

**VILLAGE OF NORTH UTICA**

801 South Clark Street

North Utica, IL 61373

Planning Commission

Public Hearing

March 28, 2019

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

AGENDA

- I. **6:00 p.m.** Call to Order
- II. Pledge of Allegiance
- III. Roll Call – Planning Commission
- IV. **6:00 Public Hearing:**
  - 1.) Petition of Starved Rock Entertainment, as Tenant, and Thomas Destri, as Owner of property generally located at 201 Donaldson Street, in Utica, IL, seeking a Special Use under Section 10-8B-3 of the Zoning Code, to permit the operation as a recreation use; place of amusement
    - a) A Special Use for property located at 201 Donaldson St. for the operation of an Escape Room and a children’s play/recreation area within the building.
    - b) Such other relief as is necessary to allow the intended operations.
- V. Consideration of Approval of Planning Commission Meeting Minutes: 01-31-19
- VI. Roll Call – Village Board
- VII. **6:15 Public Hearing:**
  - 1.) Review of the Village of North Utica Zoning Ordinance and discussion of possible amendments of such:
    - a) Consideration of amending the maximum square footage of garages and accessory structures allowed in the Residential Districts;
    - b) Consideration of amending the Permitted and Special Uses in the Residential Districts, the Commercial Districts, and the Industrial Districts;
    - c) Consideration of amending the Definitions Section of Title 10, Chapter 2;
    - d) Consideration of amendments to the Sign Ordinance Title 10, Chapter 15; and
    - e) Consideration of such other amendments to the Zoning Ordinance as are necessary and in the best interest of the Village.
  - 2.) Discussion and Possible Recommendations of the Planning Commission regarding such Amendments to the Village of North Utica Zoning Ordinance.
- VIII. Old / New Business
- IX. Public Comment
- X. Adjournment

POSTED 3-25-19

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### MINUTES

At 6:15 pm the meeting was called to Order by Planning Commission Chairman Tom Guttilla who then led the Pledge of Allegiance. Village Clerk Laurie Gbur recorded the meeting attendance. Present at the meeting were Members Doug Gift, Dennis Hamilton, Bill Zens and Mike Brown. Also present was Village Engineer Kevin Heitz and Zoning Enforcement Officer Curt Spayer. Absent from the meeting were Members Bill Fry, Warren Munson and Roy Chapman. Village Attorney Herb Klein was also absent.

Chairman Guttilla provided a brief summary of the Petition of Starved Rock Entertainment, as Tenant, and Thomas Destri, as Owner of property generally located at 201 Donaldson Street, in Utica, IL, seeking a Special Use under Section 10-8B-3 of the Zoning Code, to permit the operation as a recreation use; place of amusement. They are seeking a Special Use for the operation of an Escape Room and a children's play/recreation area within the building.

Mr. Brad Hougas was sworn in to provide Testimony.

Mr. Hougas stated that he would be leasing the property and he and his partner Corey would like to open a business featuring three escape rooms as well as a play area for children. The escape rooms would offer another unique experience for people to visit. Each escape room has a different theme and offers team building and puzzle solving activities. They would offer corporate gatherings and birthday parties. The children's area will consist of a sand pit, slides and oversized games for ages 3-12. There will be no electronic games so that kids are encouraged to exercise and use their imagination. Mr. Hougas also stated that he would like to offer party packages with the local businesses as well.

Member Gift asked if they had consulted with anyone regarding safety.

Mr. Hougas stated that they would make sure everything is safe for children. The escape rooms are created by a group from Europe and they are designed to be safe for all ages. There will also be cameras and monitors in the building to ensure safety.

Member Zens asked if the rooms would be modified at any point to continue to offer new experiences.

Mr. Hougas stated that the rooms will be updated every year or more.

Member Brown asked if they will require a Fire inspection.

Mr. Hougas stated that he had spoken with Fire Chief Ben Brown and they are submitting architectural prints to meet the life safety code.

Member Gift asked if there would be ample parking.

Mr. Hougas stated that the current lot allows parking for up to 15 vehicles but there is an area available for additional parking if it's needed.

Engineer Heitz asked if the parking lot would be striped.

Mr. Hougas stated that they will stripe the lot and they allow for a couple of accessible parking spots as well.

Mr. Hougas then stated that the hours of operation for the play area would be 10 am – 7 pm during the week and 9 am – 7 pm on the weekends. The hours for the escape rooms would be 1 pm – 9 pm during the week and noon – 10 pm on the weekends.

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Member Zens asked about the pricing.

Mr. Hougas stated that the pricing for the escape rooms will be per person and the pricing for the children's play area will be with a special pass. An adult will need to be on the premises with children; they will not allow parents to drop off children by themselves.

