



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Zoning Board of Appeals

FROM: Christopher Marx, Planner I

DATE: May 15, 2015

SUBJECT: ZBA Case 2015-C-04: A request by Thomas Sheehan for a Conditional Use Permit to allow a Craft Brewery and Tasting Room in an existing building at 208 W. Griggs Street in the B-4, Central Business zoning district.

Introduction

This case is a request by Thomas Sheehan for a Conditional Use Permit to allow the establishment of a Craft Brewery and Tasting Room on a 0.48-acre lot at 208 W. Griggs Street in the B-4, Central Business zoning district. The facility would comply with all provisions of the Illinois State Liquor Code to allow for the production of alcohol. For compliance with the City's Zoning Ordinance, the facility would fit closest to the use of Confectionary Products Manufacturing and Packing use which is allowed in the B-4 district with a conditional use permit. The proposed use would be located within the existing building next to other uses and tenants.

Background

The subject property is located in the northern part of downtown on the north side of Griggs Street and near the corner of Griggs and Race Street. The lot is approximately 0.482 acres in area, and the portion of the building occupied by the facility will be approximately 4,200 square feet. The building was designed by noted Urbana architect Joseph Royer and was the decades-long home to a foundry called the Leavitt Manufacturing Company. The building is currently used for storage and will also house an African grocery store currently under construction. The proposed brewery will occupy the eastern portion of the building while the grocery store will occupy the western half.

The applicants will undertake minor modifications to their space to suit the facilities for their business. They will add a public entrance and several windows on the eastern face of the building. The applicant expects to install some signage within the compliance of the Zoning Ordinance. The front half of the facility will be a tasting room open to the public, while the back portion will be used for brewing. The brewery expects to keep a relatively open floor plan with

dividers providing separation between the brewing area and tasting room. The brewery will operate during normal daytime hours with evening hours for the tasting room going from 4:00 to 10:00 PM. The capacity for the tasting room will be limited to 50 individuals with one public entrance.

The surrounding uses of the subject property are commercial and residential. The parcels to the north are parking lots that are zoned B-4, Central Business. To the south and west, the neighboring properties are apartment buildings zoned R-5, Medium High Density Multiple Family Residential and B-3, General Business, respectively. Towards the east is a newly created city park along the Boneyard Creek waterway. The further neighboring parcels from the subject property and their zoning designations represent the confluence of downtown (B-4), the University Avenue corridor (B-3), and Downtown Urbana neighborhood (R-5).

Table 1 identifies the Comprehensive Plan designation, current zoning, and current land use of the site and surrounding properties.

Table 1: Survey of Comprehensive Plan Designation, Zoning, and Land Use

Direction	Zoning	Existing Land Use	Comprehensive Plan – Future Land Use Designation
Subject Site	B-4, Central Business	Storage	Central Business
North	B-4, Central Business	Parking Lots	Central Business
South	R-5, Medium High Density Multiple Family Residential	Apartments	Residential
East	B-4, Central Business	Park	Central Business
West	B-3, General Business	Apartments	Central Business

Discussion

The applicant proposes to establish a craft brewery in the eastern half of the building at 208 West Griggs Street. The Table of Uses in Article V of the Urbana Zoning Ordinance does not list craft brewery as a specific use. However, Section V-1 states that in the case of a use not specified in the Table of Uses, the Zoning Administrator shall determine the use in the table to which the proposed use is most similar. The proposed use shall then be subject to the regulations of the listed use to which it is most similar. Because the proposed use has a combination and beverage manufacturing with on-site consumption and retail, the Zoning Administrator has determined that the proposed use is most similar to “*Confectionary Products Manufacturing and Packing*”. This use is allowed with a conditional use permit in the B-4, Central Business district. Pursuant to Section VII-2 of the Urbana Zoning Ordinance, conditional uses must be authorized by the Zoning Board of Appeals. The portion of the space used for a consumption and retail would be most closely classified as a “*Tavern*” or “*Liquor Store*” which are uses permitted-by-right in the B-4, Central Business district.

