects in
19 the past 20 years, also with the current
20 petitioner, so I wanted to make sure that I am
21 disclosing that yes, I have worked with these
22 gentlemen, I have worked with the firms and the
23 owners throughout the past.

24 There is one thing about this

1 project that the other data center projects do
2 not have. This is the only one that abuts a
3 residential property. It is unique. It has
4 unique characteristics.

5 So when you as the Plan Commission
6 deliberate, you go through your rezoning
7 standards, the seven criteria, there are two that
8 concern me.

9 The first one, proposed map
10 amendment is consistent with the Comprehensive
11 Plan and the purposes of the UDO, and the second
12 is the proposed map amendment is consistent with
13 the existing and planned uses and zoning of
14 nearby properties.

15 The other five I can get on board
16 with. Those two. So let me speak to the first
17 one, the Comprehensive Plan. The Comprehensive
18 Plan has a language piece in it that says it will
19 be used to guide future use and develop --
20 development and zoning decisions.

21 It is also meant to be adjusted and
22 changed when circumstances warrant a change in
23 planning direction in a given area of the city.

24 That's what you're doing. You are

1 looking at a rezoning, so you are considering
2 that right now.

3 Now, to talk about the second point,
4 which is the existing and the planned uses, M-2
5 District, in the UDO it states the district is
6 intended to ensure the compatibility of
7 manufacturing and industrial uses surrounding
8 residential and commercial uses and to minimize
9 off-site impacts such as noise, traffic and
10 visual qualities.

11 The M-2 is our most intense use in
12 the city. Absolutely. If you look at our
13 zoning map, there is only one parcel that
14 actually is M-2 adjacent to an existing
15 residential use.

16 That happens to be the piece that
17 was just annexed, the piece to the south of this,
18 the Daniels piece, and it's about 1,000 feet,
19 maybe 1200 feet that was generally I would say an
20 oversight on the City Council for not having a
21 restriction in that small corridor.

22 For this parcel, the 56, 60 acres
23 that we are talking about, there will be a road
24 that runs through this, it's the Beecher

1 extension. The developer -- or the -- not
2 developer because we don't have a developer, the
3 petitioner is well aware of that.

4 Also, this piece is going to be
5 subjected to critical planning needs, the City
6 Council will look at that. I do appreciate the
7 fact that the petitioner did come back with some
8 compromises, a height restriction, a setback and
9 a berm. Those were not in the original proposal,
10 so they have made some compromises.

11 My proposal was 400 feet from a
12 residential property line to the setback of a
13 building. They compromised. That's more than
14 half of what I had asked them to do.

15 The berm, I appreciate that. The
16 height restriction, 55 feet to the general
17 building. We know that the appurtenances could
18 be another 15, 20 feet on top of it.

19 I am not here to tell you that I am
20 in favor or not in favor. I do support data
21 centers in our community. They have a benefit.
22 We currently have about 1,000 acres that are
23 under development review. We have 3,000 acres
24 that have been under discussion with city staff

1 in planning right now. So we are talking about a
2 60-acre piece of property?

3 John, I know you will not commit to
4 any increase that backs on this piece, we've
5 already had this discussion, so I appreciate
6 that, but this piece is unique, so when you go
7 into your deliberation after this hearing closes,
8 give that due consideration.

9 And this is a challenge for me
10 because I have a good relationship with the land
11 owner of this property, the petitioner. This
12 will put me in kind of a tough spot with them
13 just for the fact that I am pushing back, but
14 that is what I need to do.

15 And I am a very convicted person. I
16 think anybody that knows me knows that I am
17 convicted. I stand on my morals. I am convicted
18 about these things.

19 250 feet is a good start.
20 Ultimately I would like to see anything east of
21 the Beecher extension, south of the creek, not be
22 a data center or any building.

23 We keep saying data center. I think
24 there are 12 or 13 uses that are allowed within

1 this annexation agreement that is proposed. You
2 could get other uses, doesn't have to be a data
3 center.

4 If somebody else came along with a
5 warehouse, it could be a warehouse, it could be a
6 nursery, it could be a bakery. Data center is
7 the primary word that we are hearing because
8 that's their intent, is to put together a large
9 assemblage of 600 acres, give or take, and market
10 it to national data centers.

