



**NORTH AURORA VILLAGE BOARD MEETING
MONDAY, JUNE 3, 2019 – 7:00 p.m.
NORTH AURORA VILLAGE HALL - 25 E. STATE ST.**

AGENDA

CALL TO ORDER - SILENT PRAYER - MEDITATION - PLEDGE OF ALLEGIANCE

ROLL CALL

AUDIENCE COMMENTS

TRUSTEE COMMENTS

CONSENT AGENDA

1. Village Board Minutes dated 5/20/2019; C.O.W. Minutes dated 5/20/2019
2. Travel and Expenses for Business Purposes in the Amount of **\$35.00**
3. Interim Bills List date in the amount of **\$103,226.81**
4. Bills List dated 6/3/2019 in the Amount of **\$142,982.65**

NEW BUSINESS

1. Approval of an Ordinance amending Title 17 of the North Aurora Code regarding Business District land use classifications
2. Approval of an Ordinance granting a Special Use pursuant to Title 17, Chapter 8 of the North Aurora Zoning Ordinance to allow a Microbrewery at 1059 Orchard Road in the B-2 General Business District, Village of North Aurora, Illinois
3. Approval of a Resolution Amending the Public Works Policies Manual

OLD BUSINESS

VILLAGE PRESIDENT

COMMITTEE REPORTS

TRUSTEES' COMMENTS

ADMINISTRATOR'S REPORT

ATTORNEY'S REPORT

VILLAGE DEPARTMENT REPORTS

1. Finance
2. Community Development
3. Police
4. Public Works

EXECUTIVE SESSION

ADJOURN

Initials EB

**VILLAGE OF NORTH AURORA
VILLAGE BOARD MEETING MINUTES
MAY 20, 2019**

CALL TO ORDER

Mayor Berman called the meeting to order.

SILENT PRAYER – MEDITATION – PLEDGE OF ALLEGIANCE

ROLL CALL

In attendance: Mayor Dale Berman, Trustee Mark Gaffino, Trustee Mike Lowery, Trustee Laura Curtis, Trustee Tao Martinez, Village Clerk Lori Murray. **Not in attendance:** Trustee Mark Guethle and Trustee Mark Carroll.

Staff in attendance: Village Administrator Steve Bosco, Community & Economic Development Director Mike Toth, Police Chief Dave Fisher, Public Works Director John Laskowski, IT Manager David Arndt, Village Attorney Kevin Drendel.

PUBLIC HEARING

1. Sugar Grove Boundary Agreement

Mayor Berman opened the public hearing. No one was present to speak. Mayor Berman then closed the public hearing.

AUDIENCE COMMENTS - None

TRUSTEE COMMENTS - None

CONSENT AGENDA

1. Village Board Minutes dated 5/6/2019
2. Travel and Expenses for Business Purposes in the Amount of **\$95.81**
3. Resolution of the Board of Library Trustees of the Village of North Aurora, Adopting Budget and Appropriations for the Library's Fiscal Year Beginning June 1, 2019 and Ending May 31, 2020
4. Bills List dated 5/20/2019 in the Amount of **\$318,543.83**

Motion for approval made by Trustee Gaffino and seconded by Trustee Lowery. **Roll Call Vote:** Trustee Gaffino – yes, Trustee Lowery – yes, Trustee Curtis – yes, Trustee Martinez – yes. **Motion Approved (4-0).**

NEW BUSINESS

1. Approval of an Ordinance Authorizing the Execution of an Amendment to the Jurisdictional Boundary Line Agreement with the Village of Sugar Grove

Community & Economic Development Director Mike Toth noted that the Village of North Aurora is looking to renew the existing boundary line. The latest one was approved in 2015 with a 20-year term. The village will align this boundary line agreement with Batavia and Aurora, provide clarity to the actual agreement and establish a new 20-year term to expire 2039. The

village is looking to establish a jurisdiction line from I-88 to Main Street in Batavia. Anything to the west of the boundary line agreement would go to Sugar Grove and anything to the east would go to North Aurora. This extends the boundary line to Main Street and allows a longer line of delineation.

Trustee Curtis asked what school district would be in the area that goes up to Main Street to the east. Bosco said that he believed that area would be in the Kaneland school district.

Toth noted that this item was brought to the Committee of the Whole meeting on April 1st.

Motion for approval made by Trustee Lowery and seconded by Trustee Gaffino. **Roll Call Vote:** Trustee Lowery – yes, Trustee Gaffino – yes, Trustee Curtis – yes, Trustee Martinez – yes.
Motion approved (4-0).

2. Approval of a Resolution for a Communications System Contract for three years with MetroNet

Staff requested approval of a 3-year contract with MetroNet. MetroNet's pricing was the lowest and the agreement included new phones at no cost. The Village originally budgeted money for phones which would have cost \$50,000 - \$100,000.

Bosco noted that the current price for what the village pays for these services is only about \$110 less a month than what is being offered in the MetroNet package. The village will be going from a speed of 1.5 mbps to 100 mbps.

The Village currently has three contracts for its communication system. One is for phone, another for data and a customer service agreement to manage the phone system. The village still has a phone contract at \$260/mo. MetroNet said that for 4 months they will build the system and will pay the penalty for the village to get out of the contract with the current provider which is about \$2,000.

Motion for approval made by Trustee Curtis and seconded by Trustee Lowery. **Roll Call Vote:** Trustee Curtis – yes, Trustee Lowery – yes, Trustee Gaffino – yes, Trustee Martinez – yes.
Motion approved (4-0).

OLD BUSINESS - None

VILLAGE PRESIDENT

Mayor Berman noted that May 21st is Crossing Guard Appreciation Day.

COMMITTEE REPORTS - None

TRUSTEES' COMMENTS - None

ADMINISTRATOR'S REPORT - None

ATTORNEY'S REPORT - None

VILLAGE DEPARTMENT REPORTS

- 1. Finance** – None
- 2. Community development** – Mike Toth confirmed to Trustee Curtis that the majority of the area northwest of the village's current boundary line with Batavia does appear to be in the Kaneland School District.
- 3. Police** – None
- 4. Public Works** – None

EXECUTIVE SESSION - None

ADJOURNMENT

Motion to adjourn made by Trustee Curtis and seconded by Trustee Lowery. All in favor.
Motion approved.

Respectfully Submitted,

Lori J. Murray
Village Clerk

**VILLAGE OF NORTH AURORA
COMMITTEE OF THE WHOLE MEETING MINUTES
MAY 20, 2019**

CALL TO ORDER

Mayor Berman called the meeting to order.

ROLL CALL

In attendance: Mayor Dale Berman, Trustee Mark Gaffino, Trustee Laura Curtis, Trustee Tao Martinez, Village Clerk Lori Murray. **Not in attendance:** Trustee Mark Carroll and Trustee Mark Guethle.

Staff in attendance: Village Administrator Steve Bosco, Community & Economic Development Direct Mike Toth, Public Works Director John Laskowski, Police Chief Dave Fisher, Village Attorney Kevin Drendel.

AUDIENCE COMMENTS – None

TRUSTEE COMMENTS – None

DISCUSSION

1. 1059 Orchard Road Special Use

Mike Toth stated that the petitioner is looking to open a microbrewery in the Orchard Crossing Shopping Center, north of the Turf Room and the My Place Hotel. There is a text Amendment which is item #2. This use of microbrewery is not currently listed in the zoning ordinance. If the board decides to move in that direction, the board would adopt it as a special use and approve it at the next meeting. The petitioner would use 1600 s.f. for brewing operations.

Storm Saponaro (Daley & Georges, 20 S. Clark Street; Suite 400, Chicago, IL 60603), was present on behalf of Steven Newman of Chipmunk Brewing. Saponaro stated that the hours of operation will be similar to the surrounding businesses. Hours of operation would not be open later than 10 p.m. Trustee Lowery asked why the business would be closed on Tuesdays and Wednesdays. Saponaro said that Mr. Newman would have his business open on Tuesdays but will take one day off in the middle of the week for brewing purposes and to also have a day off. Lowery said he noticed that the owner would expand hours if there was a demand for international soccer and rugby. Saponaro said if there was a special event he would accommodate with other hours.

Trustee Gaffino asked if the business would sell food. Saponaro said there will be food sales but it will be pre-packaged and the goal is to have food come in from the community. However, there will be no kitchen at the location.

Toth noted that the Plan Commission public hearing was held on May 7th and the Plan Commission unanimously recommended approval subject to 2 conditions in the staff report:

1. Permit for any work being done that is applicable.
2. All operations be confined to the building itself and that there be no outdoor storage.

The Board was in favor of moving forward.

2. Business District Use Update

Text amendments to the zoning ordinance:

1. Microbreweries

Allow microbreweries as a special use to allow the petitioner tonight to petition for a special use. The public hearing on May 7th, the Plan Commission was in favor of this and requested the inclusion of micro distilleries and micro wineries.

2. Outdoor storage

B2 and B3 districts allow outdoor storage as a special use. That would be the primary use for the property. There are a lot of businesses in the business districts that have outdoor storage elements (car dealerships, lawn/garden shops). The village is not looking to prohibit those, but to prohibit any use that would take a business district property and have it used only for outdoor storage.

3. Tobacco shops

Reclassify tobacco shops from a special use to a permitted use. The use and sale of the products is legal in grocery stores, gas stations, convenient stores. The regulation of smoking in a building is regulated by the Smoke Free Illinois Act. The product is already being regulated. The actual operations is prohibited in actual strip centers. The village has a couple of businesses in town that sell nicotine and vape products. They have been classified as a permitted use because it is a retail sale. Once they start selling tobacco, they are considered a tobacco shop and it creates a special use issue for a product that can be sold anywhere at this point.

Lowery said his only concern was with the outdoor storage and wanted to prevent it from being unsightly in the village, such as the clothing collection boxes. Lowery asked if there is something written in the plan to prevent this. Steve Bosco said that in terms of the clothing collection boxes, there is a code that prevents those from being allowed.

ADJOURNMENT

Motion to adjourn made by Trustee Curtis and seconded by Trustee Lowery. All in favor.
Motion approved.

Respectfully Submitted,

Lori J. Murray
Village Clerk

6/3/2019

Village Board Meeting

Travel and Expenses for Business Purposes

NAME	EVENT	EXPENSE or REIMBURSEMENT	DATE	AMOUNT
Mayor Dale Berman	Metro West Board Meeting	Expense	5/23/2019	\$ 35.00
			TOTAL	\$ 35.00

Accounts Payable

To Be Paid Proof List

User: Ablaser
 Printed: 05/28/2019 - 3:27PM
 Batch: 00503.05.2019



Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
Dynegy Energy Services						
048750						
Well #7 4/10 - 5/12	5,194.82	60-445-4662	Utility	14653111905	5/22/2019	05/29/2019
Well #4 4/9 - 5/9	8,155.23	60-445-4662	Utility	14653111905	5/22/2019	05/29/2019
Well #5 4/10 - 5/12	9,022.63	60-445-4662	Utility	14653111905	5/22/2019	05/29/2019
Well #3 4/9 - 5/9	126.86	60-445-4662	Utility	14653111905	5/22/2019	05/29/2019
Well #6 4/5 - 5/7	4,572.68	60-445-4662	Utility	14653111905	5/22/2019	05/29/2019
Total:	27,072.22	*Vendor Total				
Harmonic Heating & Air Conditioning						
047680						
Spring Maint - PD	2,382.00	01-445-4520	Public Buildings Rpr & Mtce	34784	4/3/2019	05/29/2019
Total:	2,382.00	*Vendor Total				
Illinois Public Works						
039690						
Membership Dues- Laskowski/ Jan - Dec 19	250.00	01-445-4390	Dues & Meetings	221	3/28/2019	05/29/2019
Total:	250.00	*Vendor Total				
Industrial Door Company						
044430						
Gate Repair- PD	553.00	01-445-4530	Public Grounds/Parks Maint	107239	4/29/2019	05/29/2019
Total:	553.00	*Vendor Total				
Intergovernmental Personnel Benefit Cooperative						
467637						
Health Insurance- May 2019/ PD	36,514.43	01-440-4130	Health Insurance	05202019	5/20/2019	05/29/2019
Health Insurance- May 2019/ Admin	7,681.95	01-430-4130	Health Insurance	05202019-02	5/20/2019	05/29/2019
Health Insurance- May 2019/ CommDev	2,175.47	01-441-4130	Health Insurance	05202019-03	5/20/2019	05/29/2019
Health Insurance- May 2019/ PW	11,744.35	01-445-4130	Health Insurance	05202019-04	5/20/2019	05/29/2019
Health Insurance- May 2019/ Water	6,298.24	60-445-4130	Health Insurance	05202019-05	5/20/2019	05/29/2019
Health Insurance- May 2019/ Retirees	1,226.93	01-000-2055	Payroll Deductions	05202019-06	5/20/2019	05/29/2019
Health Insurance- May 2019/ Police Pension	2,093.98	01-000-2055	Payroll Deductions	05202019-07	5/20/2019	05/29/2019
Life Insurance- May 2019/ PD	95.44	01-440-4135	Life Insurance	05202019-08	5/20/2019	05/29/2019
Life Insurance- May 2019/ PW	31.10	01-445-4135	Life Insurance	05202019-09	5/20/2019	05/29/2019
Life Insurance- May 2019/ Admin	18.66	01-430-4135	Life Insurance	05202019-10	5/20/2019	05/29/2019
Life Insurance- May 2019/ CommDev	11.47	01-441-4135	Life Insurance	05202019-11	5/20/2019	05/29/2019
Life Insurance- May 2019/ Water	15.55	60-445-4135	Life Insurance	05202019-12	5/20/2019	05/29/2019
Voluntary Life- May 2019	328.03	01-000-2052	Voluntary Life Insurance	05202019-13	5/20/2019	05/29/2019
Total:	68,235.60	*Vendor Total				

