



Sen. Mattie Hunter

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1 AMENDMENT TO SENATE BILL 402

2 AMENDMENT NO. _____. Amend Senate Bill 402 by replacing
3 everything after the enacting clause with the following:

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

1 exempted is not located in a municipality of more than 500,000
2 persons, unless required by local ordinance; nor to the renewal
3 of a license for the sale at retail of alcoholic liquor on
4 premises within 100 feet of any church or school where the
5 church or school has been established within such 100 feet
6 since the issuance of the original license. In the case of a
7 church, the distance of 100 feet shall be measured to the
8 nearest part of any building used for worship services or
9 educational programs and not to property boundaries.

10 (b) Nothing in this Section shall prohibit the issuance of
11 a retail license authorizing the sale of alcoholic liquor to a
12 restaurant, the primary business of which is the sale of goods
13 baked on the premises if (i) the restaurant is newly
14 constructed and located on a lot of not less than 10,000 square
15 feet, (ii) the restaurant costs at least \$1,000,000 to
16 construct, (iii) the licensee is the titleholder to the
17 premises and resides on the premises, and (iv) the construction
18 of the restaurant is completed within 18 months of July 10,
19 1998 (the effective date of Public Act 90-617).

20 (c) Nothing in this Section shall prohibit the issuance of
21 a retail license authorizing the sale of alcoholic liquor
22 incidental to a restaurant if (1) the primary business of the
23 restaurant consists of the sale of food where the sale of
24 liquor is incidental to the sale of food and the applicant is a
25 completely new owner of the restaurant, (2) the immediately
26 prior owner or operator of the premises where the restaurant is

1 located operated the premises as a restaurant and held a valid
2 retail license authorizing the sale of alcoholic liquor at the
3 restaurant for at least part of the 24 months before the change
4 of ownership, and (3) the restaurant is located 75 or more feet
5 from a school.

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

1 alcoholic liquors is not the principal business carried on by
2 the licensee.

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

6 (e) Nothing in this Section shall prohibit the issuance of
7 a license to a church or private school to sell at retail
8 alcoholic liquor if any such sales are limited to periods when
9 groups are assembled on the premises solely for the promotion
10 of some common object other than the sale or consumption of
11 alcoholic liquors.

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

23 (g) Nothing in this Section shall prohibit the issuance of
24 a retail license authorizing the sale of alcoholic liquor at
25 premises within 100 feet, but not less than 90 feet, of a
26 public school if (1) the premises have been continuously

1 licensed to sell alcoholic liquor for a period of at least 50
2 years, (2) the premises are located in a municipality having a
3 population of over 500,000 inhabitants, (3) the licensee is an
4 individual who is a member of a family that has held the
5 previous 3 licenses for that location for more than 25 years,
6 (4) the principal of the school and the alderman of the ward in
7 which the school is located have delivered a written statement
8 to the local liquor control commissioner stating that they do
9 not object to the issuance of a license under this subsection
10 (g), and (5) the local liquor control commissioner has received
11 the written consent of a majority of the registered voters who
12 live within 200 feet of the premises.

13 (h) 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 within premises and at an outdoor patio area attached to
17 premises that are located in a municipality with a population
18 in excess of 300,000 inhabitants and that are within 100 feet
19 of a church if:

20 (1) the sale of alcoholic liquor at the premises is
21 incidental to the sale of food,

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

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

25 (4) the premises are owned by the University of
26 Illinois,

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

4 (6) 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.

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

13 (1) the primary entrance of the premises and the
14 primary entrance of the church, synagogue, or other place
15 of worship are at least 100 feet apart, on parallel
16 streets, and separated by an alley; and

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

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

1 (k) Notwithstanding any provision in 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 a premises that is located within a municipality with
5 a population in excess of 1,000,000 inhabitants and is within
6 100 feet of a school if:

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

10 (2) the southeast corner of the premises are at least
11 350 feet from the southwest corner of the school;

12 (3) the school was built in 1978;

13 (4) the sale of alcoholic liquor at the premises is
14 incidental to the sale of food;

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

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

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

23 (1) Notwithstanding any provision in this Section to the
24 contrary, nothing in this Section shall prohibit the issuance
25 or renewal of a license authorizing the sale of alcoholic
26 liquor at a premises that is located within a municipality with

1 a population in excess of 1,000,000 inhabitants and is within
2 100 feet of a church or school if:

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

6 (2) the shortest distance between the premises and the
7 church or school is at least 80 feet apart and no greater
8 than 85 feet apart;

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

13 (4) the sale of alcoholic liquor at the premises is
14 incidental to the sale of food;

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

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

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

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

1 100 feet of a church if:

