

VILLAGE OF NORTH UTICA
801 South Clark Street, North Utica, IL 61373
Planning Commission
Public Hearing
June 17, 2021
www.utica-il.gov

AGENDA

- I. **6:00 p.m.** Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. **6:00 Public Hearing:**
 - 1. Consideration of the Petition of Dee Bennett and Bonnie Bennett-Campbell, f/k/a Bonnie Grusk, Owners of property located at 2958 IL Rt. 178. Utica, IL, 61373, seeking approval to subdivide and approve a Plat of Survey for the property in order to sell such. The Property is Zoned C-3 and is to remain as such.
 - 2. Discussion and Possible Recommendations of the Planning Commission on such Hearing regarding the Petition to subdivide property and approve a Plat of Survey for property located at 2958 IL Rt. 178, Utica, IL 61373.
- V. **Discussion Only.** Regarding consideration of whether, and if allowed, under what circumstances, and/or in which zoning districts, cannabis dispensary business establishments, cannabis growth and/or manufacturing businesses, cannabis social areas, and related businesses/activities, may be allowed, including, but not being limited to, consideration of allowances as defined within provisions of the recently enacted State of Illinois Cannabis Regulation and Tax Act and any and all other matters related in any matter to the growth, manufacturing, sale and/or use of cannabis and related products within the corporate limits of the Village of North Utica and matters related thereto.
- VI. Consideration and Possible Action on Planning Commission Meeting Minutes: 05-26-2021
- VII. Old / New Business
- VIII. Public Comment
- IX. Adjournment

POSTED 06-15-2021

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MINUTES

At 6:09 pm the meeting was called to Order. Village Clerk Laurie Gbur recorded the meeting attendance. Present at the meeting were Planning Commission Members Doug Gift, Dennis Hamilton, Mike Brown, and Roy Chapman. Also present at the meeting were Village Attorney Herb Klein, Village Engineer Kevin Heitz and Public Works Director / Zoning Enforcement Officer Curt Spayer. Planning Commission Chairman Tom Guttilla and Members Bill Zens and Warren Munson were absent from the meeting.

It was motioned by Member Hamilton, seconded by Member Brown to appoint Member Doug Gift as Chairman Pro-Tem for the meeting.

All in Favor
Motion Carried

Chairman Gift provided a brief summary regarding the Petition of Dee Bennett and Bonnie Bennett-Campbell, f/k/a Bonnie Grusk, Owners of property located at 2958 IL Rt. 178. Utica, IL, 61373, in the C-3 Zoning District. The Petitioners were seeking approval to subdivide and approve a Plat of Survey for the property in order to sell such.

Village Exhibit #1 - Legal Notice published on June 9, 2021
Village Exhibit #2 - Plat of Survey

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

Mr. Bennett stated that he has a contract for the purchase of property located at 2958 IL Rt. 178, formerly the Bennett Garden Center. The property is approx. ¼ acre and will be parceled off and the plat subdivided for sale of the property to Cajun Connection Restaurant.

Chairman Gift asked if there are any questions for Mr. Bennett.

Village Engineer Heitz stated that the Bennett family has recently been working with the Village on a utility easement for the IL Rt. 178 roundabout project. The Bennett family has always been very good to work with and the Village supports the sale of this parcel of property to Cajun Connection.

Chairman Gift asked Mr. Bennett if there are plans to develop the property to the north of this ¼ acre.

Mr. Bennett stated that although there are no plans yet, he would definitely be interested in selling the property in the future. There is also an area that is remaining between Dollar General and Applebee's Bait Shop that can be sold for future development of that corner as well.

With no additional questions, the Public Hearing was closed at 6:15 pm. Motioned by Member Hamilton, seconded by Member Chapman.

All in Favor
Motion Carried

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It was motioned by Member Brown, seconded by Member Chapman to recommend approval to subdivide property and approve a Plat of Survey for property located at 2958 IL Rt. 178, Utica, IL 61373.

3 Yes

Motion Carried

Discussion: A brief discussion was held regarding consideration of whether, and if allowed, under what circumstances, and/or in which zoning districts, cannabis dispensary business establishments, cannabis growth and/or manufacturing businesses, cannabis social areas, and related businesses/activities, may be allowed, including, but not being limited to, consideration of allowances as defined within provisions of the recently enacted State of Illinois Cannabis Regulation and Tax Act and any and all other matters related in any matter to the growth, manufacturing, sale and/or use of cannabis and related products within the corporate limits of the Village of North Utica and matters related thereto.

Attorney Klein stated that the State of Illinois approved certain Licensing for cannabis. Cities and Villages can regulate by allowing cannabis businesses, with certain regulations, or by not allowing cannabis to be sold or manufactured within the community. Attorney Klein reminded everyone that the Planning Commission had a Public Hearing to consider such on December 5, 2019, however, then Covid-19 happened and the discussion was put on hold. Mayor Stewart has requested that the Planning Commission discuss the topic again. Although the Village has not yet received any applications for a proposed cannabis business, Mayor Stewart would like to move the discussion forward regarding regulations for such. The Village does not have cannabis included in the Zoning Ordinance yet, however, since the State has expanded the number of Licenses allowed state wide, therefore Mayor Stewart would like the Planning Commission to discuss the matter again. Attorney Klein stated that the Village will need to republish to hold another Public Hearing to further review and consider the information related to cannabis dispensaries, growth and manufacturing.

Member Gift asked if a License was issued for a business to sell cannabis in the Village. Attorney Klein stated that the business is not a Licensed Cannabis Dispensary; they are only Licensed to sell CBD Products.

Member Brown asked about the locations near the Village that currently sell cannabis. Attorney Klein stated that there are Licensed Cannabis Dispensaries in Ottawa, IL and Morris, IL and there is a manufacturing facility in Oglesby, IL.

Member Gift stated that the Planning Commission would like to have the Village Board provide a direction of whether they would like to consider permitting and regulating a cannabis business, or if they would like to consider not permitting a cannabis business in the Village. Mayor Stewart stated that when discussing the matter, the Village would rather not permit a cannabis business in the Village, however such language would then need to be included in the Villages' Zoning Ordinance.

Member Gift asked if it is currently considered a permitted or Special Use. Attorney Klein stated that while a specialty shop is a permitted use, there is nothing specific to a cannabis business yet.

Member Brown stated that his background and previous work experience was as a juvenile officer and with child protective services, therefore he would like to receive input from the North Utica Police Department. Police Chief Damron stated that he agrees that the matter needs to be further discussed and then defined in the Villages' Zoning Ordinance; he would like the Planning Commission and Village Board to determine that cannabis businesses and manufacturing facilities are not permitted within our community. The Village will republish to hold another Public Hearing at a future meeting.

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MINUTES

Minutes: It was motioned by Member Brown, seconded by Member Chapman to approve the Minutes from the May 26, 2021 Planning Commission Meeting.

3 Yes

Motion Carried

Old/New Business: A brief discussion was held regarding the upcoming development of the approved outdoor Beer Garden that will be located on property across from Lodi Tap House. Engineer Heitz stated that the project has had a few setbacks due to materials being difficult to obtain and title work needed for the sale of the property. The developers hope to begin construction very soon.

Public Comment: NONE

With no additional business, the meeting was adjourned at 6:28 pm. Motioned by Member Hamilton, seconded by Member Brown.

All in Favor

Motion Carried

Respectfully submitted,

Laurie A. Gbur
Village Clerk