

PLANNING & ZONING COMMISSION

**City Council Chambers
800 Game Farm Road, Yorkville, IL
Wednesday, October 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 ongoing Covid-19 pandemic.

All attendees were in-person.

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

Greg Millen-yes, Jeff Olson-yes, Richard Vinyard-yes, Danny Williams-yes
Absent: Deborah Horaz, Rusty Hyett

City Staff

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

Other Guests

Jennifer Lunn, Countryside Subdivision
Jordan Gash, Restore Church

Previous Meeting Minutes August 10, 2022

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

Roll call: Olson-yes, Vinyard-yes, Williams-yes, Millen-yes. Carried 4-0.

Citizen's Comments

Jennifer Lunn said she resides in Countryside and with the rapid growth in her area, there is increased traffic and includes drivers of all ages. Drivers use it as a cut-through to avoid the intersection of 34 and 47 and it continues to get worse.

Public Hearing

Chairman Olson explained the Public Hearing procedure and swore in one person, Jordan Gash. The Public Hearing was opened at 7:03pm on a motion and second by Commissioners Vinyard and Williams, respectively.

Roll call: Vinyard-yes, Williams-yes, Millen-yes, Olson-yes. Carried 4-0.

Mr. Olson then read the description of the petition as follows:

1. **PZC 2022-19** Jordan Gash, on behalf of Restore Church, Inc., petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification of three (3) parcels totaling approximately 34 acres located at 8710 Route 71 in Yorkville, Illinois. The real property, situated east of Illinois State Route 71 and Illinois State Route 126 intersection on the northeast corner of Wing Road and Illinois State Route 71, is part of the previously approved Windmill Farms Annexation Agreement. The petitioner is seeking to rezone from the Planned Unit Development (PUD) zoning designation to the B-3 General Business District to continue to operate the existing religious institution land use and accommodate future commercial development.

Ms. Barksdale-Noble provided background for this petition. There are 3 parcels totaling about 33-34 acres in the Windmill Farms Development which is defunct. (Other petitioners have recently come before this Commission to remove themselves from the obligations of this planned development). Restore Church has a religious land use in place with an existing structure for a church. They have built a detention area and parking lot and now want to expand the church and parking. This triggered the need to amend the Comp Plan and rezone the property. Currently the zoning is B-3 and R-4 and they are requesting to be solely B-3. If they move forward with rezoning, it will require changes to the Comp Plan. Staff supports this request.

** The Findings of Fact and responses were requested to be entered into the record.*

A motion was made and seconded at about 7:07pm by Mr. Vinyard and Mr. William, respectively, to close the Hearing. Roll call: Williams-yes, Millen-yes, Olson-yes, Vinyard-yes. Carried 4-0.

Unfinished Business None

New Business

1. **PZC 2022-19** Restore Church (see above Public Hearing for full description)

Action Item

Rezoning Request

Mr. Olson read the Findings of Fact. There was no further discussion and it was moved and seconded by Commissioners Williams and Vinyard to recommend approval of the rezoning request. The motion was read as follows by Mr. Williams: In consideration of testimony presented during a Public Hearing on October 12, 2022 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 following parcels: 05-03-300-029; 05-03-300-031; and 05-03-300-033 from Planned Unit Development (PUD) to B-3 General Business District.

Roll call: Millen-yes, Olson-yes, Vinyard-yes, Williams-yes. Carried 4-0.

Additional Business

1. City Council Action Updates

Ms. Barksdale-Noble very briefly recapped the City Council approval of recent requests which had come before the PZC.

2. Aging in Community – Lifecycle Living Workshop

Ms. Barksdale-Noble said the city held a workshop in September on how the city views future developments with regards to an aging population. She said older residents are finding it difficult to maintain their homes, find affordable housing or downsize. A grant was awarded through C-MAP and the Mayor's Caucus which staff is part of and this evaluation is being done with each town in the Caucus. Information has been gathered from residents and staff from which staff hopes to establish some concrete steps. A second workshop will be held on October 20 from 3-5pm and public officials will be on hand to hear the feedback. The workshop is for residents, caretakers or any interested persons.

Adjournment

There was no further business and the meeting was adjourned at 7:13pm on a motion by Mr. Williams and second by Mr. Vinyard followed by a 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, October 12, 2022
7:00 p.m.

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PRESENT: (In-person and via Zoom)

Mr. Jeff Olson, Chairman,
Mr. Richard Vinyard,
Mr. Danny Williams,
Mr. Greg Millen.

ALSO PRESENT: (In-person and via Zoom)

Ms. Krysti Barksdale-Noble, Community
Development Director;
Mr. Jason Engberg, Senior Planner;
Ms. Marlys Young, Minute Taker.

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

4 CHAIRMAN OLSON: There is one public
5 hearing scheduled for tonight's meeting. The
6 purpose of this hearing is to invite testimony
7 from members of the public regarding the proposed
8 request that is being considered before this
9 Commission tonight.

10 Public testimony from persons
11 present who wish to speak may be for or may be
12 against the request or to ask questions of the
13 petitioner regarding the request being heard.

14 Those persons wishing to testify
15 tonight are asked to speak clearly, one at a
16 time, state your name and who you represent. You
17 are also asked to sign up at the podium. There
18 should be a sign-in sheet there.