11 I implore you to give good
12 consideration. You are a recommending body to
13 the City Council, of which I sit. You have the
14 authority to recommend for approval or deny, as
15 well as apply conditions.

16 So that's all I have. Thank you.

17 CHAIRMAN VINYARD: Thank you. All
18 right. Is that it for everybody? All right.

19 MR. GILBERT: I'd like to speak online
20 if I could.

21 CHAIRMAN VINYARD: Go ahead, sir.

22 MATT GILBERT,
23 having been first duly sworn, testified before
24 the Commission via Zoom as follows:

1 MR. GILBERT: Hi. My name is Matt
2 Gilbert. I am with Green Door Capital. I
3 represent an adjacent landowner here. We also
4 own several other parcels in the area.

5 I would like to speak on behalf --
6 in favor of the rezoning this evening and just
7 put a couple of points on record.

8 First of all, we at Green Door have
9 been working with the city in terms of the mayor,
10 City Council, and the Economic Development person
11 for over three years, about three and a half
12 years.

13 We have been talking about data
14 centers, we have been working very hard to
15 attract data centers and, quite frankly, we have
16 helped to put Yorkville on the map literally
17 worldwide for a data center development
18 community.

19 So we were the group that attracted
20 CyrusOne to the area, and we also own the
21 adjacent property directly to the east of the 50
22 or 60 acres that is the main point of discussion
23 this evening.

24 So what I would like to just state

1 is a couple things with the data center use, and
2 specifically that little corner that Kelaka owns
3 and is trying to get rezoned.

4 First of all, as someone -- as
5 someone has mentioned, I just want to reiterate,
6 there will be a road likely going through this,
7 the Beecher extension.

8 If it is a data center use, it's
9 highly unlikely they would try to stuff a
10 building on that side of the road right up
11 against the property line and even as close as
12 the suggested buffer, so that the petitioner has
13 suggested 250 feet plus the 50-foot setback, so
14 300 total.

15 The other thing is these data
16 centers, just because they can and want to -- you
17 know, they want -- they want as much buffer as is
18 possible, so I think the attractiveness of this
19 larger site with the Daniels site and the Green
20 Door site is that they can assemble a big piece
21 of land and have buffers all around, especially
22 against the neighborhood to the east, the
23 neighborhoods to the east.

24 And then the other thing I think as

1 Mr. Philipchuck and Miss West have mentioned, the
2 process that the city has set up here does allow
3 for the final plan to come back and be approved
4 through the PUD process, so I think that's
5 vitally important for all of the neighbors to
6 understand, that this is not the last say, they
7 will see a site plan. There is no site plan now,
8 there is no user now.

9 So, in conclusion, I do hear and
10 understand the concerns that were voiced tonight,
11 but I believe and trust that the City's zoning
12 code and the PUD process will result in a
13 positive outcome here.

14 Thank you very much.

15 CHAIRMAN VINYARD: Thank you. Anybody
16 else?

17 (No response.)

18 CHAIRMAN VINYARD: Are there any
19 questions from the Commissioners for the
20 petitioner?

21 (No response.)

22 CHAIRMAN VINYARD: All right. Is the
23 petitioner for PZC 2024-32, Kyle Corneils,
24 present and prepared to make its presentation for

1 their proposed request?

2 MR. CORNEILS: Yes, I am.

3 CHAIRMAN VINYARD: Go ahead, sir.

4 KYLE CORNEILS,
5 having been first duly sworn, testified before
6 the Commission from the podium as follows:

7 MR. CORNEILS: Hi. My name is Kyle
8 Corneils. We are requesting a variance for the
9 privacy fence code due to the way our home is
10 positioned on the lot here in Yorkville.

11 Our house kind of faces the side of
12 our neighbor's house; therefore, the property
13 between us where you would typically put a
14 privacy fence is considered to be beyond the
15 front facade of my home.

16 I believe Sara's got some -- yeah,
17 there they are, some pictures and things to kind
18 of represent it.

19 Being we are on a cul-de-sac lot,
20 odd shaped, we have a very far setback compared
21 to what was required, the house was built kind of
22 sideways on the lot, and out our front door we
23 have always seen our neighbor's side yard and the
24 side of their home.

