

**VILLAGE OF NORTH UTICA**  
**248 W. Canal St, North Utica, IL 61373**  
**Planning Commission Meeting**  
**October 27, 2022**  
[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
- IV. Appearance Request: Mr. Phillip Gassman, 1122 N 2803rd Rd., Utica, regarding concerns about a possible change in the usage of certain property located south residence, and south of 2803rd Road.
- V. **Public Hearing:**
  1. For the purpose of Considering and hearing Testimony as to possible amendments regarding the Village of North Utica Zoning Ordinance at Section 10-15-1 et. seq., regarding Signs. The proposed changes under consideration include, but are not limited to:
    - a. Regulations regarding Definitions (10-15-2);
    - b. Regulations regarding Temporary Portable Signs (10-15-3F.2.e);
    - c. Regulations affecting Illuminated Signs (10-15-4A);
    - d. Regulations regarding Wall Business Signs (10-15-7C);
    - e. Regulations affecting Signs requiring a Special Use, including Advertising Signs, Billboards and Offsite Signage (10-15-8);
    - f. Regulations regarding Single Pole Banner Signs and Temporary Signs (10-15-9);
    - g. Any and all other amendments to Ordinances regulating Signs and Village Ordinances, necessary to effectuate any changes.
  2. Discussion and Possible Recommendations of the Planning Commission regarding such Hearing.
- VI. Consideration and Possible Action on Planning Commission Meeting Minutes: 10-06-2022
- VII. Old / New Business
- VIII. Public Comment
- IX. Adjournment

**POSTED 10-25-2022**

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MINUTES

At 6:07 pm the meeting was called to Order by Chairman Tom Guttilla who then led the Pledge of Allegiance. Village Clerk Laurie Gbur recorded the Meeting attendance. Present at the meeting were Planning Commission Members Warren Munson, Doug Gift, Mike Brown, Andy Skoog and Mark MacKay. Also present at the meeting were Village Attorney Herb Klein, Village Engineer Kevin Heitz and Zoning Enforcement Officer Curt Spayer. Members Dennis Hamilton and Bill Zens were absent from the meeting.

Appearance Request: Mr. Phillip Gassman, 1122 N 2803rd Rd., Utica, regarding concerns about a possible change in the usage of certain property located south residence, and south of 2803rd Road.

Mr. Phillip Gassman spoke to the Planning Commission about the possibility of a change in ownership of some land located south of 2803<sup>rd</sup> Rd. The land is generally located near the residential area of 11<sup>th</sup> Rd and 2803<sup>rd</sup> Rd.

Mr. Gassman stated that he has heard that the property may be changing ownership and the new intended use for the property would be a riding park for ATV vehicles.

Member Gift asked Mr. Gassman to further explain the area of the property he is concerned about.

Mr. Gassman stated that the property is located in an area south of 2903<sup>rd</sup> Rd, behind the homes built along the road.

Chairman Guttilla stated that he is not aware of any change in ownership or pending sale of land in that area.

Engineer Heitz stated that the property is land that was previously annexed to the Village for the purpose of future mining by Covia, formerly Unimin; Covia has since closed the Utica Facility. Engineer Heitz also stated that the land was zoned Agriculture with a Special Use for mining.

Member Munson asked if the property is located near the old riding park.

Mr. Gassman answered, "Yes; there is approx. 600 acres."

Mrs. Dianne Gassman asked the Planning Commission Members if they had ever seen the property they are referencing, or if they ever walked the property.

Member Munson stated that he had spent time walking the property in that area.

Member Brown also stated that he had spent time walking the property in the area.

Mr. Gassman asked if the new property owners would need to seek a Special Use to operate a riding park.

Attorney Klein stated that in order to operate a business on the property, and depending on the intended use, the property may require rezoning and the owners may need to seek a Special Use.

Attorney Klein stated that if a property owner Petitions the Village seeking a Special Use, there would be a Public Hearing where people are able to attend and ask questions and provide comments.

Member Munson stated that the property owners could come to the Village to Petition for Annexation of their properties as well.

Ms. Kayla Crowther stated that there is no water and sewer available to them so they are not able to annex in to the Village.

Member Munson stated that water and / or sewer is not necessary for property annexation.

Ms. Crowther asked Member Munson what the advantage would be for the property owners to annex in to the Village.

Member Munson answered, "If a property owner decides to annex their property in to the Village, they would then have the right to be represented by the Village of Utica."

Mr. Gassman asked how they will be made aware if the property is changing in ownership.

Chairman Guttilla stated the Village currently doesn't have any information on the property and hasn't been contacted regarding such so this could be a private sale.

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Chairman Guttilla asked Mr. Gassman if he tried to reach out to the current owner to seek information about the property.

Mr. Gassman answered that he has been unable to reach anyone.

Chairman Guttilla then stated that if anyone comes before the Planning Commission seeking rezoning of property or a Special Use for property, the Planning Commission would do its' due diligence, however at this time, no one has contacted the Village and no Petitions have been filed.

Attorney Klein reminded the group that should a Petition be filed then a Public Hearing would be scheduled and Notice of the Hearing would be published.

At 6:27 pm, the continued Public Hearing began regarding the discussion about the Villages' Sign Ordinance and possible amendments to such.

