ZONING COMMITTEE OF THE
PLAN COMMISSION

Wednesday, February 19, 2014
7:00 P.M.
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Room 2403

AGENDA

1. CALL TO ORDER / DECLARATION OF QUORUM

2. MINUTES: Approval of November 20, 2013 Meeting Minutes

3. NEW BUSINESS

   A. TEXT AMENDMENT TO THE ZONING ORDINANCE 14PLND-0006
      Consider a text amendment, to City Code § 6-18-1 Definitions to discuss the zoning definition and land use regulations for Micro-Breweries.

4. ADJOURNMENT

The next Zoning Committee of the Plan Commission meeting is scheduled for WEDNESDAY, March 19, 2014 at 7 P.M. in room 2403 of the Lorraine H. Morton Civic Center.
MEETING MINUTES
ZONING COMMITTEE OF THE PLAN COMMISSION
Wednesday, November 20, 2013
7:00 P.M.
Evanston Civic Center, 2100 Ridge Avenue, Room 2403

Members Present: Richard Shure, Scott Peters, Jim Ford, Patricia Ledesma, Stuart Opdycke

Members Absent: Kwesi Steele, Dave Galloway, Barbara Putta, Lenny Asaro, Seth Freeman

Staff Present: Melissa Klotz, Michelle Masoncup

Presiding Member: Richard Shure, Chairman

1. CALL TO ORDER / DECLARATION OF QUORUM
With a quorum present, Chairman Shure called the meeting to order at 7:00pm.

2. MINUTES
Approval of October 16, 2013 Zoning Committee of the Plan Commission Meeting Minutes:

Commissioner Peters motioned for approval of the October 16, 2013 meeting minutes. Commissioner Ledesma seconded the motion. A voice vote was taken and the minutes were approved.

3. UNFINISHED BUSINESS

4. NEW BUSINESS

A) TEXT AMENDMENT TO THE ZONING ORDINANCE 13PLND-0114
Specifically consider a text amendment, pursuant to City Code § 6-18-3, Definitions, to discuss the zoning definitions for Educational Institution – Private, and Educational Institution – Public.

Ms. Klotz explained the staff proposal to amend the zoning definition of Educational Institutions to include vocational training facilities.

The committee determined certain vocational training facilities may create nuisances, such as auto mechanic repair classes, so a vocational training should be a separate zoning use with different land use regulation from Educational Institutions. The committee suggested the following districts as permitted and special use:
The committee suggested staff propose a zoning definition as the text amendment moves forward to the Plan Commission.

Commissioner Ledesma noted she likes the Skokie definition, and Commissioner Peters noted the definition of University/College would need to be amended for clarification.

Commissioner Peters motioned to recommend approval of the proposed land use regulations for vocational training facilities, noting staff should create a new zoning definition for the use that is modeled after the first half of the Skokie definition, and with modification to the University/College definition as necessary. Commissioner Ford seconded the motion, which was approved 5-0.

B) TEXT AMENDMENT TO THE ZONING ORDINANCE 13PLND-0115
Specifically consider a text amendment, pursuant to City Code § 6-4-6-9, Special Regulations Applicable to Air Conditioning Equipment, to discuss the zoning regulations for Air Conditioning Equipment.

Ms. Klotz explained the staff proposal to amend the zoning setbacks for air conditioning equipment since the regulations are overly restrictive and results in many variance requests.

Commissioner Peters noted the proposed regulation changes would not allow homeowners to place a/c units near the property line on a corner lot since the regulation would require such units to be located within 2’ of the house.

Commissioner Ford motioned to recommend approval of the proposed text amendment as recommended by staff. Commissioner Opdycke seconded the motion, which was approved 5-0.

Commissioner Peters thanked Commissioner Ledesma for her service on the Plan Commission, noting this as her last meeting.

5. DISCUSSION

6. ADJOURNMENT

Commissioner Ford motioned for adjournment and Commissioner Peters seconded the motion. The meeting adjourned at 8:00pm.

The next meeting of the Zoning Committee of the Plan Commission will be Wednesday, December 18, 2013 at 7:00pm., in room 2403 of the Lorraine H. Morton Civic Center, 2100 Ridge Avenue.

Respectfully Submitted,
Memorandum

To: Zoning Committee of the Plan Commission Members
From: Damir Latinovic, Neighborhood and Land Use Planner
Subject: Text Amendment Proposal for Micro-breweries
Date: February 19, 2014

Proposal Overview
The City is proposing to define and establish land use regulations for Micro-breweries. Such facilities typically fall between a brewpub restaurant and a large scale industrial size brewery and are currently absent from the City’s Zoning Ordinance.

Background
On January 10, 2014 the City received a Special Use application for Common Culture, a “nano-brewery” at 825 Chicago Avenue. The proposed “nano-brewery”, as described by the applicant, is a small craft brewery operation with capacity to brew up to 21,000 Gallons (666 Barrels) of craft beer per year. The proposed use would occupy a 1,500-square foot unit in the rear of the existing two-story mixed use building. The applicant will be selling the beer as a wholesaler to local residents or directly to local restaurants. Phase II of the business plan calls for expansion of the business within the building to increase the production capacity up to 50,000 Gallons (1,587 Barrels)

The applicant submitted a Special Use application with the intent to match the requirements for a micro-distillery which is permitted as a Special Use at this location. However, because of the retail nature of the business particularly during the initial small scale production, the proposed use is classified as Retail Goods Establishment. The property, commonly known as 825 Chicago Avenue, is zoned C1a, Commercial Mixed Use District where Retail Goods Establishments are permitted by-right. As such, the proposed use is permitted by-right. However, any expansion of the operation (i.e. Phase II) would no longer qualify as Retail Goods Establishment.