19 If you plan to speak at tonight's
20 meeting right now, would you please stand up,
21 raise your hand and repeat after me?

22 (Witness thereupon duly sworn.)

23 CHAIRMAN OLSON: You may be seated.
24 The way this goes is the petitioner is going to

1 do a presentation, we will have anyone who wishes
2 to speak in favor of the request speak, we will
3 have anyone who wishes to speak in opposition of
4 the request, and then we will wrap up the public
5 hearing portion and move on to discussion.

6 So may I please have a motion to
7 open the discussion on PZC 2022-19, zoning
8 request?

9 MR. VINYARD: So moved.

10 MR. WILLIAMS: Second.

11 CHAIRMAN OLSON: Roll call vote on the
12 motion, please.

13 MS. YOUNG: Vinyard.

14 MR. VINYARD: Yes.

15 MS. YOUNG: Williams.

16 MR. WILLIAMS: Yes.

17 MS. YOUNG: Millen.

18 MR. MILLEN: Yes.

19 MS. YOUNG: And Olson.

20 CHAIRMAN OLSON: Yes.

21 All right. PZC 2022-19, Jordan
22 Gash, on behalf of Restore Church, Incorporated,
23 petitioner, has filed an application with the
24 United City of Yorkville, Kendall County,

1 Illinois, requesting rezoning classification of
2 three parcels totaling approximately 34 acres
3 located at 8710 Route 71 in Yorkville, Illinois.

4 The real property, situated east of
5 Illinois State Route 71 and Illinois State Route
6 126 intersection on the northeast corner of Wing
7 Road and Illinois State Route 71, is part of the
8 previously approved Windmill Farms annexation
9 agreement.

10 The petitioner is seeking to rezone
11 from the Planned Unit Development zoning
12 designation to the B-3 General Business District
13 to continue to operate the existing religious
14 institution land use and accommodate future
15 commercial development.

16 Do you wish to make a presentation
17 on your own behalf? You can if you want, but you
18 don't have to.

19 MR. GASH: Yeah, I think it is pretty
20 well spelled out.

21 CHAIRMAN OLSON: Okay. Then, Krysti,
22 would you like to please present on PZC 2022-19?

23 MS. NOBLE: Sure. As the notice stated,
24 the three parcels are approximately 33 to

1 34 acres in an area in the Windmill Farms
2 development, which is a defunct development that
3 did not happen, and we've been here before with
4 other parcels wanting to come in, remove
5 themselves from the applications of that land
6 plan.

7 This particular property owner has
8 three of those parcels on the south side of 71.
9 They have a religious land use in place. There
10 was an existing structure there that they
11 utilized for a church. Over time they did a
12 detention area and parking area.

13 They are looking now to expand the
14 church to about 10,000 square feet additional
15 and additional parking as well. With those
16 physical changes to the site, rather than just
17 rehab an existing building, it triggered the need
18 to amend the annexation agreement and rezone the
19 property.

20 So the underlying zoning of the
21 property currently is a B-3 and R-2 -- or R-4,
22 I'm sorry, underlying zoning, and so they are
23 requesting to go strictly B-3, which would allow
24 a religious land institution as well as any

1 future commercial or office use that they want to
2 pursue.

3 If you do move forward with this
4 rezoning, it would require us to amend our
5 Comprehensive Plan because the Comprehensive Plan
6 had a holding classification of estate
7 conservation residential, and we did that
8 similarly to the Bricolage property a few months
9 ago.

10 In your packet you can see some of
11 the site plan changes that they are proposing for
12 the site. There is no nearby utility, public
13 utilities, available, such as water, sewer to the
14 area. The petitioner has been utilizing the
15 existing well and septic system for the on-site
16 needs of the church, and propose once utilities
17 are available about 250 feet from the subject
18 property, they will be required to connect.
19 Vehicle access and parking is adequate to the
20 site.

21 The findings and facts are in your
22 packet, which the petitioner has provided written
23 responses. Would you like those entered into the
24 record? Which are now entered into the record.

1 And Staff is supportive of the proposed rezoning.

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

4 (No response.)

5 CHAIRMAN OLSON: Is there anyone who
6 wishes to speak in opposition of the request?

7 (No response.)

8 CHAIRMAN OLSON: All right. Seeing as
9 there are none, do you have any questions for
10 Krysti right now?

11 (No response.)

12 CHAIRMAN OLSON: Okay. Since all public
13 testimony regarding these petitions have been --
14 petition has been taken, may I have a motion
15 please to close the taking of public testimony
16 and this public hearing?

17 MR. VINYARD: So moved.

18 MR. WILLIAMS: Second.

19 CHAIRMAN OLSON: Roll call vote on the
20 motion, please.

21 MS. YOUNG: Yes. Williams.

22 MR. WILLIAMS: Yes.

23 MS. YOUNG: Millen.

24 MR. MILLEN: Yes.

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MS. YOUNG: Olson.

CHAIRMAN OLSON: Yes.

MS. YOUNG: And Vinyard.

MR. VINYARD: Yes.

CHAIRMAN OLSON: Public hearing portion
of tonight's meeting is closed.

(Which were all the proceedings
had in the public hearing portion
of the meeting.)

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