2 (1) the premises and the church are perpendicular, and
3 the primary entrance of the premises faces South while the
4 primary entrance of the church faces West and the distance
5 between the two entrances is more than 100 feet;

6 (2) the shortest distance between the premises lot line
7 and the exterior wall of the church is at least 80 feet;

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

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

13 (5) the sale of alcoholic liquor at the premises is
14 incidental to the sale of food;

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

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

20 (n) Notwithstanding any provision in 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 at a premises that is located within a municipality with
24 a population in excess of 1,000,000 inhabitants and is within
25 100 feet of a school if:

26 (1) the school is a City of Chicago School District 299

1 school;

2 (2) the school is located within subarea E of City of
3 Chicago Residential Business Planned Development Number
4 70;

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

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

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

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

18 (1) the sale of alcoholic liquor at the premises is
19 incidental to the sale of food;

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

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

24 (4) the primary entrance of the premises is at least
25 100 feet from the primary entrance of the church;

26 (5) the shortest distance between any part of the

1 premises and any part of the church is at least 60 feet;

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

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

6 For purposes of this subsection (o), "premises" means a
7 place of business together with a privately owned outdoor
8 location that is adjacent to the place of business.

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

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

18 (2) the church was established at the current location
19 in 1889; and

20 (3) liquor has been sold on the premises since at least
21 1985.

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

1 feet of a church-owned property if:

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

4 (2) the area of the premises does not exceed 720 square
5 feet and the area of the larger building exceeds 18,000
6 square feet;

7 (3) the larger building containing the premises is
8 within 100 feet of the nearest property line of a
9 church-owned property on which a church-affiliated school
10 is located;

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

13 (5) the primary entrance of the larger building and the
14 premises and the primary entrance of the church-affiliated
15 school are on different, parallel streets, and the distance
16 between the 2 primary entrances is more than 100 feet;

17 (6) the larger building is separated from the
18 church-owned property and church-affiliated school by an
19 alley;

20 (7) the larger building containing the premises and the
21 church building front are on perpendicular streets and are
22 separated by a street; and

23 (8) (Blank).

24 (r) Notwithstanding any provision of this Section to the
25 contrary, nothing in this Section shall prohibit the issuance,
26 renewal, or maintenance of a license authorizing the sale of

1 alcoholic liquor incidental to the sale of food within a
2 restaurant established in a premises that is located in a
3 municipality with a population in excess of 1,000,000
4 inhabitants and within 100 feet of a church if:

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

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

10 (3) the primary business of the restaurant consists of
11 the sale of food where the sale of liquor is incidental to
12 the sale of food;

13 (4) the sale of alcoholic liquor is conducted primarily
14 in the below-grade level of the restaurant to which the
15 only public access is by a staircase located inside the
16 restaurant; and

17 (5) the restaurant has held a license authorizing the
18 sale of alcoholic liquor on the premises for more than 40
19 years.

20 (s) Notwithstanding any provision of this Section to the
21 contrary, nothing in this Section shall prohibit renewal of a
22 license authorizing the sale of alcoholic liquor at a premises
23 that is located within a municipality with a population more
24 than 5,000 and less than 10,000 and is within 100 feet of a
25 church if:

26 (1) the church was established at the location within

1 100 feet of the premises after a license for the sale of
2 alcoholic liquor at the premises was first issued;

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

5 (3) a license for the sale of alcoholic liquor on the
6 premises has been continuously in effect since January 1,
7 2007, except for interruptions between licenses of no more
8 than 90 days.

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

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

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

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

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

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

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

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

2 (8) the building is north of the school and separated
3 by an alley; and

4 (9) the principal religious leader of the church and
5 either the alderman of the ward in which the school is
6 located or the principal of the school have delivered a
7 written statement to the local liquor control commissioner
8 stating that he or she does not object to the issuance of a
9 license under this subsection (t).

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

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

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

19 (3) the sale of alcoholic liquor is incidental to the
20 sale of food;

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

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

25 (6) the rear lot of the school and the rear corner of
26 the building that the premises occupy are separated by an

1 alley;

2 (7) the distance from the southwest corner of the
3 property line of the school and the northeast corner of the
4 building that the premises occupy is at least 16 feet, 5
5 inches;

6 (8) the distance from the rear door of the premises to
7 the southwest corner of the property line of the school is
8 at least 93 feet;

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

11 (10) the school's main structure was erected in 1902
12 and an addition was built to the main structure in 1959;
13 and

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

17 (v) 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 school if:

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

26 (2) the premises for which the license or renewal is

1 sought has more than 600 parking stalls;

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

5 (4) the property line of the premises for which the
6 license or renewal is sought is separated from the property
7 line of the school by a street;

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

11 (6) as of June 14, 2011 (the effective date of Public
12 Act 97-9), the premises for which the license or renewal is
13 sought is located in the Illinois Medical District.

