

PLANNING & ZONING COMMISSION
City Council Chambers
800 Game Farm Road, Yorkville, IL
Wednesday, May 8, 2019 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:

Danny Williams-yes, Deborah Horaz-yes, Don Marcum-yes, Jeff Olson-yes, Richard Vinyard-yes

City Staff

Jason Engberg, Senior Planner

Other Guests

Chris Vitosh, Vitosh Reporting Service
Vincent Frey, Heartland Circle
Cheing-Mei Suen, Corneil Road Farm

Roger Bauer, Morton Buildings
Lai-Cheing Suen, Corneil Road Farm

Previous Meeting Minutes April 10, 2019

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

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

Carried: 4 yes, 0 no, 1 present

Citizen's Comments None

Public Hearings

Vice-Chairman Olson explained the procedure for the Hearing and swore in those who would speak. At approximately 7:03pm a motion was made and seconded by Mr.

Williams and Mr. Vinyard, respectively, to open the Hearing.

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

1. **PZC 2019-10** Roger S. Bauer on behalf of Morton Buildings, Inc., petitioner has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. The real property is located along Commercial Drive, northwest of the Boombah Boulevard and Commercial Drive intersection. The petitioner is requesting rezoning approval from B-3 General Business District to M-1 Limited Manufacturing District.

(See Court Reporter Transcript)

(Findings of Fact to be entered into official record)

The Hearing was closed at approximately 7:20pm on a motion by Mr. Vinyard and second by Ms. Horaz.
Roll call: Marcum-yes, Olson-yes, Vinyard-yes, Williams-yes, Horaz-yes. Carried 5-0.

Unfinished Business: none

New Business:

1. **PZC 2019-10** Morton Buildings (see description above)
Mr. Engberg said the property is currently zoned B-3 and adjacent to a property zoned M-1, similar to a case in 2015. The Comp Plan calls for general industrial. The petitioner has submitted a site plan, engineering and landscaping plans and will meet the appearance code for light industrial. Staff has given a positive recommendation. Vice-Chairman Olson reviewed the Findings of Fact with the Commissioners.

Action Item

Rezone Request

A motion was made and seconded by Commissioners Williams and Vinyard, respectively, as follows: In consideration of testimony presented during a Public Hearing on May 8, 2019 and approval of the Findings of Fact, the Planning and Zoning Commission recommends approval to the City Council of a request for a map amendment to rezone the property stated in the staff memorandum dated April 30, 2019 from B-3 General Business District to M-1 Limited Manufacturing District.

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

Additional Business:

Vice-Chairman Olson informed the Commission that Randy Harker is stepping down from the Planning and Zoning Commission. Mr. Olson made the following statement and asked to have it as part of the official meeting record. "Randy was not only a fantastic Chairman who was unflappable when leading these meetings, but he was also a fantastic mediator and consensus-builder. I think it would be a very long time before someone as smooth as Randy is sitting in this chair, I think he will be very missed."

1. City Council Updates

PZC 2019-12 Daniel, Bruce and Norma VanDeventer and Deborah Hull 1.5 Mile Review: map amendment from A-1 to R-1 on Galena Rd. Recommended for approval with no objection.

PZC 2019-13 Avanti Group, revision of parcel dimensions in Grande Reserve: City Council approved.

Mr. Engberg also said the Commission hopes to select 2 new Commissioners after the new Mayor is seated on May 14th.

Adjournment

There was no further business and the meeting was adjourned at 7:28pm on a motion by Mr. Vinyard and second by Mr. Williams. Approved on unanimous voice vote.

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, May 8, 2019

7:00 p.m.

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PRESENT:

Mr. Jeff Olson, Chairman,
Ms. Deborah Horaz,
Mr. Richard Vinyard,
Mr. Donald Marcum,
Mr. Danny Williams.

ALSO PRESENT:

Mr. Jason Engberg, Senior Planner,
Ms. Marlys Young, Minute Taker.

- - - - -

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

4 VICE-CHAIRMAN OLSON: We will move on to
5 the next item on the agenda. There is one public
6 hearing scheduled for tonight's Planning and
7 Zoning Commission meeting.

