

# HB6125



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB6125

Introduced 2/11/2016, by Rep. Greg Harris

#### SYNOPSIS AS INTRODUCED:

235 ILCS 5/6-11

Amends the Liquor Control Act of 1934. Authorizes the issuance and renewal of a license to sell alcoholic liquor at premises located within 100 feet of a specific church and school located in the City of Chicago and a specific home for indigent persons or a specific church located in the City of Chicago. Effective immediately.

LRB099 19501 RPS 43894 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning liquor.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Liquor Control Act of 1934 is amended by  
5 changing Section 6-11 as follows:

6 (235 ILCS 5/6-11)

7 Sec. 6-11. Sale near churches, schools, and hospitals.

8 (a) No license shall be issued for the sale at retail of  
9 any alcoholic liquor within 100 feet of any church, school  
10 other than an institution of higher learning, hospital, home  
11 for aged or indigent persons or for veterans, their spouses or  
12 children or any military or naval station, provided, that this  
13 prohibition shall not apply to hotels offering restaurant  
14 service, regularly organized clubs, or to restaurants, food  
15 shops or other places where sale of alcoholic liquors is not  
16 the principal business carried on if the place of business so  
17 exempted is not located in a municipality of more than 500,000  
18 persons, unless required by local ordinance; nor to the renewal  
19 of a license for the sale at retail of alcoholic liquor on  
20 premises within 100 feet of any church or school where the  
21 church or school has been established within such 100 feet  
22 since the issuance of the original license. In the case of a  
23 church, the distance of 100 feet shall be measured to the

1 nearest part of any building used for worship services or  
2 educational programs and not to property boundaries.

3 (b) Nothing in this Section shall prohibit the issuance of  
4 a retail license authorizing the sale of alcoholic liquor to a  
5 restaurant, the primary business of which is the sale of goods  
6 baked on the premises if (i) the restaurant is newly  
7 constructed and located on a lot of not less than 10,000 square  
8 feet, (ii) the restaurant costs at least \$1,000,000 to  
9 construct, (iii) the licensee is the titleholder to the  
10 premises and resides on the premises, and (iv) the construction  
11 of the restaurant is completed within 18 months of July 10,  
12 1998 (the effective date of Public Act 90-617) ~~this amendatory~~  
13 ~~Act of 1998.~~

14 (c) Nothing in this Section shall prohibit the issuance of  
15 a retail license authorizing the sale of alcoholic liquor  
16 incidental to a restaurant if (1) the primary business of the  
17 restaurant consists of the sale of food where the sale of  
18 liquor is incidental to the sale of food and the applicant is a  
19 completely new owner of the restaurant, (2) the immediately  
20 prior owner or operator of the premises where the restaurant is  
21 located operated the premises as a restaurant and held a valid  
22 retail license authorizing the sale of alcoholic liquor at the  
23 restaurant for at least part of the 24 months before the change  
24 of ownership, and (3) the restaurant is located 75 or more feet  
25 from a school.

26 (d) In the interest of further developing Illinois' economy

1 in the area of commerce, tourism, convention, and banquet  
2 business, nothing in this Section shall prohibit issuance of a  
3 retail license authorizing the sale of alcoholic beverages to a  
4 restaurant, banquet facility, grocery store, or hotel having  
5 not fewer than 150 guest room accommodations located in a  
6 municipality of more than 500,000 persons, notwithstanding the  
7 proximity of such hotel, restaurant, banquet facility, or  
8 grocery store to any church or school, if the licensed premises  
9 described on the license are located within an enclosed mall or  
10 building of a height of at least 6 stories, or 60 feet in the  
11 case of a building that has been registered as a national  
12 landmark, or in a grocery store having a minimum of 56,010  
13 square feet of floor space in a single story building in an  
14 open mall of at least 3.96 acres that is adjacent to a public  
15 school that opened as a boys technical high school in 1934, or  
16 in a grocery store having a minimum of 31,000 square feet of  
17 floor space in a single story building located a distance of  
18 more than 90 feet but less than 100 feet from a high school  
19 that opened in 1928 as a junior high school and became a senior  
20 high school in 1933, and in each of these cases if the sale of  
21 alcoholic liquors is not the principal business carried on by  
22 the licensee.

23 For purposes of this Section, a "banquet facility" is any  
24 part of a building that caters to private parties and where the  
25 sale of alcoholic liquors is not the principal business.

26 (e) Nothing in this Section shall prohibit the issuance of

1 a license to a church or private school to sell at retail  
2 alcoholic liquor if any such sales are limited to periods when  
3 groups are assembled on the premises solely for the promotion  
4 of some common object other than the sale or consumption of  
5 alcoholic liquors.

6 (f) Nothing in this Section shall prohibit a church or  
7 church affiliated school located in a home rule municipality or  
8 in a municipality with 75,000 or more inhabitants from locating  
9 within 100 feet of a property for which there is a preexisting  
10 license to sell alcoholic liquor at retail. In these instances,  
11 the local zoning authority may, by ordinance adopted  
12 simultaneously with the granting of an initial special use  
13 zoning permit for the church or church affiliated school,  
14 provide that the 100-foot restriction in this Section shall not  
15 apply to that church or church affiliated school and future  
16 retail liquor licenses.

17 (g) Nothing in this Section shall prohibit the issuance of  
18 a retail license authorizing the sale of alcoholic liquor at  
19 premises within 100 feet, but not less than 90 feet, of a  
20 public school if (1) the premises have been continuously  
21 licensed to sell alcoholic liquor for a period of at least 50  
22 years, (2) the premises are located in a municipality having a  
23 population of over 500,000 inhabitants, (3) the licensee is an  
24 individual who is a member of a family that has held the  
25 previous 3 licenses for that location for more than 25 years,  
26 (4) the principal of the school and the alderman of the ward in

1 which the school is located have delivered a written statement  
2 to the local liquor control commissioner stating that they do  
3 not object to the issuance of a license under this subsection  
4 (g), and (5) the local liquor control commissioner has received  
5 the written consent of a majority of the registered voters who  
6 live within 200 feet of the premises.

7 (h) Notwithstanding any provision of this Section to the  
8 contrary, nothing in this Section shall prohibit the issuance  
9 or renewal of a license authorizing the sale of alcoholic  
10 liquor within premises and at an outdoor patio area attached to  
11 premises that are located in a municipality with a population  
12 in excess of 300,000 inhabitants and that are within 100 feet  
13 of a church if:

14 (1) the sale of alcoholic liquor at the premises is  
15 incidental to the sale of food,

16 (2) the sale of liquor is not the principal business  
17 carried on by the licensee at the premises,

18 (3) the premises are less than 1,000 square feet,

19 (4) the premises are owned by the University of  
20 Illinois,

21 (5) the premises are immediately adjacent to property  
22 owned by a church and are not less than 20 nor more than 40  
23 feet from the church space used for worship services, and

24 (6) the principal religious leader at the place of  
25 worship has indicated his or her support for the issuance  
26 of the license in writing.

1           (i) Notwithstanding any provision in this Section to the  
2 contrary, nothing in this Section shall prohibit the issuance  
3 or renewal of a license to sell alcoholic liquor at a premises  
4 that is located within a municipality with a population in  
5 excess of 300,000 inhabitants and is within 100 feet of a  
6 church, synagogue, or other place of worship if:

7           (1) the primary entrance of the premises and the  
8 primary entrance of the church, synagogue, or other place  
9 of worship are at least 100 feet apart, on parallel  
10 streets, and separated by an alley; and

11           (2) the principal religious leader at the place of  
12 worship has not indicated his or her opposition to the  
13 issuance or renewal of the license in writing.

14           (j) Notwithstanding any provision in this Section to the  
15 contrary, nothing in this Section shall prohibit the issuance  
16 of a retail license authorizing the sale of alcoholic liquor at  
17 a theater that is within 100 feet of a church if (1) the church  
18 owns the theater, (2) the church leases the theater to one or  
19 more entities, and (3) the theater is used by at least 5  
20 different not-for-profit theater groups.