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

20 (1) the sale of alcoholic liquor at the premises is
21 incidental to the sale of food;

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

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

26 (4) the premises is at least 7,000 square feet and

1 located on a lot that is at least 11,000 square feet;

2 (5) the premises is located directly west of the
3 church, on perpendicular streets, and separated by an
4 alley;

5 (6) the distance between the property line of the
6 premises and the property line of the church is at least 20
7 feet;

8 (7) the distance between the primary entrance of the
9 premises and the primary entrance of the church is at least
10 130 feet; and

11 (8) the church has been at its location for at least 40
12 years.

13 (x) 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 church if:

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

21 (2) the church has been operating in its current
22 location since 1973;

23 (3) the premises has been operating in its current
24 location since 1988;

25 (4) the church and the premises are owned by the same
26 parish;

1 (5) the premises is used for cultural and educational
2 purposes;

3 (6) the primary entrance to the premises and the
4 primary entrance to the church are located on the same
5 street;

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

8 (8) the premises is a 2-story building of approximately
9 23,000 square feet; and

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

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

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

20 (2) the sale of alcoholic liquor at the premises is
21 incidental to the sale of food;

22 (3) according to the municipality, the distance
23 between the east property line of the premises and the west
24 property line of the school is 97.8 feet;

25 (4) the school is a City of Chicago School District 299
26 school;

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

2 (6) the primary entrance to the premises and the
3 primary entrance to the school are located on the same
4 street;

5 (7) the street on which the entrances of the premises
6 and the school are located is a major diagonal
7 thoroughfare;

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

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

11 (z) Notwithstanding any provision of 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 within 100
16 feet of a mosque if:

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

19 (2) the licensee shall only sell packaged liquors at
20 the premises;

21 (3) the licensee is a national retail chain having over
22 100 locations within the municipality;

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

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

25 (6) the premises is located in the North-East quadrant
26 of the municipality;

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

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

5 (9) the premises has approximately 799 square feet of
6 pharmacy space;

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

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

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

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

20 (2) the licensee shall only sell packaged liquors at
21 the premises;

22 (3) the licensee is a national retail chain having over
23 100 locations within the municipality;

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

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

26 (6) the premises is located in the North-East quadrant

1 of the municipality;

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

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

6 (9) the premises has approximately 992 square feet of
7 pharmacy space;

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

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

13 (bb) 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 church if:

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

21 (2) the sale of alcoholic liquor at the premises is
22 incidental to the sale of food;

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

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

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

3 (6) the church is an elder-led and Bible-based Assyrian
4 church;

5 (7) the premises and the church are both single-story
6 buildings;

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

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

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

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

20 (2) the licensee shall only sell packaged liquors at
21 the premises;

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

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

26 (5) the licensee shall occupy approximately 124,000

1 square feet of space in the basement and first and second
2 floors of a building located across the street from a
3 school;

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

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

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

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

17 (2) the premises is constructed on land that was
18 previously used as a parking facility for public safety
19 employees;

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

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

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

25 (6) the school is a private school;

26 (7) the principal of the school has given written

1 approval for the license;

2 (8) the alderman of the ward where the premises is
3 located has given written approval of the issuance of the
4 license;

5 (9) the grocery store level of the premises is between
6 60,000 and 70,000 square feet; and

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

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

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

18 (2) the premises is located on land that has undergone
19 environmental remediation;

20 (3) the premises is located within a retail complex
21 containing retail stores where some of the stores sell
22 alcoholic beverages;

23 (4) the principal activity of any restaurant in the
24 retail complex is the sale of food, and the sale of
25 alcoholic liquor is incidental to the sale of food;

26 (5) the sale of alcoholic liquor is not the principal

1 business carried on by the grocery store;

2 (6) the entrance to any business that sells alcoholic
3 liquor is more than 100 feet from the entrance to the
4 school;

5 (7) the alderman of the ward where the premises is
6 located has given written approval of the issuance of the
7 license; and

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

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

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

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

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

22 (4) the school is a City of Chicago School District 299
23 school;

24 (5) the primary entrance of the premises and the
25 primary entrance of the school are at least 300 feet apart
26 and no more than 400 feet apart;

1 (6) the alderman of the ward in which the premises is
2 located has expressed, in writing, his support for the
3 issuance of the license; and

4 (7) the principal of the school has expressed, in
5 writing, that there is no objection to the issuance of a
6 license under this subsection (ff).

