

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda


  X   Resolution or Ordinance (Blue)   X   *Waiver of First Requested*  
  X   Recommendations of Boards, Commissions & Committees (Green)  
\_\_\_\_\_ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: June 9, 2014 (B of T) Date: June 19, 2014

TITLE: PC 14-07; Text Amendments – Microbreweries

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, Troika Brewing Company LLC d/b/a Noon Whistle Brewing Company requests that the Village approve text amendments to:

1. Section 155.417 (G)(2)(a) of the Lombard Zoning Ordinance to add “microbrewery” as a conditional use within the B4A Roosevelt Road Corridor District; and
2. Section 155.802 (and any other relevant sections for clarity) of the Lombard Zoning Ordinance regarding the definitions of “liquor store, package” and “tavern” and add provisions for “microbrewery.” (DISTRICT #2 & #6)

The Plan Commission recommended approval of this petition by a voted 4 to 0 vote.

The petitioner requests a waiver of first reading of the Ordinance.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_

Finance Director X \_\_\_\_\_ Date \_\_\_\_\_

Village Manager X \_\_\_\_\_ Date \_\_\_\_\_



## MEMORANDUM

**TO:** Scott R. Niehaus, Village Manager

**FROM:** William J. Heniff, AICP, Director of Community Development *WH*

**DATE:** June 19, 2014

**SUBJECT:** **PC 14-07; Text Amendments to the Zoning Ordinance – Microbreweries**

Please find the following items for Village Board consideration as part of the June 19, 2014 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 14-07;
3. Completed Standards for a Text Amendment; and
4. An Ordinance granting approval of the proposed text amendments to allow for microbreweries as a conditional use within the B4A Roosevelt Road Corridor District.

The Plan Commission recommended approval of this petition by a vote of 4-0. Please place this petition on the June 19, 2014 Board of Trustees agenda.

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## VILLAGE OF LOMBARD

255 E. Wilson Ave.  
Lombard, Illinois 60148-3926  
(630) 620-5700 Fax (630) 620-8222  
www.villageoflombard.org

June 19, 2014

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Sharon Kuderna

**Trustees**  
Dan Whittington, Dist. 1  
Michael A. Fugiel, Dist. 2  
Reid Foltyniewicz, Dist. 3  
Peter Breen, Dist. 4  
Laura A. Fitzpatrick, Dist. 5  
William "Bill" Ware, Dist. 6

**Village Manager**  
Scott R. Niehaus

*"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."*

*"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."*

Mr. Keith T. Giagnorio,  
Village President, and  
Board of Trustees  
Village of Lombard

### **Subject: PC 14-07; Text Amendments – Microbreweries**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, Troika Brewing Company LLC d/b/a Noon Whistle Brewing Company requests that the Village approve text amendments to:

1. Section 155.417 (G)(2)(a) of the Lombard Zoning Ordinance to add "microbrewery" as a conditional use within the B4A Roosevelt Road Corridor District; and
2. Section 155.802 (and any other relevant sections for clarity) of the Lombard Zoning Ordinance regarding the definitions of "liquor store, package" and "tavern" and add provisions for "microbrewery."

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on May 19, 2014. Sworn in to present the petition was Matt Panfil, AICP, Senior Planner and the petitioner, Jim Cagle of Troika Brewing Company LLC d/b/a Noon Whistle Brewing Company, 6318 Fairmount Avenue, Downers Grove, IL 60516.

Mr. Cagle introduced the proposed text amendment as necessary because the microbrewery industry is a fast growing industry, especially in the area of small and start-up breweries that service local communities. Mr. Cagle cited Naperville and Wheaton as nearby communities that have start-up microbreweries that are doing well

economically. The microbrewery industry prides itself on quality and establishing a connection with the local community.

In regards to the proposed location, Mr. Cagle stated that the Roosevelt Road corridor is preferred because it is a heavily traveled commercial corridor with numerous businesses and a microbrewery will not have a significant impact on traffic or require infrastructure upgrades. Mr. Cagle is interested in a specific site that is currently vacant and is essentially a shell ready to be built out with various interior improvements.

Chairperson Ryan asked for public comment, and, hearing none, he asked for the staff report.

Mr. Panfil submitted the staff report to the public record in its entirety.

