

**VILLAGE OF NORTH UTICA**

801 South Clark Street

North Utica, IL 61373

Planning Commission

Public Hearing

August 4, 2016

[www.utica-il.gov](http://www.utica-il.gov)

AGENDA

- I. 7:00 p.m. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Public Hearing - 7:00 pm:
  - 1.) Petition of Mr. Kenneth Haun and Kindred Spirits Distillery, Inc., as Lessees of property owned by Mr. Dee J. Bennett and Ms. Bonnie J. Grusk; seeking the Approval of an amendment to the Village Zoning Ordinance and the Granting of a Special Use and such other Variances as necessary for the purpose of the operation of a Distillery, including mashing, fermenting, distilling and bottling, along with the operation of a bar with a tasting area and retail store in the C-3 District. The tract of land located at 2958 U.S. Rt. 178., Utica, IL.
  - 2.) Discussion and Possible Recommendations of the Planning Commission regarding:
    - a) An amendment to the Zoning Ordinance to define a Distillery and allow such as a Special Use in the C-3 District.
    - b) Grant the Petitioner a Special Use for the operation of a Distillery on property located at 2958 U.S. Rt. 178, Utica IL.
    - c) Grant such other Variances as may be necessary to allow the intended construction of a Distillery on property located at 2958 U.S. Rt. 178, Utica, IL.
- V. Consideration of Approval of Minutes: 7-07-16
- VI. Old / New Business
- VII. Public Comment
- VIII. Adjournment

POSTED 08-02-16

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**MINUTES**

At 7:09 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 Attendance. Present at the meeting were Members Doug Gift, Bill Fry, Warren Munson, Roy Chapman and Matt Cetwinski. Member Dennis Hamilton was absent. Also present was Village Engineer Kevin Heitz and Village Attorney Herb Klein.

Attorney Klein provided a summary of the Petition of Mr. Ken Haun and Kindred Spirits Distillery, Inc. The Petitioner is seeking approval of an amendment to the Zoning Ordinance and the granting of a Special Use and other necessary Variances for the operation of a bar with a tasting area and retail store in the C-3 District. Petition was published and property was posted on 7-20-16.

Entered into the Record:

Village Exhibit #1	Published Petition
Village Exhibit #2	Permit Application

At 7:13 pm, Mr. Ken Haun Jr. was sworn in to provide Testimony.

Entered into the Record:

Petitioners Exhibit #1	Packet provided to the Planning Commission for review.
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Mr. Haun went through the packet and provided a summary for the Planning Commission. He stated that he would like to grow in phases and become a number one tourist attraction in the Village. The packet outlined examples of photos and renderings of distilleries, including interior and exterior photos of the property. In the first phase, the property, formerly Bennett Garden Center, would include a retail space, tasting bar and a 250 gal electric copper traditional still. In future phases, Mr. Haun hopes to grow to a full distillery process on the adjacent property. A vodka still would be approx. 45 ft. tall and cost over \$500,000. Mr. Haun has a goal to phase in this type of still within a few years as development grows. Blue Line Vodka, which would support a donation toward the End of Watch Foundation for families of police officers killed in the line of duty, would be distributed in all 50 states within 5 years. The process of distilling is similar to a winery except there are grains being used instead of fruits. Grains are mashed and fermented at a maintained temperature. Once the product is bottled and labeled, distribution would take place. The State license allows for the production of 35,000 gallons of spirits per year.

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Mr. Haun stated that he would like to grow his business here and he would remain in Utica, including all areas of production and distribution.

Member Gift stated that this could be a tourist destination.

Mr. Haun agreed and stated that the Distillery in Galena is on a smaller scale and after only 2 ½ years they are the number one tourist attraction in the area.

Member Gift then asked if anyone had considered a vodka that would reflect on Starved Rock.

Mr. Haun stated that he has already had conversations with Starved Rock and they are interested in having their own signature spirit. It would be something that would be exclusive and could only be purchased here in Utica.

Member Gift then asked about signage.

Mr. Haun stated that he would be using the sign that is already on the property, changing only the insert panel.

Chairman Guttilla asked about the current 250 gallon still and what it would produce.

Mr. Haun stated that vodka takes a period of time due to the fermenting process. Also the cost of purchasing and storing barrels of vodka can be expensive, so for now they will use the still for other spirits and they would purchase vodka from another outside distributor until they have the capital to produce it on site.

The packet supplied by Mr. Haun also contained a list of 21 distilleries in the State of Illinois, however, there is nothing in this area. There are weekend distillery tours in the State of Illinois and Kindred Spirits would be included on that list bringing additional people into town.

Mr. Haun stated that this property suits his development very well as there is room to expand for future growth. He also stated that properties near a distillery generally increase in value.

Member Fry asked the size and cost of a large still.

Mr. Haun answered that the still would be 45 ft. tall and cost approx. \$500,000.

Attorney Klein reminded everyone that whenever Kindred Spirits is ready to bring in a large still, that will require a height Variance and would need to come back to the Planning Commission.