7 (gg) 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 incidental to the sale of food within a restaurant or
11 banquet facility established in a premises that is located in a
12 municipality with a population in excess of 1,000,000
13 inhabitants and within 100 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 property on which the church is located and the
17 property on which the premises are located are both within
18 a district originally listed on the National Register of
19 Historic Places on February 14, 1979;

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

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

25 (5) the property on which the church is located is
26 immediately adjacent to and west of the property on which

1 the premises are located;

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

5 (7) as of December 31, 2012, both the church property
6 and the property on which the premises are located are
7 within 250 feet of City of Chicago Business-Residential
8 Planned Development Number 38;

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

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

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

19 (hh) 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 a hotel and at an outdoor patio area attached to
23 the hotel that are located in a municipality with a population
24 in excess of 1,000,000 inhabitants and that are within 100 feet
25 of a hospital if:

26 (1) the sale of alcoholic liquor is not the principal

1 business carried on by the licensee at the hotel;

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

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

6 (ii) 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 within a restaurant and at an outdoor patio area
10 attached to the restaurant that are located in a municipality
11 with a population in excess of 1,000,000 inhabitants and that
12 are within 100 feet of a church if:

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

16 (2) the restaurant has been operated on the street
17 level of a 2-story building located on a corner lot since
18 2008;

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

22 (4) the primary entrance to the restaurant and the
23 primary entrance to the church are located on the same
24 street;

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

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

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

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

8 (jj) 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 sale of food;

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

20 (4) the distance between the primary entrance of the
21 premises and the primary entrance of the church is at least
22 175 feet;

23 (5) the distance between the property line of the
24 premises and the property line of the church is at least 40
25 feet;

26 (6) the licensee has been operating at the premises

1 since 2012;

2 (7) the church was constructed in 1904;

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

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

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

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

18 (2) the licensee shall only sell packaged liquors on
19 the premises;

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

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

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

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

4 (11) Notwithstanding any provision of 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 at a premises that is located within a municipality with
8 a population in excess of 1,000,000 inhabitants and within 100
9 feet of a school if:

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

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

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

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

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

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

24 (mm) Notwithstanding any provision of this Section to the
25 contrary, nothing in this Section shall prohibit the issuance
26 or renewal of a license authorizing the sale of alcoholic

1 liquor within premises and at an outdoor patio or sidewalk
2 cafe, or both, attached to premises that are located in a
3 municipality with a population in excess of 1,000,000
4 inhabitants and that are within 100 feet of a hospital if:

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

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

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

16 (4) the hospital is an adult acute care facility
17 primarily located within the City of Chicago Institutional
18 Planned Development Number 3.

19 (nn) 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 at a premises that is located within a municipality with
23 a population in excess of 1,000,000 inhabitants and within 100
24 feet of a church if:

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

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

3 (3) the premises are a building that was constructed in
4 1913 and opened on May 24, 1915 as a vaudeville theater,
5 and the premises were converted to a motion picture theater
6 in 1935;

7 (4) the church was constructed in 1889 with a stone
8 exterior;

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

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

15 (7) the alderman in whose ward the premises are located
16 has expressed his or her support for the issuance of the
17 license in writing.

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

24 (1) the primary entrance of the premises and the
25 primary entrance of the mosque, church, or other place of
26 worship are perpendicular and are on different streets;

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

4 (3) the distance between the 2 primary entrances is at
5 least 100 feet;

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

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

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

14 (7) a license for the sale of alcohol at the premises
15 has been continuously in effect since January 1, 1985,
16 except for interruptions between licenses of no more than
17 90 days; and

18 (8) the premises are a single-story, single-use
19 building of at least 3,000 square feet and no more than
20 3,380 square feet.

21 (pp) 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 incidental to the sale of food within a restaurant or
25 banquet facility established on premises that are located in a
26 municipality with a population in excess of 1,000,000

1 inhabitants and within 100 feet of at least one church if:

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

4 (2) the premises are at least 2,000 square feet and no
5 more than 10,000 square feet and is located in a
6 single-story building;

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

11 (4) the property on which the premises are located and
12 the properties on which the churches are located are on the
13 same street;

14 (5) the property on which the premises are located is
15 immediately adjacent to and east of the property on which
16 at least one of the churches is located;

17 (6) the property on which the premises are located is
18 across the street and southwest of the property on which
19 another church is located;

20 (7) the principal religious leaders of the churches
21 have indicated their support for the issuance of the
22 license in writing; and

23 (8) the alderman in whose ward the premises are located
24 has expressed his or her support for the issuance of the
25 license in writing.

26 For purposes of this subsection (pp), "banquet facility"

1 means the part of the building that caters to private parties
2 and where the sale of alcoholic liquors is not the principal
3 business.

