

PLANNING & ZONING COMMISSION

City Council Chambers

800 Game Farm Road, Yorkville, IL

Wednesday, March 10, 2021 7:00pm

NOTE: In accordance with Public Act 101-0640 and Gubernatorial Disaster Proclamation issued by Governor Pritzker pursuant to the powers vested in the Governor under the Illinois Emergency Management Agency Act, the City of Yorkville is allowing remote attendance at this meeting. Social distancing is being encouraged due to the current Covid-19 pandemic.

Meeting Called to Order

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

Roll Call: All the following Commissioners attended the meeting remotely unless otherwise noted:

Rusty Hyett-yes, Jeff Olson-yes/in-person, Danny Williams-yes, Deborah Horaz-yes

Also present after roll call for minutes: Don Marcum, Greg Millen

Absent: Rich Vinyard

City Staff :

Krysti Barksdale-Noble, Community Development Director (remote attendance)

Jason Engberg, Senior Planner (in-person attendance)

Other Guests (All attended remotely)

Lynn Dubajic, City Consultant

Matt Asselmeier, Kendall County

Dan Kramer, Attorney at Law

Previous Meeting Minutes January 13, 2021

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

Roll call: Horaz-yes, Hyett-yes, Olson-yes, Williams-yes. Carried 4-0.

Citizen's Comments None

Public Hearings: None

Unfinished Business: None

New Business

1. **PZC 2021-01** Cindy Gates, on behalf of Cindy Gates Trust, petitioner, is requesting to rezone a part of their property from A-1 Agricultural to B-3 Commercial and receive a special use permit to conduct the existing landscape business in unincorporated Kendall County. The property is generally located at the southeast side of Route 34 approximately 175 feet northeast of Tuma Road.

Mr. Engberg presented the background and said this 1.5 mile review came from Kendall County. This is a request for a rezone and special use permit for a landscaping company, Cox Landscaping which has been operating at this location for 30 years. A year ago a question arose if the business had the proper zoning and special use for Kendall County. Since it could not be determined, the County recommended the business move forward to obtain the necessary zoning and permit. The property is 2 large lots along Rt. 34, one triangular and zoned commercial and the other is zoned Agricultural. The petitioner is not looking to replat, but to rezone to B-3 where the landscaping company is located. The rear portion will remain A-1. The special use will go through Kendall County special use process. Since it is a business already established there, the staff has no issues with it. Attorney Dan Kramer represents this business.

Commissioner Williams asked, since this business is close to the city boundary and if the city were to expand, would the business need to be replatted, be grandfathered in or have to uproot their business. Mr. Engberg replied it could be annexed into the city and be zoned R-1.

Action Item:

1.5 Mile Review

Mr. Williams moved and Mr. Hyett seconded to approve the request. Mr. Williams read the motion as follows: In consideration of the proposed mile and half review of Kendall County Case 20-32 for a rezoning request from A-1 Agricultural to B-3 Commercial and special use authorization for a landscaping business at 9000 Route 34, the Planning and Zoning Commission recommends the City Council to not object to the request.

Roll call: Williams-yes, Horaz-yes, Hyett-yes, Marcum-yes, Millen-yes, Olson-yes. Carried 6-0.

2. **PZC 2021-02** Jhon Cordero, petitioner, on behalf of Cordero Real Estate, LLC, is requesting to rezone their property from A-1 Agricultural to M-1 Limited Manufacturing to conduct a tree service business in unincorporated Kendall County. The property is generally located at the southwest corner of the Galena Road and East Beecher Road intersection in Kendall County.

The petitioner wishes to use the front part of the property for a tree business including mulching and the back half is an unusable wetlands. The staff had no issues with the request. Mr. Williams had concern with possible noise due to the mulching operation, however, Attorney Kramer said the mulching machine is toward the back and that a nearby cement crusher is louder than the mulcher. Mr. Hyett asked if the mulch had dye in it. The dye is soluble and does not contain chemicals according to Mr. Kramer. He added the mulch is now sold to wholesalers and eventually the business would like a retail center. Mr. Asselmeier added that the property will undergo a site plan review by county staff.

Action Item:

1.5 Mile Review

A motion was made by Mr. Williams and seconded by Mr. Hyett with the motion being read by Mr. Williams as follows: In consideration of the proposed 1 mile and half review of Kendall County Case 21-06 for a rezoning request from A-1 Agricultural to M-1 Limited Manufacturing to conduct a tree service business at the southwest corner of Galena Road and E. Beecher Road, the Planning and Zoning Commission recommends the City Council to not object to the request. Roll call: Williams-yes, Horaz-no, Hyett-yes, Marcum-yes, Olson-yes. Carried 4 yes, 1 no. (Commissioner Millen's name inadvertently not called).

Additional Business

1. Year in Review – Overview & Questions

A Power Point presentation was shown by Mr. Engberg, which highlighted the year 2020. It showed 319 housing permits issued, Gas n Wash/Popeye's/Smoothie King opened new businesses, Verizon moved to new location, new townhomes built in Grande Reserve/Raintree, big decline in foreclosures as result of covid, started work on UDO (Unified Development Ordinance), amendments to Comp Plan, boundary agreement with Plainfield. Also the city assisted with outdoor dining for local businesses during the pandemic and will continue, compiled schedule of '21/'22 PZC educational presentations, using calculators as part of the UDO, planning tactical urbanism/applying for grants, plans for new city hall and municipal campus. Mr. Engberg noted that City Consultant Lynn Dubajic has been coordinating Covid vaccines.

2. City Council Action Updates:

The following updates were noted:

- a. PZC 2020-11 Abby Properties Final Plat approved
- b. PZC 2020-12 Grande Reserve 'fee simple' lots approved, Final Plat approved
- c. PZC 2020-13 Kris & Hillary Wieschhaus driveway variance, no objections in 1.5 mile review
- d. PZC 2020-14 non-conforming signs, Text Amendment approved.

Adjournment

There was no further business and the meeting was adjourned on a motion and second by Commissioners Williams and Hyett, respectively. Approved on voice vote and adjourned at 7:38pm.

Respectfully submitted by
Marlys Young, Minute Taker (remote attendance)