8 The purpose of this meeting is to
9 invite testimony from members of the public
10 regarding the proposed request that is being
11 considered before this commission tonight.

12 Present who wish to speak may be for
13 or against the request, or to ask questions of
14 the petitioner regarding the request being heard.
15 Those persons wishing to testify are asked to
16 speak clearly, one at a time and state your name
17 and who you represent, if anyone at all.

18 You are also asked to sign in at the
19 podium. If you plan to speak during tonight's
20 public hearing as a petitioner or as a member of
21 the public right now, please stand, raise your
22 right hand and repeat after me.

23 So this is basically if anybody is
24 going to talk tonight, you need to stand up and

1 swear to tell the truth.

2 (Witness sworn.)

3 VICE-CHAIRMAN OLSON: The order for
4 receiving testimony during the public hearing
5 will be as follows: The petitioner will make his
6 presentation; those who wish to speak in favor of
7 the presentation can speak; and then those who
8 wish to speak in opposition to the presentation
9 can speak.

10 May I have a motion, please, to open
11 the public hearing on petition number PZC
12 2019-10?

13 MR. WILLIAMS: So moved.

14 MR. VINYARD: Second.

15 VICE-CHAIRMAN OLSON: Roll call vote on
16 the motion, please.

17 MS. YOUNG: Horaz.

18 MS. HORAZ: Yes.

19 MS. YOUNG: Marcum.

20 MR. MARCUM: Yes.

21 MS. YOUNG: Olson.

22 VICE-CHAIRMAN OLSON: Yes.

23 MS. YOUNG: Vinyard.

24 MR. VINYARD: Yes.

1 VICE-CHAIRMAN OLSON: And Williams.

2 MR. WILLIAMS: Yes.

3 VICE-CHAIRMAN OLSON: The public hearing
4 up for discussion tonight is the following:
5 PZC 2019-10, Roger S. Bauer, on behalf of Morton
6 Buildings, Incorporated, petitioner, has filed an
7 application with the United City of Yorkville,
8 Kendall County, Illinois, requesting rezoning
9 classification.

10 The real property is located along
11 Commercial Drive northwest of Boombah Boulevard
12 and the Commercial Drive intersection.

13 The petitioner is requesting
14 rezoning approval from B-3 General Business to
15 M-1 Limited Manufacturing District.

16 Is the petitioner of PZC 2019-10
17 present and prepared to make his presentation on
18 the proposed request?

19 MR. BAUER: Yes, sir.

20 VICE-CHAIRMAN OLSON: By all means.
21 Stand at the podium. Oh, that's fine. You can
22 roam.

23 ROBERT S. BAUER,
24 having been first duly sworn, testified from the

1 podium as follows:

2 MR. BAUER: Okay. Like I mentioned, my
3 name is Robert Bauer. I am with Morton
4 Buildings. I am the property and asset manager
5 for our company.

6 What we are proposing for the
7 Yorkville Commercial Drive development is a new
8 construction center for our company. It's one of
9 the first that we have built in quite a few
10 years.

11 This is part of a six-to-10-year
12 redevelopment plan throughout the country.
13 There's been a lot of effort that's been put into
14 this to make sure that we are doing this at the
15 right locations, and I will say that it's
16 probably been a year and a half of work gone into
17 this to identify Yorkville, Illinois as the right
18 place to do business.

19 A lot of people besides me that
20 worked on all of this to get it put together, and
21 we have landed on these two lots, Lot 14 and 15.
22 Lot 14 was zoned correctly, Lot 15 was not.

23 Normally when we build a new
24 construction center it is done on about an acre

1 and a half to two acres of land. Combined these
2 lots are about two acres, a little over two
3 acres, so it fits the footprint of what we do
4 very well, and one thing that we did that we
5 don't normally do is we added a second driveway
6 on that curve because of the curve, and -- not to
7 inhibit traffic, and to -- just so we can get
8 material deliveries if we have any and/or UPS
9 trucks, whatever, that they can go in and not
10 disrupt traffic flow, and for our construction
11 crews when they come in so that they can just go
12 in the one driveway and just go right into the
13 construction center warehouse and not disrupt the
14 office operations itself.

