

PLANNING & ZONING COMMISSION
City Council Chambers
800 Game Farm Road, Yorkville, IL
Wednesday, May 10, 2017 7:00pm

Planning & Zoning Commission Members in Attendance:

Bill Gockman	Jeff Olson
Don Marcum	Randy Harker
Reagan Goins	

Absent: Richard Vinyard, Deborah Horaz

City Staff

Jason Engberg, Senior Planner

Other Guests

Catherine Rajcan, Vitosh Court Reporting

Meeting Called to Order

Planning and Zoning Commission Chairman Randy Harker called the meeting to order at 7:00pm.

Roll Call

Roll call was taken and a quorum was established.

Previous Meeting Minutes March 8, 2017

The minutes of the meeting were approved on a motion and second by Commissioners Gockman and Olson, respectively.

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

Citizen's Comments None

Public Hearings

The Public Hearing was opened at 7:03pm on a motion by Ms. Goins and second by Mr. Gockman.

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

Chairman Harker read the details of the Public Hearing as follows:

1. **PZC 2017-04** The United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to two Chapters of the United City of Yorkville Zoning Ordinance including "Chapter 2: Definitions" and "Chapter 6: Permitted and Special Uses." The amendment to Chapter 2 defines a health and fitness club/center. The Chapter 6 amendment will provide that health and fitness clubs/centers will be permitted in the B-2 Retail Commercial District, B-3

General Business District, B-4 Service Business District and the M-1 Limited Manufacturing District.

(See Court Reporter's Transcript)

A motion was made at 7:07pm to close the Public Hearing. Motion and second by Commissioners Goins and Marcum, respectively.
Roll call: Marcum-yes, Olson-yes, Gockman-yes, Goins-yes, Harker-yes. Passed 5-0.

Old Business None

New Business

1. **PZC 2017-04** (See description above)

Chairman Harker commented that the amendments would give more clarity to the ordinance. The Commissioners had no further comments or questions.

Action Item

Mr. Gockman made the following motion which was seconded by Ms. Goins:
In consideration of testimony presented during a Public Hearing on May 10, 2017, the Planning and Zoning Commission recommends approval to the City Council of a request to amend the United City of Yorkville Zoning Ordinance as presented by staff in a memorandum dated May 3, 2017.

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

2. Appointment of a Vice-Chairperson for the Planning and Zoning Commission: Chairman Harker nominated Ms. Goins to be the Vice-Chairman which was approved by a unanimous voice vote.

Additional Business

1. City Council Action Updates

Mr. Engberg said PZC 2016-04, text amendment to the manufacturing district in relation to the noise ordinance, was presented to the full Council on April 25, 2017 and was approved by them. He said equipment to measure noise levels is currently being tested.

Adjournment

There was no further business and the meeting was adjourned at 7:13pm.

Respectfully submitted by
Marlys Young, Minute Taker

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UNITED CITY OF YORKVILLE
YORKVILLE, ILLINOIS

PLANNING AND ZONING COMMISSION MEETING
PUBLIC HEARING

800 Game Farm Road
Yorkville, Illinois

Wednesday, May 10, 2017
7:00 p.m.

1 PRESENT:

2 Mr. Randy Harker, Chairman;

3 Mr. Bill Gockman,

4 Mr. Donald Marcum,

5 Mr. Jeff Olson,

6 Ms. Reagan Goins.

7

8 ALSO PRESENT:

9 Mr. Jason Engberg, Senior Planner;

10 Marlys Young, Minute Taker.

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12 REPORTED BY:

13 MS. CATHERINE ARMBRUST RAJCAN,
14 CSR, RMR, RDR, CRR, CRC.

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1 (The following
2 proceedings were had in
3 public hearing:)

4 CHAIRMAN HARKER: I call this May 10,
5 2017 Planning Commission meeting to order. I'm
6 Chairman Harker, and I will be presiding over
7 tonight's meeting.

