

PLANNING & ZONING COMMISSION

City Council Chambers

800 Game Farm Road, Yorkville, IL

Wednesday, October 10, 2018 7:00pm

Meeting Called to Order

Vice-Chairman Jeff Olson called the meeting to order at 7:00pm, roll was called and a quorum was established.

Roll Call:

Deborah Horaz-present, Don Marcum-present, Jeff Olson-present, Richard Vinyard-present, Bill Gockman-present

Absent: Reagan Goins, Randy Harker

City Staff

Krysti Barksdale-Noble, Community Development Director

Jason Engberg, Senior Planner

Other Guests

Chris Vitosh, Vitosh Reporting Service

Previous Meeting Minutes September 12, 2018

The minutes were approved as presented on a motion and second by Commissioners Vinyard and Gockman, respectively.

Roll call: Horaz-present, Marcum-yes, Olson-yes, Vinyard-yes, Gockman-yes

Passed 4-0 with 1 present vote

Citizen's Comments None

Public Hearing

1. **PZC 2018-07 GRNE Solar, Eric Peterman, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting special use permit approval to install and operate a solar farm with more than one freestanding solar energy system on approximately 7.4 acres of land consisting of roughly 6,400 solar modules. The real property, zoned in the O Office District, is located at the southeast corner of John Street and Beecher Road at the Kendall County Government Campus in Yorkville, Illinois.**

Chairman Olson said this Hearing would not be held tonight since the petitioner had not yet notified the surrounding property owners about the Hearing. Mr. Vinyard moved and Mr. Gockman seconded the motion to move this Hearing to November 14, 2018.

Roll call: Marcum-yes, Olson-yes, Vinyard-yes, Gockman-yes, Horaz-yes, carried 5-0.

2. **PZC 2018-17 United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment for consideration of updates to “Chapter 20: Signs” of the United City of Yorkville Zoning Ordinance. The update to the text includes establishing and defining an exterior business wall that is allowed a wall sign and where that wall sign may be located but does not change the overall allowable size of a wall sign on an exterior wall.**

Mr. Olson gave instructions for the procedure and there were no persons wishing to give testimony. At approximately 7:04pm Mr. Vinyard made a motion to open the Public Hearing and Ms. Horaz seconded the motion.

Roll call: Olson-yes, Vinyard-yes, Gockman-yes, Horaz-yes, Marcum-yes, carried 5-0

(See Court Reporter's Transcript)

At approximately 7:17pm a motion to close the Hearing was made by Mr. Vinyard and seconded by Mr. Marcum.

Roll call: Vinyard-yes, Gockman-yes, Horaz-yes, Marcum-yes, Olson-yes, carried 5-0.

Ms. Horaz commented that the graphics seemed somewhat confusing so Mr. Olson asked that the graphics be made more specific.

New Business:

1. PZC 2018-17 Text Amendment

Action Item

Text Amendment

A motion was made by Commissioner Vinyard to approve the motion as follows: In consideration of testimony presented during a Public Hearing on October 10, 2018, 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 October 3, 2018 and further subject to changes in drawings.

Commissioner Gockman seconded the motion.

Roll call: Olson-yes, Vinyard-yes, Gockman-yes, Horaz-yes, Marcum-yes. Carried 5-0.

Unfinished Business None

Additional Business:

1. 2019 Planning and Zoning Commission Meeting Schedule

The Commissioners approved the proposed 2019 meeting schedule.

2. PZC 2018-16 Flight Team

Mr. Engberg said City Council had approved the special use permit for Flight Team, previously heard at PZC. Construction should begin soon.

Adjournment

There was no further business and the meeting was adjourned at 7:23pm on a motion by Commissioners Vinyard and Horaz, respectively. Voice vote approval.

Respectfully submitted by Marlys Young, Minute Taker

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UNITED CITY OF YORKVILLE
YORKVILLE, ILLINOIS

PLANNING AND ZONING COMMISSION
PUBLIC HEARING

800 Game Farm Road
Yorkville, Illinois

Wednesday, October 10, 2018
7:00 p.m.

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PRESENT:

Mr. Jeff Olson, Deputy Chairman,
Mr. Bill Gockman,
Ms. Deborah Horaz,
Mr. Donald Marcum,
Mr. Richard Vinyard.