Types of Breweries
The local small-scale breweries are a relatively new type of use. Due to economies of scale in production, distribution, marketing and advertising, national and regional breweries have dominated the beer industry for decades. Starting in the 1980s small scale independent breweries emerged as a competitive market segment within the beer industry.

Since the turn of the 21st century, the demand for independent local products within the beer industry led to a significant rise of small-scale breweries as a new type of use.
Since that time, local liquor codes and zoning ordinances have started adopting regulations to address the specific issues and potential impacts of these uses on surrounding properties. The intent of the regulations is to create space for smaller breweries to operate outside of industrial districts.

Generally speaking there are four types of breweries found across the country:

1. Nano-Brewery: A very small-scale production of craft beer with distribution to a limited area with beer production in very small quantities (typically three barrels or less).
2. Brew-Pub: A restaurant that is also a brewery. The beer is brewed primarily for sale in the restaurant and bar.
3. Micro-Brewery (or Craft-Brewery): A small scale brewery with production limitation that usually does not exceed 30,000 barrels per year.
4. Regional Brewery: A large-scale brewery with annual beer production that usually exceeds 30,000 barrels

The production and consumption of craft beer is regulated on the federal level by the Alcohol and Tobacco Tax and Trade bureau (TTB) through issuance of a license. The State of Illinois also regulates production of alcohol through the Liquor Control Act by issuing appropriate licenses based on the applicant’s business model.

Other Municipalities
Most other municipalities also regulate the production and consumption of craft beer through either the Zoning Ordinance, Liquor Code or both.

A vast majority of municipalities rely on the local liquor code to define and regulate craft beer production. All liquor codes typically have separate definitions for brewpubs, micro-breweries and larger scale breweries limiting them in size, production, on-site consumption and even size of sampling containers.

The majority of zoning ordinances in Illinois do not have specific definitions and land use regulations for micro(craft) breweries. Most surrounding towns, including Oak Park, Chicago, Naperville and Aurora generally allow restaurants with accessory craft-breweries, a use commonly known as a brewpub, as a permitted use in business and commercial districts. Other types of small and large breweries are not defined but are generally allowed as permitted light-manufacturing uses in industrial and manufacturing districts.

The closest municipality that specifically includes land use regulations for a micro-brewery in its Zoning Ordinance is the Village of Plainfield southwest of Chicago which defines a brewpub as a restaurant that brews beer as an accessory use, and a micro-brewery as a facility for the production and packaging of malt beverages for retail and for wholesale distribution, with a capacity of not more than 15,000 barrels per year.

Evanston Existing Regulations
The City of Evanston also relies heavily on the Liquor Code for specific regulations on craft beer production. The city’s Liquor Code includes a specific definition for a Brew Pub.
The Liquor Code’s definition of a Brew Pub is:

*BrewPub: A manufacturer of beer only at a designated premises to make sales to importing distributors, distributors, and to nonlicensees for use and consumption only, who stores beer at the designated premises, and who is allowed to sell at retail from the licensed premises, provided that a brew pub licensee shall not sell for off premises consumption more than fifty thousand (50,000) gallons per year."

The Zoning Ordinance does not specifically define a Brewpub, but does permit restaurants to have micro-breweries on-site as an accessory use.

The City also currently has 32 different liquor licenses including a license for a Craft Distillery and a license for a Craft-Brewery.

The Craft-Distillery license is primarily intended for the production and storage of spirits and alcohol other than beer with a limit of 35,000 gallons per year. The license further limits the amount and type of on-site sampling and prohibits the sale of alcohol for on-premise consumption.

The Zoning Ordinance includes a similar definition for a Micro-Distillery. The use is defined as:

*Micro-Distillery: A facility that produces alcoholic beverages in quantities not to exceed thirty-five thousand (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.*

The existing land use regulations for Micro-Distilleries are outlined in the table below:

<table>
<thead>
<tr>
<th>Micro-Distillery</th>
<th>C-1</th>
<th>C1a</th>
<th>C2</th>
<th>B1</th>
<th>B2</th>
<th>B3</th>
<th>B1-A</th>
</tr>
</thead>
<tbody>
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*S - Special Use*

The Craft-Brewery license in the Liquor Code authorizes on-site production and storage of beer in quantities not to exceed 930,000 gallons (30,000 barrels) per year. The license further limits the amount and type of on-site sampling and prohibits the sale of alcohol for on-premise consumption.