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
PDC Laboratories, Inc.						
031940						
Well #9 Water Testing	1,752.25	60-445-4562	Testing (water)	19362200	4/3/2019	05/29/2019
Total:	1,752.25	*Vendor Total				
Pitney Bowes Purchase Power						
029940						
Postage Meter Refill/ Admin	125.87	01-430-4505	Postage	05122019-01	5/12/2019	05/29/2019
Postage Meter Refill/ PW	125.87	01-445-4505	Postage	05122019-02	5/12/2019	05/29/2019
Postage Meter Refill/ Water	125.88	60-445-4505	Postage	05122019-03	5/12/2019	05/29/2019
Postage Meter Refill/ CommDev	125.88	01-441-4505	Postage	05122019-04	5/12/2019	05/29/2019
Total:	503.50	*Vendor Total				
Rempe Sharpe & Associates						
000970						
Lot Grading/ April 2019	2,058.00	01-441-4255	Engineering	26909	5/8/2019	05/29/2019
Storm Reports/ April 2019	101.00	01-441-4255	Engineering	26910	5/8/2019	05/29/2019
Engineering NPDES Review- Smiles/ April 2019	101.00	90-000-E045	North Aurora Smiles	26917	5/9/2019	05/29/2019
Engineering Service- RH/ April 2019	109.12	90-000-E241	NA Townhomes, LLC/Rndl Cros	26918	5/9/2019	05/29/2019
Engineering NPDES Review- Moka/ April 2019	109.12	90-000-E234	Miller Coffee Property	26919	5/9/2019	05/29/2019
Total:	2,478.24	*Vendor Total				
Report Total:	103,226.81					

Accounts Payable

To Be Paid Proof List

User: Ablaser
 Printed: 05/29/2019 - 12:05PM
 Batch: 00501.06.2019



Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
Alexander Makarov						
467836						
Water Credit Refund	23.40	60-320-3341	Meter Sales	05162019	5/16/2019	06/03/2019
Total:	23.40	*Vendor Total				
Anderson Pest Solutions						
019770						
TP Pest Control	85.00	60-445-4567	Treatment Plant Repair/Maint	5175313	5/1/2019	06/03/2019
TP Pest Control	40.00	60-445-4565	Water Well Rpr & Mtce	5177342	5/1/2019	06/03/2019
Total:	125.00	*Vendor Total				
AT&T						
001620						
Internet Service/ PW Garage	176.01	01-445-4651	Telephone	05072019	5/7/2019	06/03/2019
Total:	176.01	*Vendor Total				
Aurora Area Convention						
003770						
Akshar Hotel Tax/ Mar 2019	2,424.98	15-430-4752	90% Tourism Council	04122019	4/12/2019	06/03/2019
NA Lodging Hotel Tax/ Mar 2019	1,332.50	15-430-4752	90% Tourism Council	04182019	4/18/2019	06/03/2019
Total:	3,757.48	*Vendor Total				
B & F Construction						
015600						
Inspections- April/ LVOTF	1,120.00	01-441-4276	Inspection Services	11373	5/15/2019	06/03/2019
Total:	1,120.00	*Vendor Total				
Butler Chemical Company, Inc.						
046060						
Mthly Water Chemical Treatm/ VH & PD	200.00	01-445-4520	Public Buildings Rpr & Mtce	24314	5/5/2019	06/03/2019
Total:	200.00	*Vendor Total				
Camic Johnson, LTD.						
03989						
Adjudication Hearings	350.00	01-440-4260	Legal	105	5/15/2019	06/03/2019
Total:	350.00	*Vendor Total				

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
Carus Corporation						
033300						
HMO WTP	498.60	60-445-4437	Chlorine	SLS10075172	5/15/2019	06/03/2019
HMO ETP	694.12	60-445-4437	Chlorine	SLS10075174	5/15/2019	06/03/2019
Total:	1,192.72	*Vendor Total				
Chris Deleo or Cynthia Sotherland						
467838						
Water Credit Refund	38.05	60-320-3340	Water Collections	05162019-01	5/16/2019	06/03/2019
Sewer Maint Credit Refund	5.35	18-320-3350	Sewer Collection	05162019-02	5/16/2019	06/03/2019
Total:	43.40	*Vendor Total				
Comcast Cable						
040740						
ETP Internet Service	151.88	60-445-4652	Communications	87712006101	5/3/2019	06/03/2019
WTP Internet Service	196.88	60-445-4652	Communications	87712006101	5/9/2019	06/03/2019
Total:	348.76	*Vendor Total				
Commonwealth Edison						
000330						
Street Lights/ 1802 Orchard Gateway	206.44	10-445-4660	Street Lighting and Poles	0562144049	5/8/2019	06/03/2019
Street Lights/ 1901 Orchard Gateway	48.29	10-445-4660	Street Lighting and Poles	0835082016	5/8/2019	06/03/2019
Street Lights/ 1051 Kettle	35.79	10-445-4660	Street Lighting and Poles	1083133047	5/7/2019	06/03/2019
East Tower Electric	101.52	60-445-4662	Utility	1313136025	5/10/2019	06/03/2019
Street Lights/ 1200 Orchard Gateway	273.25	10-445-4660	Street Lighting and Poles	1344158042	5/8/2019	06/03/2019
Street Lights/ Rt56 & Rt25	97.55	10-445-4660	Street Lighting and Poles	1425064018	5/10/2019	06/03/2019
Street Lights/ 4 S. Willowway	54.33	10-445-4660	Street Lighting and Poles	146092024	5/8/2019	06/03/2019
Street Lights/ Randall & Ice Cream	15.06	10-445-4660	Street Lighting and Poles	1543019148	5/8/2019	06/03/2019
Street Lights/ Comisky & Orchard	74.27	10-445-4660	Street Lighting and Poles	2313121105	5/8/2019	06/03/2019
Street Lights/ 19 N Lincolnway	64.02	10-445-4660	Street Lighting and Poles	2985029045	5/9/2019	06/03/2019
Total:	970.52	*Vendor Total				
Constellation NewEnergy, Inc.						
034130						
Street Lights/ Deerpath & Orchard Gateway	49.26	10-445-4660	Street Lighting and Poles	14837246901	5/8/2019	06/03/2019
Street Lights/ Orchard & Oak	131.21	10-445-4660	Street Lighting and Poles	14837254201	5/8/2019	06/03/2019
Street Lights/ 1600 Orchard Gateway	222.47	10-445-4660	Street Lighting and Poles	14837273401	5/8/2019	06/03/2019
Street Lights/ Orchard & White Oak	94.65	10-445-4660	Street Lighting and Poles	14837286001	5/8/2019	06/03/2019
Street Lights/ Orchard & Orchard Gateway	162.50	10-445-4660	Street Lighting and Poles	14837294701	5/8/2019	06/03/2019
Total:	660.09	*Vendor Total				
Core & Main						
039040						
B Box Cap Wrenches	263.01	60-445-4568	Watermain Rprs. & Rplcmts.	K438735	5/2/2019	06/03/2019
Total:	263.01	*Vendor Total				
Darren Walker						
467835						
Water Credit Refund	29.58	60-320-3340	Water Collections	05162019-01	5/16/2019	06/03/2019

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
Sewer Maint Credit Refund	1.22	18-320-3350	Sewer Collection	05162019-02	5/16/2019	06/03/2019
Total:	30.80	*Vendor Total				
Dawn Palicka						
467831						
Water Credit Refund	36.80	60-320-3340	Water Collections	05162019	5/16/2019	06/03/2019
Total:	36.80	*Vendor Total				
De Nora MIOX Corporation						
038050						
WTP MIOX Units/ Final	8,231.69	60-466-4875	Capital Improvements	69942	5/10/2019	06/03/2019
Total:	8,231.69	*Vendor Total				
Dell Marketing L. P.						
024370						
Notebook- Toth	675.01	71-430-4870	Equipment	10316124960	5/17/2019	06/03/2019
Total:	675.01	*Vendor Total				
First Place Rental						
034910						
Cold Planner 24"	11,000.00	71-430-4870	Equipment	303722-1	5/29/2019	06/03/2019
Total:	11,000.00	*Vendor Total				
Frost Electric Company, Inc.						
021540						
Parking Lot Light Repairs/ PD	973.00	01-445-4530	Public Grounds/Parks Maint	7832	5/16/2019	06/03/2019
Light Repairs/ Hearthstone	995.00	10-445-4661	Street Light Repair/Maint	7833	5/16/2019	06/03/2019
Light Repairs/ Windstone	437.50	10-445-4661	Street Light Repair/Maint	7835	5/16/2019	06/03/2019
Total:	2,405.50	*Vendor Total				
GovTemps USA, LLC						
467813						
Accounting Asst thru 5/5	2,016.00	01-430-4280	Professional/Consulting Fees	2776349	5/9/2019	06/03/2019
Total:	2,016.00	*Vendor Total				
Griswold Water & Seed Store						
001770						
Straw & Grass Seed	195.00	60-445-4568	Watermain Rprs. & Rplcmts.	12704	5/6/2019	06/03/2019
Total:	195.00	*Vendor Total				
Hach Company						
014100						
TP Chlorine Regents	423.51	60-445-4567	Treatment Plant Repair/Maint	11465742	5/14/2019	06/03/2019
Total:	423.51	*Vendor Total				

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
Illini Power Products Company						
467624						
WTP Generator Maint	1,123.00	60-445-4567	Treatment Plant Repair/Maint	SWO023238-	5/10/2019	06/03/2019
VH Generator Maint	498.00	01-445-4520	Public Buildings Rpr & Mtce	SWO023241-	5/10/2019	06/03/2019
ETP Generator Maint	1,258.00	60-445-4567	Treatment Plant Repair/Maint	SWO023242-	5/10/2019	06/03/2019
Total:	2,879.00	*Vendor Total				
Johnson & Buh, LLC						
467744						
Local DUI Legal Fees- Feb thru Apr	5,500.00	01-440-4260	Legal	19NAU02	5/15/2019	06/03/2019
Total:	5,500.00	*Vendor Total				
Kane County Animal Control						
031620						
Animal Pick Up	100.00	01-440-4523	Animal Control	05162019	5/16/2019	06/03/2019
Total:	100.00	*Vendor Total				
Kane County Division of						
036170						
Traffic Light Maint/ 1st Qtr 2019	405.00	01-445-4545	Traffic Signs & Signals	2019-0000000	5/15/2019	06/03/2019
Total:	405.00	*Vendor Total				
Kim Silseth						
467837						
Water Credit Refund	12.53	60-320-3340	Water Collections	05162019-01	5/16/2019	06/03/2019
Sewer Maint Credit Refund	0.15	18-320-3350	Sewer Collection	05162019-02	5/16/2019	06/03/2019
Total:	12.68	*Vendor Total				
Konica Minolta						
024860						
Copier Usage/ April 2019	34.01	01-445-4411	Office Expenses	9005660640	5/31/2019	06/03/2019
Total:	34.01	*Vendor Total				
Madeline Dixon						
467839						
Water Credit Refund	23.33	60-320-3340	Water Collections	05162019-01	5/16/2019	06/03/2019
Sewer Maint Credit Refund	0.82	18-320-3350	Sewer Collection	05162019-02	5/16/2019	06/03/2019
Total:	24.15	*Vendor Total				
Mandy Flatt						
034900						
Mileage- FLSA Training/ Flatt	52.55	01-430-4370	Conferences & Travel	05232019	5/23/2019	06/03/2019
Total:	52.55	*Vendor Total				

