

1 AN ACT concerning regulation.

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).

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

25 (d) In the interest of further developing Illinois' economy
26 in the area of commerce, tourism, convention, and banquet

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

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

25 (e) Nothing in this Section shall prohibit the issuance of
26 a license to a church or private school to sell at retail

1 alcoholic liquor if any such sales are limited to periods when
2 groups are assembled on the premises solely for the promotion
3 of some common object other than the sale or consumption of
4 alcoholic liquors.

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

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

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

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

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

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

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

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

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

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

26 (i) Notwithstanding any provision in 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 a premises
3 that is located within a municipality with a population in
4 excess of 300,000 inhabitants and is within 100 feet of a
5 church, synagogue, or other place of worship if:

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

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

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

20 (k) 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 primary entrance of the premises and the

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

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

5 (3) the school was built in 1978;

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

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

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

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

16 (1) 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 or school if:

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

25 (2) the shortest distance between the premises and the
26 church or school is at least 80 feet apart and no greater

1 than 85 feet apart;

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

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

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

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

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

15 (m) Notwithstanding any provision in 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 a premises that is located within a municipality with
19 a population in excess of 1,000,000 inhabitants and is within
20 100 feet of a church if:

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

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

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

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

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

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

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

13 (n) Notwithstanding any provision in 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 is within
18 100 feet of a school if:

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

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

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

26 (4) the sale of alcoholic liquor at the premises is

1 incidental to the sale of food; and

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

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

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

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

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

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

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

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

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

25 For purposes of this subsection (o), "premises" means a
26 place of business together with a privately owned outdoor

1 location that is adjacent to the place of business.

2 (p) Notwithstanding any provision in 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 a premises that is located within a municipality with
6 a population in excess of 1,000,000 inhabitants and within 100
7 feet of a church if:

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

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

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

15 (q) 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 within a premises that is located in a municipality with
19 a population in excess of 1,000,000 inhabitants and within 100
20 feet of a church-owned property if:

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

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

26 (3) the larger building containing the premises is

1 within 100 feet of the nearest property line of a
2 church-owned property on which a church-affiliated school
3 is located;

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

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

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

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

16 (8) (Blank).

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

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

26 (2) the restaurant has operated on the ground floor and

1 lower level of a multi-story, multi-use building for more
2 than 40 years;

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

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

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

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

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

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

24 (3) a license for the sale of alcoholic liquor on the
25 premises has been continuously in effect since January 1,
26 2007, except for interruptions between licenses of no more

1 than 90 days.

2 (t) 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 that
6 is established in a premises that is located in a municipality
7 with a population in excess of 1,000,000 inhabitants and within
8 100 feet of a school and a church if:

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

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

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

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

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

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

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

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

23 (9) the principal religious leader of the church and
24 either the alderman of the ward in which the school is
25 located or the principal of the school have delivered a
26 written statement to the local liquor control commissioner

1 stating that he or she does not object to the issuance of a
2 license under this subsection (t).

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

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

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

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

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

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

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

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

25 (8) the distance from the rear door of the premises to
26 the southwest corner of the property line of the school is

1 at least 93 feet;

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

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

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

10 (v) 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 at a premises that is located within a municipality with
14 a population in excess of 1,000,000 inhabitants and is within
15 100 feet of a school if:

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

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

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

24 (4) the property line of the premises for which the
25 license or renewal is sought is separated from the property
26 line of the school by a street;

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

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

7 (w) 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 1,000,000 inhabitants and within 100 feet of a church
12 if:

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

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

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

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

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

24 (6) the distance between the property line of the
25 premises and the property line of the church is at least 20
26 feet;

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

4 (8) the church has been at its location for at least 40
5 years.

6 (x) 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 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 church has been operating in its current
15 location since 1973;

16 (3) the premises has been operating in its current
17 location since 1988;

18 (4) the church and the premises are owned by the same
19 parish;

20 (5) the premises is used for cultural and educational
21 purposes;

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

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

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

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

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

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

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

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

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

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

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

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

4 (z) 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 mosque 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 at
13 the premises;

14 (3) the licensee is a national retail chain having over
15 100 locations within the municipality;

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

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

18 (6) the premises is located in the North-East quadrant
19 of the municipality;

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

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

24 (9) the premises has approximately 799 square feet of
25 pharmacy space;

26 (10) the premises is located on a major arterial street

1 that runs east-west and accepts truck traffic; and

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

5 (aa) 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 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 licensee shall only sell packaged liquors at
14 the premises;

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

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

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

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

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

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

25 (9) the premises has approximately 992 square feet of
26 pharmacy space;

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

3 (11) 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.