21           (k) Notwithstanding any provision in this Section to the  
22 contrary, nothing in this Section shall prohibit the issuance  
23 or renewal of a license authorizing the sale of alcoholic  
24 liquor at a premises that is located within a municipality with  
25 a population in excess of 1,000,000 inhabitants and is within  
26 100 feet of a school if:

1           (1) the primary entrance of the premises and the  
2 primary entrance of the school are parallel, on different  
3 streets, and separated by an alley;

4           (2) the southeast corner of the premises are at least  
5 350 feet from the southwest corner of the school;

6           (3) the school was built in 1978;

7           (4) the sale of alcoholic liquor at the premises is  
8 incidental to the sale of food;

9           (5) the sale of alcoholic liquor is not the principal  
10 business carried on by the licensee at the premises;

11           (6) the applicant is the owner of the restaurant and  
12 has held a valid license authorizing the sale of alcoholic  
13 liquor for the business to be conducted on the premises at  
14 a different location for more than 7 years; and

15           (7) the premises is at least 2,300 square feet and sits  
16 on a lot that is between 6,100 and 6,150 square feet.

17           (1) Notwithstanding any provision in this Section to the  
18 contrary, nothing in this Section shall prohibit the issuance  
19 or renewal of a license authorizing the sale of alcoholic  
20 liquor at a premises that is located within a municipality with  
21 a population in excess of 1,000,000 inhabitants and is within  
22 100 feet of a church or school if:

23           (1) the primary entrance of the premises and the  
24 closest entrance of the church or school is at least 90  
25 feet apart and no greater than 95 feet apart;

26           (2) the shortest distance between the premises and the



1 church or school is at least 80 feet apart and no greater  
2 than 85 feet apart;

3 (3) the applicant is the owner of the restaurant and on  
4 November 15, 2006 held a valid license authorizing the sale  
5 of alcoholic liquor for the business to be conducted on the  
6 premises for at least 14 different locations;

7 (4) the sale of alcoholic liquor at the premises is  
8 incidental to the sale of food;

9 (5) the sale of alcoholic liquor is not the principal  
10 business carried on by the licensee at the premises;

11 (6) the premises is at least 3,200 square feet and sits  
12 on a lot that is between 7,150 and 7,200 square feet; and

13 (7) the principal religious leader at the place of  
14 worship has not indicated his or her opposition to the  
15 issuance or renewal of the license in writing.

16 (m) Notwithstanding any provision in this Section to the  
17 contrary, nothing in this Section shall prohibit the issuance  
18 or renewal of a license authorizing the sale of alcoholic  
19 liquor at a premises that is located within a municipality with  
20 a population in excess of 1,000,000 inhabitants and is within  
21 100 feet of a church if:

22 (1) the premises and the church are perpendicular, and  
23 the primary entrance of the premises faces South while the  
24 primary entrance of the church faces West and the distance  
25 between the two entrances is more than 100 feet;

26 (2) the shortest distance between the premises lot line

1 and the exterior wall of the church is at least 80 feet;

2 (3) the church was established at the current location  
3 in 1916 and the present structure was erected in 1925;

4 (4) the premises is a single story, single use building  
5 with at least 1,750 square feet and no more than 2,000  
6 square feet;

7 (5) the sale of alcoholic liquor at the premises is  
8 incidental to the sale of food;

9 (6) the sale of alcoholic liquor is not the principal  
10 business carried on by the licensee at the premises; and

11 (7) the principal religious leader at the place of  
12 worship has not indicated his or her opposition to the  
13 issuance or renewal of the license in writing.

14 (n) Notwithstanding any provision in this Section to the  
15 contrary, nothing in this Section shall prohibit the issuance  
16 or renewal of a license authorizing the sale of alcoholic  
17 liquor at a premises that is located within a municipality with  
18 a population in excess of 1,000,000 inhabitants and is within  
19 100 feet of a school if:

20 (1) the school is a City of Chicago School District 299  
21 school;

22 (2) the school is located within subarea E of City of  
23 Chicago Residential Business Planned Development Number  
24 70;

25 (3) the sale of alcoholic liquor is not the principal  
26 business carried on by the licensee on the premises;

1           (4) the sale of alcoholic liquor at the premises is  
2 incidental to the sale of food; and

3           (5) the administration of City of Chicago School  
4 District 299 has expressed, in writing, its support for the  
5 issuance of the license.

6           (o) Notwithstanding any provision of this Section to the  
7 contrary, nothing in this Section shall prohibit the issuance  
8 or renewal of a retail license authorizing the sale of  
9 alcoholic liquor at a premises that is located within a  
10 municipality in excess of 1,000,000 inhabitants and within 100  
11 feet of a church if:

12           (1) the sale of alcoholic liquor at the premises is  
13 incidental to the sale of food;

14           (2) the sale of alcoholic liquor is not the principal  
15 business carried on by the licensee at the premises;

16           (3) the premises is located on a street that runs  
17 perpendicular to the street on which the church is located;

18           (4) the primary entrance of the premises is at least  
19 100 feet from the primary entrance of the church;

20           (5) the shortest distance between any part of the  
21 premises and any part of the church is at least 60 feet;

22           (6) the premises is between 3,600 and 4,000 square feet  
23 and sits on a lot that is between 3,600 and 4,000 square  
24 feet; and

25           (7) the premises was built in the year 1909.

26 For purposes of this subsection (o), "premises" means a

1 place of business together with a privately owned outdoor  
2 location that is adjacent to the place of business.

3 (p) Notwithstanding any provision in this Section to the  
4 contrary, nothing in this Section shall prohibit the issuance  
5 or renewal of a license authorizing the sale of alcoholic  
6 liquor at a premises that is located within a municipality with  
7 a population in excess of 1,000,000 inhabitants and within 100  
8 feet of a church if:

9 (1) the shortest distance between the backdoor of the  
10 premises, which is used as an emergency exit, and the  
11 church is at least 80 feet;

12 (2) the church was established at the current location  
13 in 1889; and

14 (3) liquor has been sold on the premises since at least  
15 1985.

16 (q) Notwithstanding any provision of this Section to the  
17 contrary, nothing in this Section shall prohibit the issuance  
18 or renewal of a license authorizing the sale of alcoholic  
19 liquor within a premises that is located in a municipality with  
20 a population in excess of 1,000,000 inhabitants and within 100  
21 feet of a church-owned property if:

22 (1) the premises is located within a larger building  
23 operated as a grocery store;

24 (2) the area of the premises does not exceed 720 square  
25 feet and the area of the larger building exceeds 18,000  
26 square feet;

1           (3) the larger building containing the premises is  
2           within 100 feet of the nearest property line of a  
3           church-owned property on which a church-affiliated school  
4           is located;

5           (4) the sale of liquor is not the principal business  
6           carried on within the larger building;

7           (5) the primary entrance of the larger building and the  
8           premises and the primary entrance of the church-affiliated  
9           school are on different, parallel streets, and the distance  
10          between the 2 primary entrances is more than 100 feet;

11          (6) the larger building is separated from the  
12          church-owned property and church-affiliated school by an  
13          alley;

14          (7) the larger building containing the premises and the  
15          church building front are on perpendicular streets and are  
16          separated by a street; and

17          (8) (Blank).

18          (r) Notwithstanding any provision of this Section to the  
19          contrary, nothing in this Section shall prohibit the issuance,  
20          renewal, or maintenance of a license authorizing the sale of  
21          alcoholic liquor incidental to the sale of food within a  
22          restaurant established in a premises that is located in a  
23          municipality with a population in excess of 1,000,000  
24          inhabitants and within 100 feet of a church if:

25                 (1) the primary entrance of the church and the primary  
26                 entrance of the restaurant are at least 100 feet apart;

1           (2) the restaurant has operated on the ground floor and  
2 lower level of a multi-story, multi-use building for more  
3 than 40 years;

4           (3) the primary business of the restaurant consists of  
5 the sale of food where the sale of liquor is incidental to  
6 the sale of food;

7           (4) the sale of alcoholic liquor is conducted primarily  
8 in the below-grade level of the restaurant to which the  
9 only public access is by a staircase located inside the  
10 restaurant; and

11           (5) the restaurant has held a license authorizing the  
12 sale of alcoholic liquor on the premises for more than 40  
13 years.

14           (s) Notwithstanding any provision of this Section to the  
15 contrary, nothing in this Section shall prohibit renewal of a  
16 license authorizing the sale of alcoholic liquor at a premises  
17 that is located within a municipality with a population more  
18 than 5,000 and less than 10,000 and is within 100 feet of a  
19 church if:

20           (1) the church was established at the location within  
21 100 feet of the premises after a license for the sale of  
22 alcoholic liquor at the premises was first issued;

23           (2) a license for sale of alcoholic liquor at the  
24 premises was first issued before January 1, 2007; and

25           (3) a license for the sale of alcoholic liquor on the  
26 premises has been continuously in effect since January 1,

1           2007, except for interruptions between licenses of no more  
2           than 90 days.