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
Mariann Nelson						
467832						
Water Credit Refund	7.73	60-320-3340	Water Collections	05162019	5/16/2019	06/03/2019
Total:	7.73	*Vendor Total				
Mark Jackson						
467834						
Water Credit Refund	84.23	60-320-3340	Water Collections	05162019-01	5/16/2019	06/03/2019
Sewer Maint Credit Refund	2.57	18-320-3350	Sewer Collection	05162019-02	5/16/2019	06/03/2019
Total:	86.80	*Vendor Total				
Meade Electric Company, Inc.						
027140						
Cable Locate/ Oak & Hansen	223.29	10-445-4661	Street Light Repair/Maint	688065	5/7/2019	06/03/2019
Traffic Signal Repair/ Randall & Ice Cream	469.95	01-445-4545	Traffic Signs & Signals	688067	5/7/2019	06/03/2019
Street Light Repair/ 600 Chesterfield	832.04	10-445-4661	Street Light Repair/Maint	688176	5/14/2019	06/03/2019
Street Light Repair/ 504 Birchwood	819.76	10-445-4661	Street Light Repair/Maint	688177	5/14/2019	06/03/2019
Total:	2,345.04	*Vendor Total				
Menards						
016070						
Ladder For TPs	169.00	60-445-4567	Treatment Plant Repair/Maint	11498	4/4/2019	06/03/2019
Network Jack- Hansen	23.53	01-430-4420	IT Supplies	12451	4/17/2019	06/03/2019
Numbers, Mailbox, Post, Concrete	111.34	01-445-4799	Misc. Expenditures	12813	4/22/2019	06/03/2019
Screws- 1'x10- 3' Post	20.98	01-445-4799	Misc. Expenditures	12833	4/22/2019	06/03/2019
Safety Wear	81.91	60-445-4799	Misc. Expenditures	13142	4/26/2019	06/03/2019
Folding Fence	71.91	01-445-4530	Public Grounds/Parks Maint	13157	4/26/2019	06/03/2019
Misc Tools	161.75	01-445-4870	Equipment	13491	4/30/2019	06/03/2019
Numbers, Mailbox, Post	117.90	01-445-4799	Misc. Expenditures	14610	5/14/2019	06/03/2019
Mulch	119.20	01-445-4530	Public Grounds/Parks Maint	15061	5/20/2019	06/03/2019
Total:	877.52	*Vendor Total				
Midwest Trading						
029150						
Potting Soil (12)	852.00	01-490-4761	Beautification Committee	1456820	5/14/2019	06/03/2019
Total:	852.00	*Vendor Total				
Montgomery Landscaping, Inc.						
3545						
Dirt	200.00	01-445-4540	Streets & Alleys Rpr & Mtce	8916	5/17/2019	06/03/2019
Total:	200.00	*Vendor Total				
Municode						
038650						
Municipal Code Updates	333.66	01-440-4260	Legal	00327397	5/14/2019	06/03/2019
Total:	333.66	*Vendor Total				

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
North Aurora NAPA, Inc.						
038730						
Gas Can	15.74	01-440-4870	Equipment	320652	4/9/2019	06/03/2019
Battery Hold Down- #177	3.78	01-445-4511	Vehicle Repair and Maint	322220	4/30/2019	06/03/2019
Filters Return Credit	-149.58	01-445-4511	Vehicle Repair and Maint	322224	4/30/2019	06/03/2019
Socket Set	92.00	01-445-4870	Equipment	322245	4/30/2019	06/03/2019
Hitch, Wiring Kit, Freight	299.98	01-445-4511	Vehicle Repair and Maint	322250	4/30/2019	06/03/2019
Wire Nut Conn	1.52	01-445-4511	Vehicle Repair and Maint	322271	4/30/2019	06/03/2019
Sensor- 2016 Ford Explorer	67.31	01-445-4511	Vehicle Repair and Maint	322394	5/2/2019	06/03/2019
Valve- 2015 Ford Explorer	17.50	01-445-4511	Vehicle Repair and Maint	322439	5/2/2019	06/03/2019
Bolt	11.76	01-445-4511	Vehicle Repair and Maint	322709	5/6/2019	06/03/2019
Squad Parts- #69	49.66	01-440-4511	Vehicle Repair and Maint	322829	5/7/2019	06/03/2019
Squad Parts	63.30	01-440-4511	Vehicle Repair and Maint	322877	5/8/2019	06/03/2019
Squad Parts- #67	6.87	01-440-4511	Vehicle Repair and Maint	322911	5/8/2019	06/03/2019
Squad Parts- #67	160.79	01-440-4511	Vehicle Repair and Maint	322947	5/9/2019	06/03/2019
Squad Parts- #66	31.86	01-440-4511	Vehicle Repair and Maint	322962	5/9/2019	06/03/2019
Squad Parts- #68	23.74	01-440-4511	Vehicle Repair and Maint	322985	5/9/2019	06/03/2019
Squad Parts- #68	69.17	01-440-4511	Vehicle Repair and Maint	323008	5/9/2019	06/03/2019
Squad Parts- #68	48.02	01-440-4511	Vehicle Repair and Maint	323010	5/9/2019	06/03/2019
Total:	813.42	*Vendor Total				
Office Depot						
039370						
Tape Return Credit- Inv #26717378100	-9.49	01-430-4411	Office Expenses	30218732500	4/22/2019	06/03/2019
Tape Return Credit- Inv #26717378100	-9.49	01-445-4411	Office Expenses	30218732500	4/22/2019	06/03/2019
Tape Return Credit- Inv #26717378100	-9.50	60-445-4411	Office Expenses	30218732500	4/22/2019	06/03/2019
Tape Return Credit- Inv #26717378100	-9.50	01-441-4411	Office Expenses	30218732500	4/22/2019	06/03/2019
Office Supplies	22.83	01-430-4411	Office Expenses	31103021900	5/6/2019	06/03/2019
Office Supplies	45.90	01-445-4411	Office Expenses	31103021900	5/6/2019	06/03/2019
Office Supplies	22.83	60-445-4411	Office Expenses	31103021900	5/6/2019	06/03/2019
Office Supplies	22.83	01-441-4411	Office Expenses	31103021900	5/6/2019	06/03/2019
Total:	76.41	*Vendor Total				
Patnick Construction, Inc.						
049880						
Well #9 Watermain Install	46,862.45	60-471-4875	Capital Improvements	05172019	5/17/2019	06/03/2019
Total:	46,862.45	*Vendor Total				
Physicians Immediate Care, North Chicago LLC						
049540						
Pre-Employment Sreening/ Stevens, Dante	86.00	01-430-4799	Misc.	4106806-1	5/15/2019	06/03/2019
Pre-Employment Sreening/ Perez	43.00	01-441-4799	Misc. Expenditures	4106806-2	5/15/2019	06/03/2019
Total:	129.00	*Vendor Total				
Russo Power Equipment Inc.						
036290						
Grass Seed	115.97	01-445-4540	Streets & Alleys Rpr & Mtce	5988878	5/16/2019	06/03/2019
Total:	115.97	*Vendor Total				
Schaefer Greenhouses, Inc.						
029340						

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
Flowers Baskets (16)	974.00	01-490-4761	Beautification Committee	100303	5/14/2019	06/03/2019
Flowers	4,211.46	01-490-4761	Beautification Committee	583657/1	5/21/2019	06/03/2019
Total:	5,185.46	*Vendor Total				
SFVCTC						
027530						
1st Qtr 2019 Fees	22,823.20	01-490-4789	Public Access Cable	NA1Q2019	5/17/2019	06/03/2019
Total:	22,823.20	*Vendor Total				
Sherise Williams						
467833						
Water Credit Refund	45.60	60-320-3340	Water Collections	05162019	5/16/2019	06/03/2019
Total:	45.60	*Vendor Total				
Superior Asphalt Materials LLC						
031440						
Asphalt	228.20	01-445-4540	Streets & Alleys Rpr & Mtce	20190382	5/9/2019	06/03/2019
Total:	228.20	*Vendor Total				
Technology Management Rev Fund						
007390						
IWIN	723.32	01-440-4652	Communications	T1930955	5/13/2019	06/03/2019
Total:	723.32	*Vendor Total				
Treasurer, State of Illinois						
009370						
Traffic Signals/ Rt31, Rt56, Rt25	3,188.49	01-445-4545	Traffic Signs & Signals	55562	5/1/2019	06/03/2019
Total:	3,188.49	*Vendor Total				
United Analytical Service, Inc.						
467677						
Well #3 Asbestos Inspection	500.00	60-445-4565	Water Well Rpr & Mtce	19205-01F	5/13/2019	06/03/2019
Total:	500.00	*Vendor Total				
Verizon Wireless						
025430						
Cell Phones April 13 - May 12	36.01	01-430-4652	Communications	9830085305-(5/12/2019		06/03/2019
Cell Phones April 13 - May 12	66.79	01-445-4652	Communications	9830085305-(5/12/2019		06/03/2019
Cell Phones April 13 - May 12	76.01	01-440-4652	Communications	9830085305-(5/12/2019		06/03/2019
Cell Phones April 13 - May 12	104.31	01-430-4652	Communications	9830085306-(5/12/2019		06/03/2019
Cell Phones April 13 - May 12	164.06	01-445-4652	Communications	9830085306-(5/12/2019		06/03/2019
Cell Phones April 13 - May 12	74.46	60-445-4652	Communications	9830085306-(5/12/2019		06/03/2019
Cell Phones April 13 - May 12	86.03	01-441-4652	Communications	9830085306-(5/12/2019		06/03/2019
Cell Phones April 13 - May 12	173.81	01-440-4652	Communications	9830085306-(5/12/2019		06/03/2019
Cell Phones April 13 - May 12	67.78	01-430-4652	Communications	9830085307-(5/12/2019		06/03/2019
Cell Phones April 13 - May 12	79.17	60-445-4652	Communications	9830085307-(5/12/2019		06/03/2019
Cell Phones April 13 - May 12	79.17	01-445-4652	Communications	9830085307-(5/12/2019		06/03/2019

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
Cell Phones April 13 - May 12	67.31	01-440-4652	Communications	9830085307-C	5/12/2019	06/03/2019
Total:	1,074.91	*Vendor Total				
Water Products Company						
001170						
New Dual Checks (36)	2,340.00	60-445-4480	New Meters,rprs. & Rplcmts.	0287540	5/10/2019	06/03/2019
Dual Deck Re-Build Kits (24)	360.00	60-445-4480	New Meters,rprs. & Rplcmts.	0287581	5/16/2019	06/03/2019
Srvc Repair Parts	231.37	60-445-4568	Watermain Rprs. & Rplcmts.	0287700	5/16/2019	06/03/2019
Srvc Line Replacement Parts	245.95	60-445-4568	Watermain Rprs. & Rplcmts.	0287763	5/20/2019	06/03/2019
8" Repair Clamps	758.06	60-445-4568	Watermain Rprs. & Rplcmts.	0287764	5/20/2019	06/03/2019
Total:	3,935.38	*Vendor Total				
Water Resources						
010380						
Pit MIU- LV Irrigation	140.00	60-445-4480	New Meters,rprs. & Rplcmts.	33172	5/20/2019	06/03/2019
5/8" Meter (20)/1" Meter (12)/ V4 MIU (40)/ M	8,986.00	60-445-4480	New Meters,rprs. & Rplcmts.	33173	5/20/2019	06/03/2019
Total:	9,126.00	*Vendor Total				
Weblinx Incorporated						
031420						
Website Maint/ May 2019	200.00	01-430-4512	Website Maintenance	27395	5/3/2019	06/03/2019
Total:	200.00	*Vendor Total				
Report Total:	142,982.65					

**VILLAGE OF NORTH AURORA
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
CC: STEVE BOSCO, VILLAGE ADMINISTRATOR
FROM: MIKE TOTH, COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR
SUBJECT: PETITION 19-02: BUSINESS DISTRICT USE UPDATE
AGENDA: JUNE 3, 2019 REGULAR VILLAGE BOARD MEETING

ITEM

Ordinance amending Title 17 of the North Aurora Code regarding Business District land use classifications

DISCUSSION

The following text amendments were proposed to the Plan Commission:

- Add *Microbrewery* as a special use all business districts.
- Remove the *Outdoor Storage* use from the B-2 and B-3 business districts.
- Reclassify *Tobacco Shops* as a permitted use in all business districts.

