

**PLANNING & ZONING COMMISSION**

**City Council Chambers**

**651 Prairie Pointe Drive, Yorkville, IL**

**Wednesday, July 12, 2023 7:00pm**

**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**

Deborah Horaz-yes, Greg Millen-yes, Jeff Olson-yes, Richard Vinyard-yes,  
Danny Williams-yes

Absent: Rusty Hyett, Reagan Goins

**City Staff**

Krysti Barksdale-Noble, Community Development Director

**Other Guests**

Lynn Dubajic Kellogg, City Consultant  
Chris Vitosh, Vitosh Reporting Service  
Jim Rorie, Trinity Church United Methodist  
Bob Boyd, Trinity Church United Methodist  
Jason Cooper, Kimley-Horn  
Tom Huddleston, Huddleston McBride  
Adam Beal, Turning Point Energy  
Mr. Kyle Barry, McGuire Woods LLP  
Scott Osborn, Turning Point Energy  
Emily Kahanic, Kimley-Horn

**Previous Meeting Minutes** June 14, 2023

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

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

**Citizen's Comments** None

**Public Hearings**

There were two Public Hearings scheduled for this meeting, however, the second one, My Bristol Dream Events, was not able to submit their documents in time for this meeting and therefore, will not be heard tonight. Mr. Olson explained the procedure for the Hearing and swore in those who would give testimony.

At approximately 7:04pm a motion was made and seconded by Mr. Vinyard and Mr. Williams, respectively to open the Public Hearing. Roll call: Millen-yes, Olson-yes, Vinyard-yes, Williams-yes, Horaz-yes. Carried 5-0. Mr. Olson read the case description.

1. **PZC 2023-04** Trinity Church United Methodist, Petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting sign variance approval to move their three (3) existing non-conforming on-site signs to new locations on the property. This is due to the future widening of Bridge Street by the Illinois Department of Transportation. The property is located at 2505 Boomer Lane at the southeast corner of the Cannonball Trail and Illinois Route 47 (Bridge Street) intersection, in Yorkville, Illinois.

*(See Court Reporter's Transcript of proceedings)*

A motion was made by Commissioners Vinyard and Williams, respectively, at approximately 7:06pm to close the Public Hearing. Roll call: Millen-yes, Olson-yes, Vinyard-yes, Williams-yes, Horaz-yes. Carried 5-0.

Ms. Noble said there are 3 signs existing at the location and IDOT had requested they move the signs as part of the Rt. 47 widening. The church could keep the signs as legal non-conforming for 5 years, but they are now asking for the variance to keep the signs as they are. Staff is not opposed and the public was notified with no negative feedback. Chairman Olson read the general standards and sign variance standards. The Petitioner would like their replies to the standards to be part of the official record.

#### **Action Item**

##### Variance Request

It was moved by Commissioner Vinyard to approve the variance request PZC 2023-04 and it was seconded by Commissioner Williams who read the motion as follows: In consideration of testimony presented during a Public Hearing on July 12, 2023 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a request to vary the sign regulations contained in Section 10-20-8-A-1 and Section 10-20-8-B of the United City of Yorkville Zoning Ordinance as stated in a staff memorandum dated June 6, 2023 for the property commonly known as 2505 Boomer Lane.

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

2. **PZC 2023-06** Elizabeth Chapa dba My Bristol Dream Events. Documents not submitted for Hearing, not being presented at this meeting.

#### **Unfinished Business**

Items #1 and 2 were discussed simultaneously.

1. **PZC 2023-02** Turning Point Energy, LLC, petitioner, has filed applications with the United City of Yorkville, Kendall County, Illinois, requesting rezoning approval, special use authorization and variance approval to construct a solar farm on the 54-acre parcel generally located east of Cannonball Trail and north of the Burlington Northern Santa Fe railroad line within the Bristol Ridge Planned Unit Development. The petitioner is requesting to rezone the parcel from the R-2 Single-Family and R-2 Duplex PUD to the A-1 Agricultural District, special use permit approval for a solar farm land use and variance approval to decrease the

minimum distance between the ground and the solar panels from ten (10) feet to a minimum height of two (2) feet.

2. **PZC 2023-03** Turning Point Energy, LLC, petitioner, has filed applications with the United City of Yorkville, Kendall County, Illinois, requesting rezoning approval, special use authorization and variance approval to construct a solar farm on the 42-acre parcel generally located east of Cannonball Trail and south of Galena Road within the Bristol Ridge Planned Unit Development. The petitioner is requesting to rezone the parcel from the R-2 Single-Family and R-3 Townhome PUD to the A-1 Agricultural District zoning, special use permit approval for a solar farm land use and variance approval to decrease the minimum distance between the ground and the solar panels from ten (10) feet to a minimum height of two (2) feet.

Attorney Mr. Kyle Barry asked to address these cases together. He said they came before this Commission in May and many questions were raised about the projects, so he gave a brief presentation to address some of the issues. Mr. Jason Cooper of Kimley-Horn said they have updated the site plan and pushed the panel locations farther from the road. He asked if a buffer would be needed. Mr. Cooper's staff said the cost estimates were increased to allow for inflation, a glare study was redone showing no issues with minor modifications including a 5% change in the resting position for the panels, a pollution plan was submitted and erosion will be controlled during construction.