The Zoning Ordinance does not have a similar definition for a Craft- or Micro-Brewery. This type of use would be classified as a light manufacturing use. The existing land use regulations for a light-manufacturing use are outlined in the table below:

<table>
<thead>
<tr>
<th>Light-Manufacturing</th>
<th>MU</th>
<th>MUE</th>
<th>MXE</th>
<th>I1</th>
<th>I2</th>
<th>I3</th>
<th>RP</th>
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</tbody>
</table>

*P - Permitted Use*
Proposed Regulations
Based on the trend of development in the craft beer industry and the application received for 825 Chicago Ave, staff believes the Zoning Ordinance should include a separate definition and land use regulations for a Micro-Brewery to differentiate this type of use from a large-scale brewery production typically found in industrial districts.

Since the Micro-Distillery definition in the Zoning Ordinance is closely aligned with the Craft-Distillery regulations in the Liquor Code, staff recommends a Micro-Brewery definition that is closely aligned with the Craft-Brewery regulations in the Liquor Code. Staff recommends the following definition for a Micro-Brewery:

**Micro-Brewery: A facility that produces fermented malt beverages on site in quantities not to exceed 930,000 gallons (30,000 barrels) per year and includes an accessory tasting room. The 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.**

Since the anticipated impact of such facilities is similar to other breweries and falls between that of a Micro-Distillery and a large-scale brewery, staff recommends allowing the Micro-Brewery as a Special Use in the same districts where the Micro-Distillery is allowed as a Special Use and also allowing them as a permitted use in the same districts where a light-manufacturing use (where a typically brewery would fall under) is allowed. As such, when an application for a Micro-Brewery is received in the C and B districts, a special use review and approval must be granted whereby specific conditions of each site and proposed business operation can be evaluated.

The proposed land use regulation is summarized in the table below:

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<th></th>
<th>C-1</th>
<th>C1a</th>
<th>C2</th>
<th>B1</th>
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<th>B1-A</th>
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<td>Brewery</td>
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*S - Special Use, P - Permitted Use

Attachments
Special Use application for Common Culture

*Paragraph P and P-1 of Section 3-4-6 Classification and License Fees from the Title 3 – Chapter 4 of the Liquor Control Regulations*
SPECIAL USE
APPLICATION
CASE #:________________________

1. PROPERTY

Address__________________________________________________________

Permanent Identification Number(s):

PIN 1: [   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]
PIN 2: [   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]-[   ]

(Note: An accurate plat of survey for all properties that are subject to this application must be submitted with the application.

2. APPLICANT

Name:____________________________________________________________

Organization:_____________________________________________________

Address:_________________________________________________________

City, State, Zip:__________________________________________________

Phone: Work:_________ Home:_________ Cell/Other:_________________

Fax: Work:_________ Home:_________

E-mail:___________________________________________________________

What is the relationship of the applicant to the property owner?

☐ same  ☐ builder/contractor  ☐ contract purchaser  ☐ potential lessee
☐ architect  ☐ attorney  ☐ lessee  ☐ real estate agent
☐ officer of board of directors  ☐ other:

3. PROPERTY OWNER  (Required if different than applicant. All property owners must be listed and must sign below)

Name(s) or Organization:__________________________________________

Address:_________________________________________________________

City, State, Zip:__________________________________________________

Phone: Work:_________ Home:_________ Cell/Other:_________________

Fax: Work:_________ Home:_________

E-mail:___________________________________________________________

"By signing below, I give my permission for the Applicant named above to act as my agent in all matters concerning this application. I understand that the Applicant will be the primary contact for information and decisions during the processing of this application, and I may not be contacted directly by the City of Evanston. I understand as well that I may change the Applicant for this application at any time by contacting the Zoning Office in writing."

Property Owner(s) Signature(s) – REQUIRED  Date ____________

4. SIGNATURE

"I certify that all of the above information and all statements, information and exhibits that I am submitting in conjunction with this application are true and accurate to the best of my knowledge."

Applicant Signature – REQUIRED  Date ____________

PAGE 1 OF 6
1. PROPERTY

Address: 825 CHICAGO AVE, SUITE #1R
Permanent Identification Number(s):
PIN 1: [12345678901234567890] PIN 2: [09876543210987654321] (Note: An accurate plat of survey for all properties that are subject to this application must be submitted with the application.)

2. APPLICANT

Name: CESAR AUGUSTO MARRON
Organization:
Address: 1314 WASHINGTON ST
City, State, Zip: EVANSTON, IL, 60202
Phone: Work: 518.698.6969 Home: Cell/Other: 
Fax: Work: Home: 
E-mail: cmarron@gmail.com

What is the relationship of the applicant to the property owner?
- [ ] same
- [ ] architect
- [ ] officer of board of directors
- [ ] builder/contractor
- [ ] attorney
- [ ] other:
- [ ] contract purchaser
- [ ] lessee
- [ ] potential lessee
- [ ] real estate agent

3. PROPERTY OWNER (Required if different than applicant. All property owners must be listed and must sign below.)

Name(s) or Organization: CHARLES HAPP
Address: 820 DAVIS ST.
City, State, Zip: EVANSTON, IL, 60201
Phone: Work: 847.727.5346 Home: Cell/Other: 
Fax: Work: Home: 
E-mail: cchapp329@gmail.com

"By signing below, I give my permission for the Applicant named above to act as my agent in all matters concerning this application. I understand that the Applicant will be the primary contact for information and decisions during the processing of this application, and I may not be contacted directly by the City of Evanston. I understand as well that I may change the Applicant for this application at any time by contacting the Zoning Office in writing."