15 This facility is built for -- is
16 going to be built for four construction crews,
17 and a special operator of equipment that will be
18 in one of the bays as well, and it's built for
19 four sales representatives and one construction
20 center administrator.

21 Like I said, this is a big deal for
22 our company, so we are going to do this in the
23 right way. It will be announced through the
24 paper. We will be working with the City of

1 Yorkville for a grand reopening -- or opening.

2 Like I said, this is going to be a
3 pretty heralded event, and we are trying -- we
4 are doing everything that we can to do it right.

5 And I met with the architectural
6 board over the development about three weeks ago
7 and they gave me their approval because I went
8 through a presentation with them as well to try
9 to explain to them what we were doing, and they
10 said it fit very well with what they were wanting
11 to do in that development.

12 I will go through kind of the
13 interior fit-out of the building. This is the
14 office operations. We are working with steel
15 case -- when -- because we're trying to brand
16 everything that we do to match our corporate
17 office in Morton, Illinois, so as we do these,
18 they will be consistent throughout the country as
19 far as the looks, the interior fit-outs and all
20 that because we want it to represent who we are,
21 and also the community. We want to represent the
22 community.

23 Morton Buildings is a 110-year-old
24 company. I'm sure some of you have heard of us.

1 As of two years ago today, we are an
2 employee-owned company, 100 percent
3 employee-owned. I've worked for Morton Buildings
4 for 42 years this month, so it's -- very proud of
5 who we are.

6 This will be the front office as you
7 walk in. That's the reception area. We're just
8 trying to go for a sleek design. The conference
9 room and sales offices and a small -- another
10 small conference room, another sales area, and
11 then just an overall look of that sales area and
12 then some other -- a file room, and then a crew
13 operations room just where they go to set up
14 shop, too, so -- and that's an overview of the
15 lot. It's the one on the curve, those two lots
16 there. That's a pretty poor picture, but I know
17 that that's in your packet, too.

18 VICE-CHAIRMAN OLSON: Roger, do you have
19 a picture of the outside rendering of the
20 building? That got cut off our packet.

21 MR. BAUER: This is the outside. We are
22 using what is called a low sheen -- it's a steel
23 clad -- The warehouse is steel clad, but we're
24 using a low sheen product. It's a brand new

1 product. So you're not going to get the glare or
2 any of the ghosting through product that's
3 behind, it won't telegraph, so it will look
4 pretty clean, really clean actually, and then
5 we're going with a weathered gray exterior
6 cladding on the warehouse, but it's got a texture
7 to it, so it doesn't look like traditional steel
8 panel, and then the office area will all be
9 Hardie sided, and then the vestibule and all that
10 will be -- those columns will be wrapped in stone
11 and then it will have a stone wainscot around the
12 office as well.

13 VICE-CHAIRMAN OLSON: What's the roof?

14 MR. BAUER: The roof is steel, and it's
15 a low sheen steel. We're just trying to soften
16 our -- This is the way we're going to do all of
17 them, is this type of design.

18 The one in Yorkville -- because I
19 was at that City Council meeting last night. The
20 Yorkville center is going to be a little bit --
21 or, excuse me, Champaign. The Champaign center
22 is going to be a little bit different in
23 orientation on the property, but the same design,
24 and I've also got one going in Sioux Falls, South

1 Dakota, where I'm from, so we've got quite a bit
2 going on, but this -- and next year there will be
3 four to five more that will go up in different
4 locations of the country.

5 MS. SUEN: Excuse me, can I ask
6 questions now?

7 VICE-CHAIRMAN OLSON: Yeah, sure, go
8 ahead. If you have to ask a question, though,
9 you need to come up to the podium and sign in.
10 We need to swear you in, too, if you're going to
11 ask questions.