Mr. Barry addressed a blanket easement request from the city which he said did not seem necessary for decommissioning. The Agricultural Impact Mitigation Agreement that was required includes language that accomplishes what an easement would. The other issue he had is that the easement would encumber the title to the property. He said the city would acquire a property interest and it would be inappropriate.

Ms. Noble provided a response to the information presented by Mr. Barry and Mr. Cooper. She said it has been standard procedure to request blanket easements which gives the right to enter if the project is defunct. The language in the agreement mentioned above only allows to draw down funds, not enter the property. Ms. Noble said the blanket easement has been done with other recent solar projects. Mr. Barry said he did not think other subdivisions were required to enter into the Mitigation Agreement and doing it as an easement is inappropriate—he suggested doing it in another way rather than by title encumbrances which could affect financing. He proposed a narrow license giving the right to enter, triggered by abandonment.

Mr. Olson said if the blanket easement is a requirement, the Commission would recommend that. He also commented on other items including decommissioning and drainage. He does not agree with the decommissioning plan and thinks the revised 3% inflation rate is more appropriate than the proposed amount, however, he feels that should be doubled. Mr. Cooper said Covid has reduced inflation and suggested 3%. Mr. Olson said the Commissioners would recommend the City Council discuss the rate for the special use.

Regarding drainage for site #105, Tom Huddleston of Huddleston Drainage Company, said this parcel was going to be a subdivision at one time for which they did a drainage study. He said the drainage tiles can be re-routed, they will maintain the existing agricultural land and also improve/maintain the land so it can be returned to ag when the project decommissions. Ms. Horaz asked who oversees this aspect and Mr. Huddleston replied a study will be provided and is contingent on the building permit.

It was noted by Ms. Noble that the entry points for both sites have been adjusted to consider requests from the County Highway Commissioner and that the setback of panels on #105 from the nearest residential unit be changed to 830 feet from 530 feet.

Ms. Horaz recommended that one particular planting-- allium (Latin name *cernuum*) be excluded from the list as the bulbs multiply greatly. This will be included as a recommendation to the special use.

Chairman Olson read the standards for the rezoning, special use and variance.

### **MOTIONS FOR PZC 2023-02 BRISTOL RIDGE SOLAR FARM 105**

**SPECIAL USE:** Motion by Mr. Williams, second by Mr. Vinyard to approve.

Motion read by Ms. Noble: In consideration of testimony presented during a Public Hearing on May 10, 2023 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for Special Use authorization to construct a freestanding solar energy system, or solar farm, contingent upon approval of annexation agreement amendment for the Bristol Ridge Development by the City Council, for a property generally located north of the Burlington Northern Santa Fe railroad line and east of Cannonball Trail, subject to staff recommendations in a memo dated July 5, 2023 and further subject to the removal of allium as a proposed plant in the landscaping plan and an increase in the inflation rate for the decommissioning schedule, above the 3% which is recommended by staff.

Roll call: Vinyard-yes, Williams-yes, Horaz-yes, Millen-yes, Olson-yes. Passed 5-0.

**REZONING:** Motion by Mr. Williams, second by Mr. Vinyard to approve.

Motion read by Mr. Vinyard: In consideration of testimony presented during a Public Hearing on May 10, 2023 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for rezoning from R-2 Single-Family and R-2D Duplex PUD (Bristol Ridge) to A-1 Agricultural District for the purpose of constructing a freestanding solar energy system, or solar farm, contingent upon approval of annexation agreement amendment for the Bristol Ridge Development by the City Council, for a property generally located north of the Burlington Northern Santa Fe railroad line and east of Cannonball Trail.

Roll call: Williams-yes, Horaz-yes, Millen-yes, Olson-yes, Vinyard-yes. Passed 5-0.

**VARIANCE:** Motion by Mr. Vinyard, second by Mr. Williams to approve.

Motion read by Mr. Williams: In consideration of testimony presented during a Public Hearing on May 10, 2023 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for variance from Section 10-19-7-D of the Yorkville Municipal Code to reduce the minimum clearance

between the lowest point of a freestanding solar panel and the surface on which the system is mounted from ten feet to two feet, contingent upon approval of annexation agreement amendment for the Bristol Ridge Development by the City Council, for a property generally located north of the Burlington Northern Santa Fe railroad line and east of Cannonball Trail.

Roll call: Horaz-yes, Millen-yes, Olson-yes, Vinyard-yes, Williams-yes. Passed 5-0.

### **MOTIONS FOR PZC 2023-03 BRISTOL RIDGE SOLAR FARM 106**

**SPECIAL USE:** Motion by Mr. Vinyard, second by Mr. Williams to approve.

Motion read by Mr. Williams: In consideration of testimony presented during a Public Hearing on May 10, 2023 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for Special Use authorization to construct a freestanding solar energy system, or solar farm, contingent upon approval of annexation agreement amendment for the Bristol Ridge Development by the City Council, for a property generally located south of Galena Road and east of Cannonball Trail, subject to staff recommendations in a memo dated July 5, 2023 and further subject to removal of allium as a proposed plant material in the landscape plan and the increase of the inflation rate above 3% as recommended by staff.

Roll call: Millen-yes, Olson-yes, Vinyard-yes, Williams-yes, Horaz-yes. Passed 5-0.