Property Owner(s) Signature(s) -- REQUIRED

4. SIGNATURE

"I certify that all of the above information and all statements, information and exhibits that I am submitting in conjunction with this application are true and accurate to the best of my knowledge."

Applicant Signature – REQUIRED

1/10/2014
Date

PAGE 1 OF 6
5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this application:

☒  (This) Completed and Signed Application Form
☒  Plat of Survey  Date of Survey: ____________________________
☒  Project Site Plan  Date of Drawings:  1/9/2014
☐  Plan or Graphic Drawings of Proposal (If needed, see notes)
☐  Non-Compliant Zoning Analysis
☒  Proof of Ownership  Document Submitted: ____________________________
☒  Application Fee  Amount $703.16  Transcript Deposit Fee $150

Notes: Incomplete applications will not be accepted. Although some of these materials may be on file with another City application, individual City applications must be complete with their own required documents.

Plat of Survey
(1) One copy of plat of survey, drawn to scale, that accurately reflects current conditions.

Site Plan
(1) One copy of site plan or floor plans, drawn to scale, showing all dimensions.

Plan or Graphic Drawings of Proposal
A Special Use application requires graphic representations for any elevated proposal—garages, home additions, roofed porches, etc. Applications for a/c units, driveways, concrete walks do not need graphic drawings; their proposed locations on the submitted site plan will suffice.

Proof of Ownership
Accepted documents for Proof of Ownership include: a deed, mortgage, contract to purchase, closing documents (price may be blacked out on submitted documents).
• Tax bill will not be accepted as Proof of Ownership.

Non-Compliant Zoning Analysis
This document informed you that the proposed change of use is non-compliant with the Zoning Code and requires a variance.

Application Fee & Transcript Deposit
The application fee depends on your zoning district (see zoning fees). Acceptable forms of payment are: Cash, Check, or Credit Card. The $150 transcript deposit is applied to the cost of a court reporter. The City hires a court reporter to transcribe the Zoning Board of Appeals hearing- as specified in the Zoning Board of Appeals' Rules of Procedures. Applicants are responsible for the cost of the hearing transcript at a rate of $7.50 per page. (The $150 deposit is applied to that fee; final fees may result in a refund or additional charges). The final fee directly covers the cost of the court reporter.
6. PROPOSED PROJECT

A. Briefly describe the proposed Special Use:

SEE ATTACHED DOCUMENT "COMMON CULTURE NANOBREWERY"

a) Is the requested special use one of the special uses specifically listed in the Zoning Ordinance? What section of the Zoning Ordinance lists your proposed use as an allowed special use in the zoning district in which the subject property lies? (See Zoning Analysis Review Sheet)

YES 6-10-3-3. MICRO-DISTILLERY IS A VERY SIMILAR BUSINESS IN OPERATION, EXCEPT FOR DISTILLING, WHICH IS SPECIFIC TO A DISTILLERY.

b) Will the requested special use interfere with or diminish the value of property in the neighborhood? Will it cause a negative cumulative effect on the neighborhood?

NO, IT WILL MAKE THE AREA MORE ATTRACTIVE BY INTRODUCING A NEIGHBORHOOD BREWERY, MUCH LIKE A BAKERY WOULD.

c) Will the requested special use be adequately served by public facilities and services?

YES
d) Will the requested special use cause undue traffic congestion?

NO. THE LOCATION IS WELL SERVICED BY PUBLIC TRANSPORTATION AND PARKING ON CHICAGO AND MAIN STREETS.


e) Will the requested special use preserve significant historical and architectural resources?

YES. NO CHANGES WILL BE MADE TO THE EXTERIOR OF THE BUILDING.


f) Will the requested special use preserve significant natural and environmental features?

YES. NO CHANGES WILL BE NECESSARY TO NATURAL AND ENVIRONMENTAL FEATURES.


g) Will the requested special use comply with all other applicable regulations of the district in which it is located and other applicable ordinances, except to the extent such regulations have been modified through the planned development process or the grant of a variation?

YES.
City of Evanston
DISCLOSURE STATEMENT

(This form is required for all Major Variances and Special Use Applications)

The Evanston City Code, Title 1, Chapter 18, requires any persons or entities who request the City Council to grant zoning amendments, variations, or special uses, including planned developments, to make the following disclosures of information. The applicant is responsible for keeping the disclosure information current until the City Council has taken action on the application. For all hearings, this information is used to avoid conflicts of interest on the part of decision-makers.

1. If applicant is an agent or designee, list the name, address, phone, fax, and any other contact information of the proposed user of the land for which this application for zoning relief is made: Does not apply.

2. If a person or organization owns or controls the proposed land user, list the name, address, phone, fax, and any other contact information of person or entity having constructive control of the proposed land user. Same as number _____ above, or indicated below. (An example of this situation is if the land user is a division or subsidiary of another person or organization.)

3. List the name, address, phone, fax, and any other contact information of person or entity holding title to the subject property. Same as number _____ above, or indicated below.