3           (t) Notwithstanding any provision of this Section to the  
4           contrary, nothing in this Section shall prohibit the issuance  
5           or renewal of a license authorizing the sale of alcoholic  
6           liquor incidental to the sale of food within a restaurant that  
7           is established in a premises that is located in a municipality  
8           with a population in excess of 1,000,000 inhabitants and within  
9           100 feet of a school and a church if:

10           (1) the restaurant is located inside a five-story  
11           building with over 16,800 square feet of commercial space;

12           (2) the area of the premises does not exceed 31,050  
13           square feet;

14           (3) the area of the restaurant does not exceed 5,800  
15           square feet;

16           (4) the building has no less than 78 condominium units;

17           (5) the construction of the building in which the  
18           restaurant is located was completed in 2006;

19           (6) the building has 10 storefront properties, 3 of  
20           which are used for the restaurant;

21           (7) the restaurant will open for business in 2010;

22           (8) the building is north of the school and separated  
23           by an alley; and

24           (9) the principal religious leader of the church and  
25           either the alderman of the ward in which the school is  
26           located or the principal of the school have delivered a

1 written statement to the local liquor control commissioner  
2 stating that he or she does not object to the issuance of a  
3 license under this subsection (t).

4 (u) Notwithstanding any provision in this Section to the  
5 contrary, nothing in this Section shall prohibit the issuance  
6 or renewal of a license to sell alcoholic liquor at a premises  
7 that is located within a municipality with a population in  
8 excess of 1,000,000 inhabitants and within 100 feet of a school  
9 if:

10 (1) the premises operates as a restaurant and has been  
11 in operation since February 2008;

12 (2) the applicant is the owner of the premises;

13 (3) the sale of alcoholic liquor is incidental to the  
14 sale of food;

15 (4) the sale of alcoholic liquor is not the principal  
16 business carried on by the licensee on the premises;

17 (5) the premises occupy the first floor of a 3-story  
18 building that is at least 90 years old;

19 (6) the rear lot of the school and the rear corner of  
20 the building that the premises occupy are separated by an  
21 alley;

22 (7) the distance from the southwest corner of the  
23 property line of the school and the northeast corner of the  
24 building that the premises occupy is at least 16 feet, 5  
25 inches;

26 (8) the distance from the rear door of the premises to



1 the southwest corner of the property line of the school is  
2 at least 93 feet;

3 (9) the school is a City of Chicago School District 299  
4 school;

5 (10) the school's main structure was erected in 1902  
6 and an addition was built to the main structure in 1959;  
7 and

8 (11) the principal of the school and the alderman in  
9 whose district the premises are located have expressed, in  
10 writing, their support for the issuance of the license.

11 (v) Notwithstanding any provision in this Section to the  
12 contrary, nothing in this Section shall prohibit the issuance  
13 or renewal of a license authorizing the sale of alcoholic  
14 liquor at a premises that is located within a municipality with  
15 a population in excess of 1,000,000 inhabitants and is within  
16 100 feet of a school if:

17 (1) the total land area of the premises for which the  
18 license or renewal is sought is more than 600,000 square  
19 feet;

20 (2) the premises for which the license or renewal is  
21 sought has more than 600 parking stalls;

22 (3) the total area of all buildings on the premises for  
23 which the license or renewal is sought exceeds 140,000  
24 square feet;

25 (4) the property line of the premises for which the  
26 license or renewal is sought is separated from the property

1 line of the school by a street;

2 (5) the distance from the school's property line to the  
3 property line of the premises for which the license or  
4 renewal is sought is at least 60 feet;

5 (6) as of June 14, 2011 (the effective date of Public  
6 Act 97-9) ~~this amendatory Act of the 97th General Assembly,~~  
7 the premises for which the license or renewal is sought is  
8 located in the Illinois Medical District.

9 (w) Notwithstanding any provision in this Section to the  
10 contrary, nothing in this Section shall prohibit the issuance  
11 or renewal of a license to sell alcoholic liquor at a premises  
12 that is located within a municipality with a population in  
13 excess of 1,000,000 inhabitants and within 100 feet of a church  
14 if:

15 (1) the sale of alcoholic liquor at the premises is  
16 incidental to the sale of food;

17 (2) the sale of alcoholic liquor is not the principal  
18 business carried on by the licensee at the premises;

19 (3) the premises occupy the first floor and basement of  
20 a 2-story building that is 106 years old;

21 (4) the premises is at least 7,000 square feet and  
22 located on a lot that is at least 11,000 square feet;

23 (5) the premises is located directly west of the  
24 church, on perpendicular streets, and separated by an  
25 alley;

26 (6) the distance between the property line of the

1 premises and the property line of the church is at least 20  
2 feet;

3 (7) the distance between the primary entrance of the  
4 premises and the primary entrance of the church is at least  
5 130 feet; and

6 (8) the church has been at its location for at least 40  
7 years.

8 (x) Notwithstanding any provision of this Section to the  
9 contrary, nothing in this Section shall prohibit the issuance  
10 or renewal of a license authorizing the sale of alcoholic  
11 liquor at a premises that is located within a municipality with  
12 a population in excess of 1,000,000 inhabitants and within 100  
13 feet of a church if:

14 (1) the sale of alcoholic liquor is not the principal  
15 business carried on by the licensee at the premises;

16 (2) the church has been operating in its current  
17 location since 1973;

18 (3) the premises has been operating in its current  
19 location since 1988;

20 (4) the church and the premises are owned by the same  
21 parish;

22 (5) the premises is used for cultural and educational  
23 purposes;

24 (6) the primary entrance to the premises and the  
25 primary entrance to the church are located on the same  
26 street;

1           (7) the principal religious leader of the church has  
2 indicated his support of the issuance of the license;

3           (8) the premises is a 2-story building of approximately  
4 23,000 square feet; and

5           (9) the premises houses a ballroom on its ground floor  
6 of approximately 5,000 square feet.

7           (y) Notwithstanding any provision of this Section to the  
8 contrary, nothing in this Section shall prohibit the issuance  
9 or renewal of a license authorizing the sale of alcoholic  
10 liquor at a premises that is located within a municipality with  
11 a population in excess of 1,000,000 inhabitants and within 100  
12 feet of a school if:

13           (1) the sale of alcoholic liquor is not the principal  
14 business carried on by the licensee at the premises;

15           (2) the sale of alcoholic liquor at the premises is  
16 incidental to the sale of food;

17           (3) according to the municipality, the distance  
18 between the east property line of the premises and the west  
19 property line of the school is 97.8 feet;

20           (4) the school is a City of Chicago School District 299  
21 school;

22           (5) the school has been operating since 1959;

23           (6) the primary entrance to the premises and the  
24 primary entrance to the school are located on the same  
25 street;

26           (7) the street on which the entrances of the premises

1 and the school are located is a major diagonal  
2 thoroughfare;

3 (8) the premises is a single-story building of  
4 approximately 2,900 square feet; and

5 (9) the premises is used for commercial purposes only.

6 (z) Notwithstanding any provision of this Section to the  
7 contrary, nothing in this Section shall prohibit the issuance  
8 or renewal of a license authorizing the sale of alcoholic  
9 liquor at a premises that is located within a municipality with  
10 a population in excess of 1,000,000 inhabitants and within 100  
11 feet of a mosque if:

12 (1) the sale of alcoholic liquor is not the principal  
13 business carried on by the licensee at the premises;

14 (2) the licensee shall only sell packaged liquors at  
15 the premises;

16 (3) the licensee is a national retail chain having over  
17 100 locations within the municipality;

18 (4) the licensee has over 8,000 locations nationwide;

19 (5) the licensee has locations in all 50 states;

20 (6) the premises is located in the North-East quadrant  
21 of the municipality;

22 (7) the premises is a free-standing building that has  
23 "drive-through" pharmacy service;

24 (8) the premises has approximately 14,490 square feet  
25 of retail space;

26 (9) the premises has approximately 799 square feet of

1 pharmacy space;

2 (10) the premises is located on a major arterial street  
3 that runs east-west and accepts truck traffic; and

4 (11) the alderman of the ward in which the premises is  
5 located has expressed, in writing, his or her support for  
6 the issuance of the license.