6 (bb) 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 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;

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

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

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

22 (6) the church is an elder-led and Bible-based Assyrian
23 church;

24 (7) the premises and the church are both single-story
25 buildings;

26 (8) the storefront directly west of the church is being

1 used as a restaurant; and

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

5 (cc) 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 at
14 the premises;

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

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

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

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

25 (7) the building in which the premises shall be located
26 has been listed on the National Register of Historic Places

1 since April 17, 1970.

2 (dd) Notwithstanding any provision in 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 within a full-service grocery store at a premises that
6 is located within a municipality with a population in excess of
7 1,000,000 inhabitants and is within 100 feet of a school if:

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

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

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

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

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

18 (6) the school is a private school;

19 (7) the principal of the school has given written
20 approval for the license;

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

24 (9) the grocery store level of the premises is between
25 60,000 and 70,000 square feet; and

26 (10) the owner and operator of the grocery store

1 operates 2 other grocery stores that have alcoholic liquor
2 licenses within the same municipality.

3 (ee) 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 within a full-service grocery store at a premises that
7 is located within a municipality with a population in excess of
8 1,000,000 inhabitants and is within 100 feet of a school if:

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

11 (2) the premises is located on land that has undergone
12 environmental remediation;

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

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

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

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

24 (7) the alderman of the ward where the premises is
25 located has given written approval of the issuance of the
26 license; and

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

3 (ff) 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 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 school if:

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

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

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

15 (4) the school is a City of Chicago School District 299
16 school;

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

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

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

26 (gg) 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 incidental to the sale of food within a restaurant or
4 banquet facility established in a premises that is located in a
5 municipality with a population in excess of 1,000,000
6 inhabitants and within 100 feet of a church if:

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

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

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

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

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

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

24 (7) as of December 31, 2012, both the church property
25 and the property on which the premises are located are
26 within 250 feet of City of Chicago Business-Residential

1 Planned Development Number 38;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (8) the principal religious leader at the place of
25 worship has indicated his or her consent to the issuance of
26 the license in writing.

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

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

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

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

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

19 (6) the licensee has been operating at the premises
20 since 2012;

21 (7) the church was constructed in 1904;

22 (8) 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; and

25 (9) the principal religious leader of the church has
26 delivered a written statement that he or she does not

1 object to the issuance of a license under this subsection
2 (jj).

3 (kk) 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 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 school 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 licensee shall only sell packaged liquors on
12 the premises;

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

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

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

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

23 (ll) Notwithstanding any provision of 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 within 100
2 feet of a school if:

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

5 (2) the licensee shall only sell packaged liquors on
6 the premises;

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

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

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

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

17 (mm) 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 within premises and at an outdoor patio or sidewalk
21 cafe, or both, attached to premises that are located in a
22 municipality with a population in excess of 1,000,000
23 inhabitants and that are within 100 feet of a hospital if:

24 (1) the primary business of the restaurant consists of
25 the sale of food where the sale of liquor is incidental to
26 the sale of food;

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

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

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

12 (nn) 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 out on the premises;

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

22 (3) the premises are a building that was constructed in
23 1913 and opened on May 24, 1915 as a vaudeville theater,
24 and the premises were converted to a motion picture theater
25 in 1935;

26 (4) the church was constructed in 1889 with a stone

1 exterior;

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

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

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

10 (oo) 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 mosque, church, or other place of worship if:

16 (1) the primary entrance of the premises and the
17 primary entrance of the mosque, church, or other place of
18 worship are perpendicular and are on different streets;

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

22 (3) the distance between the 2 primary entrances is at
23 least 100 feet;

24 (4) the mosque, church, or other place of worship was
25 established in a location within 100 feet of the premises
26 after a license for the sale of alcohol at the premises was

1 first issued;

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

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

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

10 (8) the premises are a single-story, single-use
11 building of at least 3,000 square feet and no more than
12 3,380 square feet.

