

**APPROVED 10/10/18**

**PLANNING & ZONING COMMISSION**  
**City Council Chambers**  
**800 Game Farm Road, Yorkville, IL**  
**Wednesday, September 12, 2018 7:00pm**

**Meeting Called to Order**

Chairman Randy Harker called the meeting to order at 7:00pm, roll was called and a quorum was established.

**Roll Call:**

Bill Gockman-present, Don Marcum-present, Jeff Olson-present, Richard Vinyard-present, Randy Harker-present

Absent: Reagan Goins, Deborah Horaz

**City Staff**

Krysti Barksdale-Noble, Community Development Director  
Jason Engberg, Senior Planner

**Other Guests**

Lynn Dubajic, City Consultant            Brian & Melissa Phillips  
Kelly Helland, Attorney                Tony & Emily Weeks  
Chris Vitosh, Vitosh Reporting Service

**Previous Meeting Minutes** July 18, 2018

The minutes were approved as presented on a motion and second by Commissioners Vinyard and Marcum, respectively.

Roll call vote: Marcum-yes, Olson-yes, Vinyard-yes, Gockman-yes, Harker-yes.  
Passed 5-0.

**Citizen's Comments** None

**Public Hearings**

Chairman Harker explained the procedure that would be followed for the Public Hearing and he swore in those who would speak at the Hearing. At 7:03pm a motion was made by Mr. Vinyard to open the Public Hearing and Mr. Marcum seconded the motion.

**1. PZC 2018-16 Flight Team, LLC, petitioner, has filed applications with the United City of Yorkville, Kendall County, Illinois, requesting special use permit approval of a proposed tavern for a craft beer tasting room with onsite consumption and future beer garden in a proposed new building zoned B-2 Retail Commerce Business District within the Kendall Crossing Planned Unit Development pursuant to Chapter 6, Table 10.06.03 of the Yorkville Zoning Ordinance. The real property is located generally north of US 34 (W. Veterans Parkway) and west of IL 47 (N. Bridge Street) in Yorkville, Illinois.**

*(See Court Reporter's Transcript of Testimony)*  
(The Findings of Fact shall also be entered into the official record).

The Public Hearing was closed at approximately 7:16pm on a motion and second by Commissioners Vinyard and Marcum, respectively.  
Roll call: Marcum-yes, Olson-yes, Vinyard-yes, Gockman-yes, Harker-yes. Passed 5-0.

**Unfinished Business** None

**New Business**

1. **PZC 2018-16 Flight Team** (see above description)

Chairman Harker commented this project was a great concept in a perfect spot. He then read the Special Use Criteria and there was no further discussion.

**Action Item**

Special Use

A motion was made and seconded by Commissioners Vinyard and Gockman to approve the Findings of Fact and petition and Mr. Gockman read the motion as follows: In consideration of testimony presented during a Public Hearing on September 12, 2018 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for Special Use authorization for the operation of a proposed new tavern with a tasting room and packaged bottle sales in a new construction commercial building zoned B-2 General Business District PUD within the Kendall Crossing development located generally north of US 34 (Veterans Parkway) and west of IL 47 (N. Bridge Street).

Roll call: Olson-yes, Vinyard-yes, Gockman-yes, Marcum-yes, Harker-yes. Passed 5-0.

**Additional Business**

1. City Council Action Update

Ms. Noble reported PZC 2018-13, Chapter 18: text amendment for Telecommunication Tower and Antenna Regulations was approved by City Council.

**Adjournment**

There was no further business and the meeting was adjourned at 7:21pm on a motion by Commissioner Vinyard.

Respectfully submitted by  
Marlys Young, Minute Taker

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UNITED CITY OF YORKVILLE  
YORKVILLE, ILLINOIS

PLANNING AND ZONING COMMISSION  
PUBLIC HEARING

800 Game Farm Road  
Yorkville, Illinois

Wednesday, September 12, 2018  
7:00 p.m.

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PRESENT:

Mr. Randy Harker, Chairman,  
Mr. Jeff Olson, Vice-Chairman,  
Mr. Bill Gockman,  
Mr. Donald Marcum,  
Mr. Richard Vinyard.

ALSO PRESENT:

Ms. Krysti Barksdale-Noble, Community  
Development Director,  
Mr. Jason Engberg, Senior Planner,  
Ms. Marlys Young, Minute Taker.