A public hearing was held before the Plan Commission at their May 7, 2019 meeting. The Plan Commission was favorable towards the proposed text amendments and recommended that *Microdistillery* and *Microwinery* also be added as a special use in all business districts. As a result, the Plan Commission unanimously recommended approval of the proposed text amendments, as follows:

Use	B-1	B-2	B-3	Use Standard
<u>Microbrewery</u>	<u>S</u>	<u>S</u>	<u>S</u>	
<u>Microdistillery</u>	<u>S</u>	<u>S</u>	<u>S</u>	
<u>Microwinery</u>	<u>S</u>	<u>S</u>	<u>S</u>	
<u>Outdoor Storage</u>		<u>S</u>	<u>S</u>	
<u>Tobacco Shop</u>	<u>S P</u>	<u>S P</u>	<u>S P</u>	

The Village Board discussed this item at their May 20, 2019 Committee of the Whole meeting. The Village Board was supportive of the proposed text amendments, as recommended by the Plan Commission.

Attachments:

1. Staff report to the Plan Commission.
2. Ordinance amending Title 17 of the North Aurora Code regarding Business District land use classifications

Staff Report to the Village of North Aurora Plan Commission

Prepared By: Mike Toth, Community and Economic Development Director

Petition Number: 19-02

Hearing Date: May 7, 2019

Request(s): The Village of North Aurora requests a Zoning Ordinance text amendment to add, remove and reclassify certain uses in the B-1 Community Business District, B-2 General Business District and B-3 Central Business District.

BACKGROUND

An implementation action step of the 2015 North Aurora Comprehensive Plan is to re-assess the commercial land use classifications in the Zoning Ordinance to ensure they are aligned with Comprehensive Plan objectives. In order to achieve the objectives of the Comprehensive Plan, consolidate uses and remove any out-of-date or non-applicable uses, staff has revisited the land use classifications for all business districts. Staff notes that a number of business district land uses were reclassified in 2015.

Staff would now like to revisit the following land use classifications in the business districts:

Use	B-1	B-2	B-3	Use Standard
<u>Microbrewery</u>	<u>S</u>	<u>S</u>	<u>S</u>	
<u>Outdoor Storage</u>		<u>S</u>	<u>S</u>	
<u>Tobacco Shop</u>	<u>S P</u>	<u>S P</u>	<u>S P</u>	

Microbrewery

Staff has been working with an individual interested in opening a Microbrewery. An application for special use to allow the microbrewery has been submitted and is pending the outcome of this text amendment.

As part of the proposed text amendments to the Zoning Ordinance, *Microbrewery* is being proposed as a special use in all business districts, with the following definition also being proposed:

Microbrewery means a small facility for the brewing of beer. It may often include a tasting room and retail space to sell the beer to patrons on the site.

According to the American Planning Association, some communities have taken the approach that allow microbreweries as a permitted use with prescribed use standards (referred to as 'use standards' in North Aurora), while other communities have required special zoning treatment (i.e. special use). Staff is proposing Microbrewery as a special use to allow the Village to consider each application on a case-by-case basis.

Outdoor Storage

Outdoor Storage is currently listed as a special use in the B-2 and B-3 Business Districts. As part of this petition, staff is requesting that outdoor storage be prohibited as a *primary use* in said business districts. Outdoor storage is defined as *the keeping of any goods, material, merchandise or equipment outside of an enclosed building. An item shall be deemed to be in storage if it is being maintained or repaired on the premises.*

Staff notes that there are a number of uses that include ancillary outdoor storage components of their operation. Some of those examples include: *Building Material and Supply Store; Contractor Yard, Gas Station; Motor Vehicle Repair and/or Service; Motor Vehicle Sales and/or Service; Nursery and/or Garden Store; Retail, Including Outdoor Component.* All of the aforementioned uses already require special use approval. Staff believes that outdoor storage (as a primary use) is appropriate as a special use in an industrial district, but not in a business district.

Tobacco Shop

Staff received a tobacco license from someone interested in opening a tobacco store in the B-2 General Business District. The Zoning Ordinance currently requires special use approval for tobacco shops in all of the business districts. As tobacco products, nicotine products, alternative tobacco products, vapor products and electronic smoking devices are sold in grocery stores, gas stations, drug stores, convenience stores, staff questioned whether or not a special use is necessary for a tobacco shop. Staff also believes that the special use process for a tobacco shop would be subjective in any business district (What grounds would exist for denying a tobacco shop? What conditions of approval would even apply to a tobacco shop?)

When evaluating the uses impact on surrounding uses, staff notes that the Smoke-free Illinois Act prohibits smoking in virtually all public places and workplaces. Retail tobacco stores that derive more than 80 percent of its gross revenue from the sale of tobacco products and do not have a liquor, food or restaurant license are exempt from the act; however, the exemption only applies if located in a freestanding structure occupied solely by the business and smoke from the business does not migrate into an enclosed area where smoking is prohibited.

Staff is proposing to amend the Zoning Ordinance to allow tobacco shops as a permitted use. Upon review of area municipalities, staff found that all of the Fox Valley municipalities reviewed (Aurora, Batavia, Geneva and St. Charles) allow retail tobacco sales as a permitted use in all of their respective business districts. Currently, if a retail establishment is selling vapor products that do not contain tobacco, the use is classified as "Retail, Indoor", which is classified as a permitted use in all business districts.

**PUBLIC NOTICE FOR
HEARING ON
A ZONING ORDINANCE
TEXT CHANGE TO ADD,
REMOVE AND RECLASSIFY
CERTAIN USES IN
THE B-1 COMMUNITY
BUSINESS DISTRICT, B-2
GENERAL BUSINESS
DISTRICT AND B-3
CENTRAL BUSINESS
DISTRICT**

PLEASE BE NOTIFIED
that a public hearing will be held before the North Aurora Plan Commission at 7:00 p.m. on Tuesday, May 7, 2019, at the North Aurora Village Hall Meeting Room, 25 East State Street, North Aurora, Illinois. The North Aurora Plan Commission will consider amending Title 17 of the North Aurora Municipal Code (Zoning Ordinance) to add, remove and reclassify certain uses in the B-1 Community Business District, B-2 General Business District and B-3 Central Business District. The proposed text amending the foregoing provisions of Title 17 of the North Aurora Municipal Code will be on file at the North Aurora Village Hall and available for public inspection, as amended from time to time. All public comments shall be taken at the hearing.
DATED: This 10th day of April, 2019

/s/ Michael Toth
Community and Economic
Development Director
Published in Daily Herald
April 12, 2019 (4522540)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

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County(ies) of Cook, DuPage, Kane, Lake, McHenry

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I further certify that the **DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 12-APR-19 in said **DAILY HERALD**.

IN WITNESS WHEREOF, the undersigned, the said **PADDOCK PUBLICATIONS, Inc.**, has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY

Laurel Baetz
Authorized Agent

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ZONING PRACTICE

MARCH 2014

AMERICAN PLANNING ASSOCIATION



➔ ISSUE NUMBER 3

PRACTICE MICROBREWERIES

A black and white photograph of a glass filled with beer and a thick head of foam. The glass is partially visible on the left side of the cover.

3

Zoning for Small-Scale Alcohol Production: Making Space for Brewpubs, Microbreweries, Microwineries, and Microdistilleries

By David M. Morley, AICP

In communities across the country, beer titans like St. Louis-based Anheuser-Busch and Chicago-based MillerCoors are facing stiff competition from a host of locally owned and operated craft breweries.



➔ The number of brewers is higher today than at any point during the 20th century.

Brewers Association, Boulder, Colorado

Meanwhile, there is parallel growth in craft distilleries and small-volume wineries. While renewed interest in small-scale alcohol production is just one facet of the buy-local movement, it has special relevance for planning and zoning practitioners.

Historically, few communities have used zoning to draw distinctions between alcohol production facilities of different types and sizes. More recently, though, numerous localities have added provisions to their zoning codes that acknowledge the variety of alcohol producers. The primary motivation for these regulatory changes is a desire to make space for smaller producers to operate outside of industrial districts.

The two most common small-scale alcohol production uses to receive special zoning attention are brewpubs (restaurants combined with breweries) and microbreweries (small-volume brewers with or without on-site sales). But references to microdistilleries (small-volume distilleries with or without on-site sales) and

microwineries (small-volume wineries without on-site vineyards) are also on the rise.

The purposes of this article are to highlight why the growth in small-scale alcohol production may merit zoning changes and to summarize how communities have amended their codes to add definitions, use permissions, and, in some cases, additional standards to sanction brewpubs and microproducers.

THE BOOM IN SMALL-SCALE ALCOHOL PRODUCTION

According to the Brewers Association, the trade group for small brewers, as of June 2013 there were 1,165 brewpubs and 1,221 microbreweries in the United States. By way of comparison, in the late 1970s there were only 89 commercial brewers of any type (Brewers Association 2013). This boom in small-scale production has spread to spirits and wine too. In April 2012 *Time* reported a 400 percent surge in microdistilleries in the U.S. between 2005 and 2012 (Steinmetz 2012). And according to statistics maintained by trade

publisher *Wines & Vines*, the number of wineries producing between 1,000 and 5,000 cases per year grew 16.5 percent between August 2011 and January 2014 alone.

These trends have significant economic development implications for localities across the country. In addition to satisfying demand for locally produced beer, wine, and spirits, microproducers often distribute their product regionally or nationally, bringing new money into their host communities. Furthermore, successful brewpubs and microproducers can help enliven commercial and mixed use districts that would otherwise clear out after conventional retail and office hours. It's no surprise, then, that some communities are actively trying to lure high-profile microbreweries from other states (McConnell 2012).

THE TROUBLE WITH REGULATORY SILENCE

Despite the explosive growth in brewpubs and microproducers, surprisingly few communities explicitly sanction small-scale alcohol pro-

ASK THE AUTHOR JOIN US ONLINE!

Go online during the month of March to participate in our "Ask the Author" forum, an interactive feature of *Zoning Practice*. David Morley, AICP, will be available to answer questions about this article. Go to the Zoning Practice section of the APA website at www.planning.org/zoningpractice and follow the links to the Ask the Author discussion board. From there, just submit your questions about the article to the active forum. After each forum closes at the end of the month, the archived questions and answers will be available through the Ask the Author discussion board.

About the Author

David Morley, AICP, is a senior research associate with the American Planning Association, as well as APA's Planning Advisory Service (PAS) coordinator and coeditor of *Zoning Practice*. Since 2007 he has contributed to APA research projects on topics including brownfields redevelopment, complete streets, urban agriculture, shrinking cities, solar energy, and disaster recovery. Apart from his contributions to research projects and APA publications, Morley provides customized research on a daily basis for PAS subscribers.

duction facilities through their zoning codes. Without clear definitions and use permissions, planning staff or public officials are forced to make ad hoc use interpretations that can delay or even prevent otherwise desirable development. This regulatory silence creates uncertainty for business owners looking to make location decisions and secure financing, and it may have the effect of scaring away potential applicants. Finally, explicit definitions, use permissions, and use-specific standards allow communities to proactively address the potential negative effects of brewpubs and microproducers on surrounding areas, thereby minimizing future conflicts with neighbors.

DEFINING USES

Clear zoning standards for small-scale alcohol production facilities begin with clear use definitions.

Generally speaking, there are two basic schools of thought about defining uses in zoning codes. Some communities try to define every conceivable potential use, while others rely on use groups (or categories) with similar operational requirements and attendant community effects.