4. List the name, address, phone, fax, and any other contact information of person or entity having constructive control of the subject property. Same as number _____ above, or indicated below.
If Applicant or Proposed Land User is a Corporation

Any corporation required by law to file a statement with any other governmental agency providing substantially the information required below may submit a copy of this statement in lieu of completing a and b below.

a. Names and addresses of all officers and directors.
   Cesar Marron, Owner/Principal Officer
   1314 Washington st, Evanston IL 60202

b. Names, addresses, and percentage of interest of all shareholders. If there are fewer than 33 shareholders, or shareholders holding 3% or more of the ownership interest in the corporation or if there are more than 33 shareholders.
   Cesar Marron, Owner/Principal Officer 100% of Shares
   1314 Washington st, Evanston IL 60202

If Applicant or Proposed Land User is not a Corporation

Name, address, percentage of interest, and relationship to applicant, of each partner, associate, person holding a beneficial interest, or other person having an interest in the entity applying, or in whose interest one is applying, for the zoning relief.
A. GENERAL INFORMATION

1. What projects are eligible for a Special Use Permit?

Projects are eligible per zoning District. Please check the Zoning District to see if your proposed project is listed as a permitted Special Use per zoning District. The Allowed Uses by Zoning District handout is also another way to access information to see if your project is eligible to apply.

2. Who can submit an application?

The applicant must either own, lease, or have legal or equitable interest in the subject property, or must be the representative of such a person. All persons or parties which have an ownership interest in the affected properties must be identified and must sign the application. The Property Owner(s) may, at their discretion, designate another person as Applicant to act on their behalf in processing this application. In that case, the designated Applicant will be considered the primary contact, until the application is closed or the Property Owner changes the designated Applicant by contacting the Zoning Office in writing. Standing (§6-3-8-4):

3. How do I submit an application?

Applications must be submitted in person to the Zoning Office, City of Evanston, Civic Center Room 3700, 2100 Ridge Avenue. Our office hours are Monday through Friday (excluding Holidays) from 8:30 am until 5:00 pm. Evanston.

Applications must be complete, including all required documentation and fee.
Applications are not accepted by mail or e-mail.
Application materials cannot be returned.

4. What forms of payment are accepted?

Cash, Credit Card, Check.

5. Can I withdraw my application?

Yes, an application may be withdrawn any time prior to a vote.

6. Who has access to my application materials?

The application is a public document, and as such, may be reviewed by the general public upon request.

B. INFORMATION ABOUT SPECIAL USES

What is a Special Use Permit?

For each zoning district, the Zoning Ordinance identifies permitted uses (also called "by right" uses) and special uses which may be allowed depending upon the circumstances. In order to legally operate a special use, a property owner must apply for a Special Use Permit from the Zoning Office. The application is reviewed at a public hearing by the Zoning Board of Appeals (ZBA), which makes a recommendation to the City Council. The ZBA can also recommend conditions on a granted special use. The City Council is the deciding body for all Special Uses in the City of Evanston.
The Special Use Application Process

- The City reviews the project through a Zoning Analysis (applied for separately) and determines it is eligible to apply for a special use
- The Applicant files a Special Use Application
- The City publishes a notice of the hearing in the Evanston Review, between 15 and 30 days prior to hearing.
- The City posts a sign describing the public hearing on the property no less than 10 working days before the hearing.
- The City must mail notification of the public hearing to all properties that are within 500 feet of any point on the subject property. (The applicant is responsible for the accuracy of the list used by the City for mailing this notice. The applicant can either rely on a list the City produces through its Geographic Information System or produce his or her own list of the names and addresses of property owners within 500 feet of the subject property. The Zoning Office will send to the applicant its generated mailing list. The applicant should inform the Zoning Office if any names and addresses are missing.
- The City encourages all applicants to discuss their proposal with their neighbors prior to the public hearing.
- The Zoning Division will schedule the applicant to meet with the Site Plan & Appearance Review Committee; (SPAARC) which provides a recommendation to the Zoning Board of Appeals.
- The ZBA recommends denial, approval, or approval with conditions of the application to City Council;
- The Planning and Development Committee of the City Council considers the ZBA recommendation and forwards it to the full City Council with or without a recommendation;
- City Council considers the ZBA recommendation and may introduce an ordinance granting the requested zoning relief;
- City Council may adopt an ordinance granting the requested zoning relief at the following or any subsequent City Council meeting.

The approximate time from when the Zoning Office receives a complete application to a decision is three to four months.

To recommend approval for a special use, the ZBA must find that the proposed special use meets all of the following criteria:

   a) is one of the listed special uses for the zoning district in which the property lies;
   b) complies with the purposes and policies of the Comprehensive General Plan and the Zoning Ordinance;
   c) does not cause a negative cumulative effect in combination with existing special uses or as a category of land use;
   d) does not interfere with or diminish the value of property in the neighborhood;
   e) is adequately served by public facilities and services;
   f) does not cause undue traffic congestion;
   g) preserves significant historical and architectural resources;
   h) preserves significant natural and environmental resources; and
   i) complies with all other applicable regulations.

Expiration

Within one year of obtaining a special use permit, the recipient must either obtain a building permit and commence construction, or obtain a certificate of occupancy and commence the use. City Council may extend this one-year limitation upon request.