The applicant proposes to lease the eastern portion of the building in which it will establish a tasting room towards the front and install brewing equipment towards the rear. The tasting room will serve as an area in which patrons may sample and purchase the beer produced at the facility. The area would only feature the beer produced on the premise and would offer only limited, if any, food service as the applicant has no plans for a full-service kitchen. The tasting room will also feature sales of beer in sealed growlers for the public to purchase and take home. The rear portion will serve as an area for brewing, kegging, and distribution of the business' beer. The relative area of 4,200 square feet will be divided approximately evenly between the tasting room and brewing space. The expected floor plan aims to preserve the interior space of the building, using dividers to separate the two different parts of the brewery.

The applicant's goal is to establish a craft brewery that markets to the Champaign-Urbana area. They expect the majority of their patronage to be local. The expected production output expects to be no more than 300 barrels in the first year of operation.

Development Regulations

For many years, prior to adoption of the Zoning Ordinance, the subject property served as an industrial property on an urban lot in close proximity to the downtown area. Because of changing land-use patterns and a modern zoning code, the district requires a conditional use permit for any use involving food manufacturing. The designated use of *Confectionary Products Manufacturing and Packing* is allowed with a conditional use permit in most of the city's commercial-based zoning districts. The manufacturing and kegging of beer is most similar to the production of confectionary products in terms of the uses listed in the Zoning Ordinance. There are no off-street parking requirements for the B-4 district; although the subject property does have a dozen spaces to the rear of its parcel.

The proposed use will be subject to all federal regulations and state laws under the Illinois Liquor Control Commission. It will also be subject to the liquor licensing process under the City's municipal code. Its wastewater effluent is also required to be permitted by the Champaign Urbana Sanitary District if the facility's water usage is more than 1,500 gallons per day.

Comprehensive Plan Goals & Objectives

The following goals and objectives from the 2005 Urbana Comprehensive Plan are relevant to the proposed Conditional Use Permit:

Goal 22: Increase the vitality of downtown Urbana as identified in the Downtown Strategic Plan and Annual Action Plan.

Objective 22.4: Encourage public/private partnerships to foster new development in the downtown area.

Goal 28: Develop a diversified and broad, stable tax base.

Objective 28.1: Encourage an appropriate balance of residential, commercial and

industrial growth.

Objective 28.6: Increase the allocation of land devoted to tax-generation commercial uses in appropriate locations.

Goal 12: Preserve the characteristics that make Urbana unique.

Objective 12.1: Identify and protect neighborhoods and areas that contain significant historical and cultural resources.

Objective 12.3: Encourage public/private partnerships to preserve and restore historic structures/sites.

The proposed use would allow for re-use of an under-utilized building and would contribute to the vibrancy and bring new foot traffic to Downtown Urbana adjacent to the new park along the Boneyard Creek. The use would also contribute to the continued use and preservation of an older structure that is a unique part of Urbana's character.

Requirements for a Conditional Use Permit

According to Section VII-2 of the Urbana Zoning Ordinance, an application for a Conditional Use Permit shall demonstrate the following requirements shown in italics. City Staff analysis follows each criteria.

1. That the proposed use is conducive to the public convenience at that location.

The proposed use will be conducive to the public convenience because it establishes a unique business in a historical building within the City's core downtown area. The business will create jobs and provide an increased tax base for the parcel. The business also creates another pedestrian-accessible amenity, as envisioned in the City's Downtown Plan. A food and beverage entertainment space is also complementary to the adjacent park area along the Boneyard Creek. A craft brewery would be one of the few ventures of its kind in the Champaign-Urbana area and would be complementary to the many other food and beverage establishments in the Downtown area. The building is conducive to the proposed use as it can be easily adapted should the business see future growth.

2. That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.

The proposed use is heavily regulated by federal, state, and municipal law. The applicant states that the by-products of beer production are non-hazardous and any post-production wastewater effluent will be appropriately regulated by the Urbana-Champaign Sanitary District. The applicant also states that the only detectable exhaust from the process would be water vapor and heat which would not differ significantly from existing restaurants in the neighborhood. There is ample parking availability to the north of the property. The applicant plans on adding a public entrance, several windows, and signage on the eastern face of the building. Otherwise, there

would not be making any significant changes to the exterior of the building. The hours of operation will be consistent with most neighboring businesses.