- - - - -

1 (WHEREUPON, the following  
2 proceedings were had in  
3 public hearing:)

4 CHAIRMAN HARKER: There is one public  
5 hearing scheduled for tonight's Planning and  
6 Zoning Commission's meeting. The purpose of this  
7 hearing is to invite testimony from members of  
8 the public regarding the proposed request that is  
9 being considered before the Board tonight.

10 Public testimony from persons  
11 present who wish to speak may be for or against  
12 the request or to ask questions of the petitioner  
13 regarding the request being heard.

14 Those persons wishing to testify are  
15 asked to speak clearly, one at a time, state your  
16 name and who you represent, if anyone. You are  
17 asked to sign in at the podium if you haven't  
18 already done so.

19 If you plan to speak during  
20 tonight's public hearing as a petitioner or a  
21 member of public, please stand, raise your right  
22 hand and repeat after me.

23 (Witnesses sworn.)

24 CHAIRMAN HARKER: Thank you. You may be

1 seated.

2 So we're going to receive the  
3 testimony from the petitioner and then all those  
4 who are in favor of the request and then those  
5 that are opposed and any questions that the  
6 Planning and Zoning Commissioners might have to  
7 petitioner.

8 Can I have a motion to open public  
9 hearing on Petition Number PZC 2018-16?

10 MR. VINYARD: So moved.

11 MR. MARCUM: Second.

12 CHAIRMAN HARKER: Okay. PZC 2018-16  
13 Flight Team, LLC, petitioner, has filed  
14 applications with the United City of Yorkville,  
15 Kendall County, Illinois, requesting special use  
16 permit approval for a proposed tavern for a craft  
17 beer tasting room with on-site consumption and  
18 future beer garden in a proposed new building  
19 zoned B-2 Retail Commerce Business District  
20 within the Kendall Crossing Planned Unit  
21 Development pursuant to Chapter 6, Table 10.06.03  
22 of the Yorkville Zoning Ordinance.

23 The real property is located  
24 generally north of U.S. Route 34, western -- or

1 West Veteran's Parkway, and west of Illinois  
2 Route 47, North Bridge Street, in Yorkville,  
3 Illinois.

4 Okay. Petitioner?

5 KELLY HELLAND,

6 having been first duly sworn, testified from the  
7 podium as follows:

8 MS. HELLAND: Kelly Helland on behalf of  
9 Flight Team. We are here tonight seeking  
10 approval of a special use for a tavern provision  
11 for the property located directly south of  
12 Lighthouse Academy and somewhat adjacent to where  
13 the new Holiday Inn Express banquet facility will  
14 be.

15 It is currently zoned B-2. We  
16 believe that the zoning of this particular  
17 property is compatible with the City's  
18 Comprehensive Plan and we have Ryan and  
19 Stephanie Phillips here tonight and Tony and  
20 Emily Weeks.

21 They are long-time residents of  
22 Yorkville and they are seeking to open up a  
23 tasting room with on-site sales. It's not  
24 necessarily going to be a place where you sit and

1 have, you know, beers for hours on end, but you  
2 may taste some of the products and then if you  
3 like them, you can certainly take some home.

4 There's not going to be on-site food  
5 preparation, but they will have snacks for sale,  
6 and they are actually hoping to coordinate with  
7 food trucks, so there will be food available on  
8 site for consumption.

9 We are here tonight to answer any  
10 questions you may have. We believe this is going  
11 to be a very, very good benefit to the  
12 Countryside Subdivision.

13 CHAIRMAN HARKER: Awesome. Thank you.  
14 Anybody else that's in favor of it that would  
15 like to speak?

16 MS. DUBAJIC: Sure.

17 CHAIRMAN HARKER: Thank you, Kelly.

18 LYNN DUBAJIC,  
19 having been first duly sworn, testified from the  
20 podium as follows:

21 MS. DUBAJIC: Hi, everybody. I'm Lynn  
22 Dubajic from DLK, Economic Development Consultant  
23 for the City of Yorkville.

24 I just want to say how it's been

1 wonderful working with these couples, and they  
2 are next-door neighbors and residents of  
3 Yorkville and really trying to create -- it's  
4 been the vision to create like an entertainment  
5 district over by the theater, and we'll also have  
6 another new building going in over there that's a  
7 sit-down Mexican restaurant.