**REZONING:** Motion by Mr. Williams, second by Mr. Vinyard to approve.

Motion read by Mr. Vinyard: In consideration of testimony presented during a Public Hearing on May 10, 2023 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for rezoning from R-2 Single-Family and R-3 Townhome PUD (Bristol Ridge) to A-1 Agricultural District for the purpose of constructing a freestanding solar energy system, or solar farm, contingent upon approval of annexation agreement amendment for the Bristol Ridge Development by the City Council, for a property generally located south of Galena Road and east of Cannonball Trail.

Roll call: Horaz-yes, Millen-yes, Olson-yes, Vinyard-yes, Williams-yes. Passed 5-0.

**VARIANCE:** Motion by Mr. Vinyard, second by Mr. Williams to approve.

Motion read by Mr. Williams: In consideration of testimony presented during a Public Hearing on May 10, 2023 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for variance from Section 10-19-7-D of the Yorkville Municipal Code to reduce the minimum clearance between the lowest point of a freestanding solar panel and the surface on which the system is mounted from ten feet to two feet, contingent upon approval of annexation agreement amendment for the Bristol Ridge Development by the City Council, for a property generally located south of Galena Road and east of Cannonball Trail.

Roll call: Millen-yes, Olson-yes, Vinyard-yes, Williams-yes, Horaz-yes. Passed 5-0.

### **New Business:**

1. **PZC 2023-04 Trinity Church** (see details under Public Hearings)

2. **PZC 2023-06 Elizabeth Chapa, My Bristol Dream Events**  
Documents not submitted, case not heard at this meeting.

**Additional Business** None

**Adjournment**

There was no further business and the meeting was adjourned at 7:41pm on a unanimous voice vote.

Respectfully submitted by  
Marlys Young, Minute Taker

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

UNITED CITY OF YORKVILLE  
YORKVILLE, ILLINOIS

PLANNING AND ZONING COMMISSION  
PUBLIC HEARING

651 Prairie Pointe Drive  
Yorkville, Illinois

Wednesday, July 12, 2023  
7:00 p.m.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

PRESENT:

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

ALSO PRESENT:

Ms. Krysti Barksdale-Noble, Community  
Development Director;  
Ms. Marlys Young, Minute Taker.

- - - - -

I N D E X

WITNESS:

PAGE

BOB LLOYD

6

- - - - -



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

4 CHAIRMAN OLSON: There are two public  
5 hearings scheduled for tonight's Planning and  
6 Zoning Commission meeting; one of them, however,  
7 we are not hearing tonight, the request for Chapa  
8 d/b/a as My Bristol Dream Events, did not get  
9 their information in in time for the meeting, so  
10 we won't be actually hearing that tonight. If  
11 anybody was waiting for that, take it easy, no  
12 hard feelings.

13 What we are hearing tonight is PZC  
14 2023-04 Trinity Church United Methodist, their  
15 petition for sign variance.

16 The purpose tonight of this hearing  
17 is to invite testimony from members of the public  
18 regarding the proposed request that is being  
19 considered before the Commission tonight.

20 Public testimony from persons  
21 present who wish to speak may be for or may be  
22 against the request or to ask questions of  
23 petitioner regarding the request being heard.

24 Those persons wishing to testify

1 tonight are asked to speak clearly, one at a  
2 time, and state your name, who you represent.  
3 You are also asked to sign in at the podium if  
4 you haven't done it already.

5 If you plan to speak during  
6 tonight's public hearing tonight as a petitioner  
7 or a member of the public, please stand now,  
8 raise your right hand, and repeat after me.

9 (Witnesses sworn.)

10 CHAIRMAN OLSON: Thank you. You may be  
11 seated. All right.

12 The order of tonight for how we do  
13 this during public hearing will be as follows:  
14 The petitioner will make the individual  
15 presentation for what they are presenting, and  
16 then those who wish to speak in favor of the  
17 request will speak and then those who wish to  
18 speak in opposition to the request may speak.

19 So with that out of the way, may I  
20 have a motion, please, to open the public hearing  
21 on petition PZC 2022-04 (sic), Trinity Church  
22 United Methodist?

23 MR. VINYARD: So moved.

24 MR. WILLIAMS: Second.

1 CHAIRMAN OLSON: Roll call vote on the  
2 motion, please.

3 MS. YOUNG: Yes. Millen.

4 MR. MILLEN: Yes.

5 MS. YOUNG: Olson.

6 CHAIRMAN OLSON: Yes.

7 MS. YOUNG: Vinyard.

8 MR. VINYARD: Yes.

9 MS. YOUNG: Williams.

10 MR. WILLIAMS: Yes.

11 MS. YOUNG: And Horaz.

12 MS. HORAZ: Yes.

13 CHAIRMAN OLSON: All right. The public  
14 hearing up for discussion tonight is as follows:  
15 Trinity Church United Methodist has filed an  
16 application with the United City of Yorkville,  
17 Kendall County, Illinois, requesting sign  
18 variance approval to move their three existing  
19 non-conforming on-site signs to new locations on  
20 the property due to the future widening of Bridge  
21 Street by the Illinois Department of  
22 Transportation.