3. *That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located, except where such regulations and standards are modified by Section VII-3.*

According to the Zoning Ordinance, the purpose of the B-4 district is

“to provide an area for the focus of the city, in which the full range of commercial and business uses may locate in a limited area of high intensity uses, with the appropriate forms of physical development at a high density...”

The proposed use will allow for the adaptive re-use of an existing building. The close proximity of its production and retail uses are consistent with the purpose of the high density sought for the B-4 district. The proposed use also conforms to existing regulations in the district that allow on-premise alcohol consumption and retail liquor sales. The placement of a craft brewery in the downtown area is complementary to the area’s existing restaurants and taverns. The conditional use permit for a Confectionary Products Manufacturing and Packing use is most similar to the brewing process in that it involves the preparation, cooking, and packaging of grain and sugar-based consumables. The proposed use will not create any additional nonconformities on the site.

Consideration

According to Section XII-2, the Zoning Board of Appeals shall determine whether the reasons set forth in the application, and the evidence adduced during the public hearing, justify the granting of the conditional use permit, and whether the proposed use will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.

In addition, the Zoning Board of Appeals may also impose such additional conditions and requirements on the operation of the proposed use as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance, including but not limited to the following:

1. Regulate the location, extent, and intensity of such use;
2. Require the screening of such use by means of fences walls or vegetation;
3. Stipulate a required minimum lot size;
4. Regulate vehicular access and volume;
5. Require conformance to health, safety, and sanitation requirements as necessary;
6. Increase the required yards;
7. Any other conditions deemed necessary to affect the purposes of this Ordinance.

Summary of Findings

1. The applicant proposes a craft brewery at 208 W. Griggs Street in the B-4, Central Business

district. The Urbana Zoning Ordinance allows a similar use of “*Confectionary Products Manufacturing and Packing*” as a conditional use in the B-4 district.

2. The proposed use would feature brewing with a tasting room providing retail sales and on-premise consumption of alcohol which is permitted-by-right in the B-4 district.
3. The proposed use would be subject to all applicable local, state, and federal regulation regarding the production of alcohol.
4. The proposed use is to be located in the existing building and would not make significant changes to the building’s exterior.
5. The proposed use is located in Downtown Urbana, which provides public parking and is easily accessible via bus and bicycle.
6. The proposed use will preserve an existing building with historic character in Downtown Urbana.
7. The proposed use preserves the essential character of the zoning district in which it is located.
8. The proposed use would not create additional nonconformities and would otherwise conform to the applicable regulations and standards of the zoning district in which it is located.
9. The proposed use will not pose a detriment to the zoning district in which it is proposed to be located.

Options

The Zoning Board of Appeals has the following options in Case No. ZBA-2015-C-04:

1. Grant the conditional use as submitted; or
2. Deny the conditional use as submitted; or
3. Grant the conditional use along with any additional conditions and requirements as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance.