Member Brown asked if they plan to have alcohol available.

Mr. Hougas stated that they do not intend to sell or provide any alcohol.

Member Gift asked about signage.

Mr. Hougas stated that they will have a sign on the property however they will advertise on the internet and radio.

Chairman Guttilla asked if there was anyone present that would like to speak in favor of the Petition.

Village Trustee John Schweickert stated that he thinks the business would be a great addition to the Village and it is a great idea for something additional for families with children to do.

Chairman Guttilla then asked if anyone would like to speak in opposition of the Petition; no one came forward.

It was motioned by Member Brown, seconded by Member Zens to close the Public Hearing at 6:35 pm.

All in Favor

Motion Carried

Chairman Guttilla then discussed the 7 Findings of Fact as follows:

In considering all appeals, all proposed special uses, and a review by the zoning enforcement officer, the commission shall, before recommending that the village board grant any special use in a specific case, first determine and make findings of fact that the proposed special use:

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.

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Findings of Fact continued:

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 a brief discussion, it was motioned by Member Brown, seconded by Member Gift to recommend granting a Special Use to property located at 201 Donaldson St. for the purpose of operating a business that will feature escape rooms and a children's play area.

4 Yes (Gift, Hamilton, Zens, Brown)

Motion Carried

Approval of Minutes: It was motioned by Member Gift, seconded by Member Zens to approve the Minutes from the 1-31-19 Planning Commission meeting.

All in Favor

Motion Carried

Roll Call: Village Clerk Laurie Gbur seated the Village Board for the remainder of the meeting to discuss possible amendments to the Village's Zoning Ordinance. Present at the meeting were Trustees Debbie Krizel, Mary Pawlak, Jim Schrader, John Schweickert, Joe Bernardoni and Ron Pawlak. Mayor Stewart was also present at the meeting.

Mayor Stewart summarized s list of items to consider that was created by Attorney Klein. The items for discussion and possible amendment include the allowed square footage of garage space, sheds and other accessory buildings; Permitted and Special Uses in the Commercial and Residential Zoning Districts and possible consideration to allow Zoning Enforcement Officer Spayer the authorization to review and approve certain items. Mayor Stewart stated that while the list of possible amendments is extensive, he would like to see one or two items considered monthly, and the overall amendment(s) to the Code be completed within 4 – 6 months if possible.

Member Gift stated that regarding garage sizes, maybe the Village could consider the lot and home size to determine a percentage of allowed garage space.

Trustee Schweickert agreed and stated that the lots and houses being constructed are larger now, so a percentage to determine the allowed garage space would allow Spayer to approve some without a Variance being required.

Member Zens agreed and stated that attached garages on a new build vs. detached garages on a property with an existing home would need to be reviewed.

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Also briefly discussed were items regarding signage, overnight rentals and Airbnb lodging and the Village's current Bed & Breakfast Ordinance.

Mayor Stewart stated that since it has been quite awhile since the last update of the Village's Zoning Code, which happened in 2004, it is a good idea to review certain areas within the Code.

Chairman Guttilla agreed and reminded the group that in 2004 the update of the Code took approx. 1 year.

Mayor Stewart also stated that he has a committee of Trustees working on the creation of an 'Airbnb' overnight lodging Ordinance to regulate the properties throughout the Village.

Trustee Schrader stated that he would like to limit Airbnb business to Commercially Zoned Districts.

Member Gift stated that maybe other tourist communities would have similar Ordinances that the Village could review.

Member Zens stated that violation of an Ordinance regulating the Airbnb's should be subject to a steep fine. Also discussed were possible regulations regarding noise, limiting the number of people at one time at each property as well as parking and signage.

Overall, everyone agreed that overnight rentals should be regulated and those property owners should be required to maintain the property and submit Hotel / Motel Tax payments to the Village.

Also briefly discussed was a property located on Donaldson St. owned by Mr. Joe Frig. He would like to park his Semi-Truck and Trailer on the property during days / evenings when there are Little League games so that he doesn't have to park on Church St. The Board has discussed authorizing Zoning Enforcement Officer Spayer with decisions such as these and of a temporary nature, while the Zoning review is taking place. The Planning Commission agreed that this would be a good idea in the interim period. It will be further discussed and considered at the April Board Meeting.

Old Business / New Business: NONE

Public Comment: Mrs. Linda Moyer-Halm, 2853<sup>rd</sup> Rd, Utica, spoke about parking being allowed on grass and how that would affect parking for tourism.

With no additional business, the meeting was adjourned at 7:23 pm. Motioned by Member Brown, seconded by Member Hamilton.

All in Favor

Motion Carried

Respectfully submitted,

Laurie A. Gbur  
Village Clerk

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