8 Roll call.

9 MS. YOUNG: Gockman.

10 COMMISSIONER GOCKMAN: Present.

11 MS. YOUNG: Goins.

12 COMMISSIONER GOINS: Present.

13 MS. YOUNG: Marcum.

14 COMMISSIONER MARCUM: Here.

15 MS. YOUNG: OLSON.

16 COMMISSIONER OLSON: Here.

17 MS. YOUNG: Vinyard is absent.

18 Harker.

19 CHAIRMAN HARKER: Here.

20 MS. YOUNG: Thank you.

21 CHAIRMAN HARKER: May I have a motion to
22 approve the meeting minutes from the March 8th,
23 2017 Planning and Zoning Commission meeting?

24 COMMISSIONER MARCUM: So moved.

1 COMMISSIONER OLSON: Second.

2 CHAIRMAN HARKER: Is there any questions
3 or amendments that we'd like to make to the
4 meeting minutes?

5 (No response.)

6 CHAIRMAN HARKER: Seeing there's none,
7 can I get a roll call vote on the motion to
8 approve the minutes as is?

9 MS. YOUNG: Goins.

10 COMMISSIONER GOINS: Yes.

11 MS. YOUNG: Marcum.

12 COMMISSIONER MARCUM: Yes.

13 MS. YOUNG: Olson.

14 COMMISSIONER OLSON: Yes.

15 MS. YOUNG: Gockman.

16 COMMISSIONER GOCKMAN: Yes.

17 MS. YOUNG: Harker.

18 CHAIRMAN HARKER: Yes.

19 MS. YOUNG: Thank you.

20 CHAIRMAN HARKER: All right.

21 MR. ENGBERG: Public hearing.

22 CHAIRMAN HARKER: Seeing there's nobody
23 here, we're going to skip over the citizen
24 comments tonight and move on to the public

1 petitioner will make a presentation; those who
2 want to speak for and against it; and then any
3 questions that we have from the Plan
4 Commission -- Plan Commissioners to the
5 petitioner.

6 May I have a motion to open public
7 hearing on petition No. PZC 2017-04?

8 COMMISSIONER GOINS: So moved.

9 COMMISSIONER GOCKMAN: Second.

10 CHAIRMAN HARKER: Awesome.

11 Roll call vote on the motion,
12 please.

13 MS. YOUNG: Marcum.

14 COMMISSIONER MARCUM: Yes.

15 MS. YOUNG: Olson.

16 COMMISSIONER OLSON: Yes.

17 MS. YOUNG: Gockman.

18 COMMISSIONER GOCKMAN: Yes.

19 MS. YOUNG: Goins.

20 COMMISSIONER GOINS: Yes.

21 MS. YOUNG: Harker.

22 CHAIRMAN HARKER: Yes.

23 PZC 2017-04, the United City of
24 Yorkville, Kendall County, Illinois, Petitioner,

1 is proposing a text amendment to two Chapters of
2 the United City of Yorkville Ordinance including
3 "Chapter 2: Definitions," and "Chapter 6:
4 Permitted and Special Uses." The amendment to
5 Chapter 2 defines a health and fitness center --
6 club/center, and Chapter 6 amendment will provide
7 that health and fitness clubs/centers will be
8 permitted in B-2 Retail Commercial District, B-3
9 General Business District, B-4 Service Business
10 District, and M-1 Limited Manufacturing District.

11 Staff, you ready to --

12 MR. ENGBERG: Yes. I'm proposing it, so
13 I'll give a brief explanation on what we're doing
14 here. It's going to be a text amendment to the
15 zoning ordinance.

16 Back in 2015 the Plan Commission
17 amended the zoning ordinance to allow fitness
18 clubs in the M-1 district. The background being
19 a cross-fit type of use wanted to go into an M-1
20 area; and the zoning ordinance had health centers
21 or gyms in the B-2, B-3, B-4.

22 It was amended so, and I think what
23 really was supposed to be amended, the way it was
24 supposed to go down is just adding that to M-1.

1 What ended up happening was fitness club got
2 added as a new use, and then was only allowed to
3 be M-1.

4 Over the past few months I've been
5 getting some commercial permit applications for a
6 studio, like a yoga studio or cross-fit in the
7 business districts; and I went to the land use
8 table and said, is this a fitness center or a
9 health club?