CONTACT INFORMATION

Department of Community Development – Zoning Office

2100 Ridge Avenue, Room 3700, Evanston, Illinois 60201
(847) 866-2930 (847) 448-8126 zoning@cityofevanston.org www.cityofevanston.org/zoning
Common Culture Nanobrewery - Evanston's first Nanobrewery

Simple, flexible, community based, local.

Definition of Nanobrewery:
TTB(link): “very small brewery operations, are springing up across the country. Nano brewing is a result of the steady appeal for craft-brewed beers and the beneficiary of the growing home brewing movement.”

Wikipedia (link): A nanobrewery is type of very small brewery operation, often culturally defined by a less than 4 US beer barrels (470 L) brew system. They are acknowledged by the Alcohol and Tobacco Tax and Trade Bureau (TTB), and are fully licensed and regulated breweries. Nanobreweries are often on task to grow into microbreweries or brewpubs. There are quite a few breweries and brewpubs that could have been described at one point in their history as nanobreweries, had the term been invented. One example is Dogfish Head, from Milton, Delaware. Sam Calagione started the company as a brewpub on a 10-US-gallon (38 L) Sabco brew system in 1995. As of 2010, it produced 75,000 US beer barrels (8,800,000 L) annually.

A list of nanobreweries is kept current by Hess Brewing Co., a nanobrewery from San Diego, California. As of December 2012, it lists 93 nano breweries operating in the United States and 51 in the planning stage.
[https://en.wikipedia.org/wiki/Microbrewery#Nanobrewery]

Key distinction from Microbreweries and brewpubs: Nanobrewing is nimble, innovative, fun. The brewers’ small scale affords them an unusual degree of freedom to experiment. Smaller batches mean less risk; a high-concept beer that turns out badly is still a disappointment, but doesn’t blow a hole in a business plan. As a result, nanobreweries create some of the most intriguing and original beers on the market.

Business Purpose:
The idea of a part time nanobrewery started with the love of making truly great tasting, gourmet beers with the flexibility of a low cost, low investment endeavor, as well as a commitment to local production, sustainability, and local community. The scale of a nanobrewery allows for innovative ideas to be tried and marketed at small quantities, including historic recipes, ethnic recipes. The small scale also allows custom brewing for special requests, which is appealing to restaurants, pubs, and for special or private events.

As Evanston’s first nanobrewery, Common Culture will bring to our city the opportunity for anyone to request that something unique be made to order. The focus on historic and non-traditional recipes will also bring education to the community through events, media, discussions and classes and tastings at the brewery. More importantly, locals will be able to share unique recipes while learning about the history of beer.

Likewise, our interest in sustainable production practices and our plan to develop innovative small scale production systems will allow us to partner with other like-minded Evanston
businesses in developing unique opportunities for development and collaboration. Common Culture is a brewery built from homebrewers who naturally innovate every step of the way. Common Culture will create new processes and tools to make this a one of a kind sustainable and eco-friendly brewery.

Like the Farm-to-Table movement, local breweries are first and foremost sustainable by their essential local nature. By producing beer locally, and selling largely to the local residents of a community, much of the carbon-intensive refrigeration and transportation as well as packaging, etc. is avoided completely. Common Culture Brewing will capitalize on this by emphasizing local and direct sales within our community through refillable growler sales directly from the brewery, and keg sale to local restaurants. We would also participate and collaborate with the numerous other Evanston-based profit and non-profit organizations in promoting sustainable living options within our community.

**Future Business Development and Growth**

The further development of Common Culture would involve growing the brand and eventually expanding, as the market demands grow, with a tap room serving cask conditioned ales:

Phase I will concentrate in opening the brewery and start brewing Common Culture beer along with growler sales and special events once a month.

Phase II will be an expansion of fermenters and the addition of 2 more 7BBL fermenters, doubling brewery capacity.

Phase III will be the build out of a tap room on premise with the expansion of the space in the back of the brewery, which is currently being used as an office.

**Business Capital and Brewery Facilities:**

The simplicity of this venture lends itself to a fairly modest startup capital requirement. The needs for operation are also quite simple. A 1000 sqft space will be enough to house:

- the 2 BBL brewhouse
- 2 7BBL fermenters
- 7BBL Brite tank.
- A refrigerated unit to store the finished product in 1/2 barrel kegs, 1/2 barrel kegs.
- A small office
- A sales area for filling growlers, sales transactions, etc.

The space at 825 Chicago has 1800 Sqft of warehouse space that will allow us to expand in the near future.

Brewhouse = $20,000
Brewhouse floor = $1,000
Kegs and Growlers = $5,000
Growler Fill Station = $1,000
Walk-in Cooler = $3,500
6-month rent: $10,800
6-month utilities: $1,800**

total required: $42,100

**Business Structure:**
Common Culture will be an S Corporation formed by 2-3 full partners with an equal share of the business, and 2-3 associates and will produce an estimated 21,700 Gallons of beer a year (700 BBL) with the following proposed share of the business:
50% Sold to restaurants, Bars, Special Events
50% Sold at retail (Growlers, Bombers, kegs)

**Business Location/operations:**
The location of Common Culture is key in creating a community-based business which attracts local people to an area that has many other small businesses. The proposed location is in the back of 825 Chicago St (unit 1R). This location is suitable for a brewery and a small tasting room. Since the brewery will be open limited hours during a few weekdays and Saturday, the public can access the brewery from public transportation (Purple Line/Metra Main st. stations) and via parking on Main and Chicago.