1 We have been here for over 30 years
2 now and it's been a project we've always wanted
3 to undertake for some privacy.

4 CHAIRMAN VINYARD: Do you want me to
5 interrupt him?

6 MS. NOBLE: Yes.

7 CHAIRMAN VINYARD: Hold on one second,
8 would you? You guys realize that we haven't
9 ruled on this yet?

10 UNIDENTIFIED AUDIENCE MEMBER: Right.

11 CHAIRMAN VINYARD: You guys are cool
12 with that?

13 UNIDENTIFIED AUDIENCE MEMBER: Are you
14 ruling tonight?

15 CHAIRMAN VINYARD: We are ruling
16 tonight.

17 UNIDENTIFIED AUDIENCE MEMBER: I don't
18 think everybody knew that.

19 UNIDENTIFIED AUDIENCE MEMBER: I don't
20 either.

21 UNIDENTIFIED AUDIENCE MEMBER: There is
22 something like March 11th that we thought was --

23 MS. NOBLE: That's the City Council.

24 CHAIRMAN VINYARD: No, that's the City

1 Council meeting.

2 UNIDENTIFIED AUDIENCE MEMBER: Oh.

3 CHAIRMAN VINYARD: Yep.

4 UNIDENTIFIED AUDIENCE MEMBER: Okay.

5 Thank you.

6 CHAIRMAN VINYARD: My apologies, sir.

7 You can continue.

8 MR. CORNEILS: Oh, that's okay. I see
9 everything is in front of you.

10 CHAIRMAN VINYARD: Yes.

11 MR. CORNEILS: I know Sara Mendez
12 prepared a packet and information and I think she
13 was prepared to speak on this as well, kind of on
14 my behalf if needed to be, but, you know, we are
15 just trying to get the variance so that we can
16 have that privacy fence between us and our
17 neighbors.

18 CHAIRMAN VINYARD: Very good. Thank
19 you.

20 Is there anyone present who wishes
21 to speak in favor or opposition of this request?

22 (No response.)

23 CHAIRMAN VINYARD: Seeing as there are
24 none, are there any questions from the

1 Commissioners for the petitioner?

2 (No response.)

3 CHAIRMAN VINYARD: Since all public
4 testimony regarding the petitions has been taken,
5 may I have a motion to close the taking of
6 testimony and the public hearing?

7 COMMISSIONER WILLIAMS: So moved.

8 COMMISSIONER HYETT: Second.

9 CHAIRMAN VINYARD: Roll call, please.

10 MS. YOUNG: Yes. Forristall.

11 COMMISSIONER FORRISTALL: Yes.

12 MS. YOUNG: Hyett.

13 COMMISSIONER HYETT: Yes.

14 MS. YOUNG: Crouch.

15 COMMISSIONER CROUCH: Yes.

16 MS. YOUNG: Green.

17 COMMISSIONER GREEN: Yes.

18 MS. YOUNG: Linnane.

19 COMMISSIONER LINNANE: Yes.

20 MS. YOUNG: Vinyard.

21 CHAIRMAN VINYARD: Yes.

22 MS. YOUNG: And Williams.

23 COMMISSIONER WILLIAMS: Yes.

24 CHAIRMAN VINYARD: The public hearing

1 portion of tonight's meeting is now closed.

2 (Which were all the proceedings had
3 in the public hearing portion of
4 the meeting, concluding at 9:34
5 p.m.)

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 the foregoing public hearing
7 transcript, Pages 1 through 152, was reported
8 stenographically by me by means of machine
9 shorthand, was simultaneously reduced to
10 typewriting via computer-aided transcription
11 under my personal direction, and constitutes a
12 true record of the testimony given and the
13 proceedings had;

14 That the said public hearing was taken
15 before me at the time and place specified;

16 That I am not a relative or employee or
17 attorney or counsel, nor a relative or employee
18 of such attorney or counsel for any of the
19 parties hereto, nor interested directly or
20 indirectly in the outcome of this action.

21 I further certify that my certificate
22 attached hereto applies to the original
23 transcript and copies thereof signed and
24 certified under my hand only. I assume no

1 responsibility for the accuracy of any reproduced
2 copies not made under my control or direction.

3 IN WITNESS WHEREOF, I do hereunto set my
4 hand at Leland, Illinois, this 26th day of
5 February, 2025.

6
7
8 /s/ Christine M. Vitosh

9 CHRISTINE M. VITOSH,
10 Illinois C.S.R. Certificate
11 No. 084-02883
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