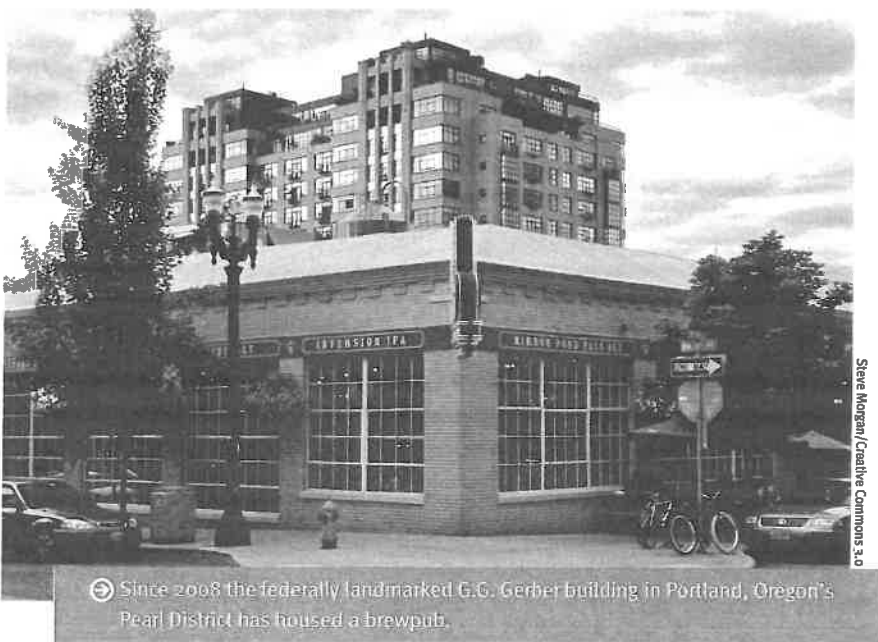
The first method can bring clarity and avoid some legal disputes over specific uses, but it may create unnecessarily complex regulations. The second method is part of larger trend away from prescriptive use regulations, as many communities focus more on a prescriptive approach to the form of development. In practice, most conventional new zoning codes use a hybrid of these approaches, with broad use categories, such as household living or general retail, and specific use definitions for a small subset of higher-impact or more contentious uses under each category.

Mirroring this broader conversation about the best approach to classifying and defining uses, communities that have added specific definitions for small-scale alcohol production facilities to their zoning codes generally take one of two approaches. Either they define brewpubs, microbreweries, microdistilleries, and microwineries as distinct uses, or they define an umbrella term that encompasses multiple types of production facilities.

Communities that define microbreweries, microdistilleries, or microwineries as distinct uses often rely on a production volume threshold to distinguish between the "micro" and "conventional" version of a particular use. For microbreweries, 15,000 barrels per year is a common threshold, which corresponds to the American Brewers Association's defined limit for a microbrewery. Given that there are no corresponding industry definitions for microdistillery and microwinery, it is perhaps unsurprising that thresholds for these uses seem to vary more from place to place.

When communities define brewpubs as a distinct use, the intent is usually to distinguish between accessory- and primary-use brewing facilities. Most communities stipulate that beer production in a brewpub must be accessory to a bar or restaurant, and many cap the volume of beer produced annually (usually less than 15,000 barrels). Furthermore, some jurisdictions quantify this subordinate relationship by limiting the percentage of floor area or sales attributable to the brewery component of the business.

Definitions for brewpubs, microbreweries, microdistilleries, and microwineries often include an acknowledgment that the alcohol produced will be consumed both on- and off-site. For "micro" facilities, the presumption is typically that on-site consumption will be



Since 2008 the federally landmarked G.G. Gerber building in Portland, Oregon's Pearl District has housed a brewpub.

Examples of Use Definitions

Brewpub:

- A retail establishment that manufactures not more than 9,000 barrels of malt liquor on its licensed premises each calendar year. (Aurora, Colorado)
- A restaurant-brewery that sells 25 percent or more of its beer on-site. The beer is brewed primarily for sale in the restaurant and bar. The beer is often dispensed directly from the brewery's storage tanks. Where allowed by law, brewpubs often sell beer "to go" or distribute to off-site accounts. (Brewers Association)
- A restaurant with facilities for the brewing of beer for on-site consumption and retail sale at the restaurant. A brewpub must derive at least 40 percent of its gross revenue from the sale of food. (Goodyear, Arizona)
- A restaurant featuring beer that is brewed on-site. (Memphis-Shelby County, Tennessee)
- A restaurant that brews beer as an accessory use, either for consumption on-site or in hand-capped, sealed containers in quantities up to one-half barrel sold directly to the consumer. Production capacity is limited to 5,000 barrels of beverage (all beverages combined) per year. The area used for brewing, bottling, and kegging shall not exceed 30 percent of the total floor area of the commercial space. A barrel is equivalent to 31 gallons. (Plainfield, Illinois)

Microbrewery:

- A small facility for the brewing of beer that produces less than 15,000 barrels per year. It may often include a tasting room and retail space to sell the beer to patrons on the site. (Asheville, North Carolina)
- Any establishment where malt liquors are manufactured and packaged on- or off-premises, manufacturing more than 9,000 but less than 60,000 barrels of malt liquor on its licensed premises each calendar year. (Aurora, Colorado)
- A brewery that produces less than 15,000 barrels of beer per year with 75 percent or more of its beer sold off-site. Microbreweries sell to the public by one or more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and, directly to the consumer through carryouts or on-site taproom or restaurant sales. (Brewers Association)
- A brewery (for malt beverages) that has an annual nationwide production of not less than 100 barrels or more than 10,000 barrels. (Missoula, Montana)
- The production of beer, regardless of the percentage of alcohol by volume, in quantities not to exceed 5,000 barrels per month, with a barrel containing 31 U.S. liquid gallons. (Nashville-Davidson, Tennessee)

Nanobrewery:

- The production of beer, regardless of the percentage of alcohol by volume, in quantities not to exceed 1,250 barrels per month. (Nashville-Davidson, Tennessee)

Microdistillery:

- A combination retail, wholesale, and small-scale artisan manufacturing business that produces and serves alcoholic spirits or food on the premises. (Port Townsend, Washington)
- A facility that produces no more than 15,000 gallons per year of spirituous beverages on-site and shall include a tasting room in which guests/customers may sample the product. (Fort Collins, Colorado)
- A facility that produces alcoholic beverages in quantities not to exceed 35,000 gallons per year and includes an accessory tasting room. A tasting room allows customers to taste samples of products manufactured on-site and purchase related sales items. Sales of alcohols manufactured outside the facility are prohibited. (Evanston, Illinois)

(continued on page 5)

subordinate to off-site consumption. For brewpubs, the opposite is true.

Communities that define an umbrella term for multiple "micro" facilities tend to stress spatial or operational features over production volume limits. In some instances this means a square footage limit on facility size or the proportion of a facility that can be used for alcohol production. In other instances, there are no defined size limits, and the use definition simply describes a set of operational characteristics (e.g., alcohol production and sales for on- and off-site consumption).

USE PERMISSIONS

Defining and regulating small-scale alcohol production facilities allows communities to permit small breweries, distilleries, and wineries in locations that would be inappropriate for conventional, large-scale facilities. Typically, this translates to permitting brewpubs, microbreweries, microdistilleries, and microwineries in one or more commercial or mixed use districts, either by right, with ministerial approval, or subject to a discretionary use permit.

Permitting a use by right sends a clear signal to potential developers and business owners that the use is desirable in a certain zoning district. This approach presents applicants with the fewest hoops to jump through before obtaining zoning approval, but it is important to note that most small-scale production facilities will still be subject to state or local licensing or permitting laws that govern the production or sale of alcoholic beverages.

Requiring a ministerial approval for a use communicates that the community is generally supportive of the use in a certain zoning district, but this support is conditional upon compliance with objective standards intended to minimize negative impacts on proximate uses. This approach gives planning staff an opportunity to review an application before the planning director or zoning administrator issues an "over-the-counter" permit. Often, communities use ministerial approval processes to confirm that a particular application conforms to use-specific standards (see additional standards discussion below).

Permitting a use subject to a discretionary use permit (often referred to as a conditional, special, or special exception use permit) indicates that the community is potentially supportive of the use in a certain zoning district, provided the specific spatial and operational characteristics of the use do not pose compatibility problems. Discretion-

any approval processes involve one or more public hearings before the local legislative body, planning commission, or zoning board renders a final decision on an application. Because the longer approval time frame and a greater degree of uncertainty can discourage some applicants, it is important for communities to reserve discretionary use permissions for locations or circumstances where objective standards are likely to be insufficient to ensure compatibility.

Since a brewpub typically has more in common with a restaurant than a factory, many communities permit brewpubs either by right or with ministerial approval in a wide range of commercial and mixed use districts. Meanwhile, use permissions for microbreweries, microdistilleries, and microwineries vary considerably from place to place. With that said, though, many cities do permit microproduction facilities either by right or with ministerial approval in at least one commercial or mixed use district. Furthermore, it is relatively common to permit microbreweries, microdistilleries, or microwineries by right in more intense commercial or mixed use districts and subject to a discretionary use permit in less intense districts. (See the table on page 6.)

ADDITIONAL STANDARDS

Many contemporary zoning codes limit use permissions with use-specific development or operational standards. By codifying additional standards for specific uses, the community can permit a wider range of uses without relying on discretionary use permits to ensure compatibility. In some cases, use-specific standards apply only in certain zoning districts, while in other cases the standards apply community-wide.

So far, relatively few communities have adopted additional development or operational standards for small-scale alcohol production facilities. Among those that have, the most common provisions relate to outdoor storage, the size of the facility or volume of production, loading and unloading, and proximity either to sensitive uses or to other similar producers.

Outdoor Storage

Perhaps the most prevalent type of additional standards for brewpubs and microproducers are screening requirements or limitations on the amount of space business owners can use to store equipment, production waste, or product. In some cases these standards take

Use Definitions *(continued from page 4)*

- Any place or premises wherein any wines or liquors are manufactured for sale, not to exceed 5,000 gallons per year, generally referred to as a craft, boutique, or artisan distillery. Microdistilleries may or may not include an on-site tasting room, and may or may not operate in conjunction with an on-site restaurant or bar. For operation of an on-site tasting room or in conjunction with an on-site restaurant or bar additional permitting may be required. All relevant federal, state, and local regulations apply, including but not limited to TCA Title 57 and Memphis Code of Ordinances Title 7. For on-site sales by manufacturer compliance with TCA 57-3-204 applies. (Memphis-Shelby County, Tennessee)

Microwinery:

- A combination retail, wholesale, and small-scale artisan manufacturing business that produces and serves wine and food on the premises. (Port Townsend, Washington)
- A facility that produces no more than 100,000 gallons per year of vinous beverages on-site and shall include a tasting room in which guests/customers may sample the product. (Fort Collins, Colorado)
- A small wine producer that does not have its own vineyard, and instead sources its grape production from outside suppliers. Microwineries produce wine for sale on- or off-site. For the purposes of this chapter, a microwinery is limited to a production of no more than 2,000 barrels per year. On-site consumption is not allowed, other than sample tasting by customers shopping on-site. (Glenville, New York)

Microbrewery/microdistillery/microwinery:

- A facility with no more than 3,000 square feet of floor area, for the production and packaging of alcoholic beverages for distribution, retail, or wholesale, on- or off-premises and which meets all alcohol beverage control laws and regulations. (Newport News, Virginia)
- An establishment for the manufacture, blending, fermentation, processing, and packaging of alcoholic beverages with a floor area of 10,000 square feet or less that takes place wholly inside a building. A facility that only provides tasting or retail sale of alcoholic beverages is not a microbrewery, microdistillery, or winery use. (Dallas)
- A facility in which beer, wine, or other alcoholic beverages are brewed, fermented, or distilled for distribution and consumption, and which possesses the appropriate license from the State of Maryland. Tasting rooms for the consumption of on-site produced beer, wine, or distilled products are permitted on the premises. (Denton, Maryland)
- An establishment with a primary use as a table service restaurant where beer, liquor, wine, or other alcoholic beverage is manufactured on the premises in a limited quantity subordinate to the primary table service restaurant use. The gross floor area utilized in a microbrewery, microdistillery, or microwinery for the production of beer, liquor, wine, or other alcoholic beverage shall be no greater than the gross floor area utilized for the associated table service restaurant. A microbrewery, microdistillery, or microwinery may include some off-site distribution of its alcoholic beverages consistent with state law. A tasting room or taproom may exist in a microbrewery, microdistillery, or microwinery where patrons may sample the manufacturer's products. (Wooster, Ohio)

the form of an outright prohibition on outdoor storage.