8 This actual building is 7,000 square  
9 feet and they are taking about 3,000 square feet  
10 of it, and we're really working hard to find some  
11 complimentary other businesses to go into the  
12 building that they're going to be in that will  
13 complement their business for food, and it's  
14 really kind of creating that entertainment  
15 district that we have been so longing for over at  
16 that Kendall Crossing project.

17 So it's just been -- I'm really  
18 looking forward to seeing this and I think it's  
19 an incredible new concept that's out there in a  
20 lot of different communities, so thank you.

21 CHAIRMAN HARKER: Thank you. Anybody  
22 else in favor who would like to speak?

23 MS. PHILLIPS: I can speak and I can  
24 also answer any questions.

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MELISSA PHILLIPS,

having been first duly sworn, testified from the podium as follows:

MS. PHILLIPS: So I'm Melissa Phillips, part of Flight Team. So, yeah, this is a fairly new kind of idea that's coming big, it's in the city, there are some places very similar in Tinley Park, Romeoville, and right now, you know, the four of us travel quite a ways to go to such an establishment, and it's kind of like silly that we would travel so far when we could have something here, when we have a lot of our friends who have similar interests, and, you know, they like beer like we do, and it would be a niche that we would like to fill here in Yorkville. Why leave when you can stay?

So it's a bring-your-own-food, so we -- you know, we'll have snacks, packaged snacks, which, you know, helps us avoid needing a kitchen. We would like to have food trucks; again, another niche that could be filled for Yorkville.

It's bring your own food, so you could get a to-go from another restaurant and

1 bring it in, you could have a pizza delivered,  
2 and so, you know, parents, if they want to come  
3 have some beers with friends, bring snacks for  
4 your kids, keep them happy, so that there is a  
5 lot of opportunity there, and again, it's not  
6 something that we've made up, it's kind of a  
7 plan, kind of a, you know, business plan that's  
8 been in process at some similar businesses.

9 MR. MARCUM: One of my son's favorite  
10 haunts up in Round Lake is a place where they  
11 don't serve food, but they have all kinds of  
12 to-go menus on the table where things can be  
13 delivered.

14 Is that what you have in mind here  
15 as well?

16 MS. PHILLIPS: Absolutely. That is  
17 exactly it. And actually, back home -- my  
18 husband and I are from Michigan -- there is a  
19 similar restaurant and they have food, and we  
20 were there, no one is eating, so, you know, Tony  
21 has experience running a bar and a restaurant,  
22 and if that -- dealing with food, if that's  
23 something that we don't have to deal with, we  
24 would just prefer not to. Really focus on what

1 we want to do and doing it well.

2 MR. MARCUM: Is this building already in  
3 existence?

4 MS. PHILLIPS: No, it is not.

5 MR. MARCUM: Okay. Are you going to use  
6 the whole 7,000 feet?

7 MS. PHILLIPS: No, we are not. We have  
8 about 3,000 of the 7,000, and are looking for  
9 other businesses to move into that.

10 MR. MARCUM: What's your timeline?

11 MS. PHILLIPS: We are hoping to break  
12 ground around the first of October and open as  
13 soon as possible.

14 VICE-CHAIRMAN OLSON: Do you make it  
15 on-site or are you just middleman?

16 MS. PHILLIPS: No, we are not a brewery,  
17 so let's -- I think that was kind of like a  
18 misconception.

19 I think there's benefits to not  
20 being a brewery because then you tend to only  
21 have your own beer. This is actually kind of  
22 a -- it's kind of like a fancy liquor store in a  
23 way where we will have everyone's beer, and so we  
24 can have tap rotations and we can -- you know, we

1 can do a lot more and have a lot more flexibility  
2 than if we were an actual brewery.

3 CHAIRMAN HARKER: Excellent. Okay.

4 MS. PHILLIPS: Okay. Any other  
5 questions?

6 (No response.)

7 MS. PHILLIPS: Thank you.

8 CHAIRMAN HARKER: Anybody else that's in  
9 favor who would like to speak that was sworn in?

10 (No response.)

11 CHAIRMAN HARKER: Okay. Anybody that  
12 would like to speak that's in opposition?

13 (No response.)