13 (pp) 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 incidental to the sale of food within a restaurant or
17 banquet facility established on premises that are located in a
18 municipality with a population in excess of 1,000,000
19 inhabitants and within 100 feet of at least one church if:

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

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

25 (3) the property on which the premises are located is
26 within an area that, as of 2009, was designated as a

1 Renewal Community by the United States Department of
2 Housing and Urban Development;

3 (4) the property on which the premises are located and
4 the properties on which the churches are located are on the
5 same street;

6 (5) the property on which the premises are located is
7 immediately adjacent to and east of the property on which
8 at least one of the churches is located;

9 (6) the property on which the premises are located is
10 across the street and southwest of the property on which
11 another church is located;

12 (7) the principal religious leaders of the churches
13 have indicated their support for the issuance of the
14 license in writing; and

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

22 (qq) 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 on premises that are located within a municipality with
26 a population in excess of 1,000,000 inhabitants and within 100

1 feet of a church or school if:

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

5 (2) the shortest distance between the premises and the
6 church or school is at least 66 feet apart and no greater
7 than 81 feet apart;

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

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

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

20 (6) the alderman of the ward has indicated his or her
21 support to the issuance or renewal of the license in
22 writing; and

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

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

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

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

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

13 (4) the property line of the premises is approximately
14 68 feet from the property line of the club;

15 (5) the primary entrance of the premises and the
16 primary entrance of the club where the school leases space
17 are at least 100 feet apart;

18 (6) the director of the club renting space to the
19 school has indicated his or her consent to the issuance of
20 the license in writing; and

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

24 (ss) 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 at premises located within a municipality with a
2 population in excess of 1,000,000 inhabitants and within 100
3 feet of a church if:

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

7 (2) a restaurant has been operated on the premises
8 since June 2011;

9 (3) the restaurant currently occupies 1,075 square
10 feet, but will be expanding to include 975 additional
11 square feet;

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

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

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

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

21 (8) the building in which the restaurant is located was
22 built in 1910;

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; and

26 (10) the principal religious leader of the church has

1 delivered a written statement that he or she does not
2 object to the issuance of a license under this subsection
3 (ss).

4 (tt) 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 is not the principal
11 business carried on by the licensee at the premises;

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

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

16 (4) the premises are at least 40,000 square feet with
17 25 parking spaces in the contiguous surface lot to the
18 north of the store and 93 parking spaces on the roof;

19 (5) the shortest distance between the lot line of the
20 parking lot of the premises and the exterior wall of the
21 church is at least 80 feet;

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

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

1 and

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

5 (uu) 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 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 is incidental to the
14 operation of a grocery store;

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

18 (4) the main entrance to the church faces west and is
19 at least 500 feet from the entrance of the premises, which
20 faces north;

21 (5) the church and the premises are separated by an
22 alley;

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

26 (7) 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.

3 (vv) 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 the principal
10 business carried on by the licensee at the premises;

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

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

15 (4) the primary entrance of the premises is at least
16 100 feet from the primary entrance of the church;

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

19 (6) the premises are less than 100 feet from the church
20 center, but greater than 100 feet from the area within the
21 building where church services are held;

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

24 (8) the premises were once designated as a Korean
25 American Presbyterian Church and were once used as a
26 Masonic Temple;

1 (9) the premises were built in 1910;

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

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

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

12 (ww) 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 school if:

18 (1) the school is located within Sub Area III of City
19 of Chicago Residential-Business Planned Development Number
20 523, as amended; and

21 (2) the premises are located within Sub Area I, Sub
22 Area II, or Sub Area IV of City of Chicago
23 Residential-Business Planned Development Number 523, as
24 amended.

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

8 (2) the primary entrance of the premises and the
9 primary entrance of the church are at least 100 feet apart
10 and are located on different streets;

11 (3) the building in which the premises are located and
12 the building in which the church is located are separated
13 by an alley;

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

17 (5) the premises are located on the first floor of a
18 2-story building that is at least 99 years old and has a
19 residential unit on the second floor; and

20 (6) the principal religious leader at the church has
21 indicated his or her support for the issuance or renewal of
22 the license in writing.

23 (yy) Notwithstanding any provision of 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 premises located within a municipality with a

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

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

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

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

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

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

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

18 (zz) 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 premises located within a municipality with a
22 population in excess of 1,000,000 inhabitants and within 100
23 feet of a church if:

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

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

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

2 (4) the restaurant is located in the first floor lobby
3 of the hotel;

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

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

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

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

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

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

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

26 (2) the premises are newly constructed on land that was

1 formerly used by the Young Men's Christian Association;

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

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

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

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

11 (7) the grocery store executed a binding lease for the
12 property in 2008;

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

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

19 (10) the director of the school has expressed, in
20 writing, his or her support for the issuance of the
21 license.

22 (bbb) 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 at premises located within a municipality with a
26 population in excess of 1,000,000 inhabitants and within 100

1 feet of a church if:

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

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

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

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

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

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

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

14 (8) the principal religious leader of the church has
15 not indicated his or her opposition to the issuance or
16 renewal of the license in writing.