ALSO PRESENT:

Ms. Krysti Barksdale-Noble, Community
Development Director,
Mr. Jason Engberg, Senior Planner,
Ms. Marlys Young, Minute Taker.

- - - - -

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

4 DEPUTY CHAIRMAN OLSON: We will move on
5 to the next item on the agenda, public hearings.
6 There are two public hearings scheduled for
7 tonight's Planning and Zoning Commission
8 meeting.

9 While there are two public hearings
10 on tonight's agenda, the official petitioner,
11 GRNE Solar, has not notified the surrounding
12 property owners of the scheduled hearing for
13 tonight for item PZC 2018-07; therefore, the
14 public hearing for PZC 2018-07 will not be open
15 for discussion and testimony will not be taken at
16 tonight's meeting.

17 Due to the absence of required
18 notification of property owners within 500 feet
19 of the subject property, may I have a motion,
20 please, to move the public hearing scheduled for
21 PZC 2018-07 from the October 10th, 2018 Planning
22 and Zoning Commission meeting to the
23 November 14th, 2018 Planning and Zoning
24 Commission meeting at the same time and place as

1 the originally planned hearing?

2 MR. VINYARD: So moved.

3 MR. GOCKMAN: Second.

4 DEPUTY CHAIRMAN OLSON: Roll call vote
5 on the motion, please.

6 MS. YOUNG: Yes. Marcum.

7 MR. MARCUM: Yes.

8 MS. YOUNG: Olson.

9 DEPUTY CHAIRMAN OLSON: Yes.

10 MS. YOUNG: Vinyard.

11 MR. VINYARD: Yes.

12 MS. YOUNG: Gockman.

13 MR. GOCKMAN: Yes.

14 MS. YOUNG: And Horaz.

15 MS. HORAZ: Yes.

16 DEPUTY CHAIRMAN OLSON: The public
17 hearing for PZC 2018-07 has been moved to
18 November 14th, 2018 Planning and Zoning
19 Commission meeting.

20 There is now one public hearing
21 scheduled for tonight's Planning and Zoning
22 Commission meeting.

23 The purpose of this hearing is to
24 invite testimony from members of the public

1 regarding the proposed request that is being
2 considered before this Commission tonight.

3 Public testimony from persons
4 present who wish to speak may be for or against
5 the request or to ask questions of the petitioner
6 regarding the request being heard.

7 Those persons willing -- I'm sorry,
8 those persons wishing to testify are asked to
9 speak clearly, one at time, and state your name
10 and who you represent, if anyone at all.

11 You are also asked to sign in at the
12 podium or complete and file -- or complete and
13 file when you come to the podium your request to
14 give testimony form.

15 If you plan to speak during
16 tonight's public hearing as a petitioner or as a
17 member of the public, please stand and raise your
18 right hand and repeat after me. As there are no
19 people, we will not be doing that.

20 Do I need to go through the order of
21 testimony if there is no testimony?

22 MS. NOBLE: No.

23 DEPUTY CHAIRMAN OLSON: May I have a
24 motion to open the public hearing on petition

1 number PZC 2018-17?

2 MR. VINYARD: So moved.

3 MS. HORAZ: Second.

4 DEPUTY CHAIRMAN OLSON: Roll call vote
5 on the motion, please.

6 MS. YOUNG: Olson.

7 DEPUTY CHAIRMAN OLSON: Yes.

8 MS. YOUNG: Vinyard.

9 MR. VINYARD: Yes.

10 MS. YOUNG: Gockman.

11 MR. GOCKMAN: Yes.

12 MS. YOUNG: Horaz.

13 MS. HORAZ: Yes.

14 MS. YOUNG: And Marcum.

15 MR. MARCUM: Yes.

16 MR. ENGBERG: I am the petitioner, so I
17 can go ahead and explain it to everyone.

18 DEPUTY CHAIRMAN OLSON: Please.

19 MR. ENGBERG: All right. So this is a
20 petition for PZC 2018-17. It's a Staff request
21 text amendment to our Zoning Ordinance Chapter
22 20, Signs.

23 This comes out of a decision made in
24 March of this year, the Heritage sign on 129

1 Commercial Drive. Staff has been interpreting
2 our measurements along building mounted signage
3 one way; the petitioner felt it was not clear in
4 our writings in the Zoning Ordinance how he
5 interpreted our measurement.