The public will be able to purchase 64oz growlers from the brewery as well as sample the beers in 2 oz samples (3 max per customer). The sale of sealed growlers for consumption off-site is a quick transaction for which customer can be in and out within 10 minutes.
Common Culture will bring the city of Evanston a unique business that will promote the city, increase the vitality of the area, and provide citizens with something exciting.

The proposed weekly operations of Common Culture includes:

- **M-W:** Closed to the public. Operations may include cleaning, maintenance and brewing*  

- **Th, Fr:** Open to retail 4-8PM (Growler Fills, Tastings, Scheduled demonstrations, Classes**, and other cultural and community-based events)

- **Sat:** Open to retail noon - 8PM (Growler fills, Tastings, Scheduled demonstrations). Brewing* will take place on Saturdays.

- **Sun:** Open to retail noon to 6 (Growler Fills, Tastings, Scheduled demonstrations, and other cultural and community-based events)

*Brewing consists of mashing and cooking the wort, transferring to fermentation tanks and
cleaning. It is a low noise operation, usually likened to making soup in a kitchen. A typical brew day is an 8-12 hour day.

**Classes will be offered to teach the public about the history and the process of making beer. Promoting a healthy relationship with the practice of homebrewing and sourcing of local ingredients.**
821-25 CHICAGO AVE.
Evanston, Illinois
Survey, with buildings outlined

CHICAGO
THE ABLE SPACE FOR RECORDERS USE ONLY

WHEREAS, Leffingwell LLC, an Illinois limited liability company, as mortgagor by trust deed dated January 25, 2006 and recorded in the Recorder's Office of Cook County, Illinois, on Oct. 24, 2007, as Document 0729733078, did convey unto CHICAGO TITLE LAND TRUST COMPANY, a Corporation of Illinois, as Trustee certain premises in Cook County, Illinois, described as follows:

(SEE LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A")

to secure a note for Eight Hundred Thousand & 00/100 ($800,000.00) Dollars with interest payable as therein provided; and

WHEREAS, Leffingwell LLC, as mortgagor by a Document, dated Dec. 15, 2011, and recorded in said Recorder's Office on Jan. 09, 2012, as Document number 1200933044, did convey unto North Shore Community Bank the said premises to secure a note for One Million Five Hundred Thirty Dollars & 00/100 ($1,530,000.00) with interest, payable as therein provided; and

WHEREAS, upon direction of the holder of the note secured by said trust deed, trustee wishes to subordinate the lien of the trust deed first described to the lien of the instrument secondly described.

NOW THEREFORE, in consideration of the premises and of the sum of TEN DOLLARS ($10.00) in hand paid, the said CHICAGO TITLE LANDTRUST COMPANY does hereby covenant and agree with the said Secured Party secondly herein described that the lien of the note secured by said trust deed first described shall be and remain at all times a second lien upon the premises thereby conveyed subject to the lien of the instrument recorded as document number

IN WITNESS WHEREOF, Said CHICAGO TITLE LANDTRUST COMPANY, as Trustee as aforesaid, has caused these presents to be signed by its Assistant Vice-President, and attested by its Assistant Secretary, and its corporate seal to be hereto affixed,
**First American Title Insurance Company**

30 North LaSalle Street, Suite 2220 • Chicago, IL 60602

**Borrower's Final Settlement Statement**

**Property:** 825 Chicago Avenue, Evanston, IL 60201  
Lot: 6

**File No.:** C-2238621  
**Officer:** Clennie Hernandez/CH  
**New Loan No.:** 3380004871-1  
**Settlement Date:** 12/15/2011  
**Disbursement Date:** 12/15/2011  
**Print Date:** 12/15/2011, 11:18 AM

**Buyer:** Leffingwell Building LLC  
**Address:** 825 Chicago Avenue, Evanston, IL 60201

**Seller:** Refinance  
**Address:**

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<tr>
<th>Charge Description</th>
<th>Borrower Charge</th>
<th>Borrower Credit</th>
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<td><strong>Attorney:</strong></td>
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<td>Attorney Fee to Larry A. Sultan</td>
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<td><strong>Totals</strong></td>
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**Borrower(S):**

Leffingwell Building LLC

By: [Signature]

By: Charles C. Häpp, Guarantor
# Loan Statement

**North Shore Community Bank**

<table>
<thead>
<tr>
<th>Closing Date:</th>
<th>12/15/2011</th>
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<tbody>
<tr>
<td>Borrower Name:</td>
<td>Leffingwell Building, LLC</td>
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<td>Guarantor Name:</td>
<td>Charles C. Happ</td>
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<td>Loan No.</td>
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<td>Title Escrow No.</td>
<td>C-2238621</td>
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<td>Property Address:</td>
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<td>SS/TIN:</td>
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## Credits

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<th>Description</th>
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<td>Deposits</td>
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<td><strong>Total Credits</strong></td>
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## Expenses/Deductions:

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<td>Flood Cert.</td>
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<td>Document Preparation</td>
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<td>Legal Fee</td>
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<td><strong>Total Expenses/Deductions</strong></td>
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## Amount Disbursed to Title Company:

| Amount Disbursed to Title Company  | $1,529,806.60 |

The undersigned hereby authorize and direct you to withhold and/or disburse the following from the proceeds of the above loan.