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Chairman Guttilla asked Attorney Klein to review the findings that need to be considered before granting a Special Use. They are as follows:

1. Is necessary or desirable to provide a service which is in the interest of public convenience.
2. Will cause no additional threat to public health, safety, or welfare or creation of a nuisance.
3. Will cause no additional public expense for flood protection, fire rescue or relief operations, policing, or repairs to roads, utilities, or other public facilities.
4. Will not unduly increase traffic congestion on public roads and highways.
5. Will not alter the essential character of the property or neighborhood in question.
6. Meets other requirements of this title, such as parking and landscaping.
7. Is consistent with the purpose and intent of the comprehensive plan.

After some brief discussion by the Planning Commission Members, Chairman Guttilla asked about Odors.

Mr. Haun stated that there is no odor; It's a sweet smell of corn. Nothing is offensive.

Mr. Haun also stated that there is no noise and the entire process is consumable and safe.

Chairman Guttilla asked how they will get rid of their 'spent wash' and if it would be put in the Village sewer system.

Mr. Haun stated that farmers take the 'spent wash' for their livestock. Nothing goes into the sewer.

Mr. Haun also explained that the industry is heavily regulated and they are already working with ATF, the State of IL and the Utica Fire Department and the local Health Department.

Chairman Guttilla asked about parking and how many acres are available.

Mr. Dee Bennett was sworn in by Attorney Klein to provide Testimony.

Mr. Bennett then stated that parking is sufficient on the property; there are 3.65 acres available.

Attorney Klein stated that one free standing sign of either 100 sq. ft. or 1 sq. ft. per 100 feet of property frontage would be allowed.

Ms. Bonnie Bennett was sworn in by Attorney Klein to provide Testimony.

She stated that the existing sign was used for Bennett Garden Center and was included as a Variance with their original Petition.

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Member Gift thought that this would be the time to also request a sign Variance in the event that changes to future signage would be necessary.

Attorney Klein agreed that since his Petition requests 'Variances as necessary' a sign Variance could be included if Mr. Haun thought it might be something he would need to avoid having to go through the process a seeking a separate Variance later on. Mr. Haun agreed and asked to amend his Petition to include a request for a sign Variance.

Mr. Haun was then asked about his hours of operation. He stated that they will be primarily a family run business and their hours of operation will be 11 am – 8 pm; and no live bands and late nights.

With no one present to speak in opposition of the Petition and no additional Testimony or questions for the Petitioner, the Hearing was closed at 7:50 pm. Motioned by Member Gift, seconded by Member Chapman.

All in favor

Motion Carried

It was motioned by Member Fry, seconded by Member Cetwinski to recommend approval of adding the definition of a Distillery for Craft Spirits to the Zoning Ordinance.

A brief discussion was held:

Member Fry stated that the Petition was well presented and that this type of business would be good for the community.

Member Gift stated that it would be beneficial to the Village, and it's located in the perfect area to draw additional tourism.

Member Gift also stated that this is a special circumstance. It does not detract from the area and it's an industry that is heavily regulated.

Chairman Guttilla agreed and said that this is a very good fit for that building.

Member Chapman expressed a concern for traffic along Rt. 178.

Member Fry stated that the property would probably allow for that as it goes all the way up to Rt. 6.

Member Gift asked if there had been any thoughts about accessing the property from Rt. 6 instead.

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Chairman Guttilla stated that it seems as if access would be too close to the Rt. 178 and Rt. 6 intersection.

Engineer Heitz stated that in fact it may be a little too close to the intersection to have access in that immediate area off of Rt. 6

Member Gift then asked about jobs and future employment.

Mr. Haun stated that in addition to family being involved there will be a staff of employees.

After repeating the Motion on the floor the Clerk took the roll call vote (It was motioned by Member Fry, seconded by Member Cetwinski to recommend approval of adding the definition of a Distillery for Craft Spirits to the Zoning Ordinance.)

5 Yes

Motion Carried

It was then motioned by Member Fry, seconded by Member Munson to recommend approval of a Special Use in the C-3 District.

5 Yes

Motion Carried

It was then motioned by Member Gift, seconded by Member Fry to recommend that the Village grant a Special Use and a sign Variance in the C-3 District to Mr. Ken Haun and Kindred Spirits Distillery, Inc.

5 Yes

Motion Carried

Minutes: It was motioned by Member Munson, seconded by Member Fry to amend and approve the 7-7-16 Minutes as discussed. The Clerk will make the change, adding the additional language to regarding the 2-acre minimum on the lot owned by Chris Duffy for the purpose of the construction of a 2,400 sq. ft. detached garage on a property with no principal structure.

5 Yes

Motion Carried

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**MINUTES**

Old Business / New Business: Member Gift stated that Mill St. looks great. Everyone agreed. He then stated that at a tourism coalition meeting, an idea was presented that Utica Businesses could consider staying open 1 night per week to see if that brings in additional people and revenue into their business. Starved Rock would like to focus on increasing its' mid-week attendance so it would help if the businesses would decide to try staying open later, even once every month to begin with.

Member Munson then asked about weeds at Country Cupboard Ice Cream Shoppe. Mayor Jereb stated that the Village is working on some of these items to address any issues that have been arising.

With no additional business, the meeting was adjourned at 8:12 pm. Motion made by Member Fry, seconded by Member Chapman.

All in Favor

Motion Carried

Respectfully submitted,

Laurie A. Gbur

Village Clerk

Village of North Utica