12 Okay. You already signed in, but we
13 do need to swear you in.

14 CHEING-MEI SUEN,
15 having been first duly sworn, testified from the
16 podium as follows:

17 VICE-CHAIRMAN OLSON: Go ahead.

18 MS. SUEN: Okay. My question is this
19 hearing because of a rezoning.

20 MR. BAUER: Yes.

21 MS. SUEN: Now, you are presenting
22 what's going to be the new construction
23 structure. Could you clarify to me without
24 rezoning what it will be look like?

1 MR. BAUER: I didn't get that.

2 MS. SUEN: Okay. This hearing is for
3 rezoning, right?

4 MR. BAUER: Right. Mm-hum.

5 MS. SUEN: And you just presented the
6 new construction structure.

7 MR. BAUER: Mm-hum.

8 MS. SUEN: My question is without
9 applying for rezoning, what it would limit you
10 from this being constructed.

11 MR. BAUER: It would really limit the
12 site that this -- One lot was too tight. One lot
13 is correctly zoned, but one lot is not.

14 It actually in 1995 was zoned
15 correctly, and then it reverted back after the --
16 after that expired, then it reverted back to the
17 original R-3 zoning.

18 MS. SUEN: Okay.

19 MR. BAUER: And all we're requesting is
20 that Lot 15 gets rezoned back to the M-1, like
21 Lot 14 is.

22 MR. ENGBERG: I can help clarify, too,
23 which I cover in my report.

24 The whole development, the

1 commercial drive, that whole area, is a planned
2 unit development and was annexed with an
3 annexation agreement in 1995.

4 There are certain parts that are
5 R-2, B-3 and M-1. R-2 is actually Caledonia and
6 the subdivision behind it, and then this area was
7 split into B-3 and M-1.

8 Some of the front properties on
9 Route 47 are mostly B-3 and the back properties
10 are M-1, and what ended up happening in 2015, the
11 annexation agreement expired, so the zoning that
12 was set on that was set permanent, so the parcel
13 on the west is M-1; the parcel on the east, the
14 actual thing with the curve, is B-3.

15 Their proposed use of what they want
16 to do here is permitted in an M-1 district, but
17 not in a B-3, and as he stated, the one lot was a
18 little too tight, so they have both lots and they
19 want to put it on all one, so they're asking for
20 a rezone to the M-1.

21 MS. SUEN: Okay. Now, with this change
22 in the areas of M-1 in that area, I assume the
23 total number of square feet will increase. How
24 would that impact the infrastructure in terms of

1 the sewage, the water flow?

2 MR. ENGBERG: So again, as a planned
3 unit development, everything like that has been
4 planned for for the appropriate scale to this
5 type of development, and what he's asking for is
6 very common, as M-1 is limited manufacturing, M-2
7 is general.

8 M-2 is going to have more of your
9 heavy industrial uses, manufacturing. This is
10 considered a very light use and appropriate for
11 this area, hence it was M-1 and B-3, those types
12 of use, so the fact of the matter is these two
13 lots are adjacent and it would be very
14 appropriate for this setting.

15 Very similarly, the property across
16 the street that actually fronts 47 as a storage
17 facility was zoned B-3 and they rezoned to M-1
18 back in 2015.

19 MS. SUEN: Okay. Now, would you please
20 give me some detail, what kind -- what I heard
21 from you was one building is for administration
22 and the other one is for warehouse.

23 Are there going to be any of the
24 so-called light manufacturing?

1 MR. BAUER: No, there will be no
2 manufacturing in this facility. All the
3 warehouse is is just commercial vehicle storage,
4 that's -- All it is for is our crew trucks to --
5 when they get done building during the day at a
6 job site, wherever they are at, then they will
7 come back and park their vehicles inside the
8 building. That is it.

9 VICE-CHAIRMAN OLSON: Your materials are
10 delivered to the site, correct?

11 MR. BAUER: All materials are delivered
12 to the job site. There may be -- I mentioned
13 that we put in two driveways. On occasion we
14 will take delivery of material that they have
15 to -- Like if they are short of material on a job
16 site or if they have a customer that requests
17 some material at the construction center, it's
18 delivered to the construction center, and then
19 they can pick it up. Very small amounts.