Mr. Panfil stated that staff worked closely with the petitioner in the development of the proposed text amendments in order to format the regulatory language for microbreweries as staff anticipates an increase in similar requests in the future.

Mr. Panfil stated that the proposed regulations for microbreweries are very similar to, and in some cases the language was even borrowed from many surrounding communities. Staff researched between fifteen (15) and twenty (20) other communities in the Chicagoland area in order to compare and contrast their current regulations for microbreweries. Staff then took the best ideas and fit them into the proper context for the Village.

Mr. Panfil then read the proposed definition of a microbrewery, “is a business establishment where malt beverages of alcoholic content are produced for distribution, retail or wholesale, on or off premises, with a capacity of less than 15,000 U.S. barrels of beer per calendar year. The establishment may include as an ancillary use an onsite taste testing area and other uses such as a restaurant or tavern as permitted by the Village of Lombard Zoning Ordinance and/or Liquor Commissioner.”

Mr. Panfil continued that staff also proposes modifications to the existing definitions for “liquor store, package” and “tavern” to help clarify among the three different uses.

In regards to the standards for a text amendment, Mr. Panfil mentioned that the intent of the B4A Roosevelt Road Corridor District is to provide for a wide variety of retail sales activity required to meet the demands of a developing local market. Staff finds that the proposed amendment is for a use that is part of a developing local market which fits under the broad term, “wide variety of retail sales activity.”

Mr. Panfil also noted that the proposed text amendment is additive in nature and does not remove and uses or items. Therefore, staff does not believe that the proposed amendment creates any new nonconformities.

Mr. Panfil concluded that staff finds the proposed amendments to be consistent with the objective of the Zoning Ordinance, in particular the intent of the B4A Roosevelt Road Corridor District, and the Comprehensive Plan.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

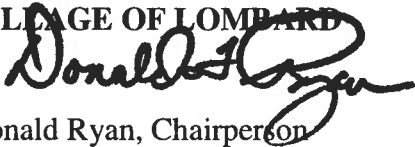
Commissioner Burke noted that the proposed change to the definition of “liquor store, package” causes confusion because it implies that liquors and other alcoholic beverages may be produced on-site at a tavern. Commissioner Burke recommended that the term, “and tavern” be removed from the proposed change to the “liquor store, package” definition.

On a motion by Commissioner Burke and a second by Commissioner Cooper, the Plan Commission voted 4-0 that the Village Board approves the proposed text amendments associated with PC 14-07, subject to the following condition:

1. The words, “and tavern” shall be deleted from the last sentence of the proposed changes to the definition of, “liquor store, package.”

Respectfully,

VILLAGE OF LOMBARD



Donald Ryan, Chairperson  
Lombard Plan Commission

c. Lombard Plan Commission

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# PLAN COMMISSION

## INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

### TEXT AMENDMENTS TO THE ZONING ORDINANCE – MICROBREWERIES

**MAY 19, 2014**

#### Title

PC 14-07

#### Petitioner

Troika Brewing Company  
d/b/a Noon Whistle  
c/o Jim Cagle  
6318 Fairmount Avenue  
Downers Grove, IL 60516

#### Property Location

B4A Roosevelt Road Corridor  
District

#### Approval Sought

Text amendments to Sections 155.802 (and any other relevant sections for clarity) and 155.417 (G)(2)(a) of the Village of Lombard Zoning Ordinance to define and allow “microbrewery” to be listed as a conditional use within the B4A Roosevelt Road Corridor District.

#### Submittals

1. Petition for a public hearing, submitted April 21, 2014; and
2. Response to Standards for a Text Amendment

#### Prepared By

Matt Panfil, AICP  
Senior Planner

#### DESCRIPTION

The petitioner has submitted this request along with a companion request for a conditional use for a microbrewery (if PC 14-07 is approved) at 800 E. Roosevelt Road (Case No. PC 14-08).

Microbreweries are a growing business throughout the country, and have experienced substantial growth within the Chicagoland area. The Village of Lombard currently lacks specific regulatory standards for such a business, with the closest item being “Food or Dairy Manufacture, Packaging, or Processing.” The food or dairy manufacturing use is allowed only as a conditional use within the I Limited Industrial District. While the petitioner brought forth this specific request, planning staff anticipates an increase in similar requests in the future and finds it is advisable to start establishing land use regulations for such uses.

