



Memorandum

To: Plan Council
From: Krysti J. Barksdale-Noble, Community Development Director
Date: January 2, 2019
Subject: **PZC 2019-03 Hively Landscaping – former Windmill Farms PUD
Proposed new Nursery/Greenhouse Retail Use (Rezoning)**

I have reviewed the applications for Rezoning request provided December 11, 2018 as submitted by Matthew C. Hively, petitioner, as well as the concept site plans. The petitioner is seeking rezoning approval from the expired concept plan for a Planned Unit Development (PUD), which was never final platted, that had an underlying zoning of R-4 General Multi-Family Residence District and B-3 General Business Zoning to a zoning of B-3 General Business District and A-1 Agricultural District.

The purpose of the rezoning is to establish and operate a nursery and garden center with retail store on the proposed B-3 zoned parcel and an accessory building for the storage of equipment and landscape materials in the proposed A-1 zoned parcel. The total proposed area to be rezoned consists of approximately 16.21-acres of vacant land near IL Route 71 and IL Route 126.

Included within the applications are the following documents:

- 1) Application for Rezoning Parcel (05-03-200-022) to A-1 Agricultural District
- 2) Legal Description
- 3) Surrounding Property Owners
- 4) Plat of Survey prepared by Spaceco Inc., dated 10/30/17 with hand-drawn concept plan for nursery, retail shop, hoop house, gravel parking lot and landscaping.
- 5) Application for Rezoning Parcel (05-03-300-039 and 05-03-300-035) to B-3 General Business District
- 6) Legal Description
- 7) Surrounding Property Owners
- 8) ALTA/NSPS Land Title Survey prepared by Spaceco Inc., date revised 12/01/16 with hand-drawn concept plan for hoop houses, material bin storage, plant material storage and landscaping.

Based upon my review of the application documents and materials, I have compiled the following comments (requests to the petitioner are underlined):

Land Use History

- The subject property is currently zoned Planned Unit Development (PUD) with an underlying zoning of B-3 General Business District and R-4 General Multi-Family Residence District, as part of the Windmill Farm PUD approved in 2008 per Ordinance 2008-40.
- Per Exhibit “E” of Ord. 2008-40 granting Annexation and Planned Unit Development approval for the Windmill Farms development, the approximately 91-acre site, of which the subject property is included, was to be developed as with mixed residential and commercial land uses.
- The annexation and concept PUD plan were the only approvals granted for the Windmill Farm development. The property has remained vacant and unplatted since the original approvals in 2008. Per the City Attorney, since the concept plan was never subsequently formalized by a final

plat or plan, and with the passage of time, the concept plan for the Windmill Farm development is no longer valid.

- A separate ordinance repealing the original Windmill Farm PUD (Ord. 2008-40) will be prepared with by the City Attorney for recordation along with the ordinances rezoning the subject parcels, if approved by the City Council.

Zoning

- The proposed uses are defined in the Yorkville Zoning Ordinance as a “nursery/greenhouse” and “agricultural”.
- The nursery/greenhouse use is a permitted use in the B-3 General Business District, which is by definition, a “retail business whose principal activity is the selling of plants and having outdoor storage, growing and/or display of plants.”
- The agricultural use is a permitted use in the A-1 Agricultural District, which is defined as “the employment of land for the primary purpose of raising, harvesting, and selling crops, or...by any other horticultural, floricultural or viticulture use...”

The following are the current immediate surrounding zoning and land uses for the entire area surrounding the approximately 91-acre Windmill Farms PUD:

	Zoning	Land Use
North	A-1 Agriculture	Unincorporated Kendall County (Farm Land)/IL Rte 71
South	A-1 Agriculture/R-2 & R-2D Detached & Attached Residential	Unincorporated Kendall County (Landscape Business)/Raintree Village (Residential)
East	A-1 Agriculture	Unincorporated Kendall County (Farm Land)
West	B-3 Business/R-2 Detached Residential	Country Hills (Commercial & Residential)

Comprehensive Plan (Future Land Use)

- The subject property’s future land use is classified as “Estate/Conservation Residential (ERC)” which is intended to provide flexibility for residential design in areas that can accommodate low-density detached single-family housing but also include sensitive environmental and scenic features that should be retained and enhanced.
- Due to this future land use classification, if the rezoning requests are approved, an amendment to the Comprehensive Plan Future Land Use map will be necessary. The proposed B-3 zoned parcel would correlate with a future land use designation of “Destination Commercial (DC)” and “Agricultural Zone (AZ)” for the A-1 zoned parcel.

Proposed Concept/Site Plan

- All buildings will be subject to the City's Appearance Code (see attached).
 - For new commercial land uses, Masonry products or precast concrete shall be incorporated on at least fifty percent (50%) of the total building, as broken down as follows: The front facade shall itself incorporate masonry products or precast concrete on at least fifty percent (50%) of the facade. Any other facade that abuts a street shall incorporate masonry products. The use of masonry products or precast concrete is encouraged on the remaining facades.
- Gravel parking lot will not be permitted.
- Depending on total proposed impervious surface, onsite detention maybe required. Maximum impervious surface for the B-3 Zoning District (Nursery) is 80%.
- Parking required for nursery use (B-3) is 3 spaces per 1,000 square feet.