Staff Recommendation

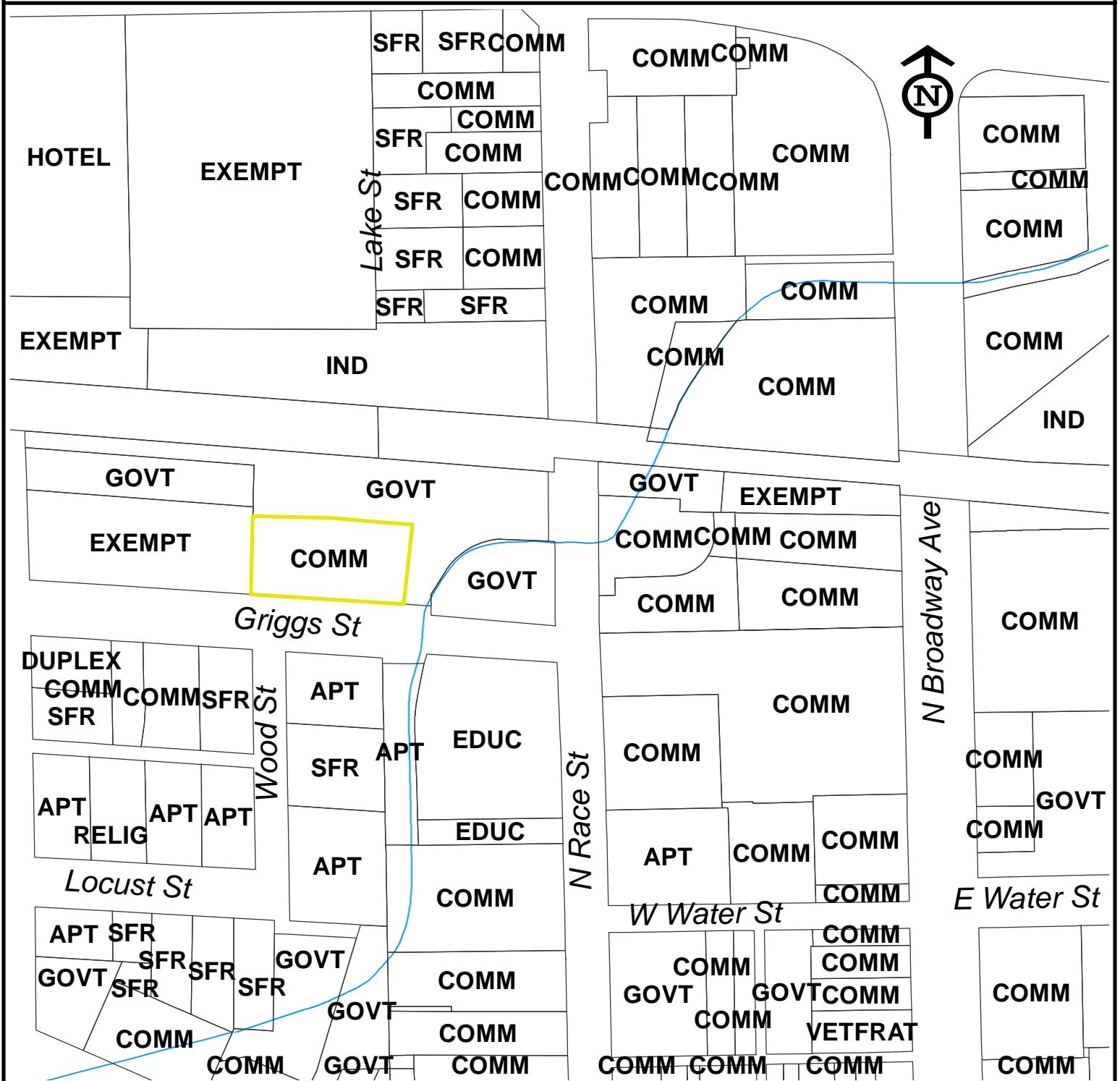
Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Zoning Board of Appeals **GRANT** the proposed conditional use in ZBA case 2015-C-04 for the reasons articulated above and with the following conditions:

1. The use must conform to all applicable zoning and building codes.
2. The use must conform to all applicable regulations of the Illinois Liquor Control Commission.

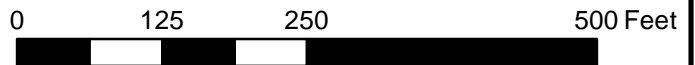
Attachments: Exhibit A: Location and Existing Land Use Map
Exhibit B: Existing Zoning Map
Exhibit C: Future Land Use Map
Exhibit D: Site Photos
Exhibit F: Application

cc: Thomas Sheehan

Exhibit B: Zoning Map



Case: 2015-C-04
 Subject: Conditional Use Permit
 Location: 202 W. Griggs Street
 Petitioners: Thomas Sheehan