7 (aa) Notwithstanding any provision of this Section to the  
8 contrary, nothing in this Section shall prohibit the issuance  
9 or renewal of a license authorizing the sale of alcoholic  
10 liquor at a premises that is located within a municipality with  
11 a population in excess of 1,000,000 inhabitants and within 100  
12 feet of a church if:

13 (1) the sale of alcoholic liquor is not the principal  
14 business carried on by the licensee at the premises;

15 (2) the licensee shall only sell packaged liquors at  
16 the premises;

17 (3) the licensee is a national retail chain having over  
18 100 locations within the municipality;

19 (4) the licensee has over 8,000 locations nationwide;

20 (5) the licensee has locations in all 50 states;

21 (6) the premises is located in the North-East quadrant  
22 of the municipality;

23 (7) the premises is located across the street from a  
24 national grocery chain outlet;

25 (8) the premises has approximately 16,148 square feet  
26 of retail space;

1           (9) the premises has approximately 992 square feet of  
2           pharmacy space;

3           (10) the premises is located on a major arterial street  
4           that runs north-south and accepts truck traffic; and

5           (11) the alderman of the ward in which the premises is  
6           located has expressed, in writing, his or her support for  
7           the issuance of the license.

8           (bb) Notwithstanding any provision of this Section to the  
9           contrary, nothing in this Section shall prohibit the issuance  
10          or renewal of a license authorizing the sale of alcoholic  
11          liquor at a premises that is located within a municipality with  
12          a population in excess of 1,000,000 inhabitants and within 100  
13          feet of a church if:

14               (1) the sale of alcoholic liquor is not the principal  
15               business carried on by the licensee at the premises;

16               (2) the sale of alcoholic liquor at the premises is  
17               incidental to the sale of food;

18               (3) the primary entrance to the premises and the  
19               primary entrance to the church are located on the same  
20               street;

21               (4) the premises is across the street from the church;

22               (5) the street on which the premises and the church are  
23               located is a major arterial street that runs east-west;

24               (6) the church is an elder-led and Bible-based Assyrian  
25               church;

26               (7) the premises and the church are both single-story

1 buildings;

2 (8) the storefront directly west of the church is being  
3 used as a restaurant; and

4 (9) the distance between the northern-most property  
5 line of the premises and the southern-most property line of  
6 the church is 65 feet.

7 (cc) Notwithstanding any provision of this Section to the  
8 contrary, nothing in this Section shall prohibit the issuance  
9 or renewal of a license authorizing the sale of alcoholic  
10 liquor at a premises that is located within a municipality with  
11 a population in excess of 1,000,000 inhabitants and within 100  
12 feet of a school if:

13 (1) the sale of alcoholic liquor is not the principal  
14 business carried on by the licensee at the premises;

15 (2) the licensee shall only sell packaged liquors at  
16 the premises;

17 (3) the licensee is a national retail chain;

18 (4) as of October 25, 2011, the licensee has 1,767  
19 stores operating nationwide, 87 stores operating in the  
20 State, and 10 stores operating within the municipality;

21 (5) the licensee shall occupy approximately 124,000  
22 square feet of space in the basement and first and second  
23 floors of a building located across the street from a  
24 school;

25 (6) the school opened in August of 2009 and occupies  
26 approximately 67,000 square feet of space; and



1           (7) the building in which the premises shall be located  
2           has been listed on the National Register of Historic Places  
3           since April 17, 1970.

4           (dd) Notwithstanding any provision in this Section to the  
5           contrary, nothing in this Section shall prohibit the issuance  
6           or renewal of a license authorizing the sale of alcoholic  
7           liquor within a full-service grocery store at a premises that  
8           is located within a municipality with a population in excess of  
9           1,000,000 inhabitants and is within 100 feet of a school if:

10           (1) the premises is constructed on land that was  
11           purchased from the municipality at a fair market price;

12           (2) the premises is constructed on land that was  
13           previously used as a parking facility for public safety  
14           employees;

15           (3) the sale of alcoholic liquor is not the principal  
16           business carried on by the licensee at the premises;

17           (4) the main entrance to the store is more than 100  
18           feet from the main entrance to the school;

19           (5) the premises is to be new construction;

20           (6) the school is a private school;

21           (7) the principal of the school has given written  
22           approval for the license;

23           (8) the alderman of the ward where the premises is  
24           located has given written approval of the issuance of the  
25           license;

26           (9) the grocery store level of the premises is between

1           60,000 and 70,000 square feet; and

2           (10) the owner and operator of the grocery store  
3           operates 2 other grocery stores that have alcoholic liquor  
4           licenses within the same municipality.

5           (ee) Notwithstanding any provision in this Section to the  
6           contrary, nothing in this Section shall prohibit the issuance  
7           or renewal of a license authorizing the sale of alcoholic  
8           liquor within a full-service grocery store at a premises that  
9           is located within a municipality with a population in excess of  
10          1,000,000 inhabitants and is within 100 feet of a school if:

11          (1) the premises is constructed on land that once  
12          contained an industrial steel facility;

13          (2) the premises is located on land that has undergone  
14          environmental remediation;

15          (3) the premises is located within a retail complex  
16          containing retail stores where some of the stores sell  
17          alcoholic beverages;

18          (4) the principal activity of any restaurant in the  
19          retail complex is the sale of food, and the sale of  
20          alcoholic liquor is incidental to the sale of food;

21          (5) the sale of alcoholic liquor is not the principal  
22          business carried on by the grocery store;

23          (6) the entrance to any business that sells alcoholic  
24          liquor is more than 100 feet from the entrance to the  
25          school;

26          (7) the alderman of the ward where the premises is

1 located has given written approval of the issuance of the  
2 license; and

3 (8) the principal of the school has given written  
4 consent to the issuance of the license.

5 (ff) Notwithstanding any provision of this Section to the  
6 contrary, nothing in this Section shall prohibit the issuance  
7 or renewal of a license authorizing the sale of alcoholic  
8 liquor at a premises that is located within a municipality with  
9 a population in excess of 1,000,000 inhabitants and within 100  
10 feet of a school if:

11 (1) the sale of alcoholic liquor is not the principal  
12 business carried on at the premises;

13 (2) the sale of alcoholic liquor at the premises is  
14 incidental to the operation of a theater;

15 (3) the premises is a one and one-half-story building  
16 of approximately 10,000 square feet;

17 (4) the school is a City of Chicago School District 299  
18 school;

19 (5) the primary entrance of the premises and the  
20 primary entrance of the school are at least 300 feet apart  
21 and no more than 400 feet apart;

22 (6) the alderman of the ward in which the premises is  
23 located has expressed, in writing, his support for the  
24 issuance of the license; and

25 (7) the principal of the school has expressed, in  
26 writing, that there is no objection to the issuance of a

1 license under this subsection (ff).

2 (gg) Notwithstanding any provision of this Section to the  
3 contrary, nothing in this Section shall prohibit the issuance  
4 or renewal of a license authorizing the sale of alcoholic  
5 liquor incidental to the sale of food within a restaurant or  
6 banquet facility established in a premises that is located in a  
7 municipality with a population in excess of 1,000,000  
8 inhabitants and within 100 feet of a church if:

9 (1) the sale of alcoholic liquor is not the principal  
10 business carried on by the licensee at the premises;

11 (2) the property on which the church is located and the  
12 property on which the premises are located are both within  
13 a district originally listed on the National Register of  
14 Historic Places on February 14, 1979;

15 (3) the property on which the premises are located  
16 contains one or more multi-story buildings that are at  
17 least 95 years old and have no more than three stories;

18 (4) the building in which the church is located is at  
19 least 120 years old;

20 (5) the property on which the church is located is  
21 immediately adjacent to and west of the property on which  
22 the premises are located;

23 (6) the western boundary of the property on which the  
24 premises are located is no less than 118 feet in length and  
25 no more than 122 feet in length;

26 (7) as of December 31, 2012, both the church property

1 and the property on which the premises are located are  
2 within 250 feet of City of Chicago Business-Residential  
3 Planned Development Number 38;

4 (8) the principal religious leader at the place of  
5 worship has indicated his or her support for the issuance  
6 of the license in writing; and

7 (9) the alderman in whose district the premises are  
8 located has expressed his or her support for the issuance  
9 of the license in writing.