20 Those are delivered by semi, so we
21 bring -- that's why we put the other driveway in,
22 so that they could just come in, off-load and
23 leave, and there will be a storage area in the
24 back of the building.

1 That's one of the reasons why the
2 one lot was two tight, we wanted both, because I
3 want to put in -- well, I'm going to put in a
4 fenced-in area for excessive material that the
5 crews might bring back or things that are
6 delivered, it will always be inside of a six-foot
7 fence. There will be no materials stored
8 outside, because as we do these footprints, I
9 don't want any material or equipment outside.

10 Our building is big enough so that
11 they can bring their trucks in, get in their
12 vehicles and go, so very -- I want things to look
13 very nice inside of a development. I don't like
14 unsightly, that's just the way I am, so...

15 MR. WILLIAMS: There will be no sort of
16 construction or setup on-site?

17 MR. BAUER: It's for a construction
18 operation. It's just their home base when
19 they --

20 MS. HORAZ: For your area.

21 MR. BAUER: They leave out at 6:30 and
22 they get back home at night at 5:30 or six
23 o'clock at night.

24 MS. HORAZ: It's one of the best

1 situations.

2 MR. MARCUM: So you're not going to be
3 stamping any panels there or anything?

4 MR. BAUER: No, absolutely nothing.

5 MR. MARCUM: Despite the fact it's
6 referred to as a manufacturing district, you're
7 not really making anything.

8 MR. BAUER: No. One of the biggest
9 reasons that we chose these two lots, if you do
10 an aerial view of it, which I did, down in
11 Champaign, when we met, I looked at the aerial
12 view of these lots and I said right then and
13 there that I wanted them because that retention
14 pond that's out front gives me an unobstructed
15 view to the highway. My sign can go out front
16 and everybody can see that beautiful building.

17 MR. MARCUM: Do you already own the
18 properties or are you just under the contract to
19 buy them?

20 MR. BAUER: It's all contingent on these
21 hearings.

22 MS. SUEN: Okay. Thank you.

23 MR. BAUER: The purchases.

24 VICE-CHAIRMAN OLSON: Thank you.

1 MR. BAUER: You bet.

2 VICE-CHAIRMAN OLSON: Is there anyone
3 who wishes to speak in favor of the request?

4 (No response.)

5 VICE-CHAIRMAN OLSON: Any questions from
6 the commission or of the petitioner we didn't
7 already cover?

8 MS. HORAZ: No, I'm good.

9 VICE-CHAIRMAN OLSON: I need go over
10 findings of fact because it's a rezoning?

11 MR. ENGBERG: Right, so just ask if he
12 would like his finding of facts that they
13 submitted be entered into the record.

14 VICE-CHAIRMAN OLSON: So you submitted
15 some questions -- or answers to questions. Would
16 you like your answers to the questions, the
17 finding of facts questions, entered into the
18 record for tonight's public hearing?

19 MR. BAUER: Yes.

20 VICE-CHAIRMAN OLSON: Okay. Thank you.

21 Since all public testimony regarding
22 this petition have been taken, may I have a
23 motion to close the taking of testimony at this
24 public hearing?

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MR. VINYARD: So moved.

MS. HORAZ: Second.

VICE-CHAIRMAN OLSON: Roll call vote on
the motion, please.

MS. YOUNG: Marcum.

MR. MARCUM: Yes.

MS. YOUNG: Olson.

VICE-CHAIRMAN OLSON: Yes.

MS. YOUNG: Vinyard.

MR. VINYARD: Yes.

MS. YOUNG: Williams.

MR. WILLIAMS: Yes.

MS. YOUNG: Horaz.

MS. HORAZ: Yes.

VICE-CHAIRMAN OLSON: The public hearing
portion of tonight's hearing is closed.

(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 from the audio recording taken at
6 the meeting and that the foregoing, Pages 1
7 through 20, inclusive, is a true, correct and
8 complete computer-generated transcript of the
9 proceedings 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 31st day May, A.D., 2019.

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

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