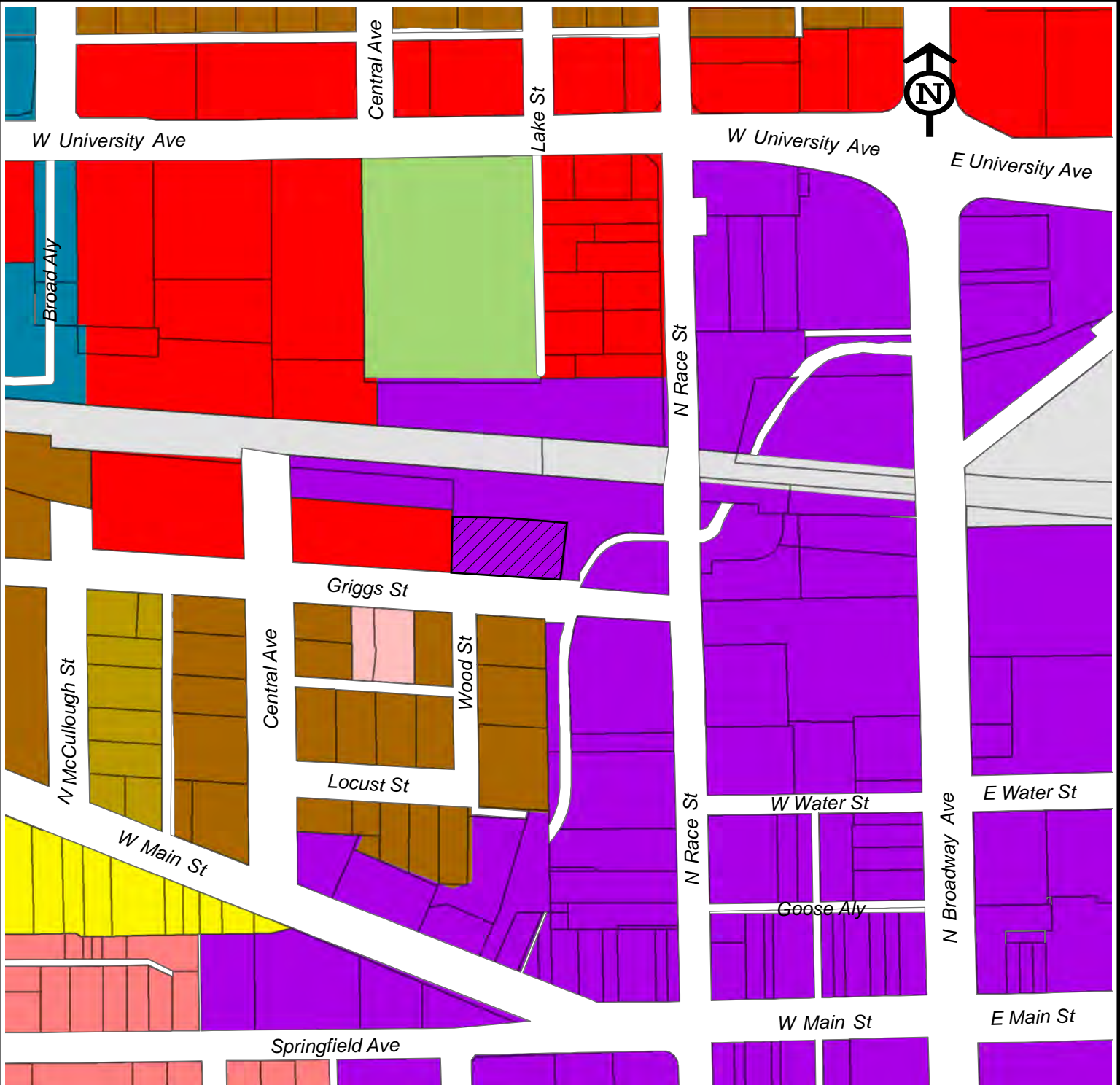
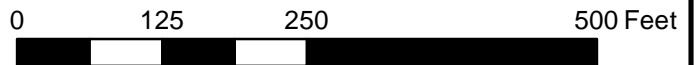
 Subject Property

