

APPROVED W/ CORRECTIONS 2/13/19

PLANNING & ZONING COMMISSION

City Council Chambers

800 Game Farm Road, Yorkville, IL

Wednesday, January 9, 2019 7:00pm

Meeting Called to Order

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

Roll Call:

Reagan Goins-yes, Don Marcum-yes, Jeff Olson-yes, Richard Vinyard-yes, Randy Harker-yes

Absent: Deborah Horaz

City Staff

Krysti Barksdale-Noble, Community Development Director

Jason Engberg, Senior Planner

Other Guests

Christine Vitosh, Vitosh Reporting Service

Dan Kramer, Attorney

Dale Konicek, Towns of Windett

Richard Marciniak

Rick Murphy, Cal Atlantic

Previous Meeting Minutes November 14, 2018

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

Roll call vote: Goins-yes, Marcum-yes, Olson-yes, Vinyard-yes, Harker-yes.

Motion carried: 5-yes, 0-no

Citizen's Comments None

Public Hearings

Chairman Harker explained the procedure for the Hearings and swore in those who would speak. At approximately 7:03pm a motion was made and seconded by Mr. Vinyard and Ms. Goins, respectively, to open the Hearing.

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

The following Public Hearings were held:

1. **PZC 2018-14** Al Eriksson, on behalf of CalAtlantic Group, Inc., petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting a fourth (4th) amendment to the Windett Ridge Planned Unit

Development Agreement to allow for the extension of an additional three (3) years to complete the construction of a lift station and public improvements in Unit 2 of the Windett Ridge subdivision until December 31, 2023. The real property is generally located south of IL Route 71 and immediately east of IL Route 47 in Yorkville, Illinois.

2. **PZC 2018-18** Marker, Inc. petitioner has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting an amendment to the Heartland Subdivision Planned Unit Development to reduce the interior side yard setback from twenty (20) feet to ten (10) feet on Lot 187 of the subdivision. Additionally, the petitioner is requesting to increase the maximum allowable height of a permitted fence in a business district from six (6) feet to eight (8) feet. The real property is located at the southwest corner of the McHugh Road and Route 34 intersection in Yorkville.
3. **PZC 2018-19** United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to Chapter 6: Permitted and Special Uses in the Zoning Ordinance to identify “brewery” as a permitted use in the M-1 Limited Manufacturing and M-2 General Manufacturing districts and as a special use in the B-1 Local Business, B-2 Retail Commerce Business, B-3 General Business, B-4 Service Business districts. This text amendment will provide regulations for the establishment and operation of such uses in these zoning districts. Additionally, the definition for “microbreweries/brewpubs” will also be amended to allow the maximum production per calendar year of 155,000 gallons.
4. **PZC 2018-21** United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to Chapter 3: General Zoning Provisions of the United City of Yorkville Zoning Ordinance to create a new subsection regarding mobile food and retail vendor vehicles. The amendment will provide location and operational standards after the required business registration of the vendor and vehicle for food trucks and similar mobile vendors conducting business within the public right-of-way and on private property.

(See Court Reporter Transcripts)

The Hearings were closed at approximately 7:39pm on a motion by Mr. Vinyard and second by Mr. Marcum.

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

Chairman Harker announced to the Planning and Zoning Commission that Commissioner Bill Gockman resigned due to a new work commitment. The Chairman thanked Mr. Gockman for his service.

Unfinished Business None

New Business

1. PZC 2018-14 CalAtlantic (see #1 above)

Commissioner Vinyard inquired if the developer could keep asking for extensions. He said he had no objections and that it would be beneficial to keep building for tax purposes. Mr. Harker said for the record, that CalAtlantic is doing a great job in Windett Ridge and tremendous progress has been made in the last couple years.

Action Item

PUD Agreement Amendment

A motion was made and seconded by Commissioners Goins and Vinyard respectively, as follows: In consideration of testimony presented during a Public Hearing on January 9, 2019 and the standards for PUD approval and amendment, the Planning and Zoning Commission recommends approval of the fourth (4th) amendment to the Windett Ridge Planned Unit Development Agreement to allow for the extension of an additional three (3) years to complete the construction of a lift station and public improvements in Unit 2 of the Windett Ridge subdivision until December 31, 2023, as presented by staff in a memorandum dated December 4, 2018.