10 For the purposes of this subsection, "banquet facility"  
11 means the part of the building that is located on the floor  
12 above a restaurant and caters to private parties and where the  
13 sale of alcoholic liquors is not the principal business.

14 (hh) Notwithstanding any provision of this Section to the  
15 contrary, nothing in this Section shall prohibit the issuance  
16 or renewal of a license authorizing the sale of alcoholic  
17 liquor within a hotel and at an outdoor patio area attached to  
18 the hotel that are located in a municipality with a population  
19 in excess of 1,000,000 inhabitants and that are within 100 feet  
20 of a hospital if:

21 (1) the sale of alcoholic liquor is not the principal  
22 business carried on by the licensee at the hotel;

23 (2) the hotel is located within the City of Chicago  
24 Business Planned Development Number 468; and

25 (3) the hospital is located within the City of Chicago  
26 Institutional Planned Development Number 3.

1           (ii) Notwithstanding any provision of this Section to the  
2 contrary, nothing in this Section shall prohibit the issuance  
3 or renewal of a license authorizing the sale of alcoholic  
4 liquor within a restaurant and at an outdoor patio area  
5 attached to the restaurant that are located in a municipality  
6 with a population in excess of 1,000,000 inhabitants and that  
7 are within 100 feet of a church if:

8           (1) the sale of alcoholic liquor at the premises is not  
9 the principal business carried on by the licensee and is  
10 incidental to the sale of food;

11           (2) the restaurant has been operated on the street  
12 level of a 2-story building located on a corner lot since  
13 2008;

14           (3) the restaurant is between 3,700 and 4,000 square  
15 feet and sits on a lot that is no more than 6,200 square  
16 feet;

17           (4) the primary entrance to the restaurant and the  
18 primary entrance to the church are located on the same  
19 street;

20           (5) the street on which the restaurant and the church  
21 are located is a major east-west street;

22           (6) the restaurant and the church are separated by a  
23 one-way northbound street;

24           (7) the church is located to the west of and no more  
25 than 65 feet from the restaurant; and

26           (8) the principal religious leader at the place of

1           worship has indicated his or her consent to the issuance of  
2           the license in writing.

3           (jj) Notwithstanding any provision of this Section to the  
4           contrary, nothing in this Section shall prohibit the issuance  
5           or renewal of a license authorizing the sale of alcoholic  
6           liquor at premises located within a municipality with a  
7           population in excess of 1,000,000 inhabitants and within 100  
8           feet of a church if:

9                   (1) the sale of alcoholic liquor is not the principal  
10           business carried on by the licensee at the premises;

11                   (2) the sale of alcoholic liquor is incidental to the  
12           sale of food;

13                   (3) the premises are located east of the church, on  
14           perpendicular streets, and separated by an alley;

15                   (4) the distance between the primary entrance of the  
16           premises and the primary entrance of the church is at least  
17           175 feet;

18                   (5) the distance between the property line of the  
19           premises and the property line of the church is at least 40  
20           feet;

21                   (6) the licensee has been operating at the premises  
22           since 2012;

23                   (7) the church was constructed in 1904;

24                   (8) the alderman of the ward in which the premises is  
25           located has expressed, in writing, his or her support for  
26           the issuance of the license; and

1           (9) the principal religious leader of the church has  
2           delivered a written statement that he or she does not  
3           object to the issuance of a license under this subsection  
4           (jj).

5           (kk) Notwithstanding any provision of this Section to the  
6           contrary, nothing in this Section shall prohibit the issuance  
7           or renewal of a license authorizing the sale of alcoholic  
8           liquor at a premises that is located within a municipality with  
9           a population in excess of 1,000,000 inhabitants and within 100  
10          feet of a school if:

11           (1) the sale of alcoholic liquor is not the principal  
12          business carried on by the licensee at the premises;

13           (2) the licensee shall only sell packaged liquors on  
14          the premises;

15           (3) the licensee is a national retail chain;

16           (4) as of February 27, 2013, the licensee had 1,778  
17          stores operating nationwide, 89 operating in this State,  
18          and 11 stores operating within the municipality;

19           (5) the licensee shall occupy approximately 169,048  
20          square feet of space within a building that is located  
21          across the street from a tuition-based preschool; and

22           (6) the alderman of the ward in which the premises is  
23          located has expressed, in writing, his or her support for  
24          the issuance of the license.

25           (ll) Notwithstanding any provision of this Section to the  
26          contrary, nothing in this Section shall prohibit the issuance



1 or renewal of a license authorizing the sale of alcoholic  
2 liquor at a premises that is located within a municipality with  
3 a population in excess of 1,000,000 inhabitants and within 100  
4 feet of a school if:

5 (1) the sale of alcoholic liquor is not the principal  
6 business carried on by the licensee at the premises;

7 (2) the licensee shall only sell packaged liquors on  
8 the premises;

9 (3) the licensee is a national retail chain;

10 (4) as of February 27, 2013, the licensee had 1,778  
11 stores operating nationwide, 89 operating in this State,  
12 and 11 stores operating within the municipality;

13 (5) the licensee shall occupy approximately 191,535  
14 square feet of space within a building that is located  
15 across the street from an elementary school; and

16 (6) the alderman of the ward in which the premises is  
17 located has expressed, in writing, his or her support for  
18 the issuance of the license.

19 (mm) Notwithstanding any provision of this Section to the  
20 contrary, nothing in this Section shall prohibit the issuance  
21 or renewal of a license authorizing the sale of alcoholic  
22 liquor within premises and at an outdoor patio or sidewalk  
23 cafe, or both, attached to premises that are located in a  
24 municipality with a population in excess of 1,000,000  
25 inhabitants and that are within 100 feet of a hospital if:

26 (1) the primary business of the restaurant consists of

1 the sale of food where the sale of liquor is incidental to  
2 the sale of food;

3 (2) as a restaurant, the premises may or may not offer  
4 catering as an incidental part of food service;

5 (3) the primary business of the restaurant is conducted  
6 in space owned by a hospital or an entity owned or  
7 controlled by, under common control with, or that controls  
8 a hospital, and the chief hospital administrator has  
9 expressed his or her support for the issuance of the  
10 license in writing; and

11 (4) the hospital is an adult acute care facility  
12 primarily located within the City of Chicago Institutional  
13 Planned Development Number 3.

14 (nn) Notwithstanding any provision of this Section to the  
15 contrary, nothing in this Section shall prohibit the issuance  
16 or renewal of a license authorizing the sale of alcoholic  
17 liquor at a premises that is located within a municipality with  
18 a population in excess of 1,000,000 inhabitants and within 100  
19 feet of a church if:

20 (1) the sale of alcoholic liquor is not the principal  
21 business carried out on the premises;

22 (2) the sale of alcoholic liquor at the premises is  
23 incidental to the operation of a theater;

24 (3) the premises are a building that was constructed in  
25 1913 and opened on May 24, 1915 as a vaudeville theater,  
26 and the premises were converted to a motion picture theater

1 in 1935;

2 (4) the church was constructed in 1889 with a stone  
3 exterior;

4 (5) the primary entrance of the premises and the  
5 primary entrance of the church are at least 100 feet apart;  
6 and

7 (6) the principal religious leader at the place of  
8 worship has indicated his or her consent to the issuance of  
9 the license in writing; and

10 (7) the alderman in whose ward the premises are located  
11 has expressed his or her support for the issuance of the  
12 license in writing.

13 (oo) Notwithstanding any provision of this Section to the  
14 contrary, nothing in this Section shall prohibit the issuance  
15 or renewal of a license authorizing the sale of alcoholic  
16 liquor at a premises that is located within a municipality with  
17 a population in excess of 1,000,000 inhabitants and within 100  
18 feet of a mosque, church, or other place of worship if:

19 (1) the primary entrance of the premises and the  
20 primary entrance of the mosque, church, or other place of  
21 worship are perpendicular and are on different streets;

22 (2) the primary entrance to the premises faces West and  
23 the primary entrance to the mosque, church, or other place  
24 of worship faces South;

25 (3) the distance between the 2 primary entrances is at  
26 least 100 feet;

1           (4) the mosque, church, or other place of worship was  
2 established in a location within 100 feet of the premises  
3 after a license for the sale of alcohol at the premises was  
4 first issued;

5           (5) the mosque, church, or other place of worship was  
6 established on or around January 1, 2011;

7           (6) a license for the sale of alcohol at the premises  
8 was first issued on or before January 1, 1985;

9           (7) a license for the sale of alcohol at the premises  
10 has been continuously in effect since January 1, 1985,  
11 except for interruptions between licenses of no more than  
12 90 days; and

13           (8) the premises are a single-story, single-use  
14 building of at least 3,000 square feet and no more than  
15 3,380 square feet.