23 The property is at 2505 Boomer Lane  
24 at the southeast corner of Cannonball Trail and

1 Route 47 in Yorkville, Illinois.

2 Is the petitioner for PZC 2024-04  
3 (sic), Trinity Church, present and prepared to  
4 make their presentation?

5 (No response.)

6 CHAIRMAN OLSON: Is this our Zoom  
7 person?

8 MS. NOBLE: He's right there. Did you  
9 want to go to the podium and just introduce  
10 yourself?

11 BOB LLOYD,  
12 having been first duly sworn, testified from the  
13 podium as follows:

14 MR. LLOYD: Hi. I'm Bob Lloyd from  
15 Trinity Methodist Church, chairman of the  
16 trustees, and we never intended to move the  
17 signs, but IDOT is widening Route 47 and we --  
18 they acquired our land along there, the western  
19 section of our property, so we had to move the  
20 signs that were in their right-of-way, and they  
21 came out and pinpointed where we had to put our  
22 signs.

23 Is there any more questions or  
24 anything you wanted to talk about? Okay. Thank

1 you.

2 MS. NOBLE: That's all.

3 CHAIRMAN OLSON: Thank you. All right.  
4 Is there anyone who wishes to speak in favor of  
5 the sign variance approval request?

6 (No response.)

7 CHAIRMAN OLSON: Is there anyone who  
8 wishes to speak in opposition?

9 (No response.)

10 CHAIRMAN OLSON: All right. Seeing as  
11 there are none, do we have any questions from the  
12 Commissioners for the petitioner right now?

13 (No response.)

14 CHAIRMAN OLSON: Okay. Since all  
15 testimony regarding this petition has been taken,  
16 may I have a motion, please, then to close the  
17 taking of testimony in the public hearing?

18 MR. VINYARD: So moved.

19 MR. WILLIAMS: Second.

20 CHAIRMAN OLSON: Roll call vote on the  
21 motion, please, ma'am.

22 MS. YOUNG: Yes. Millen.

23 MR. MILLEN: Yes.

24 MS. YOUNG: Olson.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

CHAIRMAN OLSON: Yes.

MS. YOUNG: Vinyard.

MR. VINYARD: Yes.

MS. YOUNG: Williams.

MR. WILLIAMS: Yes.

MS. YOUNG: Horaz.

MS. HORAZ: Yes.

CHAIRMAN OLSON: All right. The public hearing portion of tonight's meeting is closed.

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

---o0o---

1 STATE OF ILLINOIS )  
2 ) SS.  
3 COUNTY OF LASALLE )

4 I, Christine M. Vitosh, a Certified Shorthand  
5 Reporter, do hereby certify that I transcribed  
6 the proceedings had at the public hearing and that  
7 the foregoing, Pages 1 through 9 inclusive, is a  
8 true, correct and complete computer-generated  
9 transcript of the proceedings had at the time and  
10 place aforesaid.

11 I further certify that my certificate annexed  
12 hereto applies to the original transcript and  
13 copies thereof, signed and certified under my  
14 hand only. I assume no responsibility for the  
15 accuracy of any reproduced copies not made under  
16 my control or direction.