- More details will need to be provided regarding the material bin/plant storage containers, hoop houses and scale area. Photographic images, manufacturing cut sheets or elevation drawings of these operational areas will be required.
- The following chart illustrates the minimum required yard setbacks for buildings/structures within the **B-3 General Business District**:

	Minimum Requirement	Proposed Setback
Front (IL Rte. 71)	50 feet	Not Provided
Rear	20 feet	Not Provided
Interior Side (East)	20 feet	Not Provided
Interior Side (West)	20 feet	Not Provided

- The following chart illustrates the minimum required yard setbacks for buildings/structures within the **A-1 Agricultural District**:

	Minimum Requirement	Proposed Setback
Front (IL Rte. 71)	100 feet	Not Provided
Rear	N/A	N/A
Interior Side (East)	50 feet	Not Provided
Interior Side (West)	50 feet	Not Provided

- Staff recommends a hard-lined, non hand-drawn concept plans with setback dimensions, parking calculations and total impervious surface for submittal to the Economic Development Committee meeting. Revised concept plans will be required to be submitted to staff no later than January 22, 2019.

Utilities

- What is your planned water source? There are no nearby public utilities (water, sewer) in this area. Please provide narrative of proposed water source.

Fencing

- Maximum fence height is 6 feet, 8 feet if adjacent to residential. A dimensioned section detail will be required for any proposed fence.

Access/Transportation

- Any work within IDOT's right-of-way (i.e. berm along IL 71) will require an IDOT permit.
- IDOT's approval will be required for all proposed access points off of IL 71 and IL 126.

Signage

- Section 10-20-9 of the Zoning Ordinance provides criteria related to business zoning district signage. Please refer to the following link to the Sign Ordinance for additional information: https://www.sterlingcodifiers.com/codebook/index.php?book_id=415&ft=4&find=10-20

Landscape Ordinance

- It is anticipated that the property will need to be cleared in preparation for the installation of the nursery site. Per Section 8-12-2-H of the Landscape Ordinance, a Tree Preservation Plan is required for all lots five (5) acres or greater in area. No live trees with a four inch (4") DBH

(diameter breast height) may be removed without first submitting an application for tree removal and receiving approval from the City. Please provide, if required.

- Please refer to the following link to the Landscape Ordinance for additional information:
http://www.sterlingcodifiers.com/codebook/index.php?book_id=415



Engineering Enterprises, Inc.

January 2, 2019

Ms. Krysti Barksdale-Noble
Community Development Director
United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

**Re: *Hively Landscaping – Rezoning/Concept Plan Review
United City of Yorkville, Kendall County, Illinois***

Dear Krysti:

We are in receipt of the following items for the above referenced project:

- Application for Rezoning
- Yorkville Nursery Concept Plan (Parcel 3)
- Yorkville Garden Center Concept Plan (Parcel 8)

Our review of these plans is to generally determine their compliance with local ordinances and whether the improvements will conform to existing local systems and equipment. This review and our comments do not relieve the designer from his duties to conform to all required codes, regulations, and acceptable standards of engineering practice. Engineering Enterprises, Inc.'s review is not intended as an in-depth quality assurance review, we cannot and do not assume responsibility for design errors or omissions in the plans. As such, we offer the following comments:

General

1. For the project to proceed engineering plans would need to be provided. The plans would need to include, but not be limited to, the following items:
 - a. Existing Conditions and Demolition Plan
 - b. Grading and Drainage Plan
 - c. Utility Plan
 - d. Erosion Control Plan
 - e. Construction Specifications and Details
 - f. Landscaping Plan

2. The following permits and submittals may be required for this project:
 - a. IDOT for access to Routes 71 and 126
 - b. IEPA for compliance with ILR-10 General Construction Permit
 - c. Stormwater Permit
 - d. Wetland Delineation and Permitting

Ms. Krysti Barksdale-Noble
January 2, 2019
Page 2

The Owner should submit the necessary plans, permits, and supporting documents for review as the project proceeds. If you have any questions or require additional information, please contact our office.

Sincerely,

ENGINEERING ENTERPRISES, INC.



Bradley P. Sanderson, P.E.
Vice President

BPS/TNP

pc: Mr. Bart Olson, City Administrator (Via e-mail)
Ms. Erin Willrett, Assistant City Administrator (Via e-mail)
Mr. Jason Engberg, Senior Planner (Via e-mail)
Mr. Eric Dhuse, Director of Public Works (Via e-mail)
Mr. Pete Ratos, Building Department (Via e-mail)
Ms. Dee Weinert, Admin Assistant (Via e-mail)
Ms. Lisa Pickering, Deputy Clerk (Via e-mail)
Mr. Matthew Hively, Hively Landscaping (Via e-mail)
TNP, JAM, EEI (Via e-mail)