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

2. PZC 2018-18 Marker (see #2 above)

Mr. Engberg gave a staff review of the irregularly shaped property and said it is zoned B-3 and is part of the Heartland Subdivision. Staff had asked for 2 entry points or to connect to the Casey's driveway. Comments included that the drawing was not to scale, a 3-story building does not fit on the lot and the office use is not in line with the Comp Plan. Chairman Harker suggested reversing the parking lot and the proposed building in order to step the building back from Rt. 34. Staff and the petitioner have both attempted to contact Casey's numerous times regarding working with the petitioner and Casey's has not responded. The median and setback issues were discussed and the Commissioners also felt an office building was not appropriate on this lot.

Action Item

Special Use

Mr. Harker said the vote is going to be to postpone this matter until February. A motion was made by Mr. Marcum and seconded by Mr. Vinyard as follows: based upon information provided by staff in a memorandum dated December 6, 2018, and testimony provided at the January 9, 2019 Planning and Zoning Commission meeting, the Planning and Zoning Commission moves to continue the public hearing for PZC 2018-18 to the regularly scheduled February 13, 2019 Planning and Zoning Commission meeting.

Roll call: Vinyard-yes, Goins-yes, Marcum-yes, Olson-yes, Harker-yes. Carried 5-0.

3. PZC 2018-19 United City of Yorkville Text Amendment/Breweries (see #3 above)

Action Item

Text Amendment

A motion was made by Ms. Goins and seconded by Mr. Vinyard as follows: in consideration of testimony presented during a Public Hearing on January 9, 2019 and discussions conducted at that meeting, the Planning and Zoning Commission recommends approval to the City Council of a request for text amendment to Chapter 6: Permitted Uses in the Zoning Ordinance to identify "brewery" as a permitted use in the M-1 Limited Manufacturing and M-2 General Manufacturing districts and as a special

use in the B-1 Local Business, B-2 Retail Commerce Business, B-3 General Business, B-4 Service Business districts. This text amendment will provide regulations for the establishment and operation of such uses in these zoning districts. Additionally, the definition for “microbreweries/brewpubs” will also be amended to allow the maximum production per calendar year of 155,000 gallons, as presented by staff in a memorandum dated December 4, 2018.

Roll call: Goins-yes, Marcum-yes, Olson-yes, Vinyard-yes, Harker-yes. Carried 5-0.

4. PZC 2018-21 United City of Yorkville Text Amendment Mobile Food Vehicles
(see #4 above)

Action Item

Text Amendment

It was moved and seconded by Commissioners Marcum and Vinyard respectively, to approve this amendment as follows: in consideration of testimony presented during a Public Hearing on January 9, 2019 and discussions conducted at that meeting, the Planning and Zoning Commission recommends approval to the City Council a request for a text amendment to Chapter 3: General Zoning Provisions of the United City of Yorkville Zoning Ordinance to create a new subsection regarding mobile food and retail vendor vehicles, as recommended in a staff memo dated December 5, 2018.

Roll call: Goins-yes, Marcum-yes, Olson-yes, Vinyard-yes, Harker-yes. Carried 5-0.

5. PZC 2019-07 United City of Yorkville Neighborhood Design Manual

Mr. Engberg said this manual was developed as a Master's degree project and is for review. It presents guidelines for preservation/renovation of the historic homes in the city to maintain their character. Comments were encouraged and included: very nice, use the word “vintage” instead of “old” home. It was noted that “historic” connotes limitations on improvements. It will go before the City Council for approval in February.

Additional Business

1. City Council Action Updates

- a. PZC 2-18-07 GRNE Solar: was approved by the City Council

Adjournment

There was no further business and the meeting was adjourned at 8:09pm on a motion and second by Commissioners Vinyard and Marcum, respectively. Approved on voice vote.

Respectfully submitted by
Marlys Young, Minute Taker