6 At the end of that meeting, at the
7 end of that meeting, we decided that the
8 petitioner could keep their sign up and that
9 Staff would rewrite and clarify what we have as
10 the intention for the language within the Zoning
11 Ordinance.

12 The memo submitted in the packet
13 goes over the need for the clarification. There
14 is many newer buildings that have architectural
15 features, expression lines, and a lot of
16 different depths, so it's very difficult to
17 tell the common separate wall and what's, you
18 know defined as an architectural feature or a
19 column.

20 There is a couple graphics there
21 that show kind of the intent of the sign
22 ordinance to have things somewhat centered or
23 still offer a lot of options, but make sure that
24 things aren't right up against the edge or right

1 up, you know, nearly the top of the roof.

2 Staff conducted research on how many
3 of our neighbors handle this kind of thing:
4 Montgomery, Aurora, Oswego, Plainfield,
5 Naperville, Sugar Grove. There is more detail in
6 there on how each one handles it.

7 To summarize, many of the
8 communities around us handle building mounted
9 signage like we do, as a percentage of linear
10 footage of the front.

11 Not many of them, though, other than
12 Sugar Grove, really comes on to what's a facade
13 and what's a wall. So we kind of had to use APA
14 references, some of their language, and just some
15 of our own inner workings, common sense, on what
16 we should propose.

17 So actually moving on to the actual
18 language we're trying to change, I'll go over it
19 very quickly, and then there is several different
20 sections within the code we would be changing,
21 the first being the General Provisions, which is
22 1020-6.

23 This goes over now what's a wall and
24 what's a facade. For the most important part,

1 you know, we consider it now that anything
2 jutting out in depth more than four feet will now
3 be considered a wall as long as its facing that
4 same property line.

5 Anything less will just be
6 considered an architectural feature and not a
7 separate wall. It would still be the same plane.

8 We got to that conclusion just on
9 the basis of four feet would be about the maximum
10 opening for a new door, so if you have a jut-out
11 and a door can come in the side, it kind of makes
12 sense that those are now separate -- separate
13 walls.

14 We also added a little language in
15 there in terms of angles; while, you know, not
16 everybody building has a 90-degree angle where
17 these two walls meet, anything less than
18 135 degrees will be considered two walls,
19 anything greater than 135 degrees will be
20 considered one continuous.

21 That language is confusing, so there
22 are many photos and graphics in here that we
23 designed to hopefully really articulate what we
24 mean by that, so these were all added to kind of

1 show the different ways things will get measured.

2 And then just to clarify more so in
3 20-9 and 20-10, we are changing some of the
4 language to get rid of the facade, and we are
5 talking about exterior walls, because a facade
6 can have more than one exterior wall now.

7 Additionally, we had a provision to
8 keep that your sign must be one foot from either
9 the vertical or horizontal edge of the building
10 or wall.

11 DEPUTY CHAIRMAN OLSON: We kept that you
12 said?

13 MR. ENGBERG: So we added that because
14 technically in our language we have where you
15 can't go 75 percent more than the width, but you
16 could then pull that all the way to the edge of
17 the building, which is kind of against what we --
18 the whole point of that 75 percent was to keep
19 things off the edges.

20 This way, by saying this, now you
21 know you can't go right up to the edge, and that
22 was just pretty much changed for the business
23 zonings and for the manufacturing districts.

24 Also language was added about not

1 being able to transfer sign area between the two
2 walls.

3 MR. MARCUM: Okay. That's the part I
4 need clarification on. If I may interrupt now,
5 that's the part I want clarification on.

6 MR. ENGBERG: Sure.

7 MR. MARCUM: The business cannot
8 transfer sign area between its adjoining and
9 exterior walls. I'm not sure what you're trying
10 to say there.

11 MR. ENGBERG: So let's say there is a
12 facade with a front, but there is two exterior
13 walls, because one is set back, one is set over
14 ten feet.

15 You can't say oh, I'm allowed 100
16 square feet of sign on each wall, or on one wall
17 you're allowed 50 square feet, on the other one
18 you're allowed 30 square feet, right?

19 You can't take calculations from
20 this wall and switch it onto the smaller wall
21 because on the facade you would technically just
22 add it all up, put it on wherever you want.

23 Now that we are doing separate
24 exterior walls, if you have two walls, each wall

1 has its own measurement. You can't take from the
2 larger just so you can have a larger sign on the
3 smaller wall.

