

Chapter 6 (aka Liquor License) Updates: Frequently Asked Questions

Why the change?

The food and beverage industry is changing and our code in its current form/layout isn't built to accommodate any of the new models. Additionally, with the renewed interest in our downtown and a number of the changes proposed citywide, staff felt it was in the best interest of the city to see if we could create more flexibility to accommodate new businesses. By changing our code to keep up with current trends – as many of our neighboring municipalities have – we will help attract new businesses that will bring new jobs, visitors, and new investment throughout the City.

Who worked on this process?

- Law Department
- Mayor's Office
- City Clerk's Office
- Police Department
- Zoning & Planning
- Building & Permits
- Invest Aurora
- Economic Development
- Current Liquor Licensees
- Business Community
- Businesses interested in coming to Aurora

Why so many changes?

The code is substantially the same, it has just been reorganized into a different format, with broader categories to accommodate the constantly changing business environment that is the food and beverage industry. We were looking for ways to create flexibility that would allow the city to provide licenses for new businesses not currently provided for in the code. The current code is a mix of narrowly defined classifications with limited definitions. The proposed code reorganized the classifications, moving the majority of them to the definitions section and making the actual classifications very broad with the goal of making them more user friendly. It was also important to staff to keep a number of the regulations already approved by the City Council that were spread out throughout the code. They have now all been moved into the Definitions section.

Why is the city looking at Entertainment Districts? Don't we already have entertainment areas with the Paramount and RiverEdge Park?

The term "Entertainment District" was born out of a need to define certain areas throughout Aurora that would allow staff to address the unique needs of that area. We worked with Zoning & Planning and used existing, defined areas (with the exception of the Farnsworth/Bilter, which is not complete, still in draft form). There is no actual attachment to the name/term "Entertainment District", it was simply a term recommended by City Staff. Each area is defined in the Definitions section, again, with the exception of the Farnsworth/Bilter area which was included solely for discussion purposes. If/when that

area comes to fruition, it will go through the same public Council review and discussion process as any other changes.

Who will set the rules for the Entertainment Districts?

The City Council. The districts may have some different rules than other businesses, but will still be subject to all rules and regulations as laid out by the Council.

What will the hours of operation be?

The hours of operation will also be approved by the City Council, but are anticipated to be the same as any other business in the city. The purpose of the district is not to encourage late-night entertainment, it has more to do with seating than hours.

Did this proposal come from one that was floating around the city for the past few years?

No. This came from feedback from the business community and existing zoning maps and terminology. If the term “Entertainment District” is problematic, it can be adjusted to address any lingering concerns.

The three areas selected that it was determined would benefit from specific regulations are:

- **Downtown Core:** Done to address long-standing vacant buildings, many of which were built well before today’s current building code rules and regulations that has made them more difficult to repurpose.
- **Downtown Fringe:** Still downtown area, not as many challenges as the core but a lot of older, longstanding vacant properties. A fair number of these buildings are former industrial spaces, which in the downtown area has made them difficult to repurpose as well.
- **Fox Valley Mall:** Site is undergoing renovation to shift to more of lifestyle center, will come with its own set of unique needs.

Will there be an opportunity for the public to participate in any future discussions about the Farnsworth/Bilter area?

Yes, absolutely. It is marked as “Reserved”, any discussions about this area would follow the actual use and plans for this area being laid out publicly and voted on by the City Council. Some residents of the area have expressed apprehension, it is important to understand the purpose of including it was to make people feel included in the process, as in, to gain an understanding of what could happen in the future. This was done in an effort to be transparent, not to sneak something through.

Where did some of the business categories come from? We don’t have these types of businesses in Aurora.

Any new business type included in the Definitions section came from either a direct request from the existing business community or from a Development Services Team (DST) Meeting. Of the DST meetings attended between June – November, there was only one business that may have been eligible to obtain a liquor license under the current code. The rest were concepts outside of what is currently allowed. Some of these requests came from existing businesses looking to expand, but the majority were new businesses looking to come to Aurora. Staff used this information and combined it with our existing licenses to come up with the categories. It was a process that took several months, a number of

different drafts and input from all of the departments and entities that are listed on page one of this document.

Why do some of the establishments have relaxed food requirements? We've always required a full kitchen to have a liquor license.

The relaxed food requirement is something that exists in the current code, this draft builds on it a bit more and offers a number of different ways for establishments to provide food for their patrons. In our current code, there are a number of arts/entertainment based licenses that do not have a food requirement (all Class D licenses). The craft beverage industry falls more in line with an industrial use and a kitchen is not conducive to the business model. It's also important to note that many of the long vacant industrial buildings where there is strong attraction for craft beverage businesses to locate due to their high ceilings, large square footage, delivery areas, for the most part do not have, nor never had, kitchens. The decision to offer a number of different options for these establishments is in line with the business as a whole as well as what the majority of our neighboring communities are doing. The goal is to provide these same business opportunities in Aurora.

The relaxed kitchen requirement also provides businesses the opportunity to support one another. If an establishment without a kitchen is next to or near one with a kitchen, it provides the opportunity for them to create a mutually beneficial partnership. It is important to note that not all establishments are eligible for this privilege, there is criteria that must be met in order to qualify. As always, the City will work with the County Health Department to ensure kitchens are monitored for health and safety.