17 As certification thereof, I have hereunto set  
18 my hand this 21st day of July, A.D., 2023.

19 Christine M Vitosh

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

22  
23  
24

## PZC - Public Hearing - July 12, 2023

|   |   |   |   |  |
|---|---|---|---|--|
| <b>0</b>  | 2:9<br><b>Bob</b> [1] - 6:14<br><b>BOB</b> [2] - 2:19, 6:11<br><b>Boomer</b> [1] - 5:23<br><b>Bridge</b> [1] - 5:20<br><b>Bristol</b> [1] - 3:8   | <b>Development</b> [1] - 2:10<br><b>direction</b> [1] - 9:15<br><b>Director</b> [1] - 2:10<br><b>discussion</b> [1] - 5:14<br><b>done</b> [1] - 4:4<br><b>Dream</b> [1] - 3:8<br><b>Drive</b> [1] - 1:17<br><b>due</b> [1] - 5:20<br><b>duly</b> [1] - 6:12<br><b>during</b> [2] - 4:5, 4:13  | <b>I</b>  | <b>MS</b> [13] - 5:3, 5:5, 5:7, 5:9, 5:11, 5:12, 6:8, 7:2, 7:22, 8:2, 8:4, 8:6, 8:7  |
| <b>1</b>  | <b>C</b>  | <b>E</b>  | <b>N</b>  |  |
| 1 [1] - 9:6<br>12 [1] - 1:21  | <b>Cannonball</b> [1] - 5:24<br><b>certificate</b> [1] - 9:10<br><b>certification</b> [1] - 9:16<br><b>Certified</b> [1] - 9:3<br><b>certified</b> [1] - 9:12<br><b>certify</b> [2] - 9:4, 9:10<br><b>Chairman</b> [1] - 2:2<br><b>chairman</b> [1] - 6:15<br><b>CHAIRMAN</b> [13] - 3:4, 4:10, 5:1, 5:6, 5:13, 6:6, 7:3, 7:7, 7:10, 7:14, 7:20, 8:1, 8:8<br><b>Chapa</b> [1] - 3:7<br><b>Christine</b> [2] - 9:3, 9:20<br><b>Church</b> [5] - 3:14, 4:21, 5:15, 6:3, 6:15<br><b>City</b> [1] - 5:16<br><b>CITY</b> [1] - 1:6<br><b>clearly</b> [1] - 4:1<br><b>close</b> [1] - 7:16<br><b>closed</b> [1] - 8:9<br><b>COMMISSION</b> [1] - 1:10<br><b>Commission</b> [2] - 3:6, 3:19<br><b>Commissioners</b> [1] - 7:12<br><b>Community</b> [1] - 2:9<br><b>complete</b> [1] - 9:7<br><b>computer</b> [1] - 9:7<br><b>computer-generated</b> [1] - 9:7<br><b>conforming</b> [1] - 5:19<br><b>considered</b> [1] - 3:19<br><b>control</b> [1] - 9:15<br><b>copies</b> [2] - 9:12, 9:14<br><b>corner</b> [1] - 5:24<br><b>correct</b> [1] - 9:7<br><b>County</b> [1] - 5:17<br><b>COUNTY</b> [1] - 9:2<br><b>CSR</b> [2] - 9:20, 9:20 | <b>easy</b> [1] - 3:11<br><b>Events</b> [1] - 3:8<br><b>existing</b> [1] - 5:18   | <b>IDOT</b> [1] - 6:17<br><b>ILLINOIS</b> [2] - 1:7, 9:1<br><b>Illinois</b> [5] - 1:18, 5:17, 5:21, 6:1, 9:20<br><b>inclusive</b> [1] - 9:6<br><b>individual</b> [1] - 4:14<br><b>information</b> [1] - 3:9<br><b>intended</b> [1] - 6:16<br><b>introduce</b> [1] - 6:9<br><b>invite</b> [1] - 3:17   | <b>name</b> [1] - 4:2<br><b>never</b> [1] - 6:16<br><b>new</b> [1] - 5:19<br><b>Noble</b> [1] - 2:9<br><b>NOBLE</b> [2] - 6:8, 7:2<br><b>non</b> [1] - 5:19<br><b>non-conforming</b> [1] - 5:19<br><b>none</b> [1] - 7:11  |
| <b>2</b>  |   | <b>F</b>  | <b>J</b>  |  |
| 2022-04 [1] - 4:21<br>2023 [2] - 1:21, 9:17<br>2023-04 [1] - 3:14<br>2024-04 [1] - 6:2<br>21st [1] - 9:17<br>2505 [1] - 5:23  |   | <b>favor</b> [2] - 4:16, 7:4<br><b>feelings</b> [1] - 3:12<br><b>filed</b> [1] - 5:15<br><b>first</b> [1] - 6:12<br><b>following</b> [1] - 3:1<br><b>follows</b> [3] - 4:13, 5:14, 6:13<br><b>foregoing</b> [1] - 9:6<br><b>future</b> [1] - 5:20   | <b>Jeff</b> [1] - 2:2<br><b>July</b> [2] - 1:21, 9:17   | <b>O</b>   |