The microbrewery industry is federally regulated by the Alcohol and Tobacco Tax and Trade Bureau (TTB), which is under the jurisdiction of the United States Department of the Treasury. In order to receive approval from the TTB, the petitioner’s facility would have to be near operational. Therefore, Village approval is one of the first steps in the petitioner’s overall process.

The proposed zoning regulations for a microbrewery are similar to, and even borrow language from, many surrounding communities. Also, it is not uncommon for microbreweries to have ancillary uses such as retail sales, “tasting rooms,” dining, or taverns on-site. The proposed amendment has given consideration to these ancillary uses and makes a clearer distinction between taverns (alcohol sold and consumed on premise, but no production), liquor stores (alcohol sold on-site but consumed off-site), and microbreweries (alcohol produced, consumed on-site, and sold on-site for off-site consumption). Finally, the limit of 15,000 barrels of beer per calendar year is a standard for microbreweries as defined by the Brewers Association, an organization of more than 2,000 US breweries and 43,000 homebrewers.

#### INTER-DEPARTMENTAL REVIEW

##### **Building Division:**

The Building Division has no issues or concerns regarding the proposed text amendments to the Zoning Ordinance.

**Fire Department:**

The Fire Department has no issues or concerns regarding the proposed text amendments to the Zoning Ordinance.

**Private Engineering Services:**

Private Engineering Services has no issues or concerns regarding the proposed text amendments to the Zoning Ordinance.

**Public Works:**

The Department of Public Works has no issues or concerns regarding the proposed text amendments to the Zoning Ordinance.

**EXISTING & PROPOSED REGULATIONS**

New Text   ~~Deleted Text~~

**§155.802 Rules and Definitions**

**MICROBREWERY**

is a business establishment where malt beverages of alcoholic content are produced for distribution, retail or wholesale, on or off premises, with a capacity of less than 15,000 U.S. barrels of beer per calendar year. The establishment may include as an ancillary use an onsite taste testing area and other uses such as a restaurant or tavern as permitted by the Village of Lombard Zoning Ordinance and/or Liquor Commissioner.

**TAVERN**

is an establishment where liquors are sold to be consumed generally on the premises. A tavern differs from a microbrewery in that liquors and other alcoholic beverages are not produced on-site. Packaged liquor may be sold, but only as part of an ancillary use when permitted by the Village of Lombard Zoning Ordinance and/or Liquor Commissioner.

**LIQUOR STORE, PACKAGE**

is a business establishment where alcoholic beverages are kept and sold and where such alcoholic beverages are not generally imbibed on the premises. A package liquor store differs from a microbrewery and tavern in that liquors and other alcoholic beverages are not produced on-site.

**§155.417 Roosevelt Road Corridor B4A District Requirements**

**(G) Use Regulations**

**(2) Conditional Uses**

**(a) Retail Uses**

1. Amusement establishments, outdoor, including: archery range, shooting galleries (with no retail sales of associated product), and other similar amusement facilities

2. Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment)
- 3. Microbrewery**
- ~~3.~~ ~~4.~~ Motor vehicle sales
- ~~4.~~ 5. Outside display and sales of products the sale of which is a permitted or conditional use in this district
- ~~5.~~ 6. Outside services areas for other permitted or conditional uses in this district
- ~~6.~~ 7. Restaurants, including entertainment, dancing, and/or amusement devices when conducted as part of the restaurant operations and secondary to the principal use
- ~~7.~~ 8. Recreational vehicle sales
- ~~8.~~ 9. Secondhand stores and rummage shops (with a minimum floor area of 5,000 square feet)

### **STANDARDS FOR TEXT AMENDMENTS**

The petitioner has provided responses to the standards for both a text amendment and conditional use (PC 14-08) which are attached to this document. Staff offers the following:

1. *The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property;*

The text amendment is generally applicable to all potential microbreweries and is not property specific in any way. A conforming business can be operated at any well-suited property.