4 (qq) Notwithstanding any provision of 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 on premises that are located within a municipality with
8 a population in excess of 1,000,000 inhabitants and within 100
9 feet of a church or school if:

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

13 (2) the shortest distance between the premises and the
14 church or school is at least 66 feet apart and no greater
15 than 81 feet apart;

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

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

25 (5) the principal religious leader at the place of
26 worship has indicated his or her support to the issuance or

1 renewal of the license in writing;

2 (6) the alderman of the ward has indicated his or her
3 support to the issuance or renewal of the license in
4 writing; and

5 (7) the principal of the school has indicated his or
6 her support to the issuance or renewal of the license in
7 writing.

8 (rr) 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 club that leases space to a school if:

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

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

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

21 (4) the property line of the premises is approximately
22 68 feet from the property line of the club;

23 (5) the primary entrance of the premises and the
24 primary entrance of the club where the school leases space
25 are at least 100 feet apart;

26 (6) the director of the club renting space to the

1 school has indicated his or her consent to the issuance of
2 the license in writing; and

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

6 (ss) 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 premises are located within a 15 unit building
13 with 13 residential apartments and 2 commercial spaces, and
14 the licensee will occupy both commercial spaces;

15 (2) a restaurant has been operated on the premises
16 since June 2011;

17 (3) the restaurant currently occupies 1,075 square
18 feet, but will be expanding to include 975 additional
19 square feet;

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

22 (5) the premises are located south of the church and on
23 the same street and are separated by a one-way westbound
24 street;

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

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

3 (8) the building in which the restaurant is located was
4 built in 1910;

5 (9) 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 (10) 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 (ss).

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

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

20 (2) the sale of alcoholic liquor is incidental to the
21 sale of food;

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

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

1 (5) the shortest distance between the lot line of the
2 parking lot of the premises and the exterior wall of the
3 church is at least 80 feet;

4 (6) the distance between the building in which the
5 church is located and the building in which the premises
6 are located is at least 180 feet;

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

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

13 (uu) 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 premises located within a municipality with a
17 population in excess of 1,000,000 inhabitants and within 100
18 feet of a church if:

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

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

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

26 (4) the main entrance to the church faces west and is

1 at least 500 feet from the entrance of the premises, which
2 faces north;

3 (5) the church and the premises are separated by an
4 alley;

5 (6) the applicant is the owner of 9 similar grocery
6 stores in the City of Chicago and the surrounding area and
7 has been in business for more than 40 years; and

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

11 (vv) Notwithstanding any provision of 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 premises located within a municipality with a
15 population in excess of 1,000,000 inhabitants and within 100
16 feet of a church if:

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

19 (2) the sale of alcoholic liquor is primary to the sale
20 of food;

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

23 (4) the primary entrance of the premises is at least
24 100 feet from the primary entrance of the church;

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

1 (6) the premises are less than 100 feet from the church
2 center, but greater than 100 feet from the area within the
3 building where church services are held;

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

6 (8) the premises were once designated as a Korean
7 American Presbyterian Church and were once used as a
8 Masonic Temple;

9 (9) the premises were built in 1910;

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

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

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

20 (wv) 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 at premises located within a municipality with a
24 population in excess of 1,000,000 inhabitants and within 100
25 feet of a school if:

26 (1) the school is located within Sub Area III of City

1 of Chicago Residential-Business Planned Development Number
2 523, as amended; and

3 (2) the premises are located within Sub Area I, Sub
4 Area II, or Sub Area IV of City of Chicago
5 Residential-Business Planned Development Number 523, as
6 amended.

7 (xx) 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 wine or wine-related products is the
14 exclusive business carried on by the licensee at the
15 premises;

16 (2) the primary entrance of the premises and the
17 primary entrance of the church are at least 100 feet apart
18 and are located on different streets;

19 (3) the building in which the premises are located and
20 the building in which the church is located are separated
21 by an alley;

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

25 (5) the premises are located on the first floor of a
26 2-story building that is at least 99 years old and has a

1 residential unit on the second floor; and

2 (6) the principal religious leader at the church has
3 indicated his or her support for the issuance or renewal of
4 the license in writing.

5 (yy) 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 premises located within a municipality with a
9 population in excess of 1,000,000 inhabitants and within 100
10 feet of a church if:

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

13 (2) the sale of alcoholic liquor is not the principal
14 business carried on by the licensee at the premises and is
15 limited to a restaurant located on the first floor of the
16 hotel;

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

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

19 (5) the principal religious leader of the church has
20 delivered a written statement that he or she does not
21 object to the issuance of a license under this subsection
22 (yy); and

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

26 (zz) 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 15-story hotel containing 143
7 guest rooms;

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

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

10 (4) the restaurant is located in the first floor lobby
11 of the hotel;

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

14 (6) the hotel is located approximately 50 feet from the
15 church and is separated from the church by a public street
16 on the ground level and by air space on the upper level,
17 which is where the public entrances are located;

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

19 (8) the principal religious leader of the church has
20 delivered a written statement that he or she does not
21 object to the issuance of a license under this subsection
22 (zz); and

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

26 (aaa) Notwithstanding any provision in 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 within a full-service grocery store at premises located
4 within a municipality with a population in excess of 1,000,000
5 inhabitants and within 100 feet of a school if:

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

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

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

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

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

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

19 (7) the grocery store executed a binding lease for the
20 property in 2008;

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

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

26 and

1 (10) the director of the school has expressed, in
2 writing, his or her support for the issuance of the
3 license.

