

VILLAGE OF NORTH UTICA

801 South Clark Street

North Utica, IL 61373

Planning Commission

Public Hearing

December 3, 2015

www.utica-il.gov

AGENDA

- I. 6:00 p.m. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Continued Public Hearing: Petition of Tracy Mix and / or Jamie Mix; owners of property generally located at 602 Clark St., Utica, IL
 - 1.) Petition seeking a Special Use for the purpose of the operation of a bar allowing the sale and consumption of alcoholic liquor.
- V. Discussion and Possible Recommendations of the Planning Commission
- VI. Consideration of Approval of Minutes: 11-11-15
- VII. Adjournment

POSTED 11-30-15

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At 6:06 pm the meeting was called to Order by Planning Commission Chairman Tom Guttilla who then led the Pledge of Allegiance. Village Clerk Laurie Gbur took the roll call. Present at the meeting were Members Doug Gift, Dennis Hamilton and Roy Chapman. Also present were Village Attorney Herb Klein and Village Engineer Kevin Heitz. Note: Village President Matt Jereb and Trustees of the Village Board were seated in the audience for the Hearing.

Attorney Klein provided a summary of the Petition reminding everyone that it was continued from the previous November 11, 2015 Hearing date.

Mr. Mix previously testified that he owns a family-friendly business and he would like to have a small area where someone could have a wine tasting. He is seeking a Special Use for Mix's Trading Post for the purpose of the operation of a bar and the sale and consumption of alcohol. He is also seeking a Class A Liquor License so that he can consider options for future gaming within the establishment. The space would remain primarily retail. He would also like to participate in the annual Winter Wine Walk. He also stated that he would increase parking which would provide additional spaces for the other businesses in that general area.

Mr. Keith Arwood, Stoneheads, also provided testimony in opposition of the Petition. Mr. Arwood stated that he feels that Utica already has several options for both alcohol and gaming and there are several bars in our small community already.

Mr. Mix was then sworn in by Attorney Klein.

Mr. Mix stated that he did provide two drawings that showed the layout of the inside of the building and the increased parking. The two layouts were entered into the Record as Petitioner's Exhibit #1.

He then stated that he had inquired into the possibility of gaming but it is a long process and could take several months to pursue. He would like a Class A liquor license so that he would have the opportunity to consider gaming at a later date. He would be able to increase parking by approx. 8 spaces which he would continue to share with the other businesses including Nonie's Bakery.

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Chairman Guttilla asked about the status of the other building that Mr. Mix had previously had rezoned from R-1 to C-1. Mr. Mix stated that his plans changed and he has decided to focus on increasing the retail space in the Trading Post.

Attorney Klein then reminded the Planning Commission that Mix's Trading Post is zoned C-2. He also noted that the C-2 district is primarily located south of the Canal, while C-1 is located in the downtown district and the C-3 district is located near the Rt. 178 / Rt. 80 corridor.

Member Gift stated that additional parking will be necessary and that Mr. Mix has always been very generous sharing his own parking lot with the other businesses.

Engineer Heitz then stated that the parking would be adequate for the size of the business. Mix's is currently approx. 3,400 sq. ft. and he will be adding an additional 3,000 sq. ft.

Member Gift then asked what would happen if Mr. Mix stopped the retail business and focused only on having a bar in the establishment. Heitz stated that in that case additional parking would be necessary.

Chairman Guttilla asked Mr. Mix if he would consider a Class G license for the purpose of beer and wine tastings. Mr. Mix stated that he wants a Class A license so that he can pursue gaming if he decides to.

Member Gift asked if there is a limit to gaming in a community.

Attorney Klein stated that there is a limit of 5 machines per establishment but no limit to locations. Mr. Mix then stated that he is still unsure about the gaming. He intends to expand his retail first, but he would like to have the option of having gaming.

Chairman Guttilla then asked about the setbacks for the new addition. Mr. Mix stated that he will be building on the south side of the current building. Engineer Heitz stated that approval of any building would be subject to review of the plans and setbacks by the Zoning Officer. Mr. Mix then stated that he completed his building permit already and he is elevating due to the flood elevations. He was going to build to expand his building anyway before he decided to add the wine tasting area. That area will be approx. 400 sq. ft.

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Statements were then provided regarding the Petition.

Mr. Keith Arwood, Stoneheads, was sworn in by Attorney Klein – He stated that the Village currently has 10 restaurants that sell liquor and there are several places that sell packaged liquor as well. “Expanding tourism doesn’t need to mean the Village should expand alcohol related establishments. How many is enough? Even if a business wants to participate in special events like the wine walk, they can obtain a temporary event liquor license.”

He then stated that Nonie’s has been sold twice in the past 5 years. “There is no guarantee what type of business will go in there if they sell it again, or how much parking they will need at any point.”

Ms. Sandy Grubar, Village Greenhouse Liquor Store, was sworn in by Attorney Klein – She stated that the Village needs more business and expansion on the south side of the Canal.

“Mr. Mix having a tasting area in his business would not affect the downtown businesses at all and it would enable them to participate in the special events. There is also a need for additional parking. This would be a positive business expansion for the Village.”

With no additional testimony or statements, the Public Hearing was closed at 6:45 pm. Motion was made by Member Gift, seconded by Member Chapman.

All in favor

Motion Carried

Attorney Klein then explained the factors that are examined when a Special Use is being considered.

Member Chapman stated that for growth of the Village it is necessary to help businesses move along.

Member Gift agreed with Member Chapman however he also stated that if the use of the property would change, it should require the business to have the associated zoning regulations enforced.

Member Hamilton then asked Mr. Mix if the bar area would remain open after the retail space is closed.

Mr. Mix stated that it would depend on seasonal changes.

Chairman Guttilla asked about the type of retail in Mix’s Trading Post.

Mr. Mix stated that he carries several different items including leather, moccasins, toys, souvenirs and other friendly items.

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Chairman Guttilla then stated that he is concerned about the addition of many more liquor and gaming establishments. "Utica is a small community and we need more retail business, art and other events and businesses that will bring people into town."

Member Gift then stated that this is a unique situation. This is an ongoing established retail business and is a different circumstance than someone that would be opening a new place that would offer alcohol and gaming.

Member Gift then made the motion to recommend approval of the granting of a Special Use, subject to the limitation of the space as not to exceed 800 sq. ft. for the purpose of offering alcohol and offering wine tasting. The motioned was seconded by Member Chapman.

3 Yes

Motion Carried

Approval of Minutes: It was motioned by Member Gift, seconded by Member Chapman to approve the Minutes from the 11-11-15 meeting.

All in Favor

Motion Carried

Public Comment: NONE

Discussion began among the Planning Commission about the possible limits to the amount of gaming establishments that can be located in a single community. Mayor Jereb stated that he would like the Planning Commission to review the guidelines and set forth some criteria for this, as well as how this would impact the vision of the new Comprehensive Plan.

With no additional business, the meeting was adjourned at 7:18 pm. Motion was made by Member Hamilton, seconded by Member Gift.

All in favor

Motion Carried

Respectfully submitted,

Laurie A. Gbur
Village Clerk