2. *The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations;*

From a land use perspective, staff finds the proposed use is suitable for the B4A Roosevelt Road Corridor District. The Lombard Zoning Ordinance states, "The uses within the B4A District are designed to permit a wide variety of retail sales activity required to meet the demands of a developing local market and promote attractive development, an open and pleasant street appearance and compatibility with adjacent residential areas." The proposed use is consistent with the intent of the B4A Roosevelt Road Corridor District.

3. *The degree to which the proposed amendment would create nonconformity;*

As the proposed text amendment is additive in nature and does not remove any existing permitted or conditional uses from the B4A Roosevelt Road Corridor District. Staff is unaware of any existing legal conforming uses that would be made nonconforming by the proposed text amendment. Rock Bottom is a legal conforming restaurant and Flesk Brewing received conditional use approval for food manufacturing, packaging, and processing (PC 12-03).

4. *The degree to which the proposed amendment would make this ordinance more permissive;*

The proposed amendment is more permissive to the extent that it is intended for a new business model, but the terms of the amendment are tailored closed to said business model and create a very specific application. Existing and prior breweries in the Village, specifically including Rock Bottom, Flesk Brewing, and previously Taylor Brewing, in operation under the current Lombard Zoning



Ordinance, demonstrate that a craft brewery is a small scale business that supports the local commercial business environment.

5. *The consistency of the proposed amendment with the Comprehensive Plan; and*

The text amendment was specifically and intentionally drafted to incorporate the needs of this growing business model and it incorporates "best practices" from other communities with successful micro-breweries. The proposed amendment is consistent with the Village's economic development objectives such as bringing new business to the Village, including new, but proven, business models. Also, the proposed amendment simply creates an opportunity for the operation of a business that is very similar to other established and successful businesses in the Village, such as Rock Bottom Brewery, Flesk Brewing, (previously) Taylor Brewing, as well as traditional restaurants that serve alcohol. The operation of a microbrewery is a small scale business that drives and supports local commercial business environment under the current ordinance.

6. *The degree to which the proposed amendment is consistent with village policy as established in previous rulings on petitions involving similar circumstances.*

Existing and prior brewery operations in Lombard, specifically including Rock Bottom Brewery, Flesk Brewing, and previously Taylor Brewing prove the appropriateness and success of microbrewery operations in Lombard. These similar businesses are great examples and show that Lombard has established itself as a great place to operate a microbrewery business. The proposed use is very similar in most aspects to these other businesses.

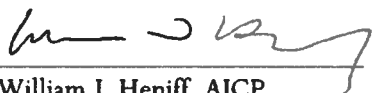
### **FINDINGS & RECOMMENDATIONS**

Staff finds the proposed amendments to be consistent with the objectives of the Zoning Ordinance. The proposed amendments are also consistent with the intent of the Comprehensive Plan in general.

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the Zoning Ordinance. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested text amendments **comply** with the standards required by the Village of Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 14-07.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP  
Director of Community Development

c. Petitioner

## **Standards for Text Amendments**

In response to the terms of Section 155.103(E)(8)(b):

*1. The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property.*

The text amendment is generally applicable to all potential craft-breweries and is not property specific in any way. A conforming business can be operated at any well-suited property.

*2. The consistency of the proposal amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations.*

As evidenced by existing and prior brewery operations in Lombard, specifically including Rock Bottom Brewery, Flesk Brewing, and previously Taylor Brewing, the operation of a craft brewery is a small scale business that drives and supports local commercial business environment under the current ordinance. The main difference between those businesses and the applicant's business is that the applicant will operate its retail business on a much smaller scale with limited days and reduced hours for retail sales. In addition to the existing breweries operating successfully in Lombard, a potential co-tenant, Whirleyball, sells a variety of craft beers on its standard menu with much success. Also, the current space is vacant and dark and this proposed use will utilize the space well and as intended, including significant capital investment into the property creating a better overall business environment for other tenant's and proximate businesses. Further, the proposed use is very similar to the property's prior use as a grocery store, except that operations at this site will be on a reduced hours basis when compared to other thriving local businesses.

Finally, the business model of the applicants specifically includes partnering with local eateries and restaurants. This hybrid approach will drive the commercial activity as requested while also creating benefits for the established and up-and-coming business provided high-quality food. The brewery will improve development in the surrounding properties and increase Lombard as a destination from residents in surrounding towns. Breweries are a destination location where people seek out the business and are in tune with the product and community.

