

PLANNING & ZONING COMMISSION
City Council Chambers
800 Game Farm Road, Yorkville, IL
Wednesday, May 11, 2022 7:00pm

NOTE: In accordance with Public Act 101-0640 and Gubernatorial Disaster Proclamation issued by Governor Pritzker pursuant to the powers vested in the Governor under the Illinois Emergency Management Agency Act, the City of Yorkville is allowing remote attendance at this meeting. Social distancing is being encouraged due to the current Covid-19 pandemic.

Meeting Called to Order

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

Roll Call

Deborah Horaz-yes/electronic attendance

Greg Millen-yes/electronic attendance

Jeff Olson-yes/in-person

Richard Vinyard-yes/in-person

Danny Williams-yes/in-person

Absent: Rusty Hyett

City Staff

Krysti Barksdale-Noble, Community Development Director/electronic attendance

Jason Engberg, Senior Planner/in-person

Other Guests

Lynn Dubajic, City Consultant/in-person

Previous Meeting Minutes April 13, 2022

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

Roll call: Millen-yes, Olson-yes, Vinyard-present, Williams-yes, Horaz-yes

Carried: 4-yes and 1 present.

Citizen's Comments None

Public Hearings

Chairman Olson explained the Public Hearing procedure, however, there was no one present to give testimony. The Public Hearing was opened at 7:02pm on a motion and second by Commissioners Williams and Vinyard, respectively.

Roll call: Millen-yes, Olson-yes, Vinyard-yes, Williams-yes, Horaz-yes Carried 5-0.

The Public Hearing description was read by Chairman Olson:

1. **PZC 2022-10** The United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to Section 10-2: “Rules and Definitions” and Section 10-6: “Permitted and Special Uses” within the United City of Yorkville Zoning Ordinance. The amendment proposes to amend the definitions of microbrewery, brewpub, and microwinery to provide consistency with current State statutes and the City's liquor license regulations. Additionally, the land use designation table and special conditions in Section 10-6 of the Yorkville Zoning Ordinance will also be amended to reflect the proposed definitions.

Mr. Engberg presented the background for the proposed Text Amendment. A business has approached the city about opening a microwinery in the downtown and when they applied for a liquor license, there was no language in the code for microwinery. The city amended title 3 of the liquor code to group the microbrewery, brewpub and microwinery together. Staff is recommending changes to the zoning ordinance to align with the liquor code and the State statute.

The recommended changes are:

1. Join microbrewery, brewpub and microwinery all in one single use for liquor code, Class M.
2. Remove requirement that they would have to be part of a restaurant use.
3. Established in liquor license code that 50,000 gallons of wine could be produced per year, consistent with State statute. That was approved by City Council.

He also gave background of the zoning ordinance. Microbrewery and brewpubs are defined as the same. Microdistillery and microwinery each have their own definition. Microwinery limits are currently established at 100,000 gallons per year. He said currently microbrewery and brewpubs have to be ancillary to a restaurant. Separating the definitions will allow for flexibility in the future, said Mr. Engberg. He also discussed the special conditions that apply. An additional change is that instead of saying “hand-capped” it will change to “seal”.

There was no further testimony and a motion was made and seconded at about 7:11pm by Mr. Williams and Mr. Vinyard, respectively, to close the Hearing. Roll call: Millen-yes, Olson-yes, Vinyard-yes, Williams-yes, Horaz-yes Carried 5-0.

Unfinished Business None

New Business

2. PZC 2022-10 Text Amendment (see full description above under Public Hearing)

Action Item

Text Amendment

There was no further discussion and a motion and second to approve was made by Commissioners Horaz and Williams, respectively. Mr. Williams read the motion as follows: In consideration of testimony presented during a Public Hearing on May 11, 2022 and discussions conducted at that meeting, the Planning and Zoning Commission

recommends approval to the City Council a request for a text amendment to Section 10-2-3: Definitions and Section 10-6: Permitted and Special Uses of the United City of Yorkville Zoning Ordinance to amend the definitions of Microbrewery, Brewpub, and Microwinery as well as their placement and special conditions on the permitted and special uses table, as recommended in a staff memo dated May 4, 2022.

Roll call: Olson=yes, Vinyard=yes, Williams=yes, Horaz=yes, Millen=yes. Carried 5-0.

Additional Business

1. Appointment of Vice Chairperson

Commissioner Richard Vinyard was chosen as the new Vice-Chair by a unanimous voice vote.

2. City Council Action Updates

- a. PZC 2022-02 Dawn Leprich-Graves rezoning request approved.
- b. PZC 2022-06 Final Plat Amendment approved for Bristol Bay.
- c. PZC 2022-07 Final Plat of Subdivision approved for Bristol Bay.

Adjournment

There was no further business and the meeting was adjourned at 7:14pm on a motion and second by Commissioners Williams and Vinyard, respectively. Unanimous voice vote.

Respectfully submitted by,
Marlys Young, Minute Taker/electronic attendance