4 MS. HORAZ: I have a question in this
5 example here. It looks like it's taken off more
6 than 75 percent. I don't know what page it's on.

7 MR. ENGBERG: That's -- So all the stuff
8 that says potential sign area --

9 MS. HORAZ: Yeah.

10 MR. ENGBERG: -- are larger than
11 75 percent. It's just to show that the area --
12 the place you can put a sign.

13 MS. HORAZ: So it wouldn't be this big?

14 MR. ENGBERG: Correct.

15 MS. HORAZ: Because that's what --

16 MR. ENGBERG: Same with all of the --
17 same on example two. That would be way too much
18 signage.

19 MS. HORAZ: And this one down the side
20 too --

21 MR. ENGBERG: Right.

22 MS. HORAZ: -- it's kind of crazy.

23 MR. ENGBERG: Right, but if you had a
24 very small sign that wasn't 75 percent, it could

1 go anywhere in that area.

2 Yes. Any other questions? I was
3 just going to say so this is our Staff
4 recommendation on it, and any other questions or
5 concerns or anything you want to add?

6 MS. HORAZ: I see you're going to put a
7 time limit on the ones that are exceeding the
8 revision? What is it, five years?

9 MR. ENGBERG: Amortization is five years
10 for the ones that are not compliant.

11 MS. HORAZ: And what if somebody came to
12 us and said well, you let this person here.

13 MR. ENGBERG: It's the same as we
14 answered when they came in and said hey, this
15 business has it, you know.

16 It's one of those things that if we
17 just say hey, we noticed that, it's under
18 amortization for five years and will be notified
19 they will need to conform.

20 MS. NOBLE: The Heritage sign won't --

21 MR. ENGBERG: The Heritage sign will
22 not --

23 MS. NOBLE: -- because in essence --

24 MS. HORAZ: It was caught.

1 MS. NOBLE: Well, no. In essence you
2 granted them approval of the sign. So they
3 appealed our denial and they came before this
4 body and this body allowed them to put the sign,
5 so they are not amortized. They are allowed to
6 keep their sign. Anyone else, a couple of
7 examples, unless they come in and ask for relief,
8 but in that instance, they would then have to
9 seek a variance because that was an
10 interpretation. This is now clearly --

11 MS. HORAZ: I don't like when things
12 look cluttered. It doesn't appeal from the
13 street.

14 MS. NOBLE: And to go back to your
15 question, Don, about the two walls, a good
16 example would be example number two.

17 The depth was less than four feet,
18 so that's one continuous wall.

19 MR. ENGBERG: Correct.

20 MS. NOBLE: Had the depth been greater
21 than four feet, they can't say I've got 100
22 linear feet so I have 75 square feet, I want to
23 put it all on this facade on this side.

24 MR. MARCUM: Okay.

1 MS. NOBLE: They would have to split
2 that between --

3 DEPUTY CHAIRMAN OLSON: Six foot tall
4 corners.

5 MR. ENGBERG: Correct.

6 MS. NOBLE: They would have to split
7 that between the two.

8 MS. HORAZ: How does that look
9 aesthetically?

10 MS. NOBLE: Well --

11 MR. ENGBERG: What do you mean, like --

12 MS. HORAZ: When you split a sign.

13 MS. NOBLE: Well, you wouldn't split the
14 sign.

15 MR. ENGBERG: No, you wouldn't split.
16 What she was saying is example two --

17 MS. HORAZ: Okay.

18 MR. ENGBERG: -- since that depth along
19 that lot line is less than four feet, that's
20 considered one side, one exterior wall, which is
21 how petitioner was kind of explaining everything,
22 saying oh, even if there's a huge depth, it's one
23 wall, so what we're saying is for that purpose,
24 for example two, that measurement for your

1 exterior wall is let's say a hundred feet, then
2 you get one square foot for every foot, then you
3 get 100 square feet of signage, and it still has
4 to conform, it can't be 75 percent with the
5 entire wall, you still have to be --

6 MS. HORAZ: Your example isn't very
7 good.

8 MS. NOBLE: So to your question, they
9 wouldn't split a sign. What they would do is
10 they would make the sign conform to the size of
11 the facade that they were putting it on, so
12 instead of getting a very large sign, they would
13 have a very scaled down sign to fit the side.

