

THORNTON BUILDING DEPARTMENT

MEMORANDUM



TO: Melissa Wiak, Village Administrator
FROM: Dave Habecker, Building Commissioner *DH*
DATE: July 1, 2024
SUBJECT: 110 East Margaret Street/NG Distillery

Background

Noel Garcia of has been in the process of opening NG Distillery in Thornton for years. He began about 5 or 6 years ago when he approached staff about purchasing the firehouse on Williams Street for his distillery. Unable to secure funding, he then was interested in a lease/purchase agreement of the old public works building on Harriet Street. We did receive preliminary architectural plans for that venture, however all documentation from his initial proposals were lost in the computer attack earlier this year. He gave up on the public works building because he didn't qualify for State small business grants under a lease, which led him to purchase 110 East Margaret from the Village on January 15, 2021. On January 21, 2021, he was issued a permit for interior demolition and clean-up. He gutted the entire first floor in preparation for construction.

While working on plans with his architect, Mr. Garcia was issued a liquor license by the Village In July of 2021. To my knowledge, the reasoning behind issuing a liquor license prior to occupancy was to allow him to apply for his State of Illinois liquor license due to the long wait time involved. Once approved by the State, he was then eligible for the small business grants that he needed to fund construction. He was issued his initial State liquor license on November 11, 2021. He currently holds a State liquor license that expires 10/31/2024 and a Village of Thornton liquor license that expires on December 31, 2024, although staff believes this is a "typo" because he only paid for the 6 month period from January through June 2024.

In March of 2022, he began the plan review process with our code consultants and his plans were approved on July 26, 2023. He was forced to change architects in the middle of the review, which is why the lengthy review process. On September 20, 2023, he was granted a permit for the interior build-out of his distillery and bar/lounge by the Village.

Current Status

Since permit issuance, no work has begun. Mr. Garcia has expressed frustration with ComEd and lengthy lead times for power and electrical service parts. However, other aspects of the project could be accomplished while waiting on power. Framing of the interior, roof work, fire sprinkler installation, along with the required larger water line are a few examples of work that could be completed. Section 7-3A-5 of the Thornton Municipal Code and Section 105.5 of the International Building Code both authorize the Building Official to revoke a permit if work has

not commenced in 180 days. As of July 1, 2024 it has been 284 days since this permit has been issued. Staff has been reluctant to revoke the permit and tried to work with Mr. Garcia to get the business open.

In conversations with Mr. Garcia, he has stated that he is currently producing distilled spirits in Michigan and marketing and selling them in Illinois under his liquor license here in Thornton. It also appears that he has been using his building as storage. We did inspect the first floor as part of his initial demolition permit. At that time the building was empty. Currently, there is evidence that the first floor is filled with supplies and equipment.

The use of the liquor license aside, Mr. Garcia has not been granted occupancy. The building has no utilities and no work has begun. Although his permit does list a general contractor, there is no evidence that a contract has been signed or preliminary work has begun. Staff has been contacted by the electrician listed on his permit about installing residential electric to the upstairs apartments. However, the second floor is outside of the scope of his permit and architectural plans.

The purchase of the property from the Village included three (3) PIN numbers: 29-34-119-009-0000, 29-34-119-013-000, and 29-34-015-0000. The property taxes for 2022 and 2023, totaling \$46,657, have not been paid according to the Cook County Property Tax Portal.

Recommendations

1. Revoke Mr. Garcia's liquor license and contact the State Liquor Authority of his status.
2. Cancel his permit (The Municipal Code requires the refund of all payments less \$10).
3. All future permitting shall be accomplished through a general contractor or construction manager/consultant.