

*Everything You Need!*

Phone 309-852-2611  
Fax 309-856-6001

March 26, 2021

Honorable Mayor and City Council  
Kewanee City Hall  
401 E. Third Street  
Kewanee, Illinois 61443

RE: Report from Plan Commission for March 25, 2021 Meeting.

The Plan Commission convened on March 25, 2021 in the Council Chambers at Kewanee City Hall, commission members Costenson, Sellers, Mirocha and Sayers were absent. For business, there were two cases to be heard.

**Case Number 1:**

**Parcel 20-33-177-031 Located at 206 N. Chestnut St., Special Use Permit Petition to serve alcohol by the drink.**

***Property Owner:*** MTI Tires LLC, 2411 E. Rockfalls Rd., Rockfalls, IL. 61071.

***Address:*** 206 N Chestnut St.

***Legal Description:*** LTS 2 & 3 COMMISSIONERS SUB OF BLK 17 ORIGINAL TOWN CITY OF KEWANEE [EZ], Henry County, Illinois.

***Location:*** On the Northeast corner of the W. 2<sup>nd</sup> St. & N. Chestnut St.

***Dimensions:*** 80 feet East to West, 125 feet North to South

***Area:*** 10000 Square feet, approximately.

***Existing buildings or uses:*** Vacant Bar & Grill.

***Current Zoning District:*** B-2 Business District – General Retail.

***Surrounding Zoning:*** Land on all sides is zoned B-1 or B-2 or B-3.

***Existing Land Use:*** Commercial.

***Proposed Land Use Map:*** Commercial.

**Background Information:**

The proposed location previously housed a bar and grill known as the Boiler Room. The Boiler Room has been empty for some time and the property is now owned by MTI Tires LLC. MTI has a tenant that wishes to reopen the location as Big Slots. The new tenant does not plan to utilize the kitchen area at this time. The location will be used as a bar and gaming location which was also part of the previous establishment.

I do not see any items of concern with this Special Use Permit request. At the end of this section are the three criteria that have to be satisfied prior to recommending a Special Use Permit granted. Directly below is a set of typical stipulations that might be placed on a Special Use Permit to sell alcohol by the serving.

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1. The Special Use Permit is granted to Big Slots LLC, only, and is not transferable to any successor property owners and/or operators of a restaurant or bar serving alcohol on the site.
2. Said Special Use Permit shall not become effective until such time as a liquor license is lawfully obtained from the City of Kewanee and the State of Illinois.
3. The sale of alcoholic beverages shall be permitted only during the hours as allowed by the license classification issued by the liquor commissioner as permitted by Section §111.18 of the City Code of the City of Kewanee.
4. The configuration and uses of various parts of the building shall remain in substantial compliance with the floor plan submitted along with the petition for the special use permit.
5. No package sale of liquor or carryout sale of liquor is allowed.
6. All activities associated with this Special Use Permit to sell alcoholic liquor by the individual serving in the gaming parlor shall be conducted in full compliance with the Kewanee City Code and the laws and regulations of the State of Illinois.
7. Any violations of the terms and conditions of the Special Use Permit are subject to review and possible revocation by the Plan Commission and City Council.

#### Special Use Permit Criteria (155.157 C)

- (1) That the proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community;
- (2) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity, and
- (3) That the proposed use will comply with the regulations and conditions specified in this chapter for such use, and with the stipulations and conditions made a part of the authorization granted by the Council.

#### **The Public Hearing:**

At 7:00 p.m. on March 25, 2021, the hearing for the Special Use Permit to serve alcohol by the drink in the proposed gaming parlor was held. Pete Harkness was present via speakerphone to represent the petition.

- Harkness stated he wishes to re-open the location as a bar with gaming parlor. It was previously a bar and grill that is closed right now.
- Edleman inquired if Harkness has any intension of utilizing the outdoor area as a music venue. Harkness stated he has no intensions of hiring bands or using the outdoor stage area. Concerning the outdoor area to the South of the building, Harkness only intends to utilize the deck area for his customers to step outside if they wish. Harkness stated he will not be creating a nuisance noise situation.
- Angela Hathaway with Parkside apartments was present and stated that she only had the concerns that Edleman had already asked about. She stated she has no other concerns.

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- Morrison read the stipulations and asked if Harkness had any questions. Harkness stated he did not.

There were no others present in support of the petition.

There were no objectors.

**Recommendation:**

After discussing the facts and testimony presented, the Plan Commission, by a vote of five in favor, none opposed, four absent, that the special use permit to serve alcohol by the drink, along with the seven stipulations below, in the proposed gaming parlor be granted to Big Slots for the property located at 206 N. Chestnut St.