| <b>4</b>  |   | <b>G</b>  | <b>K</b>  | <b>OF</b> [3] - 1:6, 9:1, 9:2<br><b>Olson</b> [3] - 2:2, 5:5, 7:24<br><b>OLSON</b> [13] - 3:4, 4:10, 5:1, 5:6, 5:13, 6:6, 7:3, 7:7, 7:10, 7:14, 7:20, 8:1, 8:8<br><b>on-site</b> [1] - 5:19<br><b>one</b> [2] - 3:6, 4:1<br><b>open</b> [1] - 4:20<br><b>opposition</b> [2] - 4:18, 7:8<br><b>order</b> [1] - 4:12<br><b>original</b> [1] - 9:11   |
| 47 [2] - 6:1, 6:17  |   | <b>generated</b> [1] - 9:7<br><b>Greg</b> [1] - 2:6   | <b>Kendall</b> [1] - 5:17<br><b>Krysti</b> [1] - 2:9  | <b>P</b>   |
| <b>6</b>  |   | <b>H</b>  | <b>L</b>  |  |
| 6 [1] - 2:19<br>651 [1] - 1:17  |   | <b>hand</b> [3] - 4:8, 9:13, 9:17<br><b>hard</b> [1] - 3:12<br><b>heard</b> [1] - 3:23<br><b>HEARING</b> [1] - 1:11<br><b>hearing</b> [13] - 3:3, 3:7, 3:10, 3:13, 3:16, 4:6, 4:13, 4:20, 5:14, 7:17, 8:9, 8:11, 9:5<br><b>hearings</b> [1] - 3:5<br><b>hereby</b> [1] - 9:4<br><b>hereto</b> [1] - 9:11<br><b>hereunto</b> [1] - 9:16<br><b>hi</b> [1] - 6:14<br><b>Horaz</b> [3] - 2:3, 5:11, 8:6<br><b>HORAZ</b> [2] - 5:12, 8:7 | <b>land</b> [1] - 6:18<br><b>Lane</b> [1] - 5:23<br><b>LASALLE</b> [1] - 9:2<br><b>LLOYD</b> [3] - 2:19, 6:11, 6:14<br><b>Lloyd</b> [1] - 6:14<br><b>locations</b> [1] - 5:19   | <b>p.m</b> [1] - 1:22<br><b>PAGE</b> [1] - 2:18<br><b>Pages</b> [1] - 9:6<br><b>person</b> [1] - 6:7<br><b>persons</b> [2] - 3:20, 3:24<br><b>petition</b> [3] - 3:15, 4:21, 7:15<br><b>petitioner</b> [5] - 3:23, 4:6, 4:14, 6:2, 7:12<br><b>pinpointed</b> [1] - 6:21<br><b>place</b> [1] - 9:9<br><b>plan</b> [1] - 4:5<br><b>PLANNING</b> [1] - 1:10<br><b>Planning</b> [1] - 3:5<br><b>podium</b> [3] - 4:3, 6:9, 6:13<br><b>Pointe</b> [1] - 1:17<br><b>portion</b> [2] - 8:9, 8:11<br><b>Prairie</b> [1] - 1:17<br><b>prepared</b> [1] - 6:3<br><b>PRESENT</b> [2] - 2:1, |
| <b>7</b>  |   |   | <b>M</b>  |  |
| 7:00 [1] - 1:22   |   |   | <b>ma'am</b> [1] - 7:21<br><b>Marlys</b> [1] - 2:11<br><b>meeting</b> [4] - 3:6, 3:9, 8:9, 8:12<br><b>member</b> [1] - 4:7<br><b>members</b> [1] - 3:17<br><b>Methodist</b> [4] - 3:14, 4:22, 5:15, 6:15<br><b>millen</b> [1] - 7:22<br><b>Millen</b> [2] - 2:6, 5:3<br><b>MILLEN</b> [2] - 5:4, 7:23<br><b>Minute</b> [1] - 2:11<br><b>motion</b> [4] - 4:20, 5:2, 7:16, 7:21<br><b>move</b> [3] - 5:18, 6:16, 6:19<br><b>moved</b> [2] - 4:23, 7:18<br><b>MR</b> [1] - 4:23, 4:24, 5:4, 5:8, 5:10, 6:14, 7:18, 7:19, 7:23, 8:3, 8:5 |  |
| <b>9</b>  |   |   |   |  |
| 9 [1] - 9:6   |   |   |   |  |
| <b>A</b>  |   |   |   |  |
| <b>A.D</b> [1] - 9:17<br><b>accuracy</b> [1] - 9:14<br><b>acquired</b> [1] - 6:18<br><b>aforesaid</b> [1] - 9:9<br><b>ALSO</b> [1] - 2:8<br><b>AND</b> [1] - 1:10<br><b>annexed</b> [1] - 9:10<br><b>application</b> [1] - 5:16<br><b>applies</b> [1] - 9:11<br><b>approval</b> [2] - 5:18, 7:5<br><b>assume</b> [1] - 9:13 | <b>D</b>  |   |   |  |
| <b>B</b>  | <b>d/b/a</b> [1] - 3:8<br><b>Danny</b> [1] - 2:5<br><b>Deborah</b> [1] - 2:3<br><b>Department</b> [1] - 5:21  |   |   |  |
| <b>Barksdale</b> [1] - 2:9<br><b>Barksdale-Noble</b> [1] -  |   |   |   |  |