*3. The degree to which the proposed amendment would create nonconformity.*

The proposed amendment creates only a slight nonconformity as it is intended for a new business model, but the terms of the amendment are tailored closely to this growing business model and create a very specific application. Existing and prior brewery operations in Lombard, specifically including Rock Bottom Brewery, Flesk Brewing, and previously Taylor Brewing, the operation of a craft brewery is a small scale business that drives and supports local commercial business environment under the current ordinance. The main difference between those businesses and the applicant's business is that the applicant will operate its retail business on a much

smaller scale with limited days and reduced hours for retail sales. The applicant will also not prepare food on site, but the business model of the applicants specifically includes partnering with local eateries and restaurants. This hybrid approach will drive the commercial activity as requested while also creating benefits for the established and up-and-coming business provided high-quality food. The brewery will improve development in the surrounding properties and increase Lombard as a destination from residents in surrounding towns. Breweries are a destination location where people seek out the business and are in tune with the product and community.

*4. The degree to which the proposed amendment would make the ordinance more permissive.*

The proposed amendment is slightly more permissive as it is intended for a new business model, but the terms of the amendment are tailored closely to this growing business model and create a very specific application. Existing and prior brewery operations in Lombard, specifically including Rock Bottom Brewery, Flesk Brewing, and previously Taylor Brewing, the operation of a craft brewery is a small scale business that drives and supports local commercial business environment under the current ordinance.

The main difference between those businesses and the applicant's business is that the applicant will operate its retail business on a much smaller scale with limited days and reduced hours for retail sales. The applicant will also not prepare food on site, but the business model of the applicants specifically includes partnering with local eateries and restaurants. This hybrid approach will drive the commercial activity as requested while also creating benefits for the established and up-and-coming business provided high-quality food. The brewery will improve development in the surrounding properties and increase Lombard as a destination from residents in surrounding towns. Breweries are a destination location where people seek out the business and are in tune with the product and community.

However, note the proposed site, 800 Roosevelt Road, is a high commercial area with the existing infrastructure and utilities to support this business. Changes to building codes and infrastructure are not necessary and this proposed business will fit well into the existing space and can meet the necessary requirements. In addition, the current space is vacant and dark and this use will utilize the space well and as intended, including significant capital investment into the property creating a better overall business environment for other tenant's and proximate businesses. Such improvements and growth will only increase the business tax base.

*5. The consistency of the proposed amendment with the Comprehensive Plan.*

The text amendment was specifically and intentionally drafted to incorporate the needs of this growing business model and it incorporates "best practices" from other communities with successful micro-breweries. The proposed amendment is consistent with the Village's economic development objectives such as bringing new business to the Village, including new, but proven, business models. Also, the proposed amendment simply creates an opportunity for the operation of a business that is very

similar to other established and successful businesses in the Village, such as Rock Bottom Brewery, Flesk Brewing, (previously) Taylor Brewing, as well as traditional restaurants that serve alcohol. The operation of a craft brewery is a small scale business that drives and supports local commercial business environment under the current ordinance.

*6. The degree to which the proposed amendment is consistent with the Village policy as established in previous rulings on petitions involving similar circumstances.*

Existing and prior brewery operations in Lombard, specifically including Rock Bottom Brewery, Flesk Brewing, and previously Taylor Brewing prove the appropriateness and success of craft brewery operations in Lombard. These similar businesses are great examples and show that Lombard has established itself as a great place to operate a craft brewery business. The proposed use is very similar in most aspects to these other businesses.

The main difference between those businesses and the applicant's business is that the applicant will operate its retail business on a much smaller scale with limited days and reduced hours for retail sales. The applicant will also not prepare food on site, but the business model of the applicants specifically includes partnering with local eateries and restaurants. This hybrid approach will drive the commercial activity as requested while also creating benefits for the established and up-and-coming business provided high-quality food. The brewery will improve development in the surrounding properties and increase Lombard as a destination from residents in surrounding towns. Breweries are a destination location where people seek out the business and are in tune with the product and community.