Some examples of relaxed food requirements are:

- A smaller kitchen without industrial grade equipment.
- Food Trucks (if the location meets all of the requirements laid out in the city's Mobile Food Unit Section)
- Partnerships with food delivery services such as: GrubHub, DoorDash, UberEats, etc.
- Partnerships with near or neighboring restaurants.
- Charcuterie Boards or similar, heavy appetizers that do not require a kitchen and may come pre-packaged.

Why is the city contemplating allowing drive-thru and/or liquor delivery? Won't this make it easier to get alcohol into the hands of minors?

The drive-thru model was a request that came directly from an existing business owner, which is why it was included. Staff conducted research of the neighboring communities that have or had them and found no evidence that they were problematic. One community did not even regulate it through their liquor code, rather leaning on existing building code that establishes the drive-thru requirements. Aurora's proposal includes regulations in Chapter 6 as well as all existing Zoning and Building Codes. The police department in one of the communities noted they did not view it any differently than any other liquor store in terms of access to alcohol.

This proposal was initially only for full-service liquor stores, but during the RAP review process it was requested to include grocery stores as well. In order to be eligible, businesses would need to have the appropriate square footage and foot print for a drive-thru.

The language for this section was taken from existing section 6-14, which currently allows for the “delivery” of alcohol and expands to allow for drive-thru. The requirements in terms of documentation of the transaction are the responsibility of the business owner and are still subject to all BASSET requirements as well as local and State regulations.

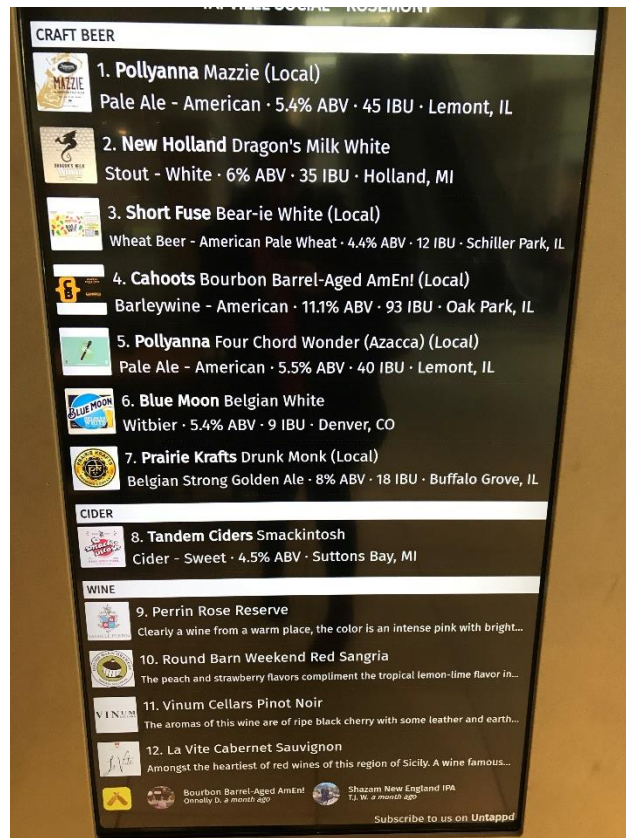
What is this self-service kiosk and strolling license? Isn't this dangerous to have people pouring their own alcohol? And then walk around unsupervised to drink?

The self-service model is one that is popping up more frequently, particularly in the craft beer and even wine industry. There are two different types of this model: the restaurant and the stand-alone kiosk. The proposed code changes allow for both (restaurant and kiosk), but the kiosk with strolling is only contemplated for the Fox Valley Mall, which is modeled after the Rosemont Outlet Mall.

Staff, including representatives from the APD, Law Department and Mayor's Office visited the site and met with the Rosemont Chief of Police, head of Mall Security and Mall Management to discuss their operations as well as talk to the staff member at the kiosk. The APD was able to have their questions answered and we agreed collectively to move forward with the proposal at that time. Here's some of what we learned:

- The kiosk will be located near the food court. It is considered an amenity to complement the food offerings.
- Rosemont reported that not a lot of people take advantage of the ability to “stroll” with their beverage. The majority of the time they sit in the seating area and grab a bite to eat from one of the food court options.
- All kiosks are staffed and monitored by a BASSET trained employee. While patrons are able to “serve” themselves, they are not able to have an unlimited amount of alcohol. The process is the same as it would be at any bar or restaurant—the individual serving them is responsible for monitoring their intake and taking appropriate action.
- It is all craft products, ciders and wine, payable by the ounce so it is a somewhat limited market in terms of patrons.
- Retail stores have the ability to restrict patrons from entering with a beverage if they choose, it is completely up to them.
- Fox Valley and Tapville feel that our mall is an ideal location for this concept given the number of entertainment/recreational options available now as well as planned in the future.
 - Example: The mall currently has an indoor ice skating rink, a park/music venue and a number of other planned recreation/entertainment options.
 - Mall management feels they will be able to attract a broader base of new clientele if they are able to offer something for everyone, parents and kids.
 - It would be a year-round entertainment/recreation destination, keeping it a stable driver of local economic growth well into the future.

Here are some photos:





This beer is priced at \$0.99/oz. which is fairly standard.



Seating area, there are both tables/chairs and a counter.