To illustrate, Covington, Kentucky, flatly prohibits all outdoor equipment and storage for brewpubs and microbreweries (§§6.28.02-03). Meanwhile, Dallas permits microbreweries and microdistilleries to store spent grain outside in silos or containers, provided the storage is screened from view (C51A-4.210(b)(4)(E)(ii)(cc)). And Novi, Michigan, prohibits

all outdoor storage for brewpubs and microbreweries, with the exception of storage in tractor trailers for a period less than 24 hours (§§1501.11.b and 1501.12.b).

The two basic rationales for storage restrictions are aesthetics and public health. Outdoor storage can be an uninviting eyesore, especially in pedestrian-oriented areas. And left unattended, production waste may produce foul odors and attract vermin.

EXAMPLES OF DEFINED USES AND PERMISSIONS

Community	State	2010 Population	Density (pop./square mile)	Defined Uses	Permitted in One or More Mixed Use or Commercial Districts		
					By Right or Ministerial Approval	Subject to Discretionary Use Permit	Subject to Additional Standards
Asheville	NC	83,393	1,856	microbrewery	X	X	§7-16-1(c)(43)
Bismarck	ND	61,272	1,986	brewpub microbrewery	X	X	§14-03-08.4.u
Bloomington	IN	80,405	3,472	brewpub	X		§20.05.089
Burlington	VT	42,417	4,116	microbrewery	X	X	
Columbia	SC	129,272	978	microbrewery	X		§17-290
Covington	KY	40,640	3,079	brewpub microbrewery microdistillery	X	X X	§6.28 §6.28 §6.28
Dallas	TX	1,197,816	3,518	microbrewery/ microdistillery/ winery		X	§51A-4.210(b)(4)
Denton	MD	4,418	837	microbrewery/ microwinery/ microdistillery		X	
Fort Collins	CO	143,986	2,653	microbrewery microdistillery microwinery	X X X	X X X	
Glenville	NY	29,480	580	microbrewery microwinery	X X		
Goodyear	AZ	65,275	341	brewpub microbrewery	X X		§4-2-15 §4-2-16
Memphis-Shelby	TN	646,889	2,053	brew pub microbrewery microdistillery	X X X	X X X	§2.6.3.G §2.6.4.F §2.6.4.F
Missoula	MT	66,788	2,428	microbrewery		X	
Modesto	CA	201,165	5,457	microbrewery	X	X	§10-3.203
Newport News	VA	180,719	2,630	microbrewery/ microdistillery/ microwinery	X		
Novi	MI	55,224	1,825	brewpub microbrewery	X X	X X	§1501.11 §1501.12
Port Townsend	WA	9,113	1,306	microbrewery microdistillery microwinery	X X X	X	
St. Petersburg	FL	244,769	3,964	brewpub microbrewery	X X	X X	§16.50.045 §16.50.045
Wooster	OH	26,119	1,601	microbrewery/ microdistillery/ microwinery	X		

Facility Size or Volume of Production

Some communities use additional standards to restrict the size of the facility, scale of production, or the relationship between the alcohol production facility and collocated food or beverage service. This is most common in codes where the use definition does not stipulate a specific production limit or the nature of the relationship between primary and accessory uses. However, communities can also use this type of operational standard to modify defined limits or relationships in lower-intensity zoning districts.

For example, Asheville, North Carolina, limits microbreweries to 4,000 square feet of floor area in two specific office districts (§17-16-1(c)(43)a.3). Columbia, South Carolina, limits microbrewery production to 1,000 barrels per year in three lower-intensity commercial and mixed use districts (§17-290(2)). And Novi, Michigan, stipulates that no more than 50 percent of the gross floor space in a brewpub shall be used for brewing (§1501.11.e).

Loading and Unloading

A few communities have adopted additional standards stipulating the provision or location of loading spaces or prohibiting deliveries during certain hours. Both of these types of delivery restrictions can help brewpubs and microproducers be better neighbors by minimizing traffic congestion or limiting noise during certain times of the day. Still, it's important to note that in some pedestrian-oriented districts it may be infeasible or undesirable to require dedicated loading spaces due to premiums on space or urban design goals.

As one example, Asheville, North Carolina, stipulates that all microbreweries must have an off-street or alley-accessible loading dock (§17-16-1(c)(43)a.4). Meanwhile, St. Petersburg, Florida, discourages microbrewery access and loading from streets and requires any street-facing loading bays to keep their doors closed at all times, except when actively in use. The city also restricts service truck loading and unloading to the hours between 8 a.m. and 8 p.m., Monday through Saturday, and between 11 a.m. and 7 p.m. on Sundays and national holidays (§§16.50.045.4-6).

Distancing Requirements

A small number of communities have adopted distancing requirements that either limit the proximity of small-scale alcohol production facilities to sensitive uses, such as schools or

churches, or require a minimum separation between similar uses. For the first type of distancing requirement, the rationale is to limit potential spillover effects on properties where children congregate. The rationale for the second type of requirement is to prevent an over-concentration of brewpubs or microproducers in a specific district.

To illustrate, Novi, Michigan, requires microbreweries to be separated from one another by at least 2,500 feet (§1501.12.h). And Bismarck, North Dakota, requires property owner consent as a condition of approval for microbreweries located within 300 feet of a lot line for any school, church, library, or hospital (§14-03-08.4.u.1).

CONCLUSIONS

When localities choose to define and regulate small-scale alcohol production facilities as one or more distinct uses, it allows them to permit these uses in locations that would be inappropriate for major industrial operations. By doing so, communities can set the stage to capitalize on the economic and placemaking benefits of brewpubs and microproducers.

With that said, the preceding discussion only hints at the variety of approaches localities have taken to regulate brewpubs, microbreweries, microdistilleries, and microwineries. Furthermore, a number of communities with thriving craft brewing and distilling scenes, such as Chicago and Portland, Oregon, have yet to single out small-scale alcohol production facilities for special zoning treatment. Others have made a conscious decision to minimize use-based restrictions in favor

of prescriptive standards for the form of development. However, communities that don't thoughtfully consider regulatory alternatives for brewpubs and microproducers run the risk of being caught "flat-footed" by an application for a new facility that may be beneficial to the community but is inconsistent with current zoning.

Finally, as with any significant potential zoning change, it can be helpful to talk to other communities that have taken a similar approach to see what's working and what might need further attention. And, of course it's always important to review both new provisions and the intent behind those provisions with residents, business owners, and other community stakeholders before recommending or taking action.

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- *Wines & Vines*. 2014. "Wine Industry Metrics." Available at www.winesandvines.com/template.cfm?section=widc&widcDomain=wineries.

Cover image by Filipfoto/iStock/Thinkstock; design concept by Lisa Barton

VOL. 31, NO. 3

Zoning Practice is a monthly publication of the American Planning Association. Subscriptions are available for \$95 (U.S.) and \$120 (foreign).

W. Paul Farmer, FAICP, Chief Executive Officer; David Rouse, AICP, Managing Director of Research and Advisory Services.

Zoning Practice (ISSN 1548-0135) is produced at APA, Jim Schwab, AICP, and David Morley, AICP, Editors; Julie Von Bergen, Assistant Editor; Lisa Barton, Design and Production.

Missing and damaged print issues: Contact Customer Service, American Planning Association, 205 N. Michigan Ave., Suite 1200, Chicago, IL 60601 (312-431-9100 or customerservice@planning.org) within 90 days of the publication date. Include the name of the publication, year, volume and issue number or month, and your name, mailing address, and membership number if applicable.

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VILLAGE OF NORTH AURORA



VILLAGE OF NORTH AURORA
KANE COUNTY, ILLINOIS

Ordinance No. _____

**ORDINANCE AMENDING TITLE 17 OF THE NORTH AURORA CODE
REGARDING BUSINESS DISTRICT LAND USE CLASSIFICATIONS**

Adopted by the
Board of Trustees and President
of the Village of North Aurora
this ____ day of _____, 2019

Published in Pamphlet Form
by authority of the Board of Trustees of the
Village of North Aurora, Kane County, Illinois,
this ____ day of _____, 2019
by _____.

Signed _____

VILLAGE OF NORTH AURORA

ORDINANCE NO. _____

**ORDINANCE AMENDING TITLE 17 OF THE NORTH AURORA CODE
REGARDING BUSINESS DISTRICT LAND USE CLASSIFICATIONS**

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of North Aurora, Kane County, Illinois, as follows:

1. Title 17 (Zoning), Chapter 8 (Business Districts), Section 8.2 (Permitted and Special Uses) by amending Subsection A as follows:

8.2 - Permitted and special uses.

A. Table 8-1 Business District Permitted and Special Uses lists permitted and special uses for the business districts. A "P" indicates that a use is considered permitted within that district. An "S" indicates that a use is considered a special use in that district and must receive special use approval as required in Section 4.3 (Special Uses). A blank space, or the absence of a in from the table, indicates that use is not allowed within that district.

VILLAGE OF NORTH AURORA, ILLINOIS				
TABLE 8-1: BUSINESS DISTRICT PERMITTED AND SPECIAL USES				
P = Permitted Use S = Special Use				
Use	Zoning District			Specific Use Standards
	B-1	B-2	B-3	
RETAIL AND SERVICE USES				
<u>Microbrewery</u>	<u>S</u>	<u>S</u>	<u>S</u>	
<u>Microdistillery</u>	<u>S</u>	<u>S</u>	<u>S</u>	
<u>Microwinery</u>	<u>S</u>	<u>S</u>	<u>S</u>	
<u>Outdoor Storage</u>		<u>S</u>	<u>S</u>	
Tobacco Shop	<u>S P</u>	<u>S P</u>	<u>S P</u>	

VILLAGE OF NORTH AURORA

2. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance, or any part thereof. The Village Board of Trustees hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that anyone or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

3. This Ordinance shall take immediate full force and effect from and after its passage, approval, publication and such other acts as required by law.

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this _____ day of _____, 2019, A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this _____ day of _____, 2019, A.D.

Mark Carroll _____

Laura Curtis _____

Mark Gaffino _____

Mark Guethle _____

Michael Lowery _____

Tao Martinez _____

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this _____ day of _____, 2019, A.D.

Dale Berman, Village President

ATTEST:

Lori Murray, Village Clerk

**VILLAGE OF NORTH AURORA
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
CC: STEVE BOSCO, VILLAGE ADMINISTRATOR
FROM: MIKE TOTH, COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR
SUBJECT: PETITION 19-03: 1059 ORCHARD ROAD MICROBREWERY SPECIAL USE
AGENDA: JUNE 3, 2019 REGULAR VILLAGE BOARD MEETING

ITEM

An Ordinance granting a Special Use pursuant to Title 17, Chapter 8 of the North Aurora Zoning Ordinance to allow a Microbrewery at 1059 Orchard Road in the B-2 General Business District, Village of North Aurora, Illinois

DISCUSSION

The petitioner is requesting use of a 1,640 square foot tenant space located in the Orchard Crossing Shopping Center for the production and sales of beer. Staff notes that a separate text amendment is being proposed to allow Microbrewery as a special use in all business districts as the use is currently not a classified use in the Zoning Ordinance.

According to information submitted by the petitioner, the space would include a production area for brewing, a walk-in cooler, bar and seating areas. Additionally, the facility would produce roughly 500 barrels of beer per year – five (5) barrels, twice a week (each barrel contains 31 gallons). The petitioner indicated that no outdoor storage would be required and staff included a condition of approval prohibiting outdoor storage on the property.

A public hearing was held before the Plan Commission at their May 7, 2019 meeting. The Plan Commission briefly discussed the proposed business operations. The Plan Commission stated that the proposed use would be a nice addition to that area and unanimously recommended approval of the special use, subject to the two conditions listed in the staff report.

The Village Board discussed this item at their May 20, 2019 Committee of the Whole meeting. After a representative of the petitioner answered questions regarding the business operation, the Village Board confirmed support of the special use.

Attachments:

1. Staff report to the Plan Commission.
2. An Ordinance granting a Special Use pursuant to Title 17, Chapter 8 of the North Aurora Zoning Ordinance to allow a Microbrewery at 1059 Orchard Road in the B-2 General Business District, Village of North Aurora, Illinois

Staff Report to the Village of North Aurora Plan Commission

FROM: Mike Toth, Community and Economic Development Director

GENERAL INFORMATION

Meeting Date: May 7, 2019

Petition Number: 19-03

Petitioner: Stephen Newman

Request(s): Special use to allow a Microbrewery

Location: 1059 Orchard Rd.