Also note the proposed site, 800 Roosevelt Road, is a high commercial area with the existing infrastructure and utilities to support this business. Changes to building codes and infrastructure are not necessary and this proposed business will fit well into the existing space and can meet the necessary requirements. In addition, the current space is vacant and dark and this use will utilize the space well and as intended, including significant capital investment into the property creating a better overall business environment for other tenant's and proximate businesses. Such improvements and growth will only increase the business tax base. Finally, the proposed use is very similar to the property's prior use as a grocery store, except that operations at this site will be on a reduced hours basis when compared to other thriving local businesses and business traffic will be very restricted to bi-weekly or monthly deliveries.

Below are several links to independent, published articles citing the benefits of small-local focused craft brewers to the communities in which they operate:

[http://www.huffingtonpost.com/2013/07/22/craft-breweries\\_n\\_3635088.html](http://www.huffingtonpost.com/2013/07/22/craft-breweries_n_3635088.html)

<http://www.businessinsider.com/craft-brews-create-urban-revival-2013-7>

<http://www.craftbeer.com/craft-beer-muses/craft-beers-positive-communnity-impact>

<http://coloradobeer.org/wp-content/uploads/2011/03/CBG-Economic-Impact-White-Paper-04-24-12.pdf>

## Nowakowski, Tamara

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**From:** Panfil, Matthew  
**Sent:** Thursday, June 05, 2014 12:34 PM  
**To:** Nowakowski, Tamara  
**Cc:** Ganser, Jennifer  
**Subject:** FW: Request for waiver of first reading (14-07 and 14-08)

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**From:** Jim Cagle [<mailto:jcagle32@hotmail.com>]  
**Sent:** Thursday, June 05, 2014 12:33 PM  
**To:** Panfil, Matthew  
**Cc:** Jim Cagle  
**Subject:** Request for waiver of first reading (14-07 and 14-08)

Matt,

Please consider this message my formal waiver of first reading for both PC 14-07 and PC 14-08.

Thank you,

Jim Cagle

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**From:** [PanfilM@villageoflombard.org](mailto:PanfilM@villageoflombard.org)  
**To:** [jcagle32@hotmail.com](mailto:jcagle32@hotmail.com)  
**Subject:** RE: Lombard Plan Commission Approval recommendation  
**Date:** Thu, 5 Jun 2014 16:26:05 +0000

Jim:

Items approved by the Plan Commission generally appear at two meetings of the Village Board, unless you specifically request a "waiver of first reading." You can simply respond to this e-mail requesting the waiver (for both PC 14-07 and PC 14-08) and that is sufficient for our records.

Thank you,

Matt

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**From:** Jim Cagle [<mailto:jcagle32@hotmail.com>]  
**Sent:** Wednesday, June 04, 2014 11:39 AM  
**To:** Panfil, Matthew  
**Subject:** RE: Lombard Plan Commission Approval recommendation

Thanks!

From: [PanfilM@villageoflombard.org](mailto:PanfilM@villageoflombard.org)  
To: [jcagle32@hotmail.com](mailto:jcagle32@hotmail.com)  
Subject: RE: Lombard Plan Commission Approval recommendation  
Date: Wed, 4 Jun 2014 16:37:36 +0000  
Jim:

The agenda for Village Board meetings is generally not finalized and posted until approximately one week prior to the meeting. Both readings will be scheduled for the 19<sup>th</sup> at 7:30 PM.

Bill is out of the office today, but I will talk to him tomorrow about the liquor license for any updates.

- Matt

---

**From:** Jim Cagle [<mailto:jcagle32@hotmail.com>]  
**Sent:** Wednesday, June 04, 2014 10:16 AM  
**To:** Panfil, Matthew  
**Subject:** FW: Lombard Plan Commission Approval recommendation

Matt,

I don't see the June 19th board meeting on the Village calendar. Can you please confirm that we will have both readings presented and the meeting will be held on June 19th at 7:30 PM?

Also, I am curious as to how the liquor license is shaping up and look forward to the opportunity to review the verbiage prior to the meeting.