Attorney Klein provided a brief summary regarding the continued Public Hearing. The Public Hearing was continued from the October 6, 2022 Planning Commission Meeting and is being held for the purpose of Considering and hearing Testimony as to possible amendments regarding the Village of North Utica Zoning Ordinance at Section 10-15-1 et. seq., regarding Signs. The proposed changes under consideration include, but are not limited to:

- a. Regulations regarding Definitions (10-15-2);
- b. Regulations regarding Temporary Portable Signs (10-15-3F.2.e);
- c. Regulations affecting Illuminated Signs (10-15-4A);
- d. Regulations regarding Wall Business Signs (10-15-7C);
- e. Regulations affecting Signs requiring a Special Use, including Advertising Signs, Billboards and Offsite Signage (10-15-8);
- f. Regulations regarding Single Pole Banner Signs and Temporary Signs (10-15-9);
- g. Any and all other amendments to Ordinances regulating Signs and Village Ordinances, necessary to effectuate any changes.

The Public Hearing has been an ongoing discussion regarding several areas within the Villages' Sign Ordinance. The Hearing has been continued several times due to the nature of this being an in-depth review. Attorney Klein provided a summary of the remaining sections of the Sign Ordinance that need further review. Pole Banner Flags were briefly discussed again, regarding the number and size of Banner Flags allowed per business or property, including the number allowed on private property vs, public property.

It was motioned by Member Skoog, seconded by Member Gift to recommend approval of an amendment to the Village of North Utica Sign Ordinance to allow up to 3 Pole Banner Flags, not to exceed 12 feet each on private property, subject to approval by the Zoning Enforcement Officer who has the authority to grant an Administrative Variance if requested, or to deny a Variance request based on the location and size of the property. If the Variance is denied by the Zoning Enforcement Officer, the business owner can Petition to come before the Planning Commission seeking a Variance.

5 Yes

Motion Carried

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Illuminated Signs – The previous recommendation by the Planning Commission regarding Illuminated Signs was as follows: All Illuminated Changeable Copy Signs (Other than static message signs) will require a Special Use in all Zoning Districts. It was then motioned by Member Brown, seconded by Member Skoog to recommend approval of the amendment to the Villages’ Sign Ordinance regarding Illuminated Changeable Copy Signs, as presented.

5 Yes

Motion Carried

Wall Business Signs – The previous recommendation by the Planning Commission regarding Wall Business Signs was as follows: To allow wall business signage, per side of the building facing a public street or public alley, subject to the meeting current total square footage per side. It was then motioned by Member Brown, seconded by Member Gift to recommend approval of the amendment to the Villages’ Sign Ordinance regarding Wall Business Signs, as presented.

5 Yes

Motion Carried

Temporary Portable Signs – Discussion was held regarding Temporary Portable Signs including A-Frame Signs and / or Sandwich Board Signs.

Attorney Klein stated that the Village Ordinance currently allows 1 Temporary Portable Sign per Business Establishment, per lot / property, during business operating hours.

Discussion was held regarding corner lots, properties containing more than one business and private property vs. public property.

It was then motioned by Member Brown, seconded by Member Skoog to recommend approval of amending the Villages’ Sign Ordinance regarding Temporary Portable Signs, as follows: One Temporary Portable Sign such as an A-Frame Sign or a Sandwich Board Sign will be allowed per business, during business operating hours on public property and it must be taken down at the end of each day; these Temporary Portable Signs will be allowed to remain up at the end of each day, if they are located on private property. Also, the word ‘establishment’ will also be changed to ‘business’ in the Ordinance.

5 Yes

Motion Carried

Billboards & Off Premises Signs – Discussion was held regarding Billboards & Off Premises Signs.

Attorney Klein reminded the group that sign content can not be regulated by the Village unless it contains profanity. The current Sign Ordinance allows for Off Premises Signs on unimproved lots and 1,000 feet away from another Off-Premises Sign, in the C3 Zoning District. There are currently approx. 5 unimproved lots in the C3 Zoning District.

Chairman Guttilla stated that when the original Ordinance was created, at that time the Planning Commission wanted to regulate the number of signs along IL Rt. 178 and Rt. 6 so that there wasn’t going to be so many along the corridor entering the Village. Other Members of the Planning Commission agreed.

Attorney Klein stated that at that time, the Village started conservatively to limit the number of billboards. Engineer Heitz stated that the Off Premises Signs being considered are the smaller business signs, not the large billboards. Attorney Klein agreed and explained that the Village needs to determine the smaller off premises signs for size, number and location.

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Member Brown made a motion, seconded by Member MacKay, to leave the current language regarding the Billboards and Off Premises Signs as is. Member Brown stated that he doesn't want to see so many signs that it affects the beauty of the route traveling through the Village to get to the State Park. Chairman Guttilla stated that the Village could consider putting up a larger Billboard Sign and have businesses displayed. Member Gift agreed.  
The Clerk took the roll call vote regarding Member Browns' motion to leave the current language regarding Billboards and Off Premises Signs as is.

5 Yes  
Motion Carried

Minutes: It was then motioned by Member Brown, seconded by Member Skoog to approve the Minutes from the October 6, 2022 Planning Commission Meeting as presented.

All in Favor  
Motion Carried

Old Business / New Business: General discussion regarding new projects announced in the Illinois Valley area as well as the Villages' upcoming Mini Mill St. Shops development.

Public Comment: NONE

With no additional business, motion was made by Member Skoog, seconded by Member MacKay to adjourn the meeting at 7:19 pm.

All in Favor  
Motion Carried

Respectfully submitted,

Laurie A. Gbur  
Village Clerk