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

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

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

1 business carried on by the licensee at the premises;

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

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

8 (5) the premises are new construction when the license
9 is first issued;

10 (6) the constructed premises are to be no less than
11 50,000 square feet;

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

13 (8) the premises and the property containing the church
14 and church-affiliated school are located on perpendicular
15 streets and the school and church are adjacent to one
16 another;

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

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

22 (ddd) 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 at premises located within a municipality with a
26 population in excess of 1,000,000 inhabitants and within 100

1 feet of a church or school if:

2 (1) the business has been issued a license from the
3 municipality to allow the business to operate a theater on
4 the premises;

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

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

8 (4) the premises are located to the north of the
9 church;

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

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

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

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

23 (eee) Notwithstanding any provision of 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 premises located within a municipality with a

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

3 (1) the sale of alcoholic liquor is incidental to the
4 sale of food;

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

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

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

11 (5) the distance between the property line of the
12 premises and the property line of the church is at least 20
13 feet;

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

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

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

19 (9) the principal religious leader at the place of
20 worship has indicated his or her support for the issuance
21 of the license in writing;

22 (10) the principal of the school has indicated in
23 writing that he or she is not opposed to the issuance of
24 the license; and

25 (11) the alderman of the ward in which the premises are
26 located has expressed, in writing, his or her lack of an

1 objection to the issuance of the license.

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

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

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

15 (4) the sale of alcoholic liquor at the premises occurs
16 in a retail area of the grocery store that is approximately
17 3,500 square feet;

18 (5) the grocery store has operated at the location
19 since 1984;

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

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

26 (8) the property line of the premises is approximately

1 16 feet from the property line of the building where the
2 church is located;

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

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

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

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

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

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

23 (2) the restaurant and lobby coffee house are located
24 within a Community Shopping District within the
25 municipality;

26 (3) the premises are located in a single-building,

1 mixed-use complex that, in addition to the restaurant and
2 lobby coffee house, contains apartment residences, a
3 fitness center for the residents of the apartment building,
4 a lobby designed as a social center for the residents, a
5 rooftop deck, and a patio with a dog run for the exclusive
6 use of the residents;

7 (4) the sale of alcoholic liquor is not the primary
8 business activity of the apartment complex, restaurant, or
9 lobby coffee house;

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

12 (6) the entrance to the apartment residence is located
13 at the end of the block around the corner from the south
14 side of the school building;

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

16 (8) the pastor of the parish, principal of the school,
17 and the titleholder to the church and school have given
18 written consent to the issuance of the license;

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

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

24 (hhh) Notwithstanding any provision of this Section to the
25 contrary, nothing in this Section shall prohibit the issuance
26 or renewal of a license to sell alcoholic liquor at premises

1 located within a municipality with a population in excess of
2 1,000,000 inhabitants and within 100 feet of a home for
3 indigent persons or a church if:

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

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

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

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

12 (5) the primary entrance to the premises is more than
13 100 feet from the primary entrance to the home for indigent
14 persons, which opened in 1989 and is operated to address
15 homelessness and provide shelter;

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

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

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

24 (9) the entrance to the premises is more than 100 feet
25 from where any worship or educational programming is
26 conducted by the Buddhist temple and is located in an area

1 used only for other purposes; and

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

5 (iii) 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 in excess of
9 1,000,000 inhabitants and within 100 feet of a home for the
10 aged if:

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

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

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

17 (4) the premises occupy 1,916 square feet of space,
18 with the total square footage from which liquor will be
19 sold, served, and consumed to be 900 square feet;

20 (5) the premises are separated from the home for the
21 aged by an alley;

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

25 (7) representatives of the home for the aged have
26 expressed, in writing, that the home does not object to the

1 issuance of a license under this subsection; and

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

5 (jjj) 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 school if:

11 (1) as of January 1, 2016, the premises were used for
12 the sale of alcoholic liquor for consumption on the
13 premises and were authorized to do so pursuant to a retail
14 tavern license held by an individual as the sole proprietor
15 of the premises;

16 (2) the primary entrance to the school and the primary
17 entrance to the premises are on the same street;

18 (3) the school was founded in 1949;

19 (4) the building in which the premises are situated was
20 constructed before 1930;

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

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

25 (kkk) (Blank).