14 MS. HORAZ: Are these the examples that
15 are going to go in the book?

16 MS. NOBLE: No, these aren't going to go
17 in the book.

18 MR. ENGBERG: Are these?

19 MS. NOBLE: Are these examples going in
20 the book?

21 MR. ENGBERG: I was hoping (inaudible).

22 MS. HORAZ: Well, because it just looks
23 so big in the front.

24 MR. MARCUM: Well, that's assuming no

1 windows. Unless it's going to be a strip club or
2 something, there's going to be windows.

3 MS. NOBLE: Right.

4 MR. ENGBERG: Exactly, smaller.

5 MS. HORAZ: Yeah, I don't want somebody
6 confused when they look at it.

7 MR. MARCUM: Yeah, that would look
8 horrible.

9 MR. ENGBERG: That's why we put
10 potential sign area, because you don't want to
11 say -- because it's a graphic there is no
12 measurements on it, it's not an exact science.
13 It was just a potential sign area.

14 MS. HORAZ: Because this one goes to the
15 roof one.

16 MR. ENGBERG: On example one?

17 MS. HORAZ: Yes. And example two in the
18 first one.

19 MR. MARCUM: When you put these in the
20 book, put not to scale on there.

21 MR. ENGBERG: Right.

22 MS. HORAZ: I would put --

23 MS. NOBLE: We could add some form of
24 pictures.

1 MR. ENGBERG: Yeah, and pictures or
2 something to make it look a little better.

3 VICE-CHAIRMAN OLSON: The drawing really
4 helped me understand it because I was -- I
5 started reading the descriptions and I was lost,
6 but the drawings help a lot.

7 MS. HORAZ: I mean, people are more
8 visual, like to look at things.

9 MR. ENGBERG: And kind of going back to
10 your aesthetically, Page 2 of that memo kind of
11 shows the difference between what we're going
12 for.

13 MS. HORAZ: What page is it?

14 MR. ENGBERG: 2 of the memo.

15 MS. HORAZ: Okay.

16 MR. ENGBERG: The bottom of Page 2 kind
17 of shows a lot of the signage, how we kind of
18 interpret it to show things --

19 MS. HORAZ: This?

20 MR. ENGBERG: Yes. That's we were
21 trying to get to that. The one on the bottom's
22 not --

23 MS. HORAZ: This is the way your
24 examples look.

1 MR. ENGBERG: I will change the examples
2 to make sure they look more clear.

3 MS. HORAZ: This is the way we want it
4 to look.

5 MR. ENGBERG: I will add some
6 architectural features on the top just so it
7 doesn't look like a large sign area.

8 MS. HORAZ: Thank you.

9 MR. ENGBERG: Any other questions or
10 conditions?

11 (No response.)

12 DEPUTY CHAIRMAN OLSON: Since all public
13 testimony regarding this petition has been taken,
14 may I have a motion to close the taking of
15 testimony in this public hearing?

16 MR. VINYARD: So moved.

17 MR. MARCUM: Second.

18 DEPUTY CHAIRMAN OLSON: Roll call vote
19 on the motion, please.

20 MS. YOUNG: Yes. Vinyard.

21 MR. VINYARD: Yes.

22 MS. YOUNG: Gockman.

23 MR. GOCKMAN: Yes.

24 MS. YOUNG: Horaz.

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MS. HORAZ: Yes.

MS. YOUNG: Marcum.

MR. MARCUM: Yes.

MS. YOUNG: Olson.

DEPUTY CHAIRMAN OLSON: Yes.

(Which were all the
proceedings had in the
public hearing portion
of the meeting.)

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

3 I, Christine M. Vitosh, a Certified Shorthand
4 Reporter, do hereby certify that I transcribed
5 the proceedings had at the public hearing and
6 that the foregoing, Pages 1 through 21,
7 inclusive, is a true, correct and complete
8 computer-generated transcript of the proceedings
9 had at the time and place aforesaid.

10 I further certify that my certificate annexed
11 hereto applies to the original transcript and
12 copies thereof, signed and certified under my
13 hand only. I assume no responsibility for the
14 accuracy of any reproduced copies not made under
15 my control or direction.

16 As certification thereof, I have hereunto set
17 my hand this 6th day of November, A.D., 2018.

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Christine M. Vitosh, CSR
Illinois CSR No. 084-002883

PZC - October 10, 2018 - Public Hearing

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