Exhibit B: Zoning Map



Case: 2015-C-04
 Subject: Conditional Use Permit
 Location: 202 W. Griggs Street
 Petitioners: Thomas Sheehan

 Subject Property












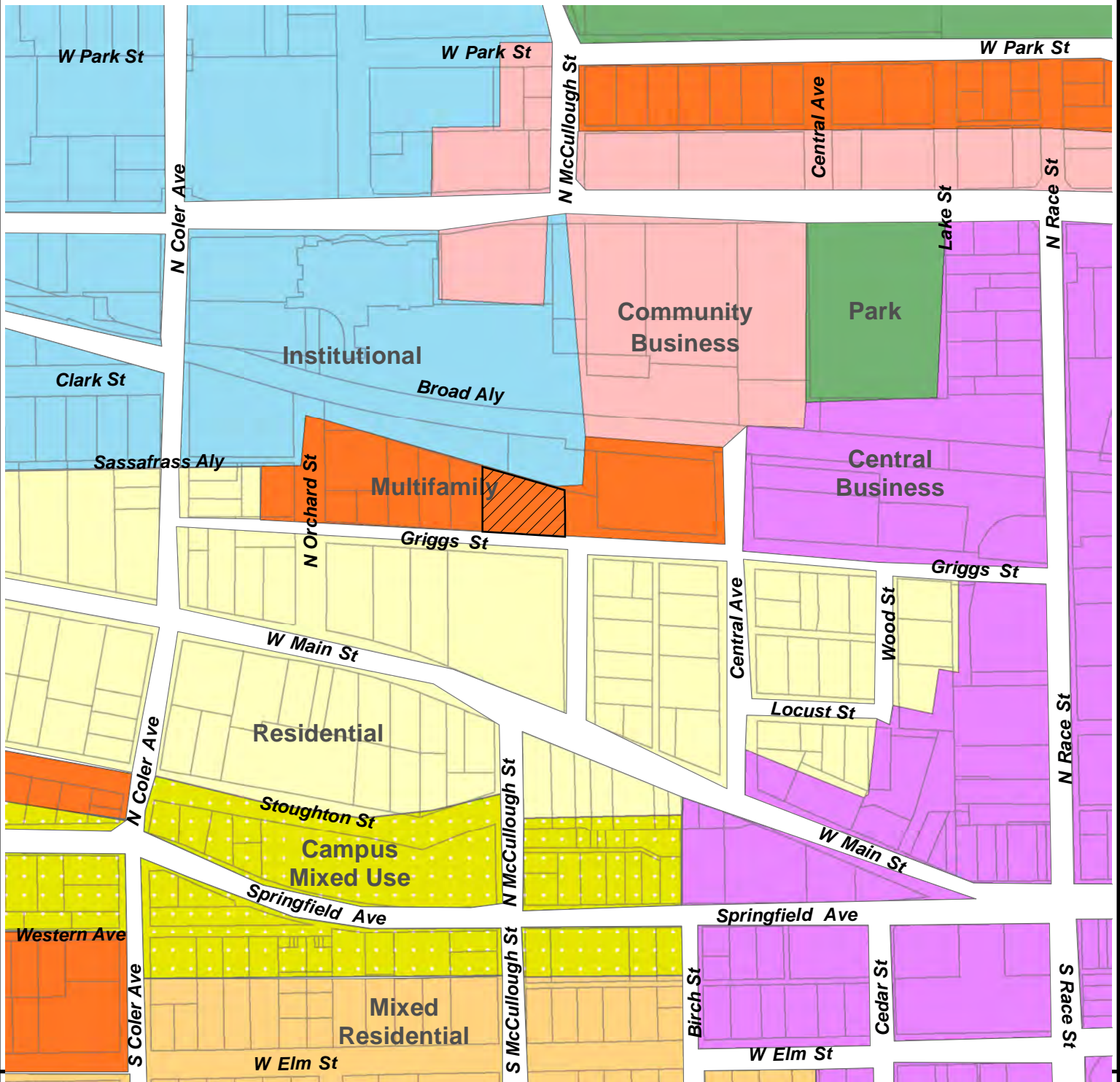
 B1	 B4	 MIC	 R5
 B2	 CRE	 R2	
 B3	 IN-1	 R4	