16           (pp) Notwithstanding any provision of this Section to the  
17 contrary, nothing in this Section shall prohibit the issuance  
18 or renewal of a license authorizing the sale of alcoholic  
19 liquor incidental to the sale of food within a restaurant or  
20 banquet facility established on premises that are located in a  
21 municipality with a population in excess of 1,000,000  
22 inhabitants and within 100 feet of at least one church if:

23           (1) the sale of liquor shall not be the principal  
24 business carried on by the licensee at the premises;

25           (2) the premises are at least 2,000 square feet and no  
26 more than 10,000 square feet and is located in a

1 single-story building;

2 (3) the property on which the premises are located is  
3 within an area that, as of 2009, was designated as a  
4 Renewal Community by the United States Department of  
5 Housing and Urban Development;

6 (4) the property on which the premises are located and  
7 the properties on which the churches are located are on the  
8 same street;

9 (5) the property on which the premises are located is  
10 immediately adjacent to and east of the property on which  
11 at least one of the churches is located;

12 (6) the property on which the premises are located is  
13 across the street and southwest of the property on which  
14 another church is located;

15 (7) the principal religious leaders of the churches  
16 have indicated their support for the issuance of the  
17 license in writing; and

18 (8) the alderman in whose ward the premises are located  
19 has expressed his or her support for the issuance of the  
20 license in writing.

21 For purposes of this subsection (pp), "banquet facility"  
22 means the part of the building that caters to private parties  
23 and where the sale of alcoholic liquors is not the principal  
24 business.

25 (qq) Notwithstanding any provision of this Section to the  
26 contrary, nothing in this Section shall prohibit the issuance

1 or renewal of a license authorizing the sale of alcoholic  
2 liquor on premises that are located within a municipality with  
3 a population in excess of 1,000,000 inhabitants and within 100  
4 feet of a church or school if:

5 (1) the primary entrance of the premises and the  
6 closest entrance of the church or school are at least 200  
7 feet apart and no greater than 300 feet apart;

8 (2) the shortest distance between the premises and the  
9 church or school is at least 66 feet apart and no greater  
10 than 81 feet apart;

11 (3) the premises are a single-story, steel-framed  
12 commercial building with at least 18,042 square feet, and  
13 was constructed in 1925 and 1997;

14 (4) the owner of the business operated within the  
15 premises has been the general manager of a similar  
16 supermarket within one mile from the premises, which has  
17 had a valid license authorizing the sale of alcoholic  
18 liquor since 2002, and is in good standing with the City of  
19 Chicago;

20 (5) the principal religious leader at the place of  
21 worship has indicated his or her support to the issuance or  
22 renewal of the license in writing;

23 (6) the alderman of the ward has indicated his or her  
24 support to the issuance or renewal of the license in  
25 writing; and

26 (7) the principal of the school has indicated his or

1 her support to the issuance or renewal of the license in  
2 writing.

3 (rr) Notwithstanding any provision of this Section to the  
4 contrary, nothing in this Section shall prohibit the issuance  
5 or renewal of a license authorizing the sale of alcoholic  
6 liquor at premises located within a municipality with a  
7 population in excess of 1,000,000 inhabitants and within 100  
8 feet of a club that leases space to a school if:

9 (1) the sale of alcoholic liquor is not the principal  
10 business carried out on the premises;

11 (2) the sale of alcoholic liquor at the premises is  
12 incidental to the operation of a grocery store;

13 (3) the premises are a building of approximately 1,750  
14 square feet and is rented by the owners of the grocery  
15 store from a family member;

16 (4) the property line of the premises is approximately  
17 68 feet from the property line of the club;

18 (5) the primary entrance of the premises and the  
19 primary entrance of the club where the school leases space  
20 are at least 100 feet apart;

21 (6) the director of the club renting space to the  
22 school has indicated his or her consent to the issuance of  
23 the license in writing; and

24 (7) the alderman in whose district the premises are  
25 located has expressed his or her support for the issuance  
26 of the license in writing.

1           (ss) Notwithstanding any provision of this Section to the  
2 contrary, nothing in this Section shall prohibit the issuance  
3 or renewal of a license authorizing the sale of alcoholic  
4 liquor at premises located within a municipality with a  
5 population in excess of 1,000,000 inhabitants and within 100  
6 feet of a church if:

7           (1) the premises are located within a 15 unit building  
8 with 13 residential apartments and 2 commercial spaces, and  
9 the licensee will occupy both commercial spaces;

10          (2) a restaurant has been operated on the premises  
11 since June 2011;

12          (3) the restaurant currently occupies 1,075 square  
13 feet, but will be expanding to include 975 additional  
14 square feet;

15          (4) the sale of alcoholic liquor is not the principal  
16 business carried on by the licensee at the premises;

17          (5) the premises are located south of the church and on  
18 the same street and are separated by a one-way westbound  
19 street;

20          (6) the primary entrance of the premises is at least 93  
21 feet from the primary entrance of the church;

22          (7) the shortest distance between any part of the  
23 premises and any part of the church is at least 72 feet;

24          (8) the building in which the restaurant is located was  
25 built in 1910;

26          (9) the alderman of the ward in which the premises are



1 located has expressed, in writing, his or her support for  
2 the issuance of the license; and

3 (10) the principal religious leader of the church has  
4 delivered a written statement that he or she does not  
5 object to the issuance of a license under this subsection  
6 (ss).

7 (tt) Notwithstanding any provision of this Section to the  
8 contrary, nothing in this Section shall prohibit the issuance  
9 or renewal of a license authorizing the sale of alcoholic  
10 liquor at premises located within a municipality with a  
11 population in excess of 1,000,000 inhabitants and within 100  
12 feet of a church if:

13 (1) the sale of alcoholic liquor is not the principal  
14 business carried on by the licensee at the premises;

15 (2) the sale of alcoholic liquor is incidental to the  
16 sale of food;

17 (3) the sale of alcoholic liquor at the premises was  
18 previously authorized by a package goods liquor license;

19 (4) the premises are at least 40,000 square feet with  
20 25 parking spaces in the contiguous surface lot to the  
21 north of the store and 93 parking spaces on the roof;

22 (5) the shortest distance between the lot line of the  
23 parking lot of the premises and the exterior wall of the  
24 church is at least 80 feet;

25 (6) the distance between the building in which the  
26 church is located and the building in which the premises

1 are located is at least 180 feet;

2 (7) the main entrance to the church faces west and is  
3 at least 257 feet from the main entrance of the premises;  
4 and

5 (8) the applicant is the owner of 10 similar grocery  
6 stores within the City of Chicago and the surrounding area  
7 and has been in business for more than 30 years.

8 (uu) Notwithstanding any provision of this Section to the  
9 contrary, nothing in this Section shall prohibit the issuance  
10 or renewal of a license authorizing the sale of alcoholic  
11 liquor at premises located within a municipality with a  
12 population in excess of 1,000,000 inhabitants and within 100  
13 feet of a church if:

14 (1) the sale of alcoholic liquor is not the principal  
15 business carried on by the licensee at the premises;

16 (2) the sale of alcoholic liquor is incidental to the  
17 operation of a grocery store;

18 (3) the premises are located in a building that is  
19 approximately 68,000 square feet with 157 parking spaces on  
20 property that was previously vacant land;

21 (4) the main entrance to the church faces west and is  
22 at least 500 feet from the entrance of the premises, which  
23 faces north;

24 (5) the church and the premises are separated by an  
25 alley;

26 (6) the applicant is the owner of 9 similar grocery

1 stores in the City of Chicago and the surrounding area and  
2 has been in business for more than 40 years; and

3 (7) the alderman of the ward in which the premises are  
4 located has expressed, in writing, his or her support for  
5 the issuance of the license.