14 CHAIRMAN HARKER: Seeing as there is  
15 none, any more questions that we have for the --

16 MR. VINYARD: I have one quick question.

17 CHAIRMAN HARKER: Okay.

18 MR. VINYARD: Krysti, the food truck,  
19 where is that --

20 MS. NOBLE: The food truck --

21 MR. VINYARD: -- provision within our  
22 ordinances?

23 MS. NOBLE: We do not have one  
24 currently.

1 MR. VINYARD: Okay.

2 MS. NOBLE: We have a mobile vendor's  
3 license that is issued through the --

4 MR. VINYARD: Same thing.

5 MS. NOBLE: -- through the city clerk's  
6 office.

7 MR. VINYARD: Okay.

8 MS. NOBLE: So that we have that  
9 provision.

10 Actually Staff is working on a food  
11 truck ordinance, which would probably go to the  
12 Economic Development Committee next month in  
13 October and then you would probably see it in  
14 November.

15 MR. VINYARD: But there really is no  
16 difference than what we were --

17 MS. NOBLE: Correct. Correct.

18 MR. VINYARD: Okay. It's just putting  
19 it down as food truck. Okay.

20 MS. NOBLE: They would have a mobile  
21 vendor license through the licensing department  
22 of the City Clerk's office, and then they have to  
23 get approval of the county health department.

24 MR. VINYARD: Right. Awesome. Thank

1 you.

2 MR. HARKER: Question. The -- Kind of  
3 just picturing what you guys -- what it's going  
4 to look like when you get it up and running and  
5 stuff, is it going to be like in the beer  
6 section, you know, like at Binny's, like how  
7 there's just an absolute ton, do like pick your  
8 own six pack and stuff or whatever?

9 MS. PHILLIPS: Yes. So kind of like  
10 envision -- I'm sorry we didn't bring any visuals  
11 or anything.

12 CHAIRMAN HARKER: That's fine.

13 MS. PHILLIPS: So really what we  
14 envision is one side being a wall of beer, just  
15 different kinds, different breweries, imports,  
16 locals, regionals.

17 One thing we wanted to highlight is  
18 potentially highlighting what's on tap at our  
19 restaurants. Like Crusade has a ton of great  
20 beers. You can't take them home.

21 So, you know, the thought is here's  
22 what's on tap at Millhurst, here what's on tap at  
23 Crusade, because you can only have it there,  
24 right?

1                   So it's kind of like one-half, most  
2 will be room temp, there will be some in coolers  
3 to take home; the other part, there is a lot of  
4 tables, there is tables for four people, we have  
5 one, you know, the beast, is 12, so it's a  
6 12-foot table. It seats a lot of people.

7                   What we wanted to do is kind of have  
8 a social place, come, unplug, be a human,  
9 interact with your friends, play games, right?  
10 Just chat, enjoy a beer, which basically is what  
11 we do together all the time, so really have a  
12 venue that you can just come and do that.

13                   We don't plan on having TV's. The  
14 only TV is the menu, all right? We don't plan on  
15 slots, so it's not a sports bar.

16                   It's a social place. We want to  
17 have book clubs. We've been contacted by running  
18 clubs. We -- you know, there is a lot of social  
19 events that kind of stem from having -- having a  
20 venue like this.

21                   CHAIRMAN HARKER: Excellent. Okay.

22                   Thanks.

23                   MS. PHILLIPS: And then to add to  
24 that --

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CHAIRMAN HARKER: Oh, yeah.

MS. PHILLIPS: Sorry, there's more.

CHAIRMAN HARKER: But wait, there's more.

MS. PHILLIPS: There's more. We are going to have like a garage door which goes to a beer garden, so that's like having another outdoor space. Again, something we don't have.

CHAIRMAN HARKER: Right.

MS. PHILLIPS: And not having food allows us to really open the door and have, you know, free flow. So we're very excited.

CHAIRMAN HARKER: Excellent. And you're saying you're going to -- you want to break ground in October?

MS. PHILLIPS: Yes.

CHAIRMAN HARKER: You should have -- you know, maybe think about having like a kick-off Oktoberfest.

MS. PHILLIPS: Absolutely.

CHAIRMAN HARKER: You know what I mean? Before it -- I don't know if you could get a permit or something like that, but that would be fun, you know?

