

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


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

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott Niehaus, Village Manager

DATE : March 26, 2019 **(BOT) Date:** April 4, 2019

SUBJECT: PC 19-04, Text Amendment to the Zoning Ordinance: Craft Alcohol
Production Facility

SUBMITTED BY: William J. Heniff, AICP, Director of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, is requesting the following zoning text amendments to the Lombard Village Code:

- 1) An amendment to Section 155.802 (and any other relevant sections for clarity) of the Lombard Village Code regarding the addition for a definition of "Craft Alcohol Production Facility" and the modification of the definitions of "tavern" and "liquor store, package";
- 2) Remove "microbrewery" as a conditional use from Section 155.417(G)(2)(a)(iii); and
- 3) An amendment to Sections 155.414(C), 155.417 (G)(2)(a), 155.418(C), 155.419(C), and 155.420(C) of the Lombard Village Code to allow "Craft Alcohol Production Facility" to be listed as a conditional use.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the April 4, 2019, Board of Trustees agenda with a waiver of first reading requested by staff.

Fiscal Impact/Funding Source:

Review (as necessary):

Finance Director _____ Date _____
Village Manager _____ Date _____



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

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

MEETING DATE: April 4, 2019

SUBJECT: **PC 19-04, Text Amendment to the Zoning Ordinance: Craft Alcohol Production Facility**

Please find the following items for Village Board consideration as part of the April 4, 2019, Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 19-04; and
3. An Ordinance granting text amendments to Sections 155.414(C), 155.417 (G)(2)(a), 155.418(C), 155.419(C), and 155.420(C) of the Lombard Zoning Ordinance to allow "Craft Alcohol Production Facility" to be listed as a conditional use.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the April 4, 2019, Board of Trustees agenda with a waiver of first reading requested by staff.



VILLAGE OF LOMBARD

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April 4, 2019

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bill T. Johnston, Dist. 4
Robyn Pike, 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 19-04, Text Amendment to the Zoning Ordinance:
Craft Alcohol Production Facility**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, is requesting the following text amendments to the Lombard Zoning Ordinance:

- 1) An amendment to Section 155.802 (and any other relevant sections for clarity) of the Lombard Zoning Ordinance regarding the addition for a definition of "Craft Alcohol Production Facility" and the modification of the definitions of "tavern" and "liquor store, package";
- 2) Remove "microbrewery" as a conditional use from Section 155.417(G)(2)(a)(iii); and
- 3) An amendment to Sections 155.414(C), 155.417 (G)(2)(a), 155.418(C), 155.419(C), and 155.420(C) of the Lombard Zoning Ordinance to allow "Craft Alcohol Production Facility" to be listed as a conditional use.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on March 18, 2019. Sworn in to present the petition was Jennifer Ganser, Assistant Director.

Vice Chairperson Flint read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Vice Chairperson Flint asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The Village is requesting a text amendment to the zoning ordinance related to craft alcohol production facilities. Staff has been approached by other breweries and businesses that make alcohol. Staff has also noticed a trend in breweries, distilleries, and wineries/cider distilleries. Staff brought this topic as a workshop to the Economic and Community Development Commission (ECDC) and the Plan Commission. Both concurred with staff to bring this forward as a future text amendment. The new use, Craft Alcohol Production Facility, would be listed as a conditional use in the B2, B4A, B5, B5A, and I Districts. Staff contacted other municipalities to gather information and notes a chart in the staff report. The text amendment also includes a new definition and amended definitions of a liquor store and tavern.

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

Commissioner Sweetser said she appreciated the staff research and agreed with the staff recommendation.

On a motion by Commissioner Sweetser, and a second by Commissioner Olbrysh, the Plan Commission voted 6-0 to recommend that the Village Board approve the petition associated with PC 19-04.

Respectfully,

VILLAGE OF LOMBARD

Vice Chairperson Flint
Lombard Plan Commission

c. Lombard Plan Commission

ORDINANCE _____

AN ORDINANCE APPROVING A TEXT AMENDMENT
TO THE LOMBARD ZONING ORDINANCE
TITLE 15, CHAPTER 155
OF THE LOMBARD ZONING CODE

PC 19-04: Text Amendments to the Zoning Ordinance: Craft Alcohol Production Facility

WHEREAS, the Village of Lombard maintains a Zoning Ordinance which is found in Title 15, Chapter 155 of the Lombard Code; 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 March 18, 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 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 155.802 of the Lombard Zoning Ordinance shall be amended to read in part as follows:

~~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.~~

Craft Alcohol Production Facility is a commercial facility that produces beer, wine or other alcoholic beverages in quantities compliant with applicable local, state and federal regulations for distribution, retail or wholesale, on or off premises. The establishment shall 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.

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 **Craft Alcohol Production Facility** ~~microbrewery~~ in that liquors and other alcoholic beverages are not produced on-site.

Tavern is an establishment where liquors are sold to be consumed generally on the premises. A tavern differs from a **Craft Alcohol Production Facility** ~~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 2: That Title 15, Chapter 155, Section 155.414 (C) of the Lombard Zoning Ordinance shall be amended to read in part as follows:

(25) Craft Alcohol Production Facility

~~(26) (25)~~ Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with § 155.210 of this Chapter.

SECTION 3: That Title 15, Chapter 155, Section 155.417 (G)(2)(a) of the Lombard Zoning Ordinance shall be amended to read in part as follows:

~~(iii) Microbrewery~~

(iii) Craft Alcohol Production Facility

SECTION 4: That Title 15, Chapter 155, Section 155.418 (C) of the Lombard Zoning Ordinance shall be amended to read in part as follows:

(24) Craft Alcohol Production Facility

~~(25) (24)~~ Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with § 155.210 of this Chapter.

SECTION 5: That Title 15, Chapter 155, Section 155.419 (C) of the Lombard Zoning Ordinance shall be amended to read in part as follows:

(22) Craft Alcohol Production Facility

~~(23) (22)~~ Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with § 155.210 of this Chapter.

SECTION 6: That Title 15, Chapter 155, Section 155.420 (C) of the Lombard Zoning Ordinance shall be amended to read in part as follows:

(41) Craft Alcohol Production Facility

(42) ~~(41)~~ Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with § 155.210 of this Chapter.

SECTION 7: 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 _____, 2019.

First reading waived by action of the Board of Trustees this ____ day of _____, 2019.

Passed on second reading this ____ day of _____, 2019.

Ayes: _____

Nays: _____

Absent: _____

Approved this ____ day of _____, 2019.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this ____ day of _____, 2019.

Sharon Kuderna, Village Clerk