Parcel Number(s): 12-32-327-007

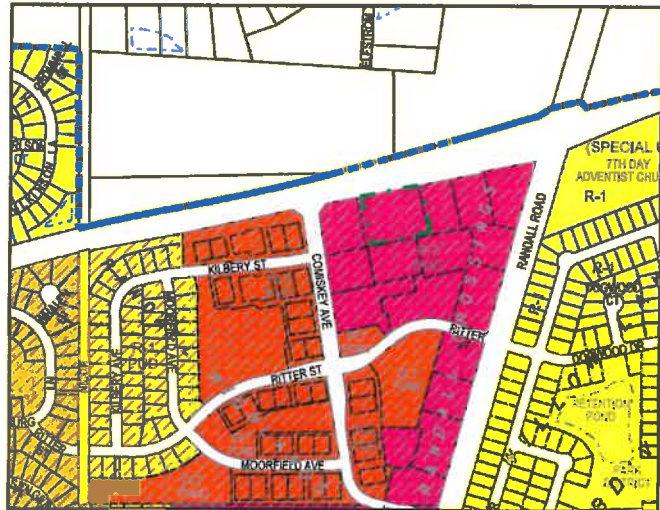
Property Size: Approximately 2.84 acres

Current Zoning: B-2 PUD – General Business District Planned Unit Development

Contiguous Zoning: North – Unincorporated Property, East – B-2 PUD – General Business District Planned Unit Development, South – B-2 PUD – General Business District Planned Unit Development, West – B-2 PUD – General Business District Planned Unit Development

Contiguous Land Use: North – large tract vacant land, South – restaurant, East – multi-tenant commercial building West – vacant parcel

Comprehensive Plan Designation: Commercial /Retail



PROPOSAL

The petitioner is requesting use of a 1,640 square foot tenant space located in the Orchard Crossing Shopping Center for the production and sales of beer. Staff notes that a separate text amendment is being proposed to allow Microbrewery as a special use in all business districts as the use is currently not a classified use in the Zoning Ordinance.

According to information submitted by the petitioner, the space would include a production area for brewing, a walk-in cooler, bar and seating areas. Additionally, the facility would produce roughly 500

barrels of beer per year – five (5) barrels, twice a week (each barrel contains 31 gallons). The petitioner indicated that no outdoor storage would be required and staff included a condition of approval prohibiting outdoor storage on the property.

RECOMMENDATIONS

Staff finds that the information presented **meets** the Standards for Specials Uses as submitted by the petitioner and as set forth in the Zoning Ordinance. Based on the above considerations, staff recommends that the Plan Commission make the following motion recommending **approval** of Petition #19-03, subject to the following conditions:

1. A building permit shall be secured from the Village for any applicable building improvements.
2. All brewing operations shall be conducted within the confines of the building. All outdoor storage shall be prohibited.

Letter in support of special use permit

To Whom it May Concern:

Chimp Monk Brewing proposes to operate a microbrewery in Orchard Crossing shopping center at 1059 West Orchard Road. Beer will be both brewed and served on site. Please see the attached diagram for a layout of the brewing and seating areas. The hour of Operations are expected to be Monday 2 – 9 pm, Thursday 2-9pm, Friday 2 – 10 pm, Saturday noon – 10pm and Sunday noon – 8 pm. We would consider expanding the weekend hours to open earlier, if there is a demand to watch international soccer and/or rugby games. Patrons would also be able to purchase guest ciders and beer. We will also offer pre-packaged food and non-alcoholic beverages. While customers would be encouraged to bring in their own food from local restaurants and on special occasions, we would invite food trucks to our location.

We understand the Village is currently petitioning to allow for microbreweries as a special use. There are no microbreweries in the immediate vicinity, so we feel this would fill a void for local residents. Infrastructure already exists so there will be no impact to existing services and the business will supply the area with employment opportunities and tax revenue. This is in line with the Village's Comprehensive Plan, which suggests regional commerce for the property. There will be no changes to the outside structure aside from signage, which will comply with any applicable regulations. There will not be any changes to the existing traffic patterns.. The site already provides adequate parking. All necessary utilities are already in place. The microbrewery is preparing to obtain all necessary applicable Federal State and Local licenses.

Thank you for your consideration on this matter.



Stephen Newman
CEO Chimp Monk Brewing

APPLICATION FOR SPECIAL USE

VILLAGE OF NORTH AURORA
Board of Trustees
25 East State Street
North Aurora, IL 60542

PETITION NO. 19-03

FILE NAME 1059 ORCHARD RD. MICHAELSON

DATE STAMP

RECEIVED

APR 18 2019

**VILLAGE OF
NORTH AURORA**

I. APPLICANT AND OWNER DATA

Name of Applicant Stephen Newman

Applicant Address 345 N Batavia Ave, Batavia IL 60510

Applicant Telephone # 312 339-9180

Email Address Steve@chimpmonkbrewing.com

Property Owner(s) _Orchard Crossing Baceline, LLC

Owner Address 1391 Speer Blvd, Suite 800, Denver, CO 80204

Owner Telephone # 303 615 9544

II. ADDRESS, USE AND ZONING OF PROPERTY

Address of Property 1035-1061 West Orchard Road
(indicate location if no common address)

Legal Description: _12-32-327-007

Parcel Size _____ 2.92 acres _____

Present Use Vacant
(business, manufacturing, residential, etc.)

Present Zoning District _____ B-2 General Business _____
(Zoning Ordinance Classification)

III. PROPOSED SPECIAL USE

Proposed Special Use Microbrewery
(Zoning Ordinance Classification)

Code Section that authorizes Special Use _____ N/A _____

Has the present applicant previously sought to rezone or request a special use for the property or any part thereof? _No

If so, when? _____ to what district? _____

Describe briefly the type of use and improvement proposed _

Microbrewery (see attached letter for more details) _____

What are the existing uses of property within the general area of the Property in question? _____

Retail, Personal training facility, liquor store credit union _____

To the best of your knowledge, can you affirm that there is a need for the special use at the particular location? (Explain) _____ No microbreweries in the immediate vicinity _____

Attach hereto a statement with supporting data that the proposed special use will conform to the following standards:

1. The proposed special use is, in fact, a special use authorized in the zoning district in which the property is located.
2. The proposed special use is deemed necessary for the public convenience at that location.
3. The proposed special use does not create excessive additional impacts at public expense for public facilities and services, and will be beneficial to the economic welfare of the community.
4. The proposed use is in conformance with the goals and policies of the Comprehensive Plan, and all Village codes and regulations.
5. The proposed special use will be designed, located, operated, and maintained so as to be harmonious and compatible in use and appearance with the existing or intended character of the general vicinity.

6. The proposed special use will not significantly diminish the safety, use, enjoyment, and value of other property in the neighborhood in which it is located.
7. The proposed special use is compatible with development on adjacent or neighboring property.
8. The proposed special use minimizes potentially dangerous traffic movements, and provides adequate and safe access to the site.
9. The proposed special use provides the required number of parking spaces and maintains parking areas, in accordance with the requirements of this Ordinance.
10. The proposed special use is served by adequate utilities, drainage, road access, public safety, and other necessary facilities.
11. The proposed special use conforms with the requirements of this Ordinance and other applicable regulations.

IV CHECKLIST FOR ATTACHMENTS

The following items are attached here to and made a part hereof:

1. Introduction Letter. Please include information relevant to the proposed use of the property and business operations (hours of operation, number of employees, etc.).
2. Legal Description of the subject property(s).
3. Illinois Land Surveyor's plat of survey.
4. Site Plan illustrating all existing and proposed improvements.
5. Statement and supporting data regarding Standards for Special Uses (above).
6. Filing fee in the amount of \$300.00, if paid by check make payable to the Village of North Aurora.
7. Specified escrow deposit (\$4,000 minimum). May be included with filing fee. Remaining funds refundable upon project completion.
8. Visit the Illinois Department of Natural Resources' website www.dnr.state.il.us and initiate a consultation using DNR's [EcoCat](#) online application.
9. Visit the Kane DuPage Soil and Water Conservation District's website www.kanedupageswcd.org for a Land Use Opinion Application

The Applicant authorizes the Village of North Aurora representatives to enter on to the property to make inspection during the hearing process.


The Applicant is responsible for publishing a legal notice in the newspaper, sending United States mail notices to properties within 250 feet, and posting a sign on the property advertising the public hearing. These shall be in accordance with village Ordinances at the times decided by the Village of North Aurora.

The undersigned hereby agrees to reimburse the Village for all costs of court reporter fees for attendance at and transcript of hearing(s) and other professional service fees for services rendered in connection with this application as defined in Appendix B of the North Aurora Zoning Ordinance. Such reimbursement shall be made promptly upon receipt of invoices from the Village, whether or not this application for special use is approved.

I (we) certify that all of the above statements and the statements contained in any documents submitted herewith are true to the best of my (our) knowledge and belief.


Applicant or Authorized Agent

4/18/19
Date


Owner
Richard C. Canning, Inc., LLC
Agent, Portfolio Manager
Alyssa Scallan

4/18/19
Date

Following are the names and addresses of all property owners within 250 feet of the property in questions for which the special use being is being requested.

TAX PARCEL NO.**PROPERTY OWNER**

MAILING ADDRESS

See Attached

I, Stephen C Newman, being first duly sworn on oath certifies that all of the above statements and the statements contained in any papers or plans submitted herewith are true and correct.

Applicant Signature

Date 4/12/2019

SUBSCRIBED AND SWORN TO

Before me this 17 day of April, 2019

Lennaut P. Gristner
Notary Public



Mailing Address Buffer

Parcel Number: 1232327007 Distance: 250 Feet

Include Source Parcel: ☒ Yes ☐ No

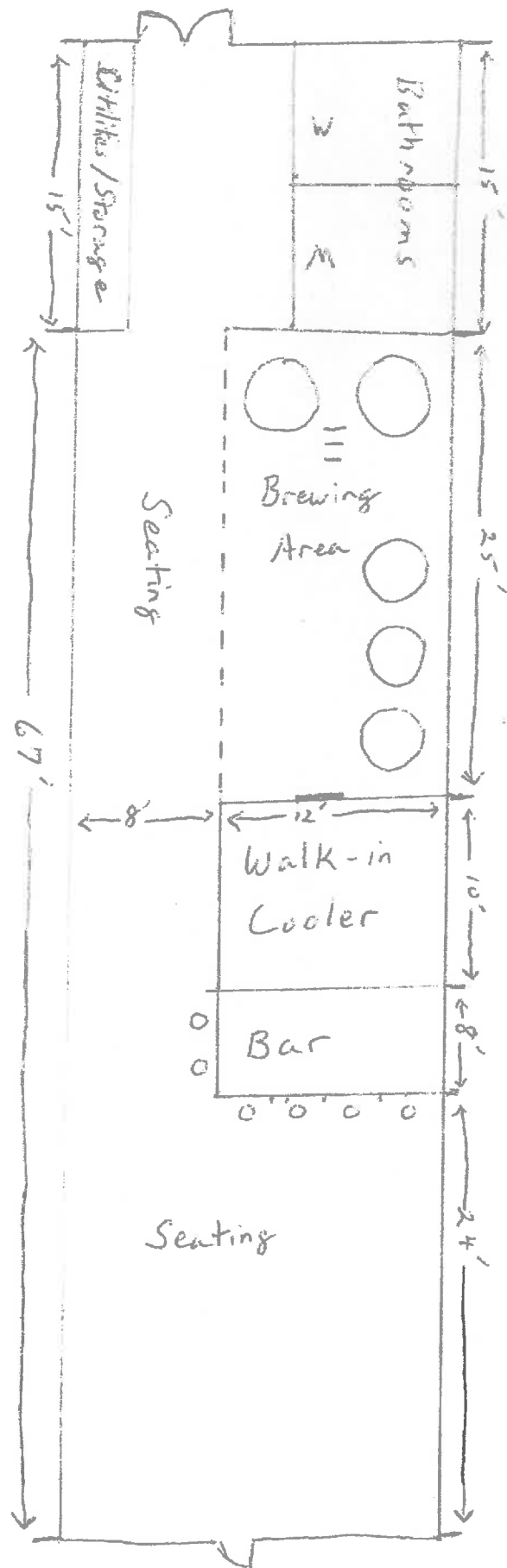
The first record is the buffered parcel

This list contains mailing addresses for parcels with in 250 feet of parcel 1232327007† => Results as .csv