26 (lll) 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 synagogue or school if:

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

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

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

12 (4) the primary entrance to the premises and the
13 closest entrance to the synagogue or school is at least 100
14 feet apart;

15 (5) the shortest distance between the premises and the
16 synagogue or school is at least 65 feet apart and no
17 greater than 70 feet apart;

18 (6) the premises are between 1,800 and 2,000 square
19 feet;

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

21 (8) the leader of the synagogue has indicated, in
22 writing, the synagogue's support for the issuance or
23 renewal of the license.

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

1 within a restaurant or lobby coffee house at premises located
2 within a municipality with a population in excess of 1,000,000
3 inhabitants and within 100 feet of a church if:

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

6 (2) the sale of alcoholic liquor at the premises is
7 incidental to the sale of food in a restaurant;

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

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

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

14 (6) the primary entrance to the premises is on a
15 north-south street around the corner and across an alley
16 from the primary entrance to the church, which is on an
17 east-west street;

18 (7) the primary entrance to the church and the primary
19 entrance to the premises are more than 160 feet apart; and

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

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

1 inhabitants and within 100 feet of a school and church or
2 synagogue if:

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

5 (2) the sale of alcoholic liquor at the premises is
6 incidental to the sale of food in a restaurant;

7 (3) the front door of the synagogue faces east on the
8 next north-south street east of and parallel to the
9 north-south street on which the restaurant is located where
10 the restaurant's front door faces west;

11 (4) the closest exterior pedestrian entrance that
12 leads to the school or the synagogue is across an east-west
13 street and at least 300 feet from the primary entrance to
14 the restaurant;

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

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

19 (7) the restaurant shares the ground floor with a
20 theater, and the second and third floors of the building in
21 which the restaurant is located consists of residential
22 housing;

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

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

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

3 (ooo) 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 2,000 but less than 5,000 inhabitants
8 in a county with a population in excess of 3,000,000 and within
9 100 feet of a home for the aged if:

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

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

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

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

18 (5) the building in which the premises are situated was
19 constructed before 1950;

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

22 (7) the president of the municipality has expressed in
23 writing that he or she does not object to the issuance or
24 renewal of the license.

25 (ppp) 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 churches if:

5 (1) the shortest distance between the premises and a
6 church is at least 78 feet apart and no greater than 95
7 feet apart;

8 (2) the premises are a single-story, brick commercial
9 building and between 3,600 to 4,000 ~~at least 5,067~~ square
10 feet and the original building was built before ~~were~~
11 ~~constructed in~~ 1922;

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

13 (4) the premises are separated from the buildings
14 containing the churches by a street;

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

17 (6) the new owner of the business located on the
18 premises has managed 2 other food and liquor stores since
19 1997;

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

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

26 (qqq) 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 sale of alcoholic liquor at the premises is
7 incidental to the sale of food;

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

10 (3) the premises are located on the opposite side of
11 the same street on which the church is located;

12 (4) the church is located on a corner lot;

13 (5) the shortest distance between the premises and the
14 church is at least 90 feet apart and no greater than 95
15 feet apart;

16 (6) the premises are between 4,350 and 5,000 square
17 feet;

18 (7) the church's original chapel was built in 1858;

19 (8) the church's first congregation was organized in
20 1860; and

21 (9) the leaders of the church and the alderman of the
22 ward in which the premises are located has expressed, in
23 writing, their support for the issuance of the license.

24 (rrr) 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 at a restaurant or banquet facility established within
2 premises located within a municipality with a population in
3 excess of 1,000,000 inhabitants and within 100 feet of a church
4 or school if:

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

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

9 (3) the immediately prior owner or the operator of the
10 restaurant or banquet facility held a valid retail license
11 authorizing the sale of alcoholic liquor at the premises
12 for at least part of the 24 months before a change of
13 ownership;

14 (4) the premises are located immediately east and
15 across the street from an elementary school;

16 (5) the premises and elementary school are part of an
17 approximately 100-acre campus owned by the church;

18 (6) the school opened in 1999 and was named after the
19 founder of the church; and

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

23 (Source: P.A. 98-274, eff. 8-9-13; 98-463, eff. 8-16-13;
24 98-571, eff. 8-27-13; 98-592, eff. 11-15-13; 98-1092, eff.
25 8-26-14; 98-1158, eff. 1-9-15; 99-46, eff. 7-15-15; 99-47, eff.
26 7-15-15; 99-477, eff. 8-27-15; 99-484, eff. 10-30-15; 99-558,

1 eff. 7-15-16; 99-642, eff. 7-28-16; 99-936, eff. 2-24-17.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.