## PZC - Public Hearing - July 12, 2023

|  |   |   |
|--|---|---|
| 2:8<br><b>present</b> [2] - 3:21, 6:3<br><b>presentation</b> [2] - 4:15, 6:4<br><b>presenting</b> [1] - 4:15<br><b>proceedings</b> [4] - 3:2, 8:10, 9:5, 9:8<br><b>property</b> [3] - 5:20, 5:23, 6:19<br><b>proposed</b> [1] - 3:18<br><b>pubic</b> [1] - 9:5<br><b>PUBLIC</b> [1] - 1:11<br><b>public</b> [12] - 3:2, 3:4, 3:17, 3:20, 4:6, 4:7, 4:13, 4:20, 5:13, 7:17, 8:8, 8:11<br><b>purpose</b> [1] - 3:16<br><b>put</b> [1] - 6:21<br><b>PZC</b> [3] - 3:13, 4:21, 6:2                       | <b>sic</b> [2] - 4:21, 6:3<br><b>sign</b> [4] - 3:15, 4:3, 5:17, 7:5<br><b>signed</b> [1] - 9:12<br><b>signs</b> [4] - 5:19, 6:17, 6:20, 6:22<br><b>site</b> [1] - 5:19<br><b>southeast</b> [1] - 5:24<br><b>SS</b> [1] - 9:1<br><b>stand</b> [1] - 4:7<br><b>STATE</b> [1] - 9:1<br><b>state</b> [1] - 4:2<br><b>Street</b> [1] - 5:21<br><b>sworn</b> [2] - 4:9, 6:12   | <b>vote</b> [2] - 5:1, 7:20   |
| <b>Q</b>   | <b>T</b>  | <b>W</b>  |
| <b>questions</b> [3] - 3:22, 6:23, 7:11  | <b>Taker</b> [1] - 2:11<br><b>testified</b> [1] - 6:12<br><b>testify</b> [1] - 3:24<br><b>testimony</b> [4] - 3:17, 3:20, 7:15, 7:17<br><b>thereof</b> [2] - 9:12, 9:16<br><b>three</b> [1] - 5:18<br><b>tonight</b> [9] - 3:7, 3:10, 3:13, 3:16, 3:19, 4:1, 4:6, 4:12, 5:14<br><b>tonight's</b> [3] - 3:5, 4:6, 8:9<br><b>Trail</b> [1] - 5:24<br><b>transcribed</b> [1] - 9:4<br><b>transcript</b> [2] - 9:8, 9:11<br><b>Transportation</b> [1] - 5:22<br><b>Trinity</b> [5] - 3:14, 4:21, 5:15, 6:3, 6:15<br><b>true</b> [1] - 9:7<br><b>trustees</b> [1] - 6:16<br><b>two</b> [1] - 3:4 | <b>waiting</b> [1] - 3:11<br><b>Wednesday</b> [1] - 1:21<br><b>western</b> [1] - 6:18<br><b>WHEREUPON</b> [1] - 3:1<br><b>widening</b> [2] - 5:20, 6:17<br><b>Williams</b> [3] - 2:5, 5:9, 8:4<br><b>WILLIAMS</b> [4] - 4:24, 5:10, 7:19, 8:5<br><b>wish</b> [3] - 3:21, 4:16, 4:17<br><b>wishes</b> [2] - 7:4, 7:8<br><b>wishing</b> [1] - 3:24<br><b>WITNESS</b> [1] - 2:18<br><b>witnesses</b> [1] - 4:9 |
| <b>R</b>   | <b>U</b>  | <b>Y</b>  |
| <b>raise</b> [1] - 4:8<br><b>regarding</b> [3] - 3:18, 3:23, 7:15<br><b>repeat</b> [1] - 4:8<br><b>Reporter</b> [1] - 9:4<br><b>represent</b> [1] - 4:2<br><b>reproduced</b> [1] - 9:14<br><b>request</b> [7] - 3:7, 3:18, 3:22, 3:23, 4:17, 4:18, 7:5<br><b>requesting</b> [1] - 5:17<br><b>response</b> [4] - 6:5, 7:6, 7:9, 7:13<br><b>responsibility</b> [1] - 9:13<br><b>richard</b> [1] - 2:4<br><b>right-of-way</b> [1] - 6:20<br><b>roll</b> [2] - 5:1, 7:20<br><b>Route</b> [2] - 6:1, 6:17 | <b>under</b> [2] - 9:12, 9:14<br><b>UNITED</b> [1] - 1:6<br><b>United</b> [4] - 3:14, 4:22, 5:15, 5:16<br><b>up</b> [1] - 5:14  | <b>YORKVILLE</b> [2] - 1:6, 1:7<br><b>Yorkville</b> [3] - 1:18, 5:16, 6:1<br><b>YOUNG</b> [10] - 5:3, 5:5, 5:7, 5:9, 5:11, 7:22, 7:24, 8:2, 8:4, 8:6<br><b>Young</b> [1] - 2:11<br><b>yourself</b> [1] - 6:10   |
| <b>S</b>   | <b>V</b>  | <b>Z</b>  |
| <b>scheduled</b> [1] - 3:5<br><b>seated</b> [1] - 4:11<br><b>second</b> [2] - 4:24, 7:19<br><b>section</b> [1] - 6:19<br><b>seeing</b> [1] - 7:10<br><b>set</b> [1] - 9:16<br><b>Shorthand</b> [1] - 9:3   | <b>variance</b> [3] - 3:15, 5:18, 7:5<br><b>VINYARD</b> [4] - 4:23, 5:8, 7:18, 8:3<br><b>Vinyard</b> [1] - 2:4<br><b>vinyard</b> [2] - 5:7, 8:2<br><b>Vitosh</b> [2] - 9:3, 9:20  | <b>Zoning</b> [1] - 3:6<br><b>ZONING</b> [1] - 1:10<br><b>Zoom</b> [1] - 6:6  |



United City of Yorkville  
800 Game Farm Road  
Yorkville, Illinois, 60560  
Telephone: 630-553-4350  
Fax: 630-553-7575  
Website: www.yorkville.il.us

# APPLICATION FOR SIGN VARIANCE

## SIGN VARIANCE STANDARDS

|  |   |  |
|--|---|--|
| WAS THE SIGN ERECTED LEGALLY WITH A SIGN PERMIT?                                       | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| ARE THERE LIMITED AVAILABLE LOCATIONS FOR SIGNAGE ON THE PROPERTY?                     | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO |
| DOES THE SIGN FACE A STREET WITH A FORTY (40) MILE PER HOUR OR HIGHER SPEED LIMIT?     | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| IS THE SIGN ON A STREET WITH TWENTY THOUSAND (20,000) OR HIGHER VEHICLE TRIPS PER DAY? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| IS THE SIGN ON A WALL FACING A PUBLIC RIGHT-OF-WAY WITHOUT A PUBLIC ENTRANCE?          | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO |
| WOULD THE SIGN BE BLOCKED BY EXISTING OR REQUIRED LANDSCAPING?                         | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO |

PLEASE STATE THE VARIANCE REQUESTED AND THE CITY ORDINANCE INCLUDING THE SECTION NUMBERS TO BE VARIED:

10-20-8-A(1) Permitted Signs; Agricultural and Residential Zoning Districts: Freestanding identification or business signs.