1 MS. PHILLIPS: Yeah, there is a lot of  
2 potential. Lot of potential.

3 CHAIRMAN HARKER: Sorry. Okay. Thank  
4 you.

5 MS. PHILLIPS: Great. Thank you.

6 CHAIRMAN HARKER: Okay. Since all the  
7 testimony has been taken, can I get a motion --

8 MS. NOBLE: Did you want me to provide  
9 any facts?

10 CHAIRMAN HARKER: Sorry.

11 MS. NOBLE: Just briefly, Staff did a  
12 review of all the standards that were a part of  
13 the special use, so we talked about parking and  
14 traffic. They are well over-parked, so they are  
15 fine there. Traffic, the full access to the  
16 property is off of the northwest corner of the  
17 site, so a right-in, right turn only; egress  
18 provided at the southwest corner of Kendall  
19 Circle near the intersection of Kendall Drive.

20 The concept is that most of this  
21 traffic pattern would be on internal private  
22 roadways, so there should be no issues with  
23 congestion.

24 Adequate utilities are provided.

1 This is consistent with the Comprehensive Plan,  
2 which is destination commercial, and the  
3 petitioner has responded to their standards in  
4 the packet, which, if you like, we can have  
5 entered into the record.

6 MS. HELLAND: We would.

7 MS. NOBLE: Okay. And, finally, we just  
8 made a distinction why certain things are  
9 considered taverns and why certain things are  
10 going to come in outright as restaurants.

11 You see a table in there which  
12 addresses all the restaurants that have tavern  
13 licenses as permitted through the clerk's office  
14 and then what zoning sees as a tavern, so you  
15 have a clear distinction.

16 VICE-CHAIRMAN OLSON: Where are the  
17 liquor stores in town?

18 MS. NOBLE: So liquor stores, they are a  
19 permitted use, and they are outright allowed in  
20 businesses, so they don't have a food component  
21 and they are just retail only, there is no  
22 on-site consumption, so that's where a tavern  
23 comes in, where they don't have that food  
24 component as well like a restaurant, but they do

1 have on-site consumption, so that's why it's  
2 considered a special use, so this is similar.

3 VICE-CHAIRMAN OLSON: Like The Law  
4 Office.

5 MS. NOBLE: Yes, this is similar to The  
6 Law Office, which also has special use for a  
7 tavern.

8 CHAIRMAN HARKER: Excellent.

9 VICE-CHAIRMAN OLSON: Thank you.

10 MS. NOBLE: You're welcome.

11 CHAIRMAN HARKER: Okay. Seeing there is  
12 no more testimony, can I get a motion to close  
13 the testimony and of this public hearing,  
14 please?

15 MR. VINYARD: So moved.

16 MR. GOCKMAN: Second.

17 CHAIRMAN HARKER: All right. Roll call  
18 vote on the motion, please?

19 MS. YOUNG: Yes. Marcum.

20 MR. MARCUM: Yes.

21 MS. YOUNG: Olson.

22 VICE-CHAIRMAN OLSON: Yes.

23 MS. YOUNG: Vinyard.

24 MR. VINYARD: Yes.

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MS. YOUNG: Gockman.

MR. GOCKMAN: Yes.

MS. YOUNG: Harker.

CHAIRMAN HARKER: Yes.

(Which were all the  
proceedings had in the  
public hearing portion  
of the meeting.)

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1 STATE OF ILLINOIS )  
2 ) SS.  
3 COUNTY OF LASALLE )

4 I, Christine M. Vitosh, a Certified Shorthand  
5 Reporter, do hereby certify that I transcribed  
6 the proceedings had at the public hearing and  
7 that the foregoing, Pages 1 through 20,  
8 inclusive, is a true, correct and complete  
9 computer-generated transcript of the proceedings  
10 had at the time and place aforesaid.

11 I further certify that my certificate annexed  
12 hereto applies to the original transcript and  
13 copies thereof, signed and certified under my  
14 hand only. I assume no responsibility for the  
15 accuracy of any reproduced copies not made under  
16 my control or direction.

17 As certification thereof, I have hereunto set  
18 my hand this 1st day of October, A.D., 2018.

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Christine M. Vitosh, CSR  
Illinois CSR No. 084-002883

## PZC - September 12, 2018 - Public Hearing

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