

**CITY OF WOODSTOCK  
PLAN COMMISSION MINUTES**

April 23, 2015 - City Council Chambers

The regular meeting of the Woodstock Plan Commission was called to order at 7:00 PM by Chairwoman Katherine Parkhurst on Thursday, April 23, 2015 in the Council Chambers at City Hall. A roll call was taken.

**PLAN COMMISSION MEMBERS PRESENT:** J. Porter, Darrell Moore, William Clow, Steve Gavers, Doreen Paluch, Erich Thurow, and Chairwoman Katherine Parkhurst.

**PLAN COMMISSION MEMBERS ABSENT:** R. Horrell, Don Fortin.

**STAFF PRESENT:** Planning & Zoning Administrator Jim Kastner and City Planner Nancy Baker

**OTHERS PRESENT:** City Attorney Carlos Arevalo

**APPROVAL OF AGENDA AND MINUTES**

Motion by W. Clow second by D. Paluch approve the Agenda of the April 23, 2015 Plan Commission Meeting as presented. Ayes: W. Clow, S. Gavers, D. Paluch, J. Porter, D. Moore, K. Parkhurst, E. Thurow. Nays: None. Absentees: R. Horrell, D. Fortin. Abstentions: None. MOTION APPROVED.

Motion by W. Clow second by D. Paluch, to approve the Minutes of the August 28, 2014 Plan Commission Meeting as presented. Ayes: W. Clow, S. Gavers, D. Paluch, D. Moore, K. Parkhurst, E. Thurow. Nays: None. Absentees: R. Horrell, D. Fortin. Abstentions: J. Porter. MOTION APPROVED.

**1. PUBLIC COMMENTS** - No comments from the public.

**2. OLD BUSINESS** - No old business was discussed.

**3. NEW BUSINESS**

- **Public Hearing - Zoning Variation from Section 13.8.2 of the Woodstock Unified Development Ordinance in order to retain/reuse an existing monument sign as a second ground sign at 2235 South Eastwood Drive (new Harley-Davidson site).**

CALL ROLL: Chairwoman Parkhurst opened the Public Hearing at 7:03 PM. A roll call was taken and it was determined that a quorum was present.

Chairwoman Parkhurst swore in petitioner Douglas Jackson (10617 Maple Tree Drive, Woodstock), co-owner of Woodstock Harley-Davidson. He advised the Plan Commission that he was requesting a variation of Section 13.8.2 of the Unified Development Ordinance Sign

Regulations, to allow two ground signs on the property (*the relocated bar/shield pole sign and the existing monument sign which will be refaced as a directory sign*). He observed that Section 13.8.2 specifies that only one permanent ground sign is allowed on a business parcel. He also informed the Commission that the City had issued a permit for the relocation of the existing Harley-Davidson bar and shield pole sign from 2050 South Eastwood Drive to the new location with the condition that the monument sign originally erected by Kmart be removed if the proposed variation is not granted. According to Mr. Jackson, Harley-Davidson does not allow other motorcycle brand names to be placed on the same sign with the Harley-Davidson name. Since his business also sells KTM and Triumph motorcycle, another sign is necessary. The second sign would contain the names of KTM and Triumph, as well as the ReStore name.

In response to questions from the Commission, Nancy Baker noted that the existing monument sign is proposed to be refaced as a directory sign and will meet all other requirements of the Sign Control Ordinance. The sign is 72 square feet in area and 8 feet tall. Based on the existing 30 foot setback and over 300 feet of frontage, the Sign Ordinance allows a directory sign to be up to 117 square feet in area and up to 15 feet in height. W. Clow confirmed with Ms. Baker that the existing sign was in compliance with Woodstock's applicable sign regulations.

D. Paluch opined that the petitioner's request was harmonious with the intent of the City's Sign Ordinance. She also thought that it would provide necessary and legible signage and that without the second sign, it could be confusing for potential customers and motorists. Ms. Paluch also stated that the Harley-Davidson company's refusal to allow other product names on the same sign as the "Harley-Davidson" name was a unique circumstance and created practical difficulties for the petitioner. In summary she further stated that the requested variation would not alter the essential character of the surrounding area.

S. Gavers agreed and indicated that the location of the second sign would not pose any visual problems or safety issues for the public.

K. Parkhurst expressed appreciation for Harley-Davidson's contributions to the Woodstock community and for improving the former K-Mart site, but did not believe a second sign was necessary. She expressed concern over increasing the amount of signs especially on a major entrance into the City.

In response to J. Porter, D. Jackson indicated that the 3 motorcycle brands being sold were marketed towards different demographic groups. He pointed out that the building would have different entrances for each of the motorcycle brands (*Harley-Davidson, KTM, and Triumph*). J. Porter stated that he did not have any problems with the variation request.

D. Moore indicated that each of the signs, which are both similar in size, serve a different purpose: one indicates the entrance to the site, while the other is a directory sign which identifies the businesses/product lines on the site.

E. Thurow stated that he was comfortable with both signs, but questioned its location relative to a future sign on the "Porkies" site.

**Public Hearing Comments** – There were no comments from the public. Chairman Parkhurst closed the public comment portion of the hearing at 7:25 P.M.

Motion by D. Paluch, second by W. Clow, to recommend approval of a variation from Section 13.8.2 of the Woodstock Unified Development Ordinance in order to retain/reuse an existing monument sign as a second ground sign at 2235 South Eastwood Drive, based on the following findings: (1) the request is harmonious with the intent of the City’s Sign Ordinance; (2) the variation will allow necessary and legible signage and lessen potential confusion for customers and motorists; (3) the Harley-Davidson company’s refusal to allow other product names on the same sign as the “Harley-Davidson” name is a unique circumstance and creates practical difficulties; and (4) the variation will not alter the essential character of the immediate area.