Sign 1 - Increase maximum height from 5 feet to 7 feet; increase maximum sign area for a message board sign from 50% to 54%

Sign 2 - Increase the number of permitted monument signs from one (1) to two (2); Increase the maximum height from 5 feet to 5 feet 3 inches.

10-20-8-B Temporary Signs

Permit a banner sign as a temporary sign in the residential district according to the standards set in Section 10-20-9-B.

PLEASE STATE HOW THE PROPOSED VARIATION WILL NOT IMPAIR AN ADEQUATE SUPPLY OF LIGHT AND AIR TO ADJACENT PROPERTY, OR SUBSTANTIALLY INCREASE THE CONGESTION IN THE PUBLIC STREETS, OR INCREASE THE DANGER TO THE PUBLIC SAFETY, OR SUBSTANTIALLY DIMINISH OR IMPAIR PROPERTY VALUES WITHIN THE NEIGHBORHOOD:

Signs have been moved due to IDOT expansion and in conformance with their requirements. Parcel is large and signs will not impede any light or airflow.

PLEASE CONFIRM THE PROPOSED VARIATION IS CONSISTENT WITH THE OFFICIAL COMPREHENSIVE PLAN AND OTHER DEVELOPMENT STANDARDS AND POLICIES OF THE CITY.

This variance is consistent with the comprehensive plan and meets the standards for commercial signage within Yorkville.



United City of Yorkville  
800 Game Farm Road  
Yorkville, Illinois, 60560  
Telephone: 630-553-4350  
Fax: 630-553-7575  
Website: [www.yorkville.il.us](http://www.yorkville.il.us)

# APPLICATION FOR SIGN VARIANCE

## SIGN VARIANCE STANDARDS

PLEASE DESCRIBE THE COST TO THE PETITIONER OF COMPLYING WITH THE SIGN ORDINANCE REQUIREMENTS:

Signs had to be moved due to IDOT right of way and IDOT required their placement where they are now located. Combining or changing the signs was never the church's intention as we were content with their location and function.

IF THERE ARE ANY UNIQUE PHYSICAL CHARACTERISTICS OF THE PROPERTY, PLEASE DESCRIBE THEM BELOW:

No unique characteristics but IDOT needed the space where the original signs were located.

PLEASE STATE HOW THE GRANTING OF THE VARIATION WILL NOT BE DETRIMENTAL TO THE PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD IN WHICH THE PROPERTY IS LOCATED:

Signs are in similar style and size to existing signs. A variation will not change what has previously been a complying use.

PLEASE STATE HOW THE PARTICULAR SURROUNDINGS, SHAPE OR TOPOGRAPHICAL CONDITIONS OF THE SPECIFIC PROPERTY INVOLVED, A PARTICULAR HARDSHIP TO THE OWNER WOULD RESULT, AS DISTINGUISHED FROM A MERE INCONVENIENCE, IF THE STRICT LETTER OF REGULATIONS WAS CARRIED OUT:

The hardship we have faced is the taking by IDOT of our property for their use of Bridge Street widening. This has required us to move our signs against our will according to their specifications.



United City of Yorkville  
800 Game Farm Road  
Yorkville, Illinois, 60560  
Telephone: 630-553-4350  
Fax: 630-553-7575  
Website: www.yorkville.il.us

# APPLICATION FOR SIGN VARIANCE

## SIGN VARIANCE STANDARDS

PLEASE STATE HOW THE CONDITIONS UPON WHICH THE APPLICATION FOR A VARIATION IS BASED ARE UNIQUE TO THE PROPERTY FOR WHICH THE VARIATION IS SOUGHT AND ARE NOT APPLICABLE, GENERALLY, TO OTHER PROPERTY WITHIN THE SAME ZONING CLASSIFICATION:

This is a result of the IDOT taking.

PLEASE STATE HOW THE ALLEGED DIFFICULTY OR HARDSHIP IS CAUSED BY THIS TITLE AND HAS NOT BEEN CREATED BY ANY PERSON PRESENTLY HAVING AN INTEREST IN THE PROPERTY:

The signs were considered legally nonconforming by the code as they were installed prior to the current standards. The only reason for moving the signs was due to the IDOT taking. Also, we are a non residential use within the R-1 district and are not a dwelling.

## AGREEMENT

I VERIFY THAT ALL THE INFORMATION IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND ACCEPT ALL REQUIREMENTS AND FEES AS OUTLINED AS WELL AS ANY INCURRED ADMINISTRATIVE AND PLANNING CONSULTANT FEES WHICH MUST BE CURRENT BEFORE THIS PROJECT CAN PROCEED TO THE NEXT SCHEDULED COMMITTEE MEETING.

I UNDERSTAND ALL OF THE INFORMATION PRESENTED IN THIS DOCUMENT AND UNDERSTAND THAT IF AN APPLICATION BECOMES DORMANT IT IS THROUGH MY OWN FAULT AND I MUST THEREFORE FOLLOW THE REQUIREMENTS OUTLINED ABOVE.

\_\_\_\_\_  
PETITIONER SIGNATURE

3-29-2023

\_\_\_\_\_  
DATE

OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.

\_\_\_\_\_  
OWNER SIGNATURE

\_\_\_\_\_  
DATE

**THIS APPLICATION MUST BE  
NOTARIZED PLEASE NOTARIZE HERE:**