6 (vv) Notwithstanding any provision of this Section to the  
7 contrary, nothing in this Section shall prohibit the issuance  
8 or renewal of a license authorizing the sale of alcoholic  
9 liquor at premises located within a municipality with a  
10 population in excess of 1,000,000 inhabitants and within 100  
11 feet of a church if:

12 (1) the sale of alcoholic liquor is the principal  
13 business carried on by the licensee at the premises;

14 (2) the sale of alcoholic liquor is primary to the sale  
15 of food;

16 (3) the premises are located south of the church and on  
17 perpendicular streets and are separated by a driveway;

18 (4) the primary entrance of the premises is at least  
19 100 feet from the primary entrance of the church;

20 (5) the shortest distance between any part of the  
21 premises and any part of the church is at least 15 feet;

22 (6) the premises are less than 100 feet from the church  
23 center, but greater than 100 feet from the area within the  
24 building where church services are held;

25 (7) the premises are 25,830 square feet and sit on a  
26 lot that is 0.48 acres;

1 (8) the premises were once designated as a Korean  
2 American Presbyterian Church and were once used as a  
3 Masonic Temple;

4 (9) the premises were built in 1910;

5 (10) the alderman of the ward in which the premises are  
6 located has expressed, in writing, his or her support for  
7 the issuance of the license; and

8 (11) the principal religious leader of the church has  
9 delivered a written statement that he or she does not  
10 object to the issuance of a license under this subsection  
11 (vv).

12 For the purposes of this subsection (vv), "premises" means  
13 a place of business together with a privately owned outdoor  
14 location that is adjacent to the place of business.

15 (ww) Notwithstanding any provision of this Section to the  
16 contrary, nothing in this Section shall prohibit the issuance  
17 or renewal of a license authorizing the sale of alcoholic  
18 liquor at premises located within a municipality with a  
19 population in excess of 1,000,000 inhabitants and within 100  
20 feet of a school if:

21 (1) the school is located within Sub Area III of City  
22 of Chicago Residential-Business Planned Development Number  
23 523, as amended; and

24 (2) the premises are located within Sub Area I, Sub  
25 Area II, or Sub Area IV of City of Chicago  
26 Residential-Business Planned Development Number 523, as

1 amended.

2 (xx) Notwithstanding any provision of this Section to the  
3 contrary, nothing in this Section shall prohibit the issuance  
4 or renewal of a license authorizing the sale of alcoholic  
5 liquor at premises located within a municipality with a  
6 population in excess of 1,000,000 inhabitants and within 100  
7 feet of a church if:

8 (1) the sale of wine or wine-related products is the  
9 exclusive business carried on by the licensee at the  
10 premises;

11 (2) the primary entrance of the premises and the  
12 primary entrance of the church are at least 100 feet apart  
13 and are located on different streets;

14 (3) the building in which the premises are located and  
15 the building in which the church is located are separated  
16 by an alley;

17 (4) the premises consists of less than 2,000 square  
18 feet of floor area dedicated to the sale of wine or  
19 wine-related products;

20 (5) the premises are located on the first floor of a  
21 2-story building that is at least 99 years old and has a  
22 residential unit on the second floor; and

23 (6) the principal religious leader at the church has  
24 indicated his or her support for the issuance or renewal of  
25 the license in writing.

26 (yy) Notwithstanding any provision of this Section to the

1 contrary, nothing in this Section shall prohibit the issuance  
2 or renewal of a license authorizing the sale of alcoholic  
3 liquor at premises located within a municipality with a  
4 population in excess of 1,000,000 inhabitants and within 100  
5 feet of a church if:

6 (1) the premises are a 27-story hotel containing 191  
7 guest rooms;

8 (2) the sale of alcoholic liquor is not the principal  
9 business carried on by the licensee at the premises and is  
10 limited to a restaurant located on the first floor of the  
11 hotel;

12 (3) the hotel is adjacent to the church;

13 (4) the site is zoned as DX-16;

14 (5) the principal religious leader of the church has  
15 delivered a written statement that he or she does not  
16 object to the issuance of a license under this subsection  
17 (yy); and

18 (6) the alderman of the ward in which the premises are  
19 located has expressed, in writing, his or her support for  
20 the issuance of the license.

21 (zz) Notwithstanding any provision of this Section to the  
22 contrary, nothing in this Section shall prohibit the issuance  
23 or renewal of a license authorizing the sale of alcoholic  
24 liquor at premises located within a municipality with a  
25 population in excess of 1,000,000 inhabitants and within 100  
26 feet of a church if:

1           (1) the premises are a 15-story hotel containing 143  
2           guest rooms;

3           (2) the premises are approximately 85,691 square feet;

4           (3) a restaurant is operated on the premises;

5           (4) the restaurant is located in the first floor lobby  
6           of the hotel;

7           (5) the sale of alcoholic liquor is not the principal  
8           business carried on by the licensee at the premises;

9           (6) the hotel is located approximately 50 feet from the  
10          church and is separated from the church by a public street  
11          on the ground level and by air space on the upper level,  
12          which is where the public entrances are located;

13          (7) the site is zoned as DX-16;

14          (8) the principal religious leader of the church has  
15          delivered a written statement that he or she does not  
16          object to the issuance of a license under this subsection  
17          (zz); and

18          (9) the alderman of the ward in which the premises are  
19          located has expressed, in writing, his or her support for  
20          the issuance of the license.

21          (aaa) Notwithstanding any provision in this Section to the  
22          contrary, nothing in this Section shall prohibit the issuance  
23          or renewal of a license authorizing the sale of alcoholic  
24          liquor within a full-service grocery store at premises located  
25          within a municipality with a population in excess of 1,000,000  
26          inhabitants and within 100 feet of a school if:

1           (1) the sale of alcoholic liquor is not the primary  
2 business activity of the grocery store;

3           (2) the premises are newly constructed on land that was  
4 formerly used by the Young Men's Christian Association;

5           (3) the grocery store is located within a planned  
6 development that was approved by the municipality in 2007;

7           (4) the premises are located in a multi-building,  
8 mixed-use complex;

9           (5) the entrance to the grocery store is located more  
10 than 200 feet from the entrance to the school;

11           (6) the entrance to the grocery store is located across  
12 the street from the back of the school building, which is  
13 not used for student or public access;

14           (7) the grocery store executed a binding lease for the  
15 property in 2008;

16           (8) the premises consist of 2 levels and occupy more  
17 than 80,000 square feet;

18           (9) the owner and operator of the grocery store  
19 operates at least 10 other grocery stores that have  
20 alcoholic liquor licenses within the same municipality;  
21 and

22           (10) the director of the school has expressed, in  
23 writing, his or her support for the issuance of the  
24 license.

25           (bbb) Notwithstanding any provision of this Section to the  
26 contrary, nothing in this Section shall prohibit the issuance



1 or renewal of a license authorizing the sale of alcoholic  
2 liquor at premises located within a municipality with a  
3 population in excess of 1,000,000 inhabitants and within 100  
4 feet of a church if:

5 (1) the sale of alcoholic liquor at the premises is  
6 incidental to the sale of food;

7 (2) the premises are located in a single-story building  
8 of primarily brick construction containing at least 6  
9 commercial units constructed before 1940;

10 (3) the premises are located in a B3-2 zoning district;

11 (4) the premises are less than 4,000 square feet;

12 (5) the church established its congregation in 1891 and  
13 completed construction of the church building in 1990;

14 (6) the premises are located south of the church;

15 (7) the premises and church are located on the same  
16 street and are separated by a one-way westbound street; and

17 (8) the principal religious leader of the church has  
18 not indicated his or her opposition to the issuance or  
19 renewal of the license in writing.

20 (ccc) Notwithstanding any provision of this Section to the  
21 contrary, nothing in this Section shall prohibit the issuance  
22 or renewal of a license authorizing the sale of alcoholic  
23 liquor within a full-service grocery store at premises located  
24 within a municipality with a population in excess of 1,000,000  
25 inhabitants and within 100 feet of a church and school if:

26 (1) as of March 14, 2007, the premises are located in a

1 City of Chicago Residential-Business Planned Development  
2 No. 1052;

3 (2) the sale of alcoholic liquor is not the principal  
4 business carried on by the licensee at the premises;

5 (3) the sale of alcoholic liquor is incidental to the  
6 operation of a grocery store and comprises no more than 10%  
7 of the total in-store sales;

8 (4) the owner and operator of the grocery store  
9 operates at least 10 other grocery stores that have  
10 alcoholic liquor licenses within the same municipality;

11 (5) the premises are new construction when the license  
12 is first issued;

13 (6) the constructed premises are to be no less than  
14 50,000 square feet;

15 (7) the school is a private church-affiliated school;

16 (8) the premises and the property containing the church  
17 and church-affiliated school are located on perpendicular  
18 streets and the school and church are adjacent to one  
19 another;

20 (9) the pastor of the church and school has expressed,  
21 in writing, support for the issuance of the license; and

22 (10) the alderman of the ward in which the premises are  
23 located has expressed, in writing, his or her support for  
24 the issuance of the license.