Ayes: W. Clow, S. Gavers, D. Paluch, J. Porter, D. Moore, E. Thurow. Nays: K. Parkhurst. Absentees: R. Horrell, D. Fortin. MOTION APPROVED (6 yes, 1 no, 2 absentees).

- **Public Hearing - Amendment of Chapter 2 and Section 7B.3.3 of the Woodstock Unified Development Ordinance in order to allow “home kitchens” as a Home Occupation.**

CALL ROLL: Chairwoman Parkhurst opened the Public Hearing at 7:29 PM. A roll call was taken and it was determined that a quorum of the Plan Commission was present.

Jim Kastner advised the Commission that the City has received interest from local residents about preparing food within their homes to sell at off-site locations either as a business activity or as a way of assisting with community fund raising activities. This activity has not been allowed since it violates Woodstock’s home occupation standards and was previously in conflict with McHenry County Health Department regulations. He stated, however, that because of recent changes to the Illinois Cottage Food Operation Act and the Illinois Food Handling Regulation Enforcement Act “home kitchen operations” can occur if located in a municipality, township, or county where the direct sale of goods prepared in a home kitchen is allowed by ordinance. Because of this amendment, there is now a way whereby the preparation and off-site sale of non-hazardous food can be authorized, and sales activity can now occur at fund-raising events for local churches, schools, and civic organizations.

Mr. Kastner noted that the McHenry County Unified Development Ordinance (UDO) contains specific language whereby a “home kitchen operation” is allowed as a home occupation and prepared food items can be sold off-site if they comply with applicable State laws and regulations. As a result of this, unincorporated areas can operate a home kitchen and sell food prepared in the home under certain provisions. Since this doesn’t apply in the City, it is proposed that the Woodstock UDO be amended to allow it in a way similar to how it is regulated in the County.

D. Paluch referred to the State laws and the prohibition on preparing potentially hazardous food, and that as a matter of enforcement, thought that the State’s requirements needed to be conveyed to individuals engaged in this type of home occupation. She stated that she was not opposed to the concept of home kitchens being allowed, but was concerned about food quality and sanitation, and potential liability if people are not fully informed of their obligations.

When questioned as to how McHenry County administers this regulation, D. Moore commented that the County had originally considered requiring an “affidavit of compliance” from people operating a home kitchen; it now relies on people to know the rules. He agreed that the City can require compliance with applicable State statutes as a condition of approval when home occupations are authorized by City staff.

J. Kastner noted that the County Health Department can investigate home kitchens if there are problems or if illnesses occur after eating home-made items, but that in accordance with the revised State laws, regular inspections are not required. D. Paluch declared that she generally prefers less government regulation, but believes there should be regulation of food prepared for public consumption.

D. Moore noted that a fellow employee of his makes cupcakes in her kitchen as a side business and as a way to raise additional income. He sees this type of activity as being similar to a “small business incubator” which may allow a small start-up enterprise to eventually expand to a larger business when it is no longer suitable as a home occupation. The State statutes may not be perfect, according to D. Moore, but at this time he supports the proposed ordinance amendment.

**Public Hearing Comments** – There were no comments from the public. Chairman Parkhurst closed the public comment portion of the hearing at 7:55 P.M.

Motion by D. Moore, seconded by W. Clow, to recommend to the City Council that an ordinance amending Chapter 2 and Section 7B.3.3 of the Woodstock Unified Development Ordinance in order to allow “home kitchens” as a Home Occupation, be approved. A roll call vote was taken. Ayes: E. Thurow, W. Clow, S. Gavers, J. Porter, D. Moore, K. Parkhurst. Nays: D. Paluch. Absentees: R. Horrell, D. Fortin. Abstentions: None. MOTION CARRIED (6 yes, 1 no, 2 absentees).

- **Adoption of Public Comment Rules.**

Jim Kastner informed the Plan Commission that on April 7, 2015 the City Council amended the City Code and approved regulations for all City boards and commissions pertaining to public comment opportunities during their meetings, and that the amending ordinance contained language requiring that these new regulations be adopted by each board and commission. He noted that although most actions required by the new regulations already occur at Plan Commission meetings, the new ordinance stipulates that each public body shall adopt the public comment rules.

Based on the City Council’s action and the content of the approved ordinance, he recommended that the Plan Commission adopt the public comment regulations set forth in City of Woodstock Ordinance Number 15-O-20 as approved by the City Council on April 7, 2015.

Motion by J. Porter, seconded by D. Moore, to adopt the Public Comment Rules approved by the City Council on April 7, 2015. A roll call vote was taken. Ayes: W. Clow, S. Gavers, J. Porter, D.

Paluch, D. Moore, K. Parkhurst, E. Thurow. Nays: None. Absentees: R. Horrell, D. Fortin.  
Abstentions: None. MOTION CARRIED.

**4. DISCUSSION ITEMS:** There were no discussion items.

**5. ADJOURNMENT**

Motion by W. Clow, second by D. Paluch to adjourn the regular meeting of the Woodstock Plan Commission. Ayes: William Clow, S. Gavers, J. Porter, D. Paluch, D. Moore, K. Parkhurst. Nays: None. Absentees: R. Horrell, D. Fortin. Abstentions: None.

Meeting adjourned at 8:10 PM.

Humbly submitted,

---

Jim Kastner – Acting Secretary