1. The Special Use Permit is granted to Big Slots LLC, only, and is not transferable to any successor property owners and/or operators of a restaurant or bar serving alcohol on the site.
2. Said Special Use Permit shall not become effective until such time as a liquor license is lawfully obtained from the City of Kewanee and the State of Illinois.
3. The sale of alcoholic beverages shall be permitted only during the hours as allowed by the license classification issued by the liquor commissioner as permitted by Section §111.18 of the City Code of the City of Kewanee.
4. The configuration and uses of various parts of the building shall remain in substantial compliance with the floor plan submitted along with the petition for the special use permit.
5. No package sale of liquor or carryout sale of liquor is allowed.
6. All activities associated with this Special Use Permit to sell alcoholic liquor by the individual serving in the gaming parlor shall be conducted in full compliance with the Kewanee City Code and the laws and regulations of the State of Illinois.
7. Any violations of the terms and conditions of the Special Use Permit are subject to review and possible revocation by the Plan Commission and City Council.

**Case Number 2:**

**Parcel 20-33-177-031 Located at 206 N. Chestnut St., Special Use Permit Petition to allow a beer garden.**

**Property Owner:** MTI Tires LLC, 2411 E. Rockfalls Rd., Rockfalls, IL. 61071.

**Address:** 206 N Chestnut St.

**Legal Description:** LTS 2 & 3 COMMISSIONERS SUB OF BLK 17 ORIGINAL TOWN CITY OF KEWANEE [EZ], Henry County, Illinois.

**Location:** On the Northeast corner of the W. 2<sup>nd</sup> St. & N. Chestnut St.

**Dimensions:** 80 feet East to West, 125 feet North to South

**Area:** 10000 Square feet, approximately.

**Existing buildings or uses:** Vacant Bar & Grill.

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**Current Zoning District:** B-2 Business District – General Retail.

**Surrounding Zoning:** Land on all sides is zoned B-1 or B-2 or B-3.

**Existing Land Use:** Commercial.

**Proposed Land Use Map:** Commercial.

**Background Information:**

The subject property is the same as Case 1 above. Big Slots is also requesting approval to use the existing beer garden.

I do not see any items of concern with this Special Use Permit request. At the end of this section are the three criteria that have to be satisfied prior to recommending a Special Use Permit granted. Directly below is a set of typical stipulations that might be placed on a Special Use Permit for a beer garden.

1. The Special Use Permit for a beer garden/outdoor eating area is granted to Big Slots LLC only and is not transferable to any future owners or operators on the site.
2. The configuration and uses of various parts of the beer garden/outdoor eating area shall remain in substantial compliance with the floor plan submitted along with the petition for the Special Use Permit.
3. No package sale of liquor, or carryout sale of liquor is allowed.
4. The proposed beer garden/outdoor eating area shall comply with Chapter 111 Alcoholic Liquor and section 155.117 Beer Garden/Outdoor Eating Area of the City Code.
5. Any violation of the terms and condition of the Special Use Permit are subject to review and possible revocation by the Plan Commission and City Council.
6. The beer garden/outdoor eating area shall close at 11:00 pm Sunday through Thursday and at midnight Friday and Saturday.

**The Public Hearing:**

At 7:13 p.m. on March 25, 2021, the hearing for the Special Use Permit to allow a beer garden at the proposed location was held. Pete Harkness was present via speakerphone to represent the petition.

- There was no further discussion as all concerns were addressed about the property during the Case 1 discussion.

There were no others present in support of the petition.

There were no objectors.

**Recommendation:**

After discussing the facts and testimony presented, the Plan Commission, by a vote of five in favor, none opposed, four absent, that the special use permit to allow a beer garden, along with the six stipulations below, at the proposed gaming parlor be granted to Big Slots for the property located at 206 N. Chestnut St.

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1. The Special Use Permit for a beer garden/outdoor eating area is granted to Big Slots LLC only and is not transferable to any future owners or operators on the site.
2. The configuration and uses of various parts of the beer garden/outdoor eating area shall remain in substantial compliance with the floor plan submitted along with the petition for the Special Use Permit.
3. No package sale of liquor, or carryout sale of liquor is allowed.
4. The proposed beer garden/outdoor eating area shall comply with Chapter 111 Alcoholic Liquor and section 155.117 Beer Garden/Outdoor Eating Area of the City Code.
5. Any violation of the terms and condition of the Special Use Permit are subject to review and possible revocation by the Plan Commission and City Council.
6. The beer garden/outdoor eating area shall close at 11:00 pm Sunday through Thursday and at midnight Friday and Saturday.

There being no further business, the meeting adjourned at 7:16 p.m.

Respectfully yours,



Steve Morrison, Chairman



PLAN COMMISSION

Date 3/25/2021

Attendance

1

2

	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
COSTENSON	X	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain
EDLEMAN	✓	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain
HEMPHILL	✓	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain
SELLERS	X	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain
MIROCHA	X	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain
MORRISON	✓	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain
HODGE	✓	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain
SAYERS	X	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain
MILROY	✓	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain
	5	5Y ON	ON	5Y	ON	ON				