

**UNITED CITY OF YORKVILLE
ECONOMIC DEVELOPMENT COMMITTEE**

**Tuesday, July 5, 2022, 6:00pm
City Council Chambers
800 Game Farm Rd., Yorkville, IL**

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, remote attendance was allowed for this meeting to encourage social distancing due to the ongoing Covid-19 pandemic.

In Attendance:

Committee Members

Vice-Chairman Ken Koch/in-person
Alderman Chris Funkhouser/in-person
Alderman Joe Plocher/in-person attendance

Absent: Alderman Jason Peterson

Other City Officials

City Administrator Bart Olson/in-person attendance
Assistant City Administrator Erin Willrett/in-person attendance
Community Development Director Krysti Barksdale-Noble/in-person attendance
Senior Planner Jason Engberg/in-person attendance
Code Official Pete Ratos/in-person attendance

Other Guests

City Consultant Lynn Dubajic Kellogg/in-person attendance
David Schultz, HR Green/in-person attendance
Madeline Larmon, Mackie Consultants/electronic attendance
Luke Zaroni, Mackie Consultants/electronic attendance
Rob Costello/electronic attendance
Kelly Helland, Attorney/electronic attendance
Thomas Williamson/electronic attendance
Troy Mertz, Bristol Bay/electronic attendance
David Courtright, Attorney, Self Storage/in-person attendance

The meeting was called to order at 6:00pm by Vice-Chairman Ken Koch.

Citizen Comments None

Minutes for Correction/Approval May 3, 2022

The minutes were approved as presented.

New Business

1. EDC 2022-37 Building Permit Reports for April and May 2022

Mr. Ratos reported 133 permits issued in April and 140 permits in May. This is for information.

2. EDC 2022-38 Building Inspection Reports for April and May 2022

There were 793 inspections in April and 896 in May. Mr. Ratos said his department kept as many in-house as possible, but some were outsourced. This is informational.

3. EDC 2022-39 Property Maintenance Reports for April and May 2022

Three cases were heard in April and 2 were found liable, both with a \$1,000 fine.

4. EDC 2022-40 Economic Development Reports for May and June 2022

Ms. Dubajic said May and June were very busy and she referred the committee to her reports in the agenda packet.

5. EDC 2022-41 Heads or Tails Dog Grooming Special Use

Mr. Engberg gave an explanation of the Special Use request. Attorney Kelly Helland has filed a Special Use request for this business in an M-1 district on Wolf St., just west of the Parks and Rec building in the Fox Industrial Park. The business is in the middle of a 6-unit building and is operating as a commercial school. He said there was an error in 2022 when they were granted an occupancy permit and they are now seeking a Special Use authorization. The business stated they are actually a dog-grooming business so they are requesting a Text Amendment. He reported on the parking, signage and conditions of a Special Use. He noted that Parks and Rec had safety concerns since large trucks are going in/out of that area and there is only one entrance for the business. He noted that the regular users of this business know where to enter and park to avoid any conflict with trucks.

Attorney Helland said the primary business is dog-grooming with some classes planned. She addressed the initial unauthorized placement of signs, details about the business, the entrance and parking, etc. She said her client is in agreement with the conditions of a Special Use within a Text Amendment and it would be the best option for them.

Alderman Funkhouser asked for more information about the error that had occurred which was an incorrect interpretation of the business being allowed in that district. In response to his question about the building, it was noted the building belongs to the business owner's parents.

Alderman Koch said the parking is tight in that area with trucks and loaders in and out. Ms. Helland said parking could be designated on the north side only, away from Parks and Rec, but there is only one entrance/driveway. She believes there is a cross-access easement agreement.

Ms. Noble said staff's recommendation is to not recommend as a Special Use for a commercial trade school. The disadvantage to that is to allow dog grooming as a Special Use in the M-1 district, under certain circumstances. Regarding the access, the petitioner would have to provide ample directional signage for their business.

Ms. Noble presented the options for the petitioner: 1) have the petitioner ask for a school designation, 2) amend text and designate this type of business as a Special Use in M-1 or, 3) take no action and the petitioner would have to re-locate.

Alderman Funkhouser does not want to make it difficult for the business, but does not favor a Text Amendment or Special Use. After discussion, Aldermen Plocher and Koch said they were open to a Text Amendment, however, they felt the location is not right. While 3 positive votes are needed to move an issue forward, the Committee decided to let the petition move forward for PZC and Council input. The Committee action is to not recommend a Special Use or Text Amendment at this time.

6. EDC 2022-42 Comprehensive Plan Amendment (Bricolage Wellness/Windmill Farms)

Mr. Engberg said rezoning to B-3 was approved in April, 2022 on the property on the SE corner of Rt. 126 and 71. He said this area called for estate/residential. Due to the rezoning, staff proposed an update to the Comprehensive Plan to “destination commercial” for this parcel. The Committee approved and the amendment moves forward to PZC next week.

7. EDC 2022-43 Ordinance Approving an Agreement by and between the United City of Yorkville and Raging Waves, LLC (Utility Easement)

Mr. Olson said Raging Waves has been studying options for employee parking and the most recent option has the employee entrance at the east end which adjoins the farm field that is part of the regional stormwater basin. Since development has slowed, there is no longer a need for such a large detention basin. The City has an easement for 200 acres for the basin. The property owner and Raging Waves have reached an agreement and are asking the city to waive their rights to the easement for a small sliver of the area for employee parking. They also want to do gravel parking, which is not permitted by the code, but the city feels it is reasonable for a small portion of the year.

Alderman Funkhouser asked to confirm the request with the easement agreement. Mr. Olson said the ordinance is written to indicate the city still wants the easement, so that nothing permanent can be placed in that location. The request moves forward to City Council with a positive recommendation.

