

PLANNING & ZONING COMMISSION
City Council Chambers
800 Game Farm Road, Yorkville, IL
Wednesday, January 12, 2022 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

Jeff Olson-yes
Richard Vinyard-yes
Danny Williams-yes/electronic attendance
Deborah Horaz-yes/electronic attendance
Rusty Hyett-yes/electronic attendance

Absent: Greg Millen, Don Marcum

City Staff

Krysti Barksdale-Noble, Community Development Director
Jason Engberg, Senior Planner

Other Guests

(All guests were by electronic attendance)

Lynn Dubajic, City Consultant	Dave Schultz, EEI
Brent Perz	Brad Sanderson, EEI
Matt & Jessica (no last name given)	Greg VanDyk
Paul Siegfried	Cyrus McMains/YBSD
Matt Asselmeier, Kendall County	

Previous Meeting Minutes December 8, 2021

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

Roll call: Olson-yes, Vinyard-yes, Williams-yes, Horaz-present, Hyett-yes.

Carried: 4-yes and 1 present.

Citizen's Comments None

Public Hearings

1. **PZC 2021-07** The petitioner, Yorkville Bristol Sanitary District (YBSD), has filed an application with the United City of Yorkville, requesting variances from the Stormwater and Floodplain Regulations (as adopted by the United City of

Yorkville); Landscape Ordinance of the City Code; and Dimensional and Bulk Requirements of the City Code, for a future expansion of their wastewater treatment operations. The real property is zoned A-1 Agricultural District with a Special Use for a sanitary district water treatment facility and is generally located west of North Bridge Street (IL Route 47), south of River Road and immediately north of the Fox River at 304 River Street in Yorkville, Illinois.

Chairman Olson explained the Public Hearing procedure and swore in those who would present testimony. The Public Hearing was opened at 7:03pm on a motion and second by Commissioners Williams and Vinyard, respectively.

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

The Public Hearing description was read by Mr. Olson followed by an introduction of the request by YBSD Director, Cyrus McMains. He said YBSD needs to expand their facilities and upgrade with modern technology. They have land along the river in the floodplain and they also want to protect it against flooding due to millions of dollars of equipment.

There was no further testimony and a motion was made and seconded at about 7:06pm by Mr. Vinyard and Mr. Williams, respectively, to close the Hearing. Roll call: Williams-yes, Horaz-yes, Hyett-yes, Olson-yes, Vinyard-yes. Carried 5-0.

Unfinished Business None

New Business

2. PZC 2021-07 YBSD Expansion (see full description above)

Ms. Noble said YBSD and the city have been in contact for many years about the city's growth and that the sanitary sewer is stretched to capacity. There is a need for expansion and there are restrictions to allow for this growth. Ms. Noble listed the variances and further explanations for each.

1. Full waiver regarding stormwater retention regulations.
2. Full waiver of compensatory storage.
3. Full waiver of Landscape Ordinance and waiver of tree replacement, but a request for a tree survey.
4. Waiver of building setbacks. The 2 parcels will be considered as one and the 10-foot setback will be waived on the interior.

These requests were previously presented at a Plan Council meeting and the petitioner has requested their responses be entered into the official record. Chairman Olson read the various standards for granting variances and there were no objections from the Commissioners. Ms. Noble said that a separate motion would be needed for each variance. In addition, a representative from Kendall County was present since the county also has to grant variances.

Action Item

Variances

Motions to approve PZC 2021-07 YBSD Variances:

a) Stormwater Detention

Moved by Mr. Vinyard and seconded by Mr. Williams, motion read by Mr. Vinyard: In consideration of testimony presented during a Public Hearing on January 12, 2022 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a requested variance to Title 8 – Building Regulations, Chapter 7 – Stormwater and Floodplain Regulations (Section 203.1.b of the Kendall County Stormwater Management Ordinance as adopted by the United City of Yorkville) granting full relief of the stormwater detention requirements for a future wastewater treatment facility to be located on the 21-acre parcel immediately west of 304 River Street. Roll call: Horaz-yes, Hyett-yes, Olson-yes, Vinyard-yes, Williams-yes. Carried 5-0.

b. Compensatory Storage

Moved by Mr. Vinyard and seconded by Mr. Williams, motion read by Mr. Vinyard: In consideration of testimony presented during a Public Hearing on January 12, 2022 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a requested variance to Title 8 - Building Regulations, Chapter 7 – Stormwater and Floodplain Regulations (Section 403.a of the Kendall County Stormwater Management Ordinance as adopted by the United City of Yorkville) granting full relief of the compensatory storage requirements for a future wastewater treatment facility to be located on the 21-acre parcel immediately west of 304 River Street. Roll call: Hyett-yes, Olson-yes, Vinyard-yes, Williams-yes, Horaz-yes. Carried 5-0.

c) Landscape Ordinance

Moved by Mr. Vinyard and seconded by Mr. Williams, motion read by Mr. Vinyard: In consideration of testimony presented during a Public Hearing on January 12, 2022 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a requested variance to Title 8 – Building Regulations, Chapter 12 – Landscape Ordinance of the Yorkville City Code granting full relief of the tree preservation and replacement requirements for a future wastewater treatment facility to be located on the 21-acre parcel immediately west of 304 River Street and subject to staff's recommendations. Roll call: Hyett-yes, Olson-yes, Vinyard-yes, Williams-yes, Horaz-yes. Carried 5-0.

d. Building Setback

Moved by Mr. Vinyard and seconded by Mr. Williams, motion read by Mr. Vinyard: In consideration of testimony presented during a Public Hearing on January 12, 2022 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a requested variance to Title 10 – Zoning, Chapter 7 – Dimensional and Bulk Requirements of the Yorkville City Code granting a reduction of yard setbacks in the A-1 Agricultural Zoning District to 10' from all property lines for a future wastewater treatment facility to be located on the 21-acre parcel immediately west of 304 River Street. Roll call: Olson-yes, Vinyard-yes, Williams-yes, Horaz-yes, Hyett-yes. Carried 5-0.

Additional Business

1. City Council Action Updates

- a. PZC 2021-08** The petitioner, Brian Henrichs, on behalf of Baka Properties, LLC, is requesting to rezone their property from the A-1 Agricultural District to R-3 One Family Residential District in unincorporated Kendall County. The

property is generally located at the southeast of the Heartland Circle subdivision in Yorkville at the intersection of Tuma Road and Riverside Street.

Action Item

Mile and One-Half Review

Mr. Matt Asselmeier from Kendall County, reported the petition was withdrawn on the day of the county Hearing and the petitioner stated he might return with a new request this year.

Adjournment

There was no further business and the meeting was adjourned at 7:25pm on a motion and second by Commissioners Horaz and Williams, respectively. Unanimous voice vote.

Respectfully submitted by
Marlys Young, Minute Taker/in-person