**Borrower:** Leffingwell Brg, LLC, NY  
**By:** [Signature]

**North Shore Community Bank**  
**By:** [Signature]

*Funds received prior to closing*
CRAFT DISTILLERY licenses, which shall authorize the on-site production and storage of alcohol in quantities not to exceed thirty thousand (30,000) gallons for one (1) year after the effective date of Ordinance No. 17-O-13 and thirty-five thousand (35,000) gallons thereafter, the sale of such alcohol to persons of at least twenty-one (21) years of age for consumption off-premises, and on-site sampling of such alcohol. Sales of alcohol manufactured outside the facility are prohibited. Such craft distillery licenses shall be issued subject to the following conditions:

1. It shall be unlawful for a class P licensee to sell a container of alcohol for off-premises consumption unless the container is greater than or equal to three hundred seventy-five milliliters (375 ml) in volume.

2. Class P licensees may, during authorized hours of business, offer samples of the alcohol permitted to be produced and sold pursuant to this classification. Licensees shall not provide more than three (3) free samples, each of which shall not exceed one-quarter fluid ounce (0.25 fl. oz.), to any person in a day. Licensees may sell samples, but the volume of any sample sold shall not exceed one fluid ounce (1 fl. oz.) and the total volume of all samples sold to a person in a day shall not exceed two and one-half fluid ounces (2.5 fl. oz.). Licensees shall not provide and/or sell more than two and one-half fluid ounces (2.5 fluid oz.) of samples to any person in a day. Class P licensees must have at least one (1) BASSET-certified site manager on premises whenever offering samples of alcohol. Class P licensees must provide food service when offering samples of alcohol.

3. It shall be unlawful for the holder of a class P license to provide a sample of or sell any alcohol before the hour of 10:00 a.m. or after the hour of 10:00 p.m. on any Monday, Tuesday, Wednesday, or Thursday; before the hour of 10:00 a.m. or after the hour of 11:00 p.m. Friday and Saturday; and before the hour of 12:00 noon and after the hour of 10:00 p.m. on Sunday.

4. Every class P licensee must have a valid craft distillery license from the state of Illinois.

5. Every employee of a class P licensee who participates in the production of alcohol, pursuant to this license class, must be BASSET-certified.

The annual single payment fee for initial issuance or renewal of such license shall be $1,800.00.

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable pursuant to the provisions of Section 3-4-7 of this Chapter, shall be $1,890.00.

No more than one (1) such license shall be in force at any one (1) time.

(P-1) CRAFT BREWERY license, shall authorize the onsite production and storage of beer in quantities not to exceed nine hundred thirty thousand (930,000) gallons (or 30,000 barrels) per year, the sale of such beer for consumption off-premises and onsite sampling and consumption of such beer by persons of at least twenty-one (21) years of age. Sale of beer manufactured outside the facility is prohibited. Such craft brewery licenses shall be issued subject to the following conditions:

1. It shall be unlawful for a class P-1 licensee to sell a single container of beer for off-premises consumption unless the volume of the container is greater than forty (40) ounces or 1.18 liters.

2. During authorized hours of business, class P-1 licensees may offer for onsite consumption samples of beer permitted to be produced and sold pursuant to this
classification. Licensees shall not provide more than three (3) free samples, each of which shall not exceed two (2) fluid ounces, to any person in a day. Licensees may sell for onsite consumption samples of the beer permitted to be produced and sold pursuant to this classification, provided the total quantity of the sampling package, regardless of the number of containers in which the beer is being served, does not exceed sixteen (16) fluid ounces.

3. Class P-1 licensees must have at least one (1) BASSET-certified site manager on-premises whenever beer is available for onsite consumption. Class P-1 licensees must provide food service whenever beer is available for onsite consumption.

4. It shall be unlawful for the holder of a class P-1 license to provide a sample of or sell any beer before the hours of 10:00 a.m. or after the hour of 10:00 p.m. on any Monday, Tuesday, Wednesday or Thursday; before the hour or 10:00 a.m. or after the hour of 11:00 p.m. on any Friday or Saturday; and before the hour of 12:00 p.m. and after the hour of 10:00 p.m. on any Sunday.

5. Every class P-1 licensee must have a valid Class 3 Brewer's License from the State of Illinois.

6. Every employee of a class P-1 licensee who participates in the production and sale of beer, pursuant to this license class, must be BASSET-certified.

The annual single payment fee for initial issuance or renewal of such license shall be one thousand eight hundred dollars ($1,800.00).

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable pursuant to the provisions of Section 3-4-7 of this Chapter, shall be one thousand eight hundred ninety dollars ($1,890.00).

No more than one (1) such license shall be in force at any one (1) time.

(Ord. No. 109-O-12, § 1, 10-22-2012; Ord. No. 65-O-13, § 1, 7-8-2013; Ord. No. 68-O-13, § 1, 7-8-2013)