OMNIBUS ITEM

Item #1:
Res. Approving Temporary Warehouse & Retail Uses For Finch Brewery, 2727 IL Route 53

10/09/15

VILLAGE OF LONG GROVE

RESOLUTION NO. 2015-R-___

A RESOLUTION APPROVING A TEMPORARY WAREHOUSE AND RETAIL USE BY FINCH'S BEER COMPANY, LLC AT THE FORMER GEIMER NURSERY PROPERTY (2727 IL Route 53)

WHEREAS, Pinnacle Capital 2727, LLC ("***Owner***") is the owner of that certain real property located at 2727 IL Route 53 in the Village of Long Grove ("***Property***") located in the Village's HR-Highway Retail District ("***HR District***"), which Property is depicted on Exhibit A, attached hereto; and

WHEREAS, the Property's current, primary use is open space, but the Property is improved with existing buildings that were formerly used for operation of the Geimer Nursery; and

WHEREAS, Finch's Beer Company, LLC ("***Applicant***") is the lessee of a portion of the Property, and Owner and Applicant have submitted an application to the Village to authorize Applicant to temporarily establish a warehouse and "to-go" room with retail sales of alcoholic beverages in certain of the existing buildings on the Property ("***Proposed Use***"), in accordance with the site plan attached hereto as Exhibit B ("***Site Plan***"); and

WHEREAS, pursuant to Section 5-9-3 of the Long Grove Zoning Code ("***Zoning Code***"), certain uses are allowable on a temporary basis in certain zoning districts, subject to various terms and conditions; and

WHEREAS, Section 5-9-3 was recently amended to authorize the establishment of various temporary uses, including warehouse uses and retail sale of alcoholic beverages, for a maximum duration of 3 years on properties of at least 10 acres in size located within the HR District that have a primary use of open space; and

WHEREAS, such temporary uses require specific, prior approval by the Village Board, and may be subject to conditions as determined by the Village Board, based on compliance with the standards and limitations set forth in Section 5-9-3 and other relevant considerations

including adequacy of the lot and existing improvements, traffic access and safety, and the absence or minimization of negative impacts on the public health, safety, and welfare; and

WHEREAS, Applicant has submitted the Site Plan, which identifies the location of the Proposed Use and provides a description thereof, but has not submitted information regarding the anticipated traffic to be generated by the Proposed Use or a security plan for the Property; and

WHEREAS, the President and Board of Trustees have found and determined that the Proposed Use is an allowable temporary use under Section 5-9-3(D)(4)(a) of the Zoning Code and meets the requirements for approval of such temporary use, subject to the terms and conditions set forth in this Resolution; and

WHEREAS, the President and Board of Trustees have further determined that it is in the best interests of the Village and it's residents to approve the establishment of the Proposed Use on the Property, subject to the terms and conditions set forth herein;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LONG GROVE, COUNTY OF LAKE, STATE OF ILLINOIS, as follows:

SECTION ONE: **Recitals.** The foregoing recitals are hereby incorporated into and made a part of this Resolution as if fully set forth herein.

SECTION TWO: **Approval of Temporary Use.** Owner and Applicant are hereby granted approval to operate the Proposed Use on the Property consistent with the Site Plan attached hereto as Exhibit B for a maximum term of 3 years from the effective date of this Resolution, subject to the terms and conditions set forth in Section Three.

SECTION THREE: **Conditions on Approval.** The temporary use approval granted pursuant to Section Two of this Resolution shall be, and is hereby, conditioned upon and limited by the following conditions, the violation of any of which shall, in the reasonable discretion of the President and Board of Trustees, be grounds for the repeal and revocation of the temporary use approval without notice or hearing:

A. Use Limitations. The Proposed Use shall be limited to: (i) temporary warehouse activities as defined in the Site Plan, except that corporate offices shall not be permitted; and (ii) retail sales of alcoholic beverages in their original packaging or sealed growler containers for off-premises consumption only. The Proposed Use shall be conducted only within the existing, fully-enclosed buildings on the Property. This Resolution does not authorize the construction or alteration of any permanent structures on the Property.

B. Certificate of Occupancy. Applicant shall be required to apply for and obtain a certificate of occupancy pursuant to Section 5-11-12 of the Zoning Code prior to establishing the Proposed Use on the Property.

C. Compliance with Site Plan. Applicant shall operate the Proposed Use in strict conformity with the Site Plan attached to this Resolution as Exhibit B, except that minor deviations from the Site Plan may be permitted upon written authorization of the Village Manager.

D. Other Permits and Approvals. Applicant shall be required to properly apply for, pay for, and obtain all necessary permits, licenses, approvals, and other authorizations from the Village and any other governmental agency having jurisdiction over the Property in accordance with applicable law. The Applicant shall maintain all such licenses, permits, and approvals as required by law and shall provide copies of such licenses, permits, and approvals to the Village, and evidence of renewal or extension thereof, when requested by the Village Manager. The Proposed Use shall be conducted in accordance with all applicable laws, codes, ordinances, and regulations, including the terms and provisions of this Resolution.

E. Traffic Assessment and Limitations. [***Truck traffic to and from the Property associated with the warehouse use shall be limited to ____ trips per day.***]
OR

[***The Village reserves the right to require the Applicant to prepare and submit a traffic assessment or traffic study for the Proposed Use, and the Village may impose limitations on truck traffic associated with the warehouse use as deemed necessary and appropriate by the Village Board.***]
OR

[***Prior to the issuance of a certificate of occupancy for the Proposed Use on the Property, the Applicant shall submit a traffic assessment to the Village which assessment shall be subject to approval by the Village Manager, provided that if the Village Manager, in his sole discretion, determines that the Proposed Use will have a material impact on traffic flow, access, or safety, then the traffic assessment shall require further review and approval by the Village Board.***]

F. Security Plan. Prior to the issuance of a certificate of occupancy for the Proposed Use on the Property, the Applicant shall submit a security plan to the Village, which shall be subject to approval by the Village Manager in consultation with the Lake County Sherriff's Office.

G. Approval is Non-Transferable. The temporary use approval granted by this Resolution shall be personal to the Applicant and Owner and shall not be transferable or assignable to any successor owner or subsequent lessee or sub-lessee of all or any portion of the Property unless such transfer or assignment is approved in advance by the Village Board.

In addition, any violation of this Resolution shall be deemed a violation of the Zoning Code and shall subject the Applicant to enforcement proceedings accordingly.

SECTION FOUR: Effective Date. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this 14th day of October, 2015.

AYES: ( )

NAYS: ( )

ABSENT: ( )

APPROVED this 14th day of October, 2015.

_____
Angela Underwood, Village President

ATTEST:

_____
Heidi Locker-Scheer, Village Clerk

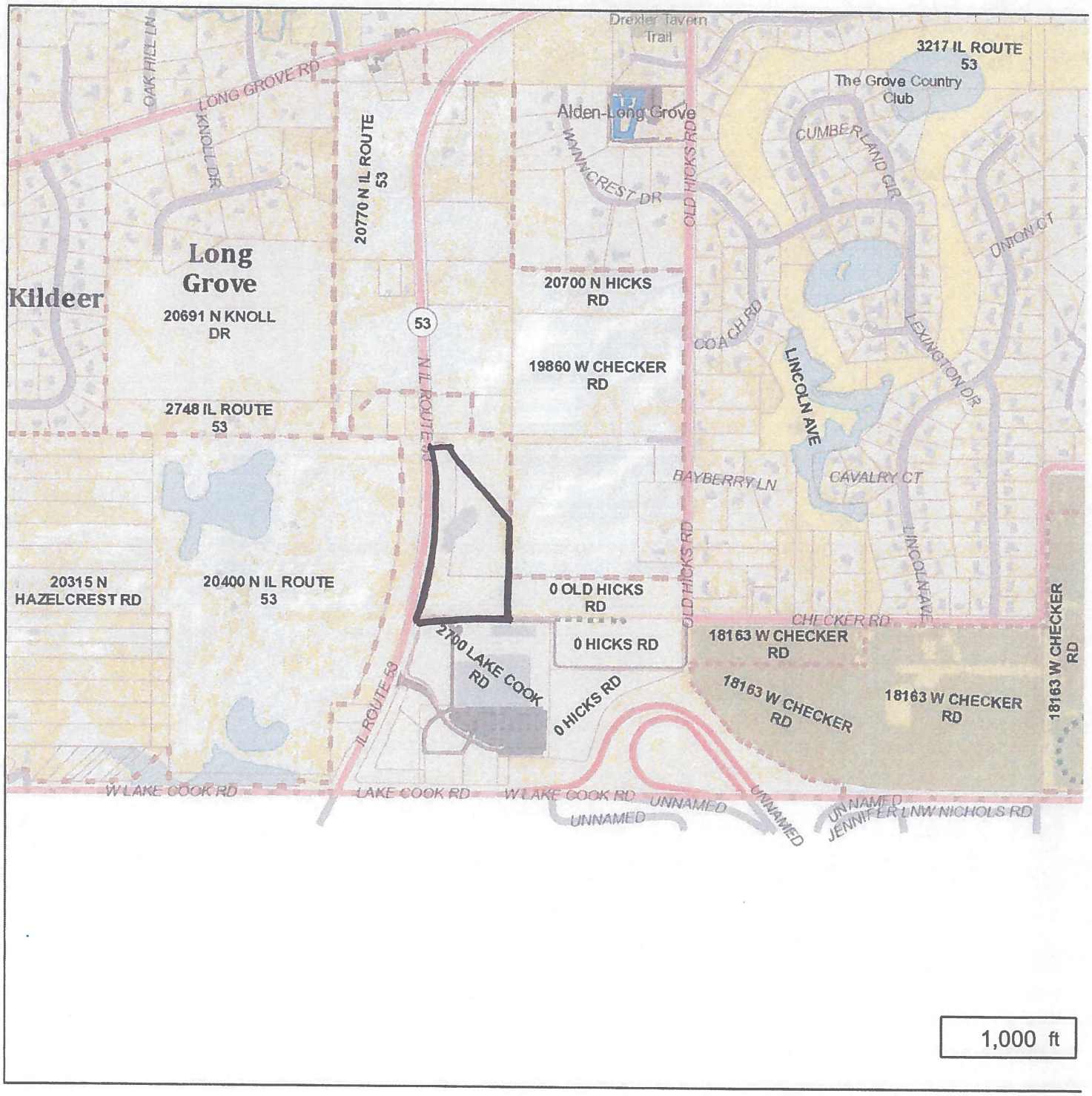
DRAFT

EXHIBIT A

DEPICTION OF THE PROPERTY

DRAFT

Lake County, Illinois



LakeCounty
Geographic Information System

Lake County
Department of Information Technology
18 N County St
Waukegan IL 60085
(847) 377-2373

Map Printed on 10/8/2015

N

Tax Parcels
Tax Parcels
Municipalities
Forest Preserves
Trails

Disclaimer: The selected feature may not occur anywhere in the current map extent. A Registered Land Surveyor should be consulted to determine the precise location of property boundaries on the ground. This map does not constitute a regulatory determination and is not a base for engineering design. This map is intended to be viewed and printed in color.

Lake County, Illinois

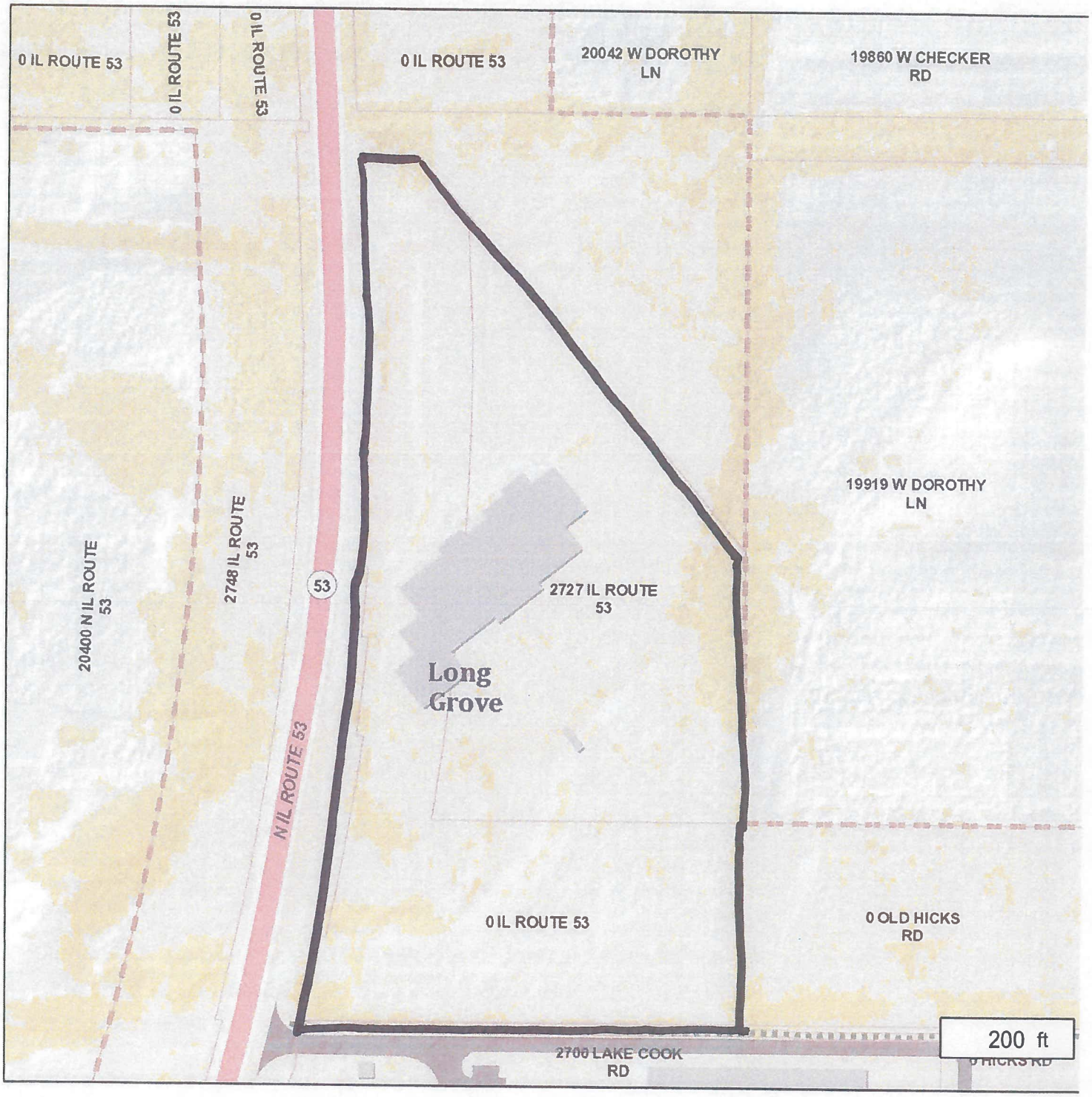


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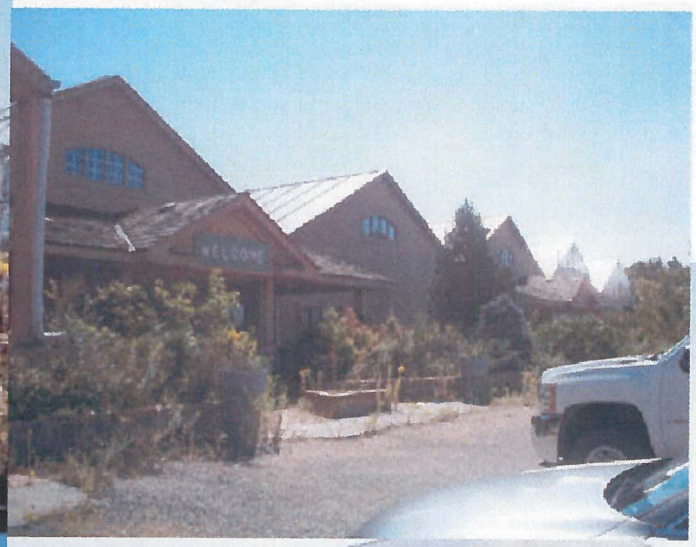
EXHIBIT B

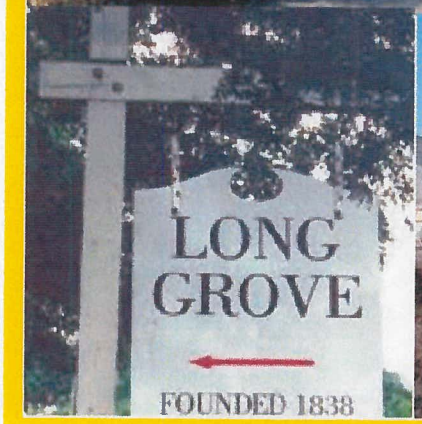
SITE PLAN

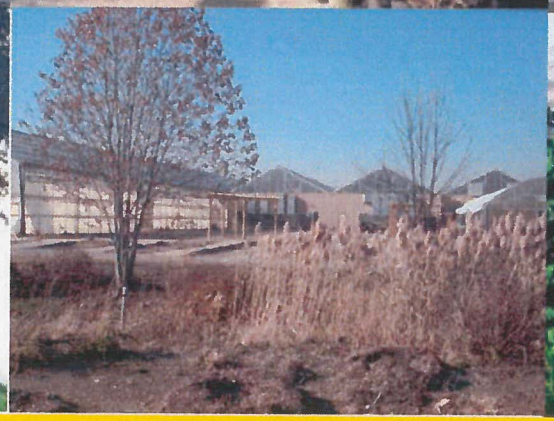
DRAFT

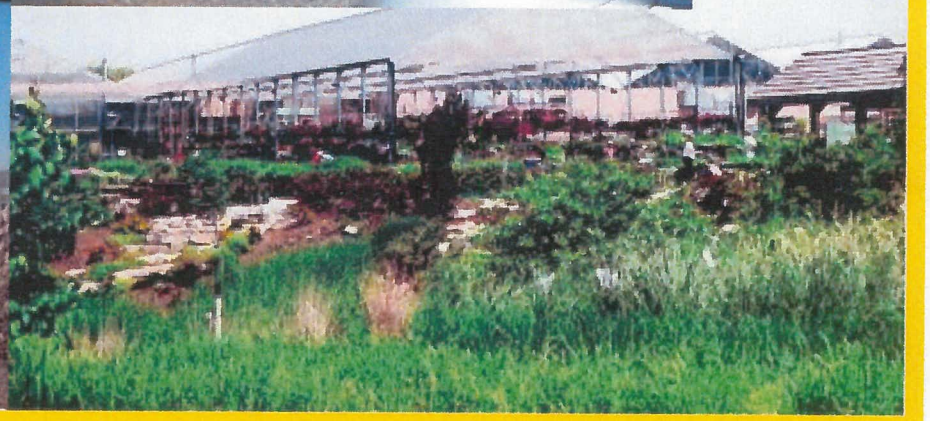
FINCH'S™ BEER CO.
CHICAGO, ILLINOIS

Finch's Use Plan :: Geimer Greenhouse
2727 IL Rte. 53



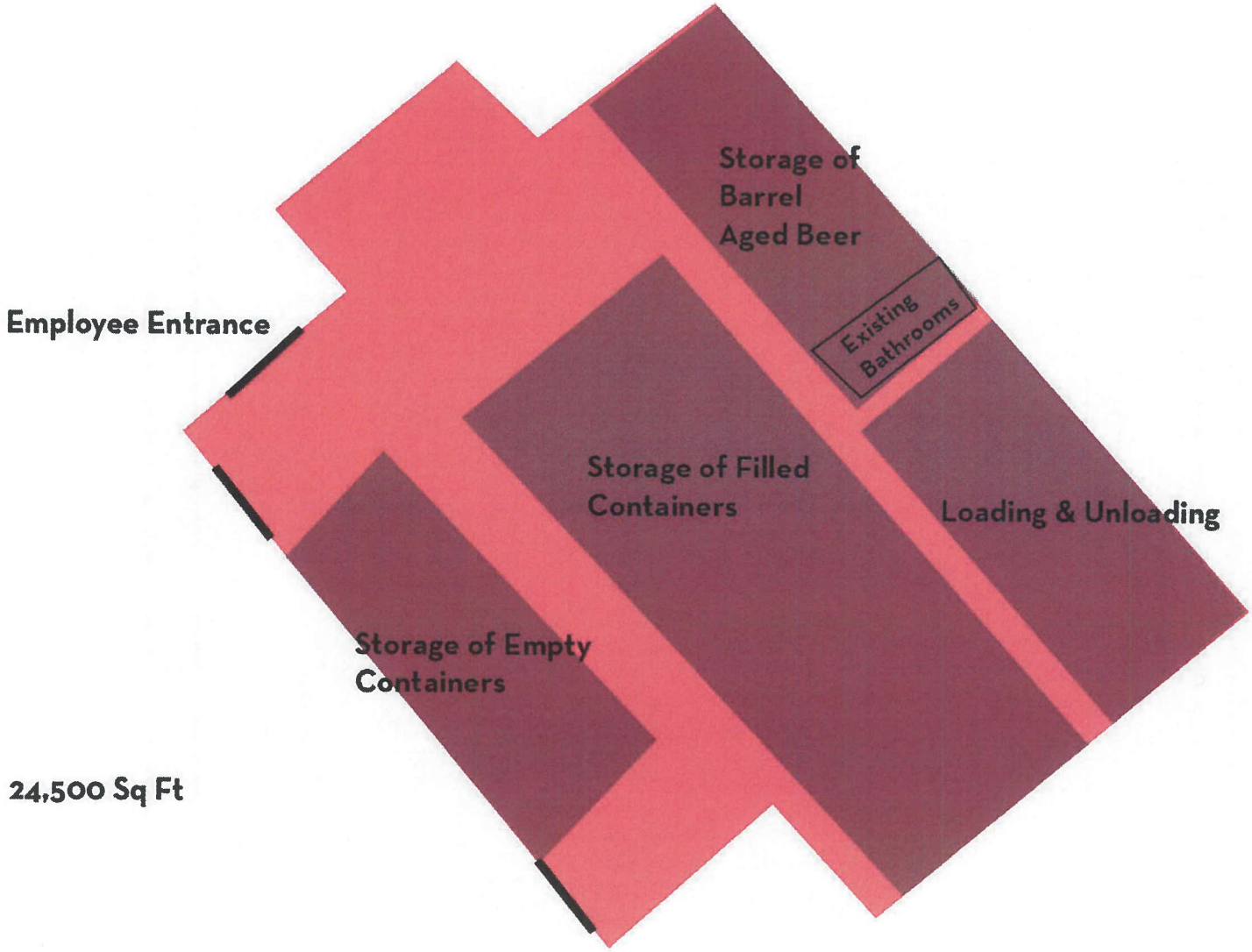






Use Plan Overview

Wharehouse Layout



Temporary Warehouse Use Defined

- Storage of empty cans and other packaging materials
- Storage of empty kegs
- QC & QA of product
- Storage of saleable product such as cans, kegs and other items sold wholesale
- Storage of "Process" materials such as beer aging in Whiskey Barrels
- Outbound shipments to our 20 state wholesale distribution footprint
- Corporate offices for business (TBD)
- Approximately 7-10 Employees on Site

Local Requirements:

- Occupancy Permit
- Proposed Temporary Zoning Approval on 9/29/15 (Approved)
- Finch's Specific Use Approval

State Requirements:

- No changes to license necessary.

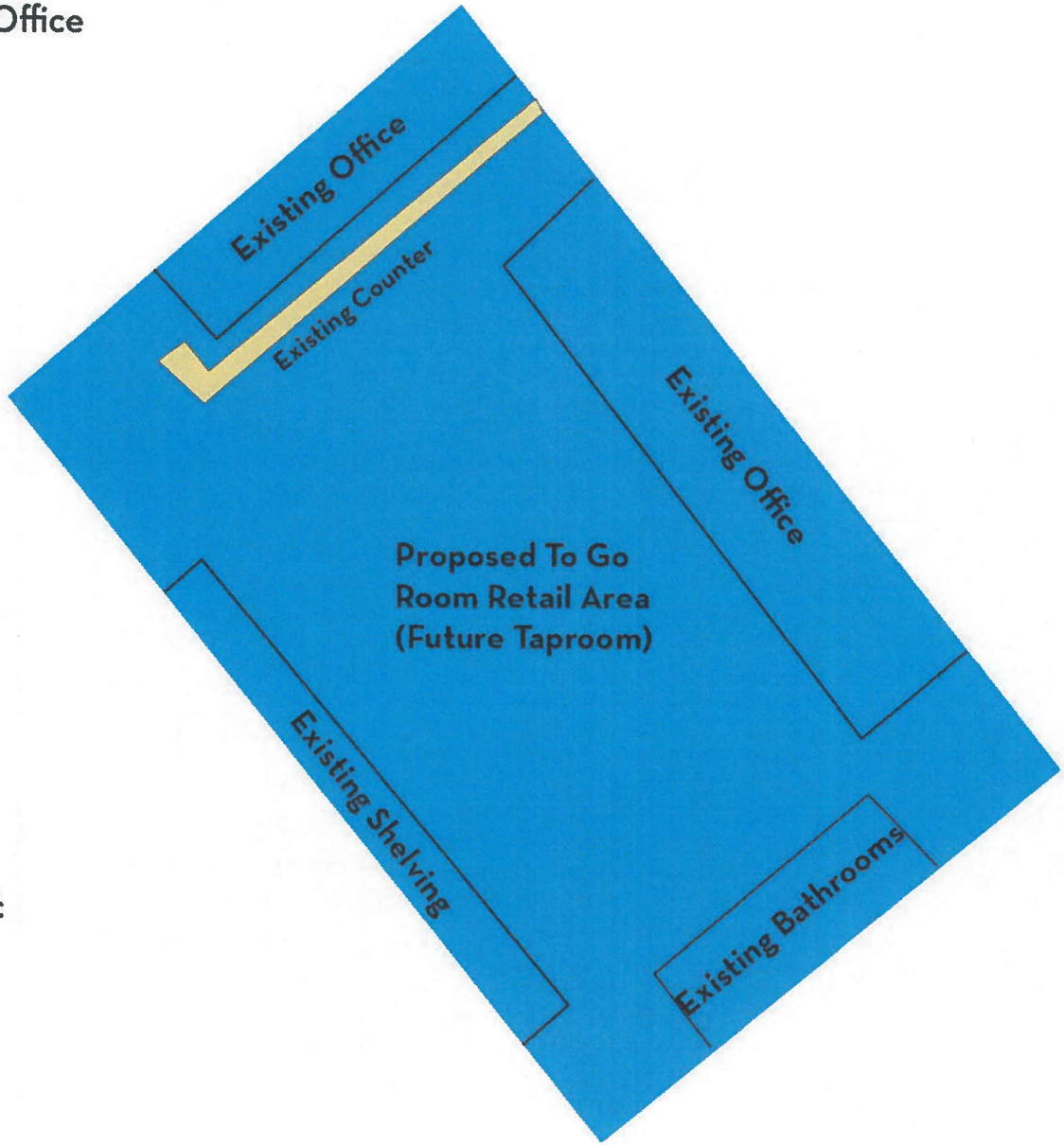
Federal Requirements:

- Bonded premises within 90 days of occupancy. Submit application to TTB.

Safety:

- Sprinkled Building

To Go Room & Office



10,800 Sq Ft

To Go Room Use Defined

- Sale of Retail Packaged Alcoholic Goods (From cold coolers, and dry shelf)
- Sale of Sealed Growlers (From self contained Growler filling system)
- Sales of "Gift Shop" type items such as T-shirts, Hats, etc. (Dry Shelf)

Construction Requirements

- None. We will not be constructing walls, modifying mechanicals or any other items that may require permits in the "To Go Room" Phase

Local License Requirements:

- Occupancy Permit
- Proposed Temporary Zoning Approval on 9/29/15 (Approved)
- Finch's Specific Use Approval
- Local Retail/Taproom License

State License Requirements:

- TBD

Federal License Requirements:

- No changes.

Safety:

- Sprinkled Building