4 (bbb) Notwithstanding any provision of 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 at premises located within a municipality with a
8 population in excess of 1,000,000 inhabitants and within 100
9 feet of a church if:

10 (1) the sale of alcoholic liquor at the premises is
11 incidental to the sale of food;

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

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

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

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

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

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

22 (8) the principal religious leader of the church has
23 not indicated his or her opposition to the issuance or
24 renewal of the license in writing.

25 (ccc) 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 within a full-service grocery store at premises located
3 within a municipality with a population in excess of 1,000,000
4 inhabitants and within 100 feet of a church and school if:

5 (1) as of March 14, 2007, the premises are located in a
6 City of Chicago Residential-Business Planned Development
7 No. 1052;

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

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

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

16 (5) the premises are new construction when the license
17 is first issued;

18 (6) the constructed premises are to be no less than
19 50,000 square feet;

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

21 (8) the premises and the property containing the church
22 and church-affiliated school are located on perpendicular
23 streets and the school and church are adjacent to one
24 another;

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

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

4 (ddd) Notwithstanding any provision of 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 at premises located within a municipality with a
8 population in excess of 1,000,000 inhabitants and within 100
9 feet of a church or school if:

10 (1) the business has been issued a license from the
11 municipality to allow the business to operate a theater on
12 the premises;

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

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

16 (4) the premises are located to the north of the
17 church;

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

22 (6) the primary entrance of the premises and the
23 primary entrance of any school within 100 feet of the
24 premises are located either on a different street or across
25 a right-of-way from the premises;

26 (7) the premises are located in a building that is at

1 least 100 years old; and

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

5 (eee) 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 premises located within a municipality with a
9 population in excess of 1,000,000 inhabitants and within 100
10 feet of a church and school if:

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

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

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

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

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

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

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

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

1 (9) the principal religious leader at the place of
2 worship has indicated his or her support for the issuance
3 of the license in writing;

4 (10) the principal of the school has indicated in
5 writing that he or she is not opposed to the issuance of
6 the license; and

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

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

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

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

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

23 (4) the sale of alcoholic liquor at the premises occurs
24 in a retail area of the grocery store that is approximately
25 3,500 square feet;

26 (5) the grocery store has operated at the location

1 since 1984;

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

3 (7) the property on which the premises are located is a
4 corner lot that is bound by 3 streets and an alley, where
5 one street is a one-way street that runs north-south, one
6 street runs east-west, and one street runs
7 northwest-southeast;

8 (8) the property line of the premises is approximately
9 16 feet from the property line of the building where the
10 church is located;

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

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

15 (11) representatives of the church have delivered a
16 written statement that the church does not object to the
17 issuance of a license under this subsection (fff); and

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

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

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

5 (2) the restaurant and lobby coffee house are located
6 within a Community Shopping District within the
7 municipality;

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

15 (4) the sale of alcoholic liquor is not the primary
16 business activity of the apartment complex, restaurant, or
17 lobby coffee house;

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

20 (6) the entrance to the apartment residence is located
21 at the end of the block around the corner from the south
22 side of the school building;

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

24 (8) the pastor of the parish, principal of the school,
25 and the titleholder to the church and school have given
26 written consent to the issuance of the license;

1 (9) the alderman of the ward in which the premises are
2 located has given written consent to the issuance of the
3 license; and

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

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

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

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

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

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

20 (5) the primary entrance to the premises is more than
21 100 feet from the primary entrance to the home for indigent
22 persons, which opened in 1989 and is operated to address
23 homelessness and provide shelter;

24 (6) the primary entrance to the premises and the
25 primary entrance to the home for indigent persons are
26 located on different streets;

1 (7) the executive director of the home for indigent
2 persons has given written consent to the issuance of the
3 license;

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

6 (9) the entrance to the premises is more than 100 feet
7 from where any worship or educational programming is
8 conducted by the Buddhist temple and is located in an area
9 used only for other purposes; and

10 (10) the president and the board of directors of the
11 Buddhist temple have given written consent to the issuance
12 of the license.

13 (iii) 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 premises located within a municipality in excess of
17 1,000,000 inhabitants and within 100 feet of a home for the
18 aged if:

19 (1) the sale of alcoholic liquor is not the principal
20 business carried on by the licensee on the premises;

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

23 (3) the premises are on the ground floor of a
24 multi-floor, university-affiliated housing facility;

25 (4) the premises occupy 1,916 square feet of space,
26 with the total square footage from which liquor will be

1 sold, served, and consumed to be 900 square feet;

2 (5) the premises are separated from the home for the
3 aged by an alley;

4 (6) the primary entrance to the premises and the
5 primary entrance to the home for the aged are at least 500
6 feet apart and located on different streets;

7 (7) representatives of the home for the aged have
8 expressed, in writing, that the home does not object to the
9 issuance of a license under this subsection; and

10 (8) the alderman of the ward in which the restaurant is
11 located has expressed, in writing, his or her support for
12 the issuance of the license.

13 (jjj) 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 premises located within a municipality with a
17 population in excess of 1,000,000 inhabitants and within 100
18 feet of a school if:

19 (1) as of January 1, 2016, the premises were used for
20 the sale of alcoholic liquor for consumption on the
21 premises and were authorized to do so pursuant to a retail
22 tavern license held by an individual as the sole proprietor
23 of the premises;

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

26 (3) the school was founded in 1949;

1 (4) the building in which the premises are situated was
2 constructed before 1930;

3 (5) the building in which the premises are situated is
4 immediately across the street from the school; and

5 (6) the school has not indicated its opposition to the
6 issuance or renewal of the license in writing.

7 (kkk) (Blank).

8 (lll) 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 synagogue or school if:

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

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

18 (3) the premises are located on the same street on
19 which the synagogue or school is located;

20 (4) the primary entrance to the premises and the
21 closest entrance to the synagogue or school is at least 100
22 feet apart;

23 (5) the shortest distance between the premises and the
24 synagogue or school is at least 65 feet apart and no
25 greater than 70 feet apart;

26 (6) the premises are between 1,800 and 2,000 square

1 feet;

2 (7) the synagogue was founded in 1861; and

3 (8) the leader of the synagogue has indicated, in
4 writing, the synagogue's support for the issuance or
5 renewal of the license.

6 (mmm) Notwithstanding any provision of this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of licenses authorizing the sale of alcoholic liquor
9 within a restaurant or lobby coffee house at premises located
10 within a municipality with a population in excess of 1,000,000
11 inhabitants and within 100 feet of a church 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 sale of alcoholic liquor at the premises is
15 incidental to the sale of food in a restaurant;

16 (3) the restaurant has been run by the same family for
17 at least 19 consecutive years;

18 (4) the premises are located in a 3-story building in
19 the most easterly part of the first floor;

20 (5) the building in which the premises are located has
21 residential housing on the second and third floors;

22 (6) the primary entrance to the premises is on a
23 north-south street around the corner and across an alley
24 from the primary entrance to the church, which is on an
25 east-west street;

26 (7) the primary entrance to the church and the primary

1 entrance to the premises are more than 160 feet apart; and

2 (8) the church has expressed, in writing, its support
3 for the issuance of a license under this subsection.

4 (nnn) Notwithstanding any provision of this Section to the
5 contrary, nothing in this Section shall prohibit the issuance
6 or renewal of licenses authorizing the sale of alcoholic liquor
7 within a restaurant or lobby coffee house at premises located
8 within a municipality with a population in excess of 1,000,000
9 inhabitants and within 100 feet of a school and church or
10 synagogue 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 sale of food in a restaurant;

15 (3) the front door of the synagogue faces east on the
16 next north-south street east of and parallel to the
17 north-south street on which the restaurant is located where
18 the restaurant's front door faces west;

19 (4) the closest exterior pedestrian entrance that
20 leads to the school or the synagogue is across an east-west
21 street and at least 300 feet from the primary entrance to
22 the restaurant;

23 (5) the nearest church-related or school-related
24 building is a community center building;

25 (6) the restaurant is on the ground floor of a 3-story
26 building constructed in 1896 with a brick façade;

1 (7) the restaurant shares the ground floor with a
2 theater, and the second and third floors of the building in
3 which the restaurant is located consists of residential
4 housing;

5 (8) the leader of the synagogue and school has
6 expressed, in writing, that the synagogue does not object
7 to the issuance of a license under this subsection; and

8 (9) the alderman of the ward in which the premises is
9 located has expressed, in writing, his or her support for
10 the issuance of the license.

11 (ooo) Notwithstanding any provision of 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 premises located within a municipality with a
15 population in excess of 2,000 but less than 5,000 inhabitants
16 in a county with a population in excess of 3,000,000 and within
17 100 feet of a home for the aged if:

18 (1) as of March 1, 2016, the premises were used to sell
19 alcohol pursuant to a retail tavern and packaged goods
20 license issued by the municipality and held by a limited
21 liability company as the proprietor of the premises;

22 (2) the home for the aged was completed in 2015;

23 (3) the home for the aged is a 5-story structure;

24 (4) the building in which the premises are situated is
25 directly adjacent to the home for the aged;

26 (5) the building in which the premises are situated was

1 constructed before 1950;

2 (6) the home for the aged has not indicated its
3 opposition to the issuance or renewal of the license; and

4 (7) the president of the municipality has expressed in
5 writing that he or she does not object to the issuance or
6 renewal of the license.

7 (ppp) 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 or churches if:

13 (1) the shortest distance between the premises and a
14 church is at least 78 feet apart and no greater than 95
15 feet apart;

16 (2) the premises are a single-story, brick commercial
17 building and at least 5,067 square feet and were
18 constructed in 1922;

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

20 (4) the premises are separated from the buildings
21 containing the churches by a street;

22 (5) the previous owners of the business located on the
23 premises held a liquor license for at least 10 years;

24 (6) the new owner of the business located on the
25 premises has managed 2 other food and liquor stores since
26 1997;

1 (7) the principal religious leaders at the places of
2 worship have indicated their support for the issuance or
3 renewal of the license in writing; and

4 (8) the alderman of the ward in which the premises are
5 located has indicated his or her support for the issuance
6 or renewal of the license in writing.

7 (qqq) 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 or school if:

13 (1) the premises are at least 5,300 square feet and
14 located in a building that was built prior to 1940 with
15 frontage on South Michigan Avenue;

16 (2) the shortest distance between the property line of
17 the premises and the exterior wall of the building in which
18 the church is located is at least 109 feet;

19 (3) the distance between the building in which the
20 church is located and the building in which the premises
21 are located is at least 118 feet;

22 (4) the main entrance to the church faces west and is
23 at least 602 feet from the main entrance of the premises;

24 (5) the shortest distance between the property line of
25 the premises and the property line of the school is at
26 least 177 feet;

1 (6) the applicant has been in business for more than 10
2 years;

3 (7) the principal religious leader of the church has
4 indicated his or her support for the issuance or renewal of
5 the license in writing;

6 (8) the principal of the school has indicated in
7 writing that he or she is not opposed to the issuance of
8 the license; and

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

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

18 (1) the premises are at least 59,000 square feet and
19 located in a building that was built prior to 1940 with
20 frontage on South Michigan Avenue;

21 (2) the shortest distance between the west property
22 line of the premises and the exterior wall of the church is
23 at least 99 feet;

24 (3) the distance between the building in which the
25 church is located and the building in which the premises
26 are located is at least 102 feet;

1 (4) the main entrance to the church faces west and is
2 at least 457 feet from the main entrance of the premises;

3 (5) the shortest distance between the property line of
4 the premises and the property line of the school is at
5 least 66 feet;

6 (6) the applicant has been in business for more than 10
7 years;

8 (7) the principal religious leader of the church has
9 indicated his or her support for the issuance or renewal of
10 the license in writing;

11 (8) the principal of the school has indicated in
12 writing that he or she is not opposed to the issuance of
13 the license; and

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

17 (sss) Notwithstanding any provision of 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 premises located within a municipality with a
21 population in excess of 1,000,000 inhabitants and within 100
22 feet of a place of worship if:

23 (1) the sale of liquor is incidental to the sale of
24 food;

25 (2) the premises are at least 7,100 square feet with
26 east frontage on North State Street in Chicago;

1 (3) the shortest distance between the north property
2 line of the premises and the nearest exterior wall of the
3 place of worship is at least 86 feet;

4 (4) the main entrance to the place of worship is on
5 Delaware, faces north, and is more than 150 feet from the
6 main entrance of the premises;

7 (5) the applicant has been in business for more than 20
8 years at the location;

9 (6) the principal religious leader of the place of
10 worship has indicated his or her support for the issuance
11 or renewal of the license in writing; and

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

15 (Source: P.A. 98-274, eff. 8-9-13; 98-463, eff. 8-16-13;
16 98-571, eff. 8-27-13; 98-592, eff. 11-15-13; 98-1092, eff.
17 8-26-14; 98-1158, eff. 1-9-15; 99-46, eff. 7-15-15; 99-47, eff.
18 7-15-15; 99-477, eff. 8-27-15; 99-484, eff. 10-30-15; 99-558,
19 eff. 7-15-16; 99-642, eff. 7-28-16; revised 10-27-16.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."