Exhibit B: Zoning Map



Case: 2015-C-04
 Subject: Conditional Use Permit
 Location: 202 W. Griggs Street
 Petitioners: Thomas Sheehan

 Subject Property



 B1	 B4	 MIC	 R5
 B2	 CRE	 R2	
 B3	 IN-1	 R4	











Application for Conditional Use Permit

Zoning Board Of Appeals

RECEIVED
APR 28 2015
8:56

APPLICATION FEE - \$150.00

The Applicants are responsible for paying the cost of legal publication fees as well. The fees usually run from \$75.00 to \$125.00. The applicant is billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 04-28-2015 ZBA Case No. ZBA-2015-C-04
Fee Paid ~~Check No.~~ Cash Amount \$150.00 Date 04-28-2015

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A CONDITIONAL USE PERMIT is requested in conformity with the powers vested in the Zoning Board of Appeals to permit *(Insert Use or Construction Purpose)* Craft brewery/tasting room in accordance with Illinois State Liquor Code on the property described below, and in conformity with the plans in the permit application.

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): Thomas E. Sheehan Phone: 217-621-1231
Address (street/city/state/zip code): 511 S. James St. Champaign IL 61820
Email Address: siodhachain37@hotmail.com
Property interest of Applicant(s) (Owner, Contract Buyer, etc.): Lessee

2. OWNER INFORMATION

Name of Owner(s): MCDJ LLC, attn: Mike Hosier Phone: 217-531-1000
Address (street/city/state/zip code): 1300 S. Neil St. Champaign IL 61820
Email Address: mike@ctc.biz

Is this property owned by a Land Trust? Yes No
If yes, please attach a list of all individuals holding an interest in said Trust.

3. PROPERTY INFORMATION

Location of Subject Site: 208 W. Griggs St. Urbana IL 61801
PIN # of Location: 91-21-08-452-012
Lot Size: .41 acres

Current Zoning Designation: B-4

Current Land Use (*vacant, residence, grocery, factory, etc*): Warehouse

Proposed Land Use: Craft brewery/tasting room in accordance with Illinois State Liquor Code

Legal Description: see attached Page 1

4. CONSULTANT INFORMATION

Name of Architect(s): _____ **Phone:** _____

Address (*street/city/state/zip code*): _____

Email Address: _____

Name of Engineers(s): _____ **Phone:** _____

Address (*street/city/state/zip code*): _____

Email Address: _____

Name of Surveyor(s): _____ **Phone:** _____

Address (*street/city/state/zip code*): _____

Email Address: _____

Name of Professional Site Planner(s): _____ **Phone:** _____

Address (*street/city/state/zip code*): _____

Email Address: _____

Name of Attorney(s): _____ **Phone:** _____

Address (*street/city/state/zip code*): _____

Email Address: _____

5. REASONS FOR CONDITIONAL USE PERMIT

Explain how the proposed use is conducive to the public convenience at the location of the property.

see attached Page 2, 5A.

Explain how the proposed use is designed, located and proposed to be operated, so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.

see attached Page 2, 5B.

Explain how the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located (except where such regulations and standards may be modified by Section VII-3 of the Urbana Zoning Ordinance, 1979).

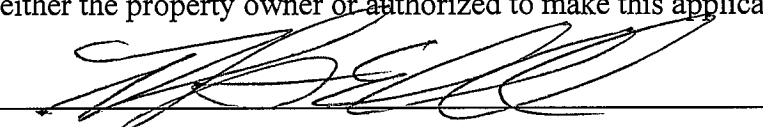
see attached Page 2, 5C.

NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.

By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.

CERTIFICATION BY THE APPLICANT

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.



Applicant's Signature

4/28/15
Date

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana
Community Development Department Services
Planning Division
400 South Vine Street, Urbana, IL 61801
Phone: (217) 384-2440
Fax: (217) 384-2367