Thanks,

Jim Cagle

> From: [Jim.Cagle@us.mcd.com](mailto:Jim.Cagle@us.mcd.com)  
> To: [jcagle32@hotmail.com](mailto:jcagle32@hotmail.com)  
> Subject: Lombard Plan Commission Approval recommendation  
> Date: Tue, 20 May 2014 16:14:30 +0000

>

>

>

> -----Original Message-----

> From: [Sharp@us.mcd.com](mailto:Sharp@us.mcd.com) [<mailto:Sharp@us.mcd.com>]  
> Sent: Tuesday, May 20, 2014 11:38 AM  
> To: Cagle Jim  
> Subject: Scanned image from MX-M623N

>

> Reply to: Sharp <[Sharp@us.mcd.com](mailto:Sharp@us.mcd.com)>

> Device Name: MX-M623N

> Device Model: MX-M623N

> Location: COB 3 North

>

> File Format: PDF MMR(G4)

> Resolution: 200dpi x 200dpi

- >
- > Attached file is scanned image in PDF format.
- > Use Acrobat(R)Reader(R) or Adobe(R)Reader(R) of Adobe Systems Incorporated to view the document.
- > Adobe(R)Reader(R) can be downloaded from the following URL:
- > Adobe, the Adobe logo, Acrobat, the Adobe PDF logo, and Reader are registered trademarks or trademarks of Adobe Systems Incorporated in the United States and other countries.

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> <http://www.adobe.com/>

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ORDINANCE \_\_\_\_\_

**AN ORDINANCE APPROVING TEXT AMENDMENTS  
TO THE LOMBARD ZONING ORDINANCE  
TITLE 15, CHAPTER 155, SECTIONS 417 AND 802  
OF THE CODE OF LOMBARD, ILLINOIS**

PC 14-07: Microbrewery Definition and Regulations

WHEREAS, the Village of Lombard maintains a Zoning Ordinance which is found in Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the Board of Trustees deem it reasonable to periodically review said Zoning Ordinance and make necessary changes; and,

WHEREAS, a public hearing to consider text amendments to the Zoning Ordinance has been conducted by the Village of Lombard Plan Commission on May 19, 2014 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 text amendments described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

**SECTION 1:** That Title 15, Chapter 155, Section 417 (G)(2)(a) of the Code of Lombard, Illinois is hereby amended to read as follows:

**§155.417 ROOSEVELT ROAD CORRIDOR B4A DISTRICT  
REQUIREMENTS**

G. Use Regulations

2. Conditional Uses

a. Retail Uses

1. Amusement establishments, outdoor, including: archery ranges, shooting galleries (with no retail sales of associated product), and other similar outdoor amusement facilities
2. Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment)
3. **Microbrewery**
- ~~3.~~ **4.** Motor vehicle sales
4. **5.** Outside display and sales of products the sale of which is a permitted or conditional use in this district
- ~~5.~~ **6.** Outside service areas for other permitted or conditional uses in this district
- ~~6.~~ **7.** Restaurants, including entertainment, dancing, and/or amusement devices when conducted as part of the restaurant operations and secondary to the principal use
- ~~7.~~ **8.** Recreational vehicle sales
- ~~8.~~ **9.** Secondhand stores and rummage shops (with a minimum floor area of 5,000 square feet)

**SECTION 2:** That the following definitions set forth within Title 15, Chapter 155, Section 802, of the Code of Lombard, Illinois, is hereby amended to read as follows:

### **155.802 RULES AND DEFINITIONS**

#### **LIQUOR STORE, PACKAGE**

is a business establishment where alcoholic beverages are kept and sold and where such alcoholic beverages are not generally imbibed on the premises. **A package liquor store differs from a microbrewery in that liquors and other alcoholic beverages are not produced on-site.**

#### **MICROBREWERY**

**is a business establishment where malt beverages of alcoholic content are produced for distribution, retail or wholesale, on or off premises, with a capacity of less than 15,000 U.S. barrels of beer per calendar year. The establishment may include as an ancillary use an onsite taste testing area and other uses such as a restaurant or tavern as permitted by the Village of Lombard Zoning Ordinance and/or Liquor Commissioner.**

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**TAVERN**

is an establishment where liquors are sold to be consumed generally on the premises. **A tavern differs from a microbrewery in that liquors and other alcoholic beverages are not produced on-site. Packaged liquor may be sold, but only as part of an ancillary use when permitted by the Village of Lombard Zoning Ordinance and/or Liquor Commissioner.**

**SECTION 3:** That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2014.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2014.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2014.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk