Item #5:
Referral To PCZBA Text Amendment(s)
Breweries As Permitted Special Use In B-1 Historic District

Village of Long Grove Illinois

3110 Old McHenry Road 60047-9635
Phone: 847-634-9440 Fax: 847-634-9408
www.longgrove.net

PLAN COMMISSION ZONING BOARD OF APPEALS GENERAL ZONING APPLICATION

1.0 General Information (See Subsection 5-11-8(E) of the Long Grove Zoning Code).

1.1 Applicant Name: Buffalo Creek Brewing, LLC, an Illinois limited liability company

Address: c/o Lawrence M. Freedman of Ash, Anos, Freedman & Logan, L.L.C.
77 W. Washington Street, Suite 1211, Chicago, IL 60602

Telephone Number: 312-346-1390 E-mail Address: lmfreedman@aflaw.com

Fax number: 312-346-7847

Applicant's Interest in Property: Affiliate of contract purchaser

1.2 Owner (if different from Applicant).

Name: 360 Historical Lane LLC

Address: c/o Calvin Bernstein, 491 Laurel Avenue, Highland Park, Illinois, 60635

Telephone Number: 847-433-1980 E-mail Address: cbernstein@sambernlaw.com

Fax number: 847-433-4740

1.3 Property.

Address of Property: 360 Historical Lane, Long Grove, IL 60047

Legal Description: See Exhibit "A" Parcel Index Number(s): 15-30-106-014-0000

Present Zoning Classification B1 Size of Property (in acres) .59

Has any zoning reclassification, variation, or special use permit/PUD been granted for the Property?
Yes: X No:

If yes, please identify the ordinance or other document granting such zoning relief: 86-R-14

Describe the nature of the zoning relief granted: N/A

Present use of Property:

Residential _____ Commercial __X_____ Office_____ Open Space _____ Vacant_____

Other (explain) _____

Present zoning and land use of surrounding properties within 250' of Property:

	Zoning Classification	Land Use
North:	B1	Commercial
South:	B1	Commercial
East:	B1	Commercial
West:	B1	Commercial

1.4 Trustees Disclosure.

Is title to the Property in a land trust? Yes_____ No__X___

If yes, full disclosure of all trustees, beneficiaries and their legal and equitable interests is required. Attach a copy of all documents showing ownership of the Property and the Applicant's and/ or Owner's control of or interest in the Property.

1.5 Requested Action (Check as many as are applicable).

_____ Appeal

_____ Code Interpretation

_____Variation

__X__ Special Use Permit (non-PUD)

_____ Zoning Map Amendment (rezoning)

__X__ Zoning Code Text Amendment

_____ Preliminary PUD Plat

_____ Final PUD Plat

1.6 Supplemental Information (General):**

Every Application filed shall, in addition to the data and information required above, provide the following general information when applicable to the use or development for which approval is being sought:

(a) A description or graphic representation of any development or construction that will occur or any use that will be established or maintained if the requested relief is granted.

(b) A table showing the following, as applicable:

- the total lot area of the lot, in acres and in square feet; and

- the total existing and proposed lot area, expressed in acres, in square feet and as a percent of the total development area, devoted to: residential uses, business uses; office uses; college uses; institutional uses; open space; rights-of-way; streets; and off-street parking and loading areas; and

- the existing and proposed number of dwelling units; and gross and net floor area devoted to residential uses, business uses, office uses, college uses, and institutional uses.

(c) A table listing all bulk, space, and yard requirements; all parking requirements; and all loading requirements applicable to any proposed development or construction and showing the compliance of such proposed development or construction with each such requirement. When any lack of compliance is shown, the reason therefore shall be stated and an explanation of the village's authority, if any, to approve the Application despite such lack of compliance shall be set forth.

(d) The certificate of a registered architect or civil engineer licensed by the State of Illinois, or of an owner-designer, that any proposed use, construction, or development complies with all provisions of this code and other village ordinances or complies with such provisions except in the manner and to the extent specifically set forth in said certificate.

(e) A landscape development plan, including the location, size and species of plant materials.

1.7 <u>Supplemental Information (per specific request)</u>:

_____ Appeals, Code Interpretations, and Variations: See 5-11-8(E)3, 4, & 5 of the Zoning Code and Form "A"

__X__ Special Use Permit (non-PUD): See 5-11-8(E)7 of the Zoning Code and Form "B"

_____ Zoning Map Amendment (rezoning): See 5-11-8(E) 8 of the Zoning Code and Form "C"

__X__ Zoning Code Text Amendment: See Form "D"

_____ Preliminary PUD Plat: See 5-11-18(D)(2) of the Zoning Code and Form "E"

_____ Final PUD Plat: See 5-11-18(D)(3) of the Zoning Code and Form "F"

** The scope and detail of information shall be appropriate to the subject matter of the Application, with special emphasis on those matters likely to be affected or impacted by the approval being sought in the Application. Information required in the application shall be considered the minimum information required for filing an application. Additional information including but not limited to graphic depictions, environmental impacts, plans for sewer and water service and storm water management, photometric plans, traffic studies and effects on property values, among others, should also be considered and may be helpful in detailing the Application.

<u>Special Data Requests</u>. In addition to the data and information required pursuant to this Application, every Applicant/Owner shall submit such other additional data, information, or documentation as the

building superintendent or any board or commission before which the Application is pending may deem necessary or appropriate to a full and proper consideration and disposition of the particular Application.

1.8 Consultants.

Please provide the name, address, and telephone number of each professional or consultant advising Applicant with respect to this Application, including architects, contractors, engineers or attorneys:

Name: Lawrence M. Freedman
c/o Ash, Anos, Freedman & Logan. LLC

Professional: attorney

Address: 77 W. Washington St, # 1211
Chicago, Illinois 60602

Telephone: 312-346-1390

E-mail: lmfreedman@aflaw.com

Name: Ryan P. Nestor
Barker Nestor Inc.

Professional: architects and engineers

Address: 600 W. Cermak Road
Chicago, Illinois 60616

Telephone: 847-763-1692

E-mail: rnestor@barkernestor.com

Name: _____

Professional: _____

Address: _____

Telephone: _____

E-mail: _____

Name: _____

Professional: _____

Address: _____

Telephone: _____

E-mail: _____

1.9 Village Officials or Employees.

Does any official or employee of the Village have an interest, either directly or indirectly, in the Property? Yes: _____ No: X

If yes, please identify the name of such official or employee and the nature and extent of that interest. (Use a separate sheet of paper if necessary.)

1.10 Successive Applications (5-11-9).

Second Applications Without New Grounds Barred. Whenever any Application filed pursuant to this code has been finally denied on its merits, a second Application seeking essentially the same relief, whether or not in the same form or on the same theory, shall not be brought unless in the opinion of the officer, board, or commission before which it is brought there is substantial new evidence available or a mistake of law or fact significantly affected the prior denial.

New Grounds to Be Stated. Any such second Application shall include a detailed statement of the grounds justifying consideration of such Application.

Summary Denial With or Without Hearing. Any such second Application may be denied by the building superintendent summarily, and without hearing, on a finding that no grounds appear that warrant a new hearing. In any case where such Application is set for hearing, the owner shall be required to establish grounds warranting reconsideration of the merits of its Application prior to being allowed to offer any evidence on the merits. Unless such grounds are established, the Application may be summarily dismissed for such failure.

Exception. Whether or not new grounds are stated, any such second Application filed more than two years after the final denial of a prior Application shall be heard on the merits as though no prior Application had been filed. The Applicant or Owner shall, however, be required to place in the record all evidence available concerning changes of conditions or new facts that have developed since the denial of the first Application. In the absence of such evidence, it shall be presumed that no new facts exist to support the new petition that did not exist at the time of the denial of the first Application.

2.0 Required Submittals (See Specific Supplemental Information Form for filing Fees).

_____ Fully completed Application with applicable supplementary information

_____ Non-refundable Filing Fee. Amount: $ 100.00

_____ Planning Filing Fees. Amount: $ 1,000.00

_____ Minimum Professional Fee/deposit Escrow. Amount $ 5,000.00

3.0 Certifications. The Applicant and Owner certify that this Application is filed with the permission and consent of the Owner of the Property and that the person signing this Application is fully authorized to do so.

3.1 The Applicant certifies that all information contained in this Application is true and correct to the best of Applicant's knowledge.

3.2 The Applicant acknowledges that the Village may seek additional information relating to this Application and agrees to provide the Village with such information in a timely manner. Failure to provide such information may be grounds for denying an Application.

3.3 The Applicant and Owner agree to reimburse the Village for any and all costs relating to the processing of this Application, including any consultants' fees. By signing this Application, Applicant and Owner agree to be jointly and severally liable for such costs, and Owner further agrees to the filing and foreclosure of a lien against the Property for all such costs plus all expenses relating to collection, if such costs are not paid within 30 days after mailing of a demand for payment.

3.4 The Applicant agrees that the Village and its representatives have the right, and are hereby granted permission and a license, to enter upon the Property, and into any structures located there on, for purposes of conducting any inspections that may be necessary in connection with this Application.

3.5 **The Owner, Applicant, and/or designated representative is *required* to be present during the meeting.**

360 Historical Lane LLC	Buffalo Creek Brewing LLC
Name of Owner	Name of Applicant
By:_____	By:_____
Signature of Owner Date	Signature of Applicant Date

Exhibit "A"
Legal Description

PARCEL 1: LOT 5 IN RED OAKS BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 43 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 26, 1986 AS DOCUMENT 2519282 AND AMENDED BY CERTIFICATE OF CORRECTION RECORDED JULY 16, 1987 AS DOCUMENT 2590825 AND FURTHER AMENDED BY CERTIFICATE OF CORRECTION RECORDED JULY 27, 1987 AS DOCUMENT 2594571 IN LAKE COUNTY, ILLINOIS.

PARCEL 2: EASEMENT FOR INGRESS AND EGRESS OVER LOT 6 AND THAT PORTION OF LOT 1 AS MORE FULLY DELINEATED ON THE PLAT OF RED OAKS SUBDIVISION RECORDED DECEMBER 26, 1986 AS DOCUMENT 2519282.

Village of Long Grove
Plan Commission Zoning Board of Appeals
Supplemental Application Information
(Zoning Code Text Amendment)

FORM "D"

In addition to the information required by the General Zoning Application, the Applicant must provide specific supplemental information as required below for Applications for a Zoning Code Text Amendment

Applications for a Comprehensive Plan or Zoning Code Text Amendment. In addition to the information required in the General Zoning Application, every Application for a **Zoning Code Text Amendment** shall provide the following supplemental information:

(a) The exact wording of the proposed text amendment. ***(*SEE ATTA*CHED)***

(b) A statement of the need and justification for the proposed text amendment. ***(*SEE ATTACHED*)***

(c) A statement concerning the conformity or lack of conformity of the approval being requested to the official comprehensive plan and the official Map of the village. When the approval being requested does not conform to the official comprehensive plan or the official map, reasons justifying the approval despite such lack of conformity shall be stated.

(*THE REQUESTED APPROVAL CONFORMS TO THE OFFICIAL COMPREHENSIVE PLAN*)

Fee Schedule for Zoning Code Text Amendments (Per 12-12-2 Village Code).

1. Filing fee	$ 100.00
2. Planning fee:	
Text amendment	$ 1,000.00
3. Professional fee escrow minimum deposit, which may be greater as determined by the village manager commensurate with scope of amendment	$ 5,000.00**

**** PROFESSIONAL FEE ESCROWS MUST BE MAINTAINED AT THE $5,000.00 MINIMUM DEPOSIT LEVEL.**

REQUESTED TEXT AMENDMENTS

Applicant is requesting that the definition of a Class O Taproom be amended as provided in the blacklined version of the Class O Taproom provision attached hereto.

Applicant is requesting an amendment to the definition of a Class O Taproom for the following reasons:

a. To clarify that the beverages which are served in a taproom, and are currently described only defined as "beer" also allows for "ale";

b. To expand the size of containers which may be used for sales for offsite consumption to also include kegs and howlers as well as growlers;

c. To permit the sale of samples without requiring that customers be part of a tour; and

d. To increase the maximum size of an individual sample from 3 fluid ounces to 4 fluid ounces in order to be competitive and compatible with that which is allowed in taprooms under the ordinances of the neighboring community in Mundelein.

To the extent required, Applicant is also requesting a Text Amendment to B-4-5 (A) to allow for the production of beer and ale as a special use in the B-1 District.

(O) Class O Taproom:

1. Classification: Class 0 licenses shall authorize the operation of a taproom on the same premises, and under the same ownership, as a breweryor craft brewery operated in compliance with state and federal licenses authorizing the manufacturing, storage, distribution, and sale of alcoholic beverages. A Class O license shall authorize the following at a taproom:

    a. Retail sale of beer or ale produced on the premises at a bar or table for indoor or outdoor on- premises consumption;

    b. Retail sale of beer or ale produced on the premises in its original, sealed package for off-premises consumption, provided that such beer or ale shall be sold only in packs of not less than four cans or bottles, or bottles containing not less than 750 ml of beer or ale which packs may contain different varieties of beer or ale;

    c. Retail sale of beer or ale produced on the premises in kegs, growlers, or howlers for off-premises consumption, provided that such growlers or howlers contain not less than 32 fluid ounces, nor more than 68 fluid ounces, and are properly sealed for transport in compliance with state and federal law; and

    d. Beer and ale tastings of beer or ale produced on the premises, provided that:

        i. The beer or ale tastings occur as part of a brewery tour on the premises; and

        ii. The beer tastings comply with all applicable state and federal laws and, in any event, do not exceed five samples of ~~three~~four fluid ounces each per prospective purchaser per day.

2. The retail portion of the Class O licensed establishment, including beer tastings, shall be closed from two o'clock (2:00) a.m. through nine o'clock (9:00) a.m., during which times no alcoholic liquor shall be sold, or offered for sale or tasting, on the premises.

3. Number: **Zero 1**

4. Fee: $2,750.00

Village of Long Grove
Plan Commission Zoning Board of Appeals
Supplemental Application Information
(Special Use Permit – Non-PUD)

FORM "B"

In addition to the information required by the General Zoning Application, the Applicant must provide specific supplemental information as required below for Applications for a Special Use Permit (non-PUD).

Applications for Special Use Permit (SUP). In addition to the information required in the General Zoning Application, every Application for a **Special Use Permit** shall provide the following supplemental information:

(a) A survey, certified by a registered land surveyor, showing existing lot lines and dimensions, lot area, all easements, all public and private rights-of-way, and all streets across and adjacent to the lot. ***(SEE ATTACHED)***

(b) A statement concerning the conformity or lack of conformity of the approval being requested to the official comprehensive plan and the official map of the village. When the approval being requested does not conform to the official comprehensive plan or the official map, reasons justifying the approval despite such lack of conformity shall be stated.

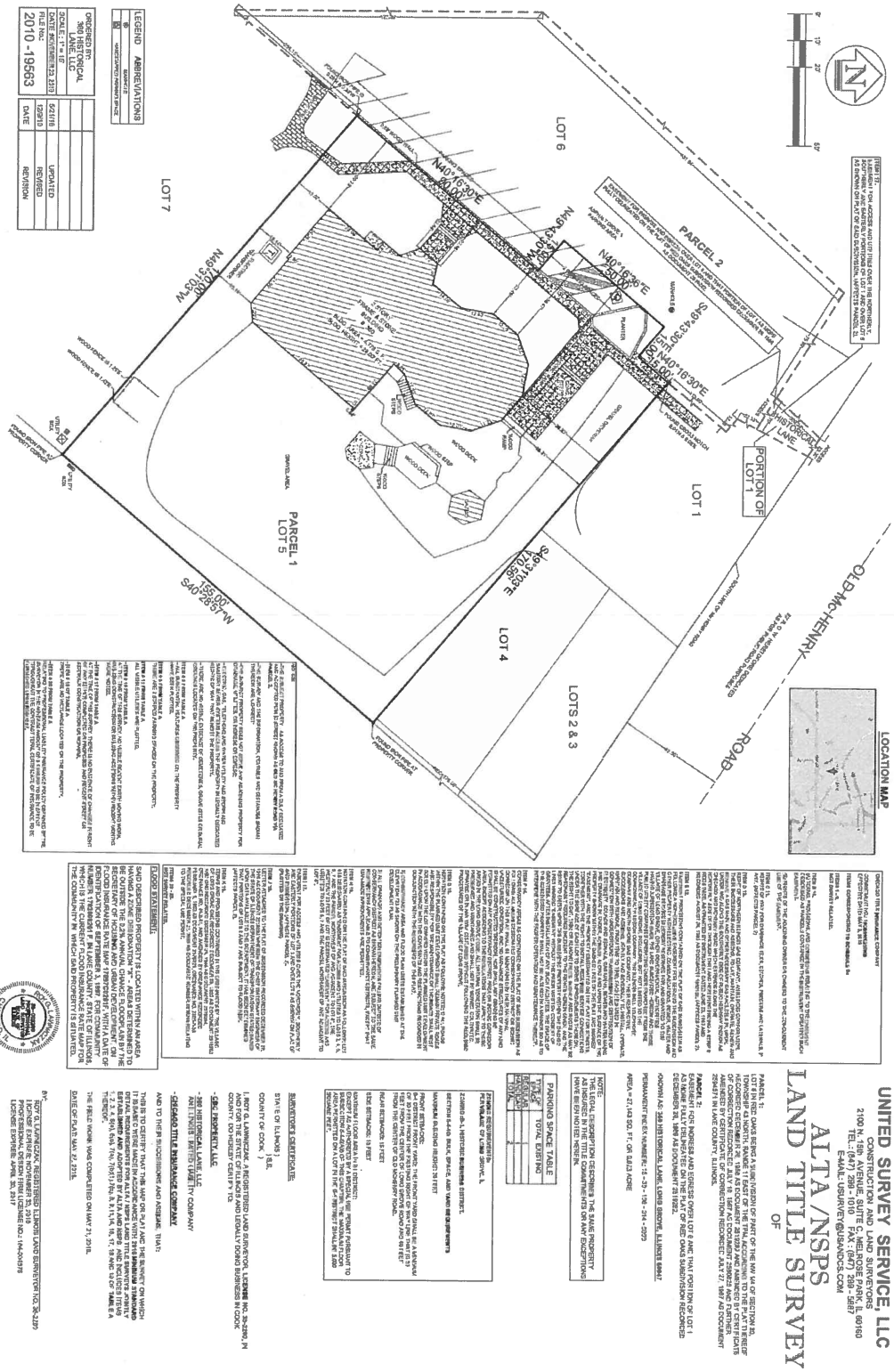
(THE REQUESTED APPROVAL CONFORMS TO THE OFFICIAL COMPREHENSIVE PLAN)

Fee Schedule for Special Use Permits (Per 12-12-2 Village Code

1. Filing fee	100.00
2. Planning fee	1,000.00
3. Professional fee escrow minimum deposit, which may be greater as determined by the village manager commensurate with scope of project	5,000.00**

**** PROFESSIONAL FEE ESCROWS MUST BE MAINTAINED AT THE $5,000.00 MINIMUM DEPOSIT LEVEL.**

Survey


UNITED SURVEY SERVICE, LLC
ALTA/NSPS
LAND TITLE SURVEY
OF
LOCATION MAP
LOT 1
LOT 4
LOT 5
LOT 6
LOT 7
LOTS 2 & 3
PARCEL 1
PARCEL 2
PORTION OF LOT 1
OLD McHENRY ROAD
LEGEND
ABBREVIATIONS
2010-19563

ZONING CODE ANALYSIS

	EXISTING	PROPOSED	ZONING CODE	
LOT AREA:	27,143 SF.	27,143 SF.	10,000 SF	
SQUARE FOOTAGE:				
2ND FLOOR	3,631.4 SF	3,631.4 SF		
1ST FLOOR	4,779 SF	4,779 SF		
LOWER LEVEL	1,884.8 SF	1,884.8 SF		
TOTAL BUILDING FLOOR AREA:	10,295.5 SF	10,295.5 SF		
IMPERVIOUS SURFACE:	7,039.5 SF (25.9%)	7,039.5 SF (25.9%)	21,714.40 SF (80%)	
BUILDING HEIGHT:	26'-0"	26'-0"	30'-0"	
SETBACKS:				
FRONT YARD	23.49'	23.49'	20'-0"	
SIDE YARD	15.07'	15.07'	15'-0"	
SIDE YARD	38.33'	38.33'	15'-0"	
REAR YARD	85.00'	85.00'	15'-0"	
FLOOR AREA RATIO:	10,295.5 SF	10,295.5 SF	5,000 SF	
PARKING:	2 SPACES	2 SPACES	UNKNOWN	Use not listed in Parking Requirements

ARCHITECT CERTIFICATION

AS A REGISTERED ARCHITECT IN THE STATE OF ILLINOIS I CERTIFY, TO THE BEST OF MY KNOWLEDGE, THE ACCOMPANYING ZONING CODE ANALYSIS (OF THE PROPOSED DEVELOPMENT) HAS BEEN FILLED OUT IN ACCORDANCE TO THE LONG GROVE ZONING CODE AND ORDINANCES. ANY DEFICIENCIES TO THE CODE REQUIREMENTS WILL REQUIRE VARIANCES OR SPECIAL USE AS REQUIRED BY PLANNING STAFF. ANALYSIS WAS BASED ON PLAT OF SURVEY DATED MAY 27, 2016 & CONSTRUCTION DRAWINGS FOR PREVIOUS TENANT DATED FEBRUARY 3, 2006.

STATE OF ILLINOIS
KEVIN J. BARKER
#001-013957
LICENSED ARCHITECT

KJBarker

SIGNATURE — KEVIN J. BARKER, ARCHITECT

ILLINOIS LICENCE NO. 001-013957 — DATE 11/16

PROJECT NUMBER:
DRAWING NAME:
ISSUE DATE: 06/30/2016
DRAWN BY: HE

barker/nestor
ARCHITECTURE+DESIGN
600 W. CERMAK #3C CHICAGO, IL 60616 TEL: 847+763+1692 FAX: 847+763+1697

PROPOSED ZONING APPLICATION FOR:
COLD BREWING
348 HISTORICAL LANE
LONG GROVE, IL 60047

SHEET NUMBER:
A101

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