Addresses						
Parcel	Tax Name	Address	Address (Line 2)	City	State	Zip
1232327007	ORCHARD CROSSING CENTER LLC	PO BOX 1339		SAINT CHARLES	IL	601747339
1232100013	LOYAL ORDER OF MOOSE			MOOSEHEART	IL	60539
1232200014	LOYAL ORDER OF MOOSE			MOOSEHEART	IL	60539
1232300017	LOYAL ORDER OF MOOSE			MOOSEHEART	IL	60539
1232327001	BBG RANDALL CROSSING LLC	BRIDGEVIEW BANK GROUP	4753 N BROADWAY ST	CHICAGO	IL	606405266
1232327010	N A TOWNHOMES LLC & OREILLY, TODD A	564 S WASHINGTON ST		NAPERVILLE	IL	605406668
1232403001	DENVER CAPITAL LLC	123 W WASHINGTON ST STE 214		OSWEGO	IL	605438204
1232403008	TURF ROOM LLC	PARKER GRABOWSKI	1033 FOREST TRL	SUGAR GROVE	IL	605549252
1232403010	BBG RANDALL CROSSINGS LLC	BRIDGEVIEW BANK GROUP	4753 N BROADWAY	CHICAGO	IL	606405266
1232403019	NA LODGING 1 LLC	DECADE GROUP - RANDALL LLC	564 S WASHINGTON ST STE 200	NAPERVILLE	IL	605406674
1232403021	DECADE GROUP - RANDALL LLC	564 S WASHINGTON ST STE 200		NAPERVILLE	IL	605406674

Proposed Special Use Permit conformance with standards:

1. The Village is currently seeking to allow the microbrewery through a special use permit.
2. There are currently no microbreweries in the immediate area.
3. The necessary infrastructure to support the microbrewery already exist and the microbrewery would provide employment and additional tax revenue.
4. The Comprehensive Plan suggests regional commerce for this property, making the microbrewery a good fit.
5. It is not necessary to make any changes to the outside structure to accommodate the brewery.
6. The adjacent and neighboring properties are commercial and should have their businesses enhanced by the patrons attracted to the microbrewery.
7. As previously stated the microbrewery should help increase customer flow to the neighboring commercial business and should be a comfortable place for local residents to meet.
8. The microbrewery will have no impact on traffic movements at the site.
9. The location already provides adequate parking.
10. The necessary utilities, drainage, access and other facilities already exist.
11. The microbrewery will be obtaining all necessary liquor and other applicable licenses.



**PUBLIC HEARING
NOTICE
VILLAGE OF
NORTH AURORA
SPECIAL USE TO ALLOW
A MICROBREWERY IN
THE B-2 GENERAL
BUSINESS DISTRICT
PLANNED UNIT
DEVELOPMENT AT 1059
ORCHARD RD., VILLAGE
OF NORTH AURORA,
ILLINOIS**

PLEASE BE NOTIFIED
of a hearing before the
North Aurora Plan Commission
on Tuesday, May 7, 2019
at 7:00 p.m. at the North Au-
rora Village Board Meeting
Room, 25 E. State Street,
North Aurora, Illinois. The
applicant requests the fol-
lowing:

1. Special Use to allow a
Microbrewery in the B-2
General Business District
Planned Unit Development.

The property is com-
monly known as 1059 Or-
chard Rd., North Aurora,
Kane County, Illinois. PIN#

12-32-327-007
An application has been
filed by the petitioner and is
known as petition number

#19-03. The application for
special use is on file at the
office of the North Aurora

Community Development
Department and is avail-
able for public inspection.
Public comments will be

taken at the public hearing.
Further information is
available by contacting the
Community Development

Department at 630-897-8228.
Dated this 18th day of April,
2019

/s/ Mike Toth
Community Development
Director
Published in Daily Herald
April 18, 2019 (4522969)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Addison, Algonquin, Antioch, Arlington Heights, Aurora, Barrington, Barrington Hills, Bartlett, Batavia, Bensenville, Bloomingdale, Buffalo Grove, Burlington, Campton Hills, Carol Stream, Carpentersville, Cary, Deer Park, Des Plaines, East Dundee, Elburn, Elgin, Elk Grove Village, Elmhurst, Fox Lake, Fox River Grove, Geneva, Gilberts, Glen Ellyn, Glendale Heights, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Itasca, Keeneville, Kildeer, Lake Barrington, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Lisle, Lombard, Long Grove, Medinah, Mt. Prospect, Mundelein, Naperville, North Aurora, North Barrington, Oakbrook, Oakbrook Terrace, Palatine, Prospect Heights, Rolling Meadows, Roselle, Schaumburg, Sleepy Hollow, South Barrington, South Elgin, St. Charles, Woodridge, Streamwood, Tower Lakes, Vernon Hills, Villa Park, Volo, Warrenville, Wauconda, Wayne, West Chicago, West Dundee, Wheaton, Wheeling, Wildwood, Winfield, Wood Dale, Round Lake Park, Pingree Grove, Sugar Grove

County(ies) of Cook, DuPage, Kane, Lake, McHenry
and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the **DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 18-APR-19 in said **DAILY HERALD**.

IN WITNESS WHEREOF, the undersigned, the said **PADDOCK PUBLICATIONS, Inc.**, has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY

Danila Baltz
Authorized Agent

Control # 4522969

VILLAGE OF NORTH AURORA



VILLAGE OF NORTH AURORA
KANE COUNTY, ILLINOIS

Ordinance No. _____

**AN ORDINANCE GRANTING A SPECIAL USE PURSUANT TO TITLE 17, CHAPTER 8 OF
THE NORTH AURORA ZONING ORDINANCE TO ALLOW A MICROBREWERY AT 1059
ORCHARD ROAD IN THE B-2 GENERAL BUSINESS DISTRICT, VILLAGE OF NORTH
AURORA, ILLINOIS**

Adopted by the
Board of Trustees and President
of the Village of North Aurora
this ____ day of _____, 2019

Published in Pamphlet Form
by authority of the Board of Trustees of the
Village of North Aurora, Kane County, Illinois,
this ____ day of _____, 2019
by _____.

Signed _____

VILLAGE OF NORTH AURORA

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A SPECIAL USE PURSUANT TO TITLE 17, CHAPTER 8 OF
THE NORTH AURORA ZONING ORDINANCE TO ALLOW A MICROBREWERY AT 1059
ORCHARD ROAD IN THE B-2 GENERAL BUSINESS DISTRICT, VILLAGE OF NORTH
AURORA, ILLINOIS**

(Petition #19-03; 1059 Orchard Road)

WHEREAS, the President and Board of Trustees of the Village of North Aurora have heretofore adopted the North Aurora Zoning Ordinance, otherwise known as Title 17 of the Code of North Aurora, Illinois; and,

WHEREAS, the Subject Property as defined below is zoned B-2 – General Business District; and,

WHEREAS, an application has been filed requesting approval of a special use pursuant to Title 17, Chapter 8 of the North Aurora Zoning Ordinance to allow a Microbrewery; and

WHEREAS, a public hearing on the forgoing application was conducted by the Village of North Aurora Plan Commission on May 7, 2019 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the special use described herein; and,

WHEREAS, the President and Board of Trustees determine that the findings and recommendations of the Plan Commission are reasonable and appropriate and that the approval of the requested special use for the Subject Property is consistent with the criteria for special uses and is in the best interests of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF NORTH AURORA, KANE COUNTY, ILLINOIS, as follows:

SECTION 1: The recitals set forth above are incorporated in this Ordinance as material finding of the President and the Board of Trustees.

SECTION 2: That a special use for a Microbrewery is hereby granted for the Subject Property, subject to the limitations in Section 3 below and the conditions specified in Section 4 below.

SECTION 3: That this Ordinance is limited and restricted to the property located at 1059 Orchard Road, North Aurora, Illinois and legally described as follows:

LOT 1 IN THE SHOPPES AT RANDALL CROSSING, BEING A SUBDIVISION OF PART OF
SECTION 32, TOWNSHIP 39 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL

VILLAGE OF NORTH AURORA

MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 28, 2007 AS
DOCUMENT NO. 2007K117671, IN KANE COUNTY ILLINOIS.

Parcel Number: 12-32-327-007; (the "Subject Property")

SECTION 4: The Microbrewery special use granted by this Ordinance is subject to compliance with the following conditions:

1. A building permit shall be secured from the Village for any applicable building improvements.
2. All brewing operations shall be conducted within the confines of the building.
3. All outdoor storage shall be prohibited.

SECTION 5: Each and every provision of this Ordinance is severable from each and every other provision of this Ordinance; and if any provision of this Ordinance is deemed invalid and/or unenforceable, such provision shall be deemed severed from this Ordinance, leaving each and every other provision in this Ordinance in full force and effect.

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this _____ day of _____, 2019, A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this _____ day of _____, 2019, A.D.

Mark Carroll _____
Mark Gaffino _____
Michael Lowery _____

Laura Curtis _____
Mark Guethle _____
Tao Martinez _____

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this _____ day of _____, 2019, A.D.

Dale Berman, Village President

ATTEST:

Lori Murray, Village Clerk



Memorandum

To: Services Committee
Cc: Steven Bosco, Village Administrator
From: John Laskowski, Public Works Director
Date: May 11th, 2019
Re: Public Works Policy Discussions

The Public Works Department has been developing policies and formalizing past practices for public works operations and services. In past Services Committee meetings, members have discussed the following policies: Lawn Mowing and Right of Way Maintenance, Leaf Pick-Up Program, Mailbox Replacement, Sidewalk Replacement, Tree Replacement, and a Complete Streets policy.

Tonight staff would like to present a proposed curb replacement policy for review. Public Works has been receiving an increased number of requests from residents to repair curbs and would like to establish a policy to treat all residents consistently.

The Village Board discussed and reviewed this policy at the May 20th, 2019 Services Committee and there were no concerns.

RESOLUTION NO. _____

**RESOLUTION TO AMEND THE PUBLIC WORKS POLICIES MANUAL FOR THE
VILLAGE OF NORTH AURORA**

WHEREAS, the Village of North Aurora has adopted by resolution a Public Works Policy Manual which provides direction for delivery of Public Works services; and

WHEREAS, the Services Committee reviewed the Curb and Gutter Repair policy at the last meeting on May 20, 2019; and

NOW, THEREFORE, BE IT RESOLVED by the President and the Board of Trustees as follows:

1. The recitals set forth above are incorporated herein as the material findings of the President and the Board of Trustees.
2. The Curb and Gutter Repair Policy, summarized in the document attached hereto and incorporated herein as Exhibit "A" is hereby approved by the corporate authorities and added to the Public Works Policy Manual.
3. This Resolution shall take immediate full force and effect from and after its passage and approval.

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this _____ day of _____, 2019, A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this _____ day _____, 2019, A.D.

Mark Carroll _____
Mark Gaffino _____
Michael Lowery _____

Laura Curtis _____
Mark Guethle _____
Tao Martinez _____

Approved and signed by me as President of the Board of trustees of the Village of North Aurora, Kane County, Illinois this _____ day of _____, 2019 A.D.

Village President Dale Berman

ATTEST:

Village Clerk



Title: Curb and Gutter Replacement Policy

Purpose: This policy is composed to establish how curb and gutter is replaced throughout the Village.

Description: Curb and gutter functions to collect and convey storm water to storm structures in the curb line. It also delineates the roadway and acts as a barrier to the parkway. If the curb and gutter fails to perform either of these functions it becomes a candidate for replacement.

Policy:

Curb and Gutter will be evaluated on streets included in the annual Street Maintenance Program in the design phase of the project. Curb and gutter that is identified by the design engineers and included in the Street Maintenance Program will be removed and replaced.

When staff receives requests to replace curb and gutter on streets outside the limits of the annual Street Maintenance Program or observes a curb in poor condition, Public Works Staff will determine if the curb and gutter is still functional. More specifically, if its condition has deteriorated to the point where it no longer functions as an effective traffic barrier, may cause property damage, or no longer conveys stormwater to the point it creates a hazardous condition on the pavement. In such cases staff will use asphalt to patch the curb and gutter temporarily until it is addressed in a road program. Curb and gutter will not be removed and replaced by Public Works staff.