10 There's no definition in the
11 business district. So I'm going, okay, this
12 should be cleaned up a little bit.

13 We already allow cross -- cross-fits
14 are allowed in the business district, allowed in
15 M-1 and vice versa with health clubs, studio,
16 things like that. So we were just -- this is
17 just really a cleanup to make sure it's a lot
18 easier for anybody who wants to open a business
19 to read, and us for permitting, to understand,
20 yes, they're allowed everywhere.

21 I will say that when we took this to
22 EDC, there was some mention of outright
23 permitting said uses in the M-1, even though it
24 was approved a year ago -- or two years ago.

1 I did some investigating, looking up
2 other municipalities in the region, and it's
3 pretty standard that these M-1 -- some people
4 even M-2 -- allow gyms and cross-fit centers.
5 It's one of those things for those bigger areas,
6 those bigger spaces, even like, you know, the
7 indoor golf stuff, baseball training, they need
8 those big spaces.

9 And a lot of M-1 uses have vacant
10 space. So it kind of helps the business users to
11 make sure they're filling their vacancies. And
12 it just seems like, yeah, many neighborhood
13 municipalities, the EDC overall as a group
14 decided, yes, just leave it permitted, B-2, B-3,
15 B-4, M-1.

16 So that's the story behind it.
17 Staff's just recommending the zoning ordinance
18 change. And I'd be happy to answer any -- oh, we
19 added a health and fitness club/center as a
20 combined definition, went over it with Krysti,
21 the new Development Director, and our city
22 attorney to make sure it was encompassing of all
23 these types of uses.

24 So now we have a definition; it's

1 very clear as one line in our land use table. So
2 hopefully it will be clear to everybody that this
3 is how we handle things.

4 So...I'll be happy to answer any
5 questions if you guys have them.

6 CHAIRMAN HARKER: The only question I
7 have -- I guess you started without saying
8 that -- we just made a change; right?

9 MR. ENGBERG: Yes, 2015. Yep.

10 CHAIRMAN HARKER: Awesome.

11 MR. ENGBERG: It was just -- I think
12 that was the original intent of the -- but it was
13 coded as two different uses.

14 CHAIRMAN HARKER: Okay.

15 MR. ENGBERG: Going back and reading the
16 old planner's notes, it was for a cross-fit and
17 that type of center to be just allowed; it just
18 got coded differently.

19 CHAIRMAN HARKER: Yeah. Does anybody
20 else have any questions?

21 COMMISSIONER GOINS: No.

22 COMMISSIONER GOCKMAN: No.

23 CHAIRMAN HARKER: Okay. Since all the
24 public testimony regarding this petition has been

1 taken, may I have a motion to close the taking of
2 testimony and this public hearing?

3 COMMISSIONER GOINS: So moved.

4 COMMISSIONER MARCUM: Second.

5 CHAIRMAN HARKER: Roll call vote on the
6 motion, please.

7 MS. YOUNG: Marcum.

8 COMMISSIONER MARCUM: Yes.

9 MS. YOUNG: Olson.

10 COMMISSIONER OLSON: Yes.

11 MS. YOUNG: Gockman.

12 COMMISSIONER GOCKMAN: Yes.

13 MS. YOUNG: Goins.

14 COMMISSIONER GOINS: Yes.

15 MS. YOUNG: Harker.

16 CHAIRMAN HARKER: Yes.

17 Okay. Fantastic.

18 (Which were all the
19 proceedings had in the
20 public hearing portion
21 of the meeting.)

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1 STATE OF ILLINOIS)

2 COUNTY OF DU PAGE)

3 I, CATHERINE A. RAJCAN, a Certified
4 Shorthand Reporter of the State of Illinois, do
5 hereby certify that I reported stenographically by
6 means of machine shorthand the proceedings had at
7 the hearing aforesaid, thereafter reduced to
8 typewriting via computer-aided transcription under
9 my personal direction, and that the foregoing is a
10 true, complete and correct transcript of the
11 proceedings of said hearing as appears from my
12 stenographic notes so taken and transcribed under
13 my personal direction.

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

20 IN WITNESS WHEREOF, I do hereunto
21 set my hand at Wheaton, Illinois, this 20th day of
22 May, 2017.

23 _____
Certified Shorthand Reporter

24

C.S.R. Certificate No. 084-002503.

Vitosh Reporting Service

815.993.2832 cms.vitosh@gmail.com

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