8. EDC 2022-44 Yorkville Self Storage – 1602 N. Bridge Street Variance

The storage business is seeking a variance for approval of temporary units becoming permanent accessory structures at the Bridge St. location. Mr. Engberg said the current zoning is B-3 and the 3 existing structures were built in 1988. The temporary structures are located on the site of a previous business that burnt. In 1988 public storage facilities were permitted in a B-3 district, but when the code was updated in the early 2000's, they were then taken out of that classification and made Special Uses in the M-1 and M-2 districts. They are now a legal non-conforming use.

In 2021, the owner applied to put up additional units due to demand. The irregular flag shape lot created the buildable area in the front. The owner received a temporary permit for 38 units and when put in place, the placement was inconsistent with the plan provided by the owner and the permit was revoked until it met standards. After some moving around, the permit was reinstated on a temporary basis for 6 months. A variance has now been requested and the 6-month deadline for their permit application is July 31st.

Mr. David Courtright, Attorney for the new owner, Yorkville Self Storage, said the flag-shaped nature of the lot makes the variance necessary. He said without the variance, the property is unbuildable. Alderman Koch noted that the owner did not advise the city of plans and they are now requesting a variance. Aldermen Plocher and Funkhouser are not in favor either. This request is scheduled for a Public Hearing at the August PZC. At this time, the Committee does not recommend approval, though the request will move forward.

9. EDC 2022-45 Bristol Bay Units 10 & 12 Proposed Final Plat Approval for Multi-Family Townhome Units

Ms. Noble said this request is for Unit 10 which will have 119 units, a reduction of 10 units. Unit 12 will have 60 multi-family which is a reduction of 8. The reductions are due to the developer offering different product types and larger lots. She also noted that \$440,000 in building permit revenues will be lost due to the reductions.

Alderman Funkhouser favors the reductions and also noted that Rosenwinkel St. will become more congested with traffic and is the only ingress/egress. He said a remedy will be needed onto Rt. 47, possibly on the west side of the development. He feels the city will need to take action prior to action by IDOT. The developer, Mr. Mertz, said IDOT has reached out to him about a solution. This moves to PZC and then to City Council.

10. EDC 2022-46 Windett Ridge Unit 2 Final Plat

Ms. Noble said the development is closing out Unit 2 and this is for Final Plat. The portion known as Towns of Windett Ridge, with 16 residential units, was to have a lift station. When the downturn occurred, Towns of Windett Ridge did not move forward. The new developer, CalAtlantic, would like to close it out and have it replatted to 12 single family homes. The developer has been required to provide design plans for the lift station which they have done. Staff has reviewed the plans and provided comments to which the developer has responded. The lift station will be entirely paid by the developer and then conveyed to the city.

Engineer Madeline Larmon, attended via Zoom and answered questions. She said the lift station will only serve the 12 residences. The cost to operate the lift station has not been calculated and the pump size is not known, but she will get this information for the Committee. There will be a 1-year warranty upon acceptance. Committee members approved this and it moves forward to PZC on August 10th and then to City Council.

11. EDC 2022-47 Graham C Stores (Rezoning, Special Use, Sign Variance, Final Plat) 107 E. Stagecoach Trl. - Proposed New Fuel Station & Convenience Store

The gas station requires a Special Use because the developer is rezoning to B-3. They are asking for a sign variance, partially due to state requirements, because the height of the sign is larger than what the code permits. Staff did an assessment of other recent such requests and Graham's request is consistent. The Final Plat will include the lot for the gas station, a detention basin and future outlot, in addition to Graham's. They are requesting only 1 sign in comparison to the two signs Shell has. The outlot can ask for their own sign in the future and Graham's could ask for a second sign of conforming size, said Ms. Noble. She said staff anticipated requests such as this and landscaping is one of the conditions. Alderman Funkhouser said he is not in favor of larger signs and this one sits higher than adjacent signs. Alderman Plocher suggested that the variance include language that provides for only one sign. This is the Committee recommendation, but Alderman Funkhouser does not approve the height. Engineer David Schultz said the petitioner said they would be OK with 1 sign.

Lighting is another issue that has not been resolved and it is too intense in some areas, according to Ms. Noble. Staff is working with them. This will move forward to the August 10th PZC and then to City Council.

Old Business:

1. EDC 2020-32 Urban Chickens

Alderman Koch said the Committee would discuss this matter, however, all 4 members of the Committee should be present for decisions. Ms. Noble summarized comments from previous meetings and reviewed the suggested guidelines from past input. A color-coded map was compiled showing the lots that are eligible for chickens, based on square feet of the lots. Alderman Funkhouser said Oswego does not set a lot size and excludes multi-family. After much discussion, Alderman Plocher suggested Yorkville should emulate Oswego's ordinance, but with no minimum lot size. Alderman Koch asked how enforcement would work and Ms. Noble said criteria are in place for that. It was noted that HOA's may prohibit chickens. Code Official Ratos requested that a provision be added that requires a permit so they can enter the premises in

the event of violations. These revisions will be brought back to the August meeting. A \$25 permit was suggested.

2. EDC 2021-44 Lisa Pickering Loop – Proposed Virtual Bike Path & Monument

Mr. Engberg provided an update and said the 25-mile course has been finalized with Ms. Pickering's husband. Since the path runs through many neighborhoods, HOA's have been contacted as a courtesy and also to promote the path. A plaque location with a QR code will be determined and a webpage will be created on the city website. Parks and Rec has suggested Beecher Park as a plaque location.

Additional Business: None

There was no further business and the meeting adjourned at 7:39pm.

Minutes respectfully submitted by
Marlys Young, Minute Taker/in-person