25 (ddd) Notwithstanding any provision of this Section to the  
26 contrary, nothing in this Section shall prohibit the issuance

1 or renewal of a license authorizing the sale of alcoholic  
2 liquor at premises located within a municipality with a  
3 population in excess of 1,000,000 inhabitants and within 100  
4 feet of a church or school if:

5 (1) the business has been issued a license from the  
6 municipality to allow the business to operate a theater on  
7 the premises;

8 (2) the theater has less than 200 seats;

9 (3) the premises are approximately 2,700 to 3,100  
10 square feet of space;

11 (4) the premises are located to the north of the  
12 church;

13 (5) the primary entrance of the premises and the  
14 primary entrance of any church within 100 feet of the  
15 premises are located either on a different street or across  
16 a right-of-way from the premises;

17 (6) the primary entrance of the premises and the  
18 primary entrance of any school within 100 feet of the  
19 premises are located either on a different street or across  
20 a right-of-way from the premises;

21 (7) the premises are located in a building that is at  
22 least 100 years old; and

23 (8) any church or school located within 100 feet of the  
24 premises has indicated its support for the issuance or  
25 renewal of the license to the premises in writing.

26 (eee) Notwithstanding any provision of this Section to the

1 contrary, nothing in this Section shall prohibit the issuance  
2 or renewal of a license authorizing the sale of alcoholic  
3 liquor at premises located within a municipality with a  
4 population in excess of 1,000,000 inhabitants and within 100  
5 feet of a church and school if:

6 (1) the sale of alcoholic liquor is incidental to the  
7 sale of food;

8 (2) the sale of alcoholic liquor is not the principal  
9 business carried on by the applicant on the premises;

10 (3) a family-owned restaurant has operated on the  
11 premises since 1957;

12 (4) the premises occupy the first floor of a 3-story  
13 building that is at least 90 years old;

14 (5) the distance between the property line of the  
15 premises and the property line of the church is at least 20  
16 feet;

17 (6) the church was established at its current location  
18 and the present structure was erected before 1900;

19 (7) the primary entrance of the premises is at least 75  
20 feet from the primary entrance of the church;

21 (8) the school is affiliated with the church;

22 (9) the principal religious leader at the place of  
23 worship has indicated his or her support for the issuance  
24 of the license in writing;

25 (10) the principal of the school has indicated in  
26 writing that he or she is not opposed to the issuance of

1 the license; and

2 (11) the alderman of the ward in which the premises are  
3 located has expressed, in writing, his or her lack of an  
4 objection to the issuance of the license.

5 (fff) ~~(yy)~~ Notwithstanding any provision of this Section to  
6 the contrary, nothing in this Section shall prohibit the  
7 issuance or renewal of a license authorizing the sale of  
8 alcoholic liquor at premises located within a municipality with  
9 a population in excess of 1,000,000 inhabitants and within 100  
10 feet of a church if:

11 (1) the sale of alcoholic liquor is not the principal  
12 business carried on by the licensee at the premises;

13 (2) the sale of alcoholic liquor at the premises is  
14 incidental to the operation of a grocery store;

15 (3) the premises are a one-story building containing  
16 approximately 10,000 square feet and are rented by the  
17 owners of the grocery store;

18 (4) the sale of alcoholic liquor at the premises occurs  
19 in a retail area of the grocery store that is approximately  
20 3,500 square feet;

21 (5) the grocery store has operated at the location  
22 since 1984;

23 (6) the grocery store is closed on Sundays;

24 (7) the property on which the premises are located is a  
25 corner lot that is bound by 3 streets and an alley, where  
26 one street is a one-way street that runs north-south, one

1 street runs east-west, and one street runs  
2 northwest-southeast;

3 (8) the property line of the premises is approximately  
4 16 feet from the property line of the building where the  
5 church is located;

6 (9) the premises are separated from the building  
7 containing the church by a public alley;

8 (10) the primary entrance of the premises and the  
9 primary entrance of the church are at least 100 feet apart;

10 (11) representatives of the church have delivered a  
11 written statement that the church does not object to the  
12 issuance of a license under this subsection (fff) ~~(yy)~~; and

13 (12) the alderman of the ward in which the grocery  
14 store is located has expressed, in writing, his or her  
15 support for the issuance of the license.

16 (ggg) Notwithstanding any provision of this Section to the  
17 contrary, nothing in this Section shall prohibit the issuance  
18 or renewal of licenses authorizing the sale of alcoholic liquor  
19 within a restaurant or lobby coffee house at premises located  
20 within a municipality with a population in excess of 1,000,000  
21 inhabitants and within 100 feet of a church and school if:

22 (1) a residential retirement home formerly operated on  
23 the premises and the premises are being converted into a  
24 new apartment living complex containing studio and  
25 one-bedroom apartments with ground floor retail space;

26 (2) the restaurant and lobby coffee house are located

1 within a Community Shopping District within the  
2 municipality;

3 (3) the premises are located in a single-building,  
4 mixed-use complex that, in addition to the restaurant and  
5 lobby coffee house, contains apartment residences, a  
6 fitness center for the residents of the apartment building,  
7 a lobby designed as a social center for the residents, a  
8 rooftop deck, and a patio with a dog run for the exclusive  
9 use of the residents;

10 (4) the sale of alcoholic liquor is not the primary  
11 business activity of the apartment complex, restaurant, or  
12 lobby coffee house;

13 (5) the entrance to the apartment residence is more  
14 than 310 feet from the entrance to the school and church;

15 (6) the entrance to the apartment residence is located  
16 at the end of the block around the corner from the south  
17 side of the school building;

18 (7) the school is affiliated with the church;

19 (8) the priest and principal of the school has given  
20 written consent to the issuance of the license;

21 (9) the alderman of the ward in which the premises are  
22 located has given written consent to the issuance of the  
23 license; and

24 (10) the neighborhood block club has given written  
25 consent to the issuance of the license.

26 (hhh) Notwithstanding any provision of this Section to the

1 contrary, nothing in this Section shall prohibit the issuance  
2 or renewal of a license to sell alcoholic liquor at premises  
3 located within a municipality with a population in excess of  
4 1,000,000 inhabitants and within 100 feet of a home for  
5 indigent persons or a church if:

6 (1) a restaurant operates on the premises and has been  
7 in operation since January of 2014;

8 (2) the sale of alcoholic liquor is incidental to the  
9 sale of food;

10 (3) the sale of alcoholic liquor is not the principal  
11 business carried on by the licensee on the premises;

12 (4) the premises occupy the first floor of a 3-story  
13 building that is at least 100 years old;

14 (5) the primary entrance to the premises is more than  
15 100 feet from the primary entrance to the home for indigent  
16 persons, which opened in 1989 and is operated to address  
17 homelessness and provide shelter;

18 (6) the primary entrance to the premises and the  
19 primary entrance to the home for indigent persons are  
20 located on different streets;

21 (7) the executive director of the home for indigent  
22 persons has given written consent to the issuance of the  
23 license;

24 (8) the entrance to the premises is located within 100  
25 feet of a Buddhist temple;

26 (9) the entrance to the premises is more than 100 feet



1 from where any worship or educational programming is  
2 conducted by the Buddhist temple and is located in an area  
3 used only for other purposes; and

4 (10) the president and the board of directors of the  
5 Buddhist temple have given written consent to the issuance  
6 of the license.

7 (Source: P.A. 98-274, eff. 8-9-13; 98-463, eff. 8-16-13;  
8 98-571, eff. 8-27-13; 98-592, eff. 11-15-13; 98-1092, eff.  
9 8-26-14; 98-1158, eff. 1-9-15; 99-46, eff. 7-15-15; 99-47, eff.  
10 7-15-15; 99-477, eff. 8-27-15; 99-484, eff. 10-30-15; revised  
11 11-4-15.)

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.