

Everything You Need!

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

March 29, 2019

Honorable Mayor and City Council
Kewanee City Hall
401 E. Third Street
Kewanee, Illinois 61443-2365

RE: Report from Plan Commission for March 28, 2019 Meeting.

The Plan Commission convened at 7:00 p.m. on March 28, 2019 Kewanee City Hall, Council Chambers. Commission members Edleman, Minella, Mirocha and Hodge were absent. For business, there were two Special Use Permit applications upon which to conduct a public hearing.

Case Number 1:

Parcel 25-04-478-017 Located at 544 Tenney St., Special Use Permit Petition to serve alcohol by the drink in the proposed gaming parlor.

Property Owner: Lins Realty LLC, 544 Tenney St, Kewanee, IL. 61443.

Address: 544 Tenney St.

Legal Description: N175 OF S225 OF W150 LT 129 ORIGINAL TOWN OF WETHERSFIELD CITY OF KEWANEE [EZ], Henry County, Illinois.

Location: On the East side of the 500 Block of Tenney St.

Dimensions: 150 feet East to West, 330 feet North to South

Area: 1.14 Acres or 49500 Square feet, approximately.

Existing buildings or uses: Strip mall.

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

Surrounding Zoning: B-2 Business District – General Retail to the North and South, B-3 Business and Wholesale District to the West, R-2 One-Family Dwelling District to the East.

Existing Land Use: Commercial.

Proposed Land Use Map: Commercial.

Background Information:

The proposed location currently houses food establishments. The location for this use will be in the suite that Cricket Wireless most recently occupied.

James Reed III is proposing to do business as LeMirage. According to the provided floor plan, LeMirage will be a gaming parlor serving alcohol by the drink.

Reed has been advised that all plumbing codes must be complied with as well as all ADA codes for the restroom.

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.

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The Public Hearing:

At 7:00 p.m. on March 28, 2019, the hearing on the proposed Special Use Permit to serve alcohol by the drink in a proposed new business (LeMirage) at 544 Tenney St. was held. There were no persons present to represent the application.

- Plan Commission Chair Steve Morrison read the petition.
- Edwards stated that he had discussion with Reed and advised him that all building and health codes must be complied with prior to opening.
- Costenson asked if the City had enough liquor licenses available. Edwards stated that he checked with the City Clerk prior to this hearing and verified that there were still licenses available.
- The Plan Commission members were reluctant to make a motion to approve the Special Use Permit, as they were concerned over the number of gambling locations in town.

No others were present to speak in support of the petition.

No others were present to speak in opposition of the petition.

Recommendation:

After discussing the facts and testimony presented, the Plan Commission recommends, by a vote of three in favor of the application, two opposed to the application, four absent, that the application to grant a Special Use Permit to serve alcohol by the drink be approved by the City Council. Specifically, the Plan Commission recommends that a Special Use Permit allowing the serving of alcohol by the drink at 544 Tenney St. be granted to James Reed III and LeMirage.

Additionally, the Plan Commission recommends by a vote of five in favor, none opposed, four absent that the following six stipulations be placed on the Special Use Permit.

1. The Special Use Permit is granted to James Reed III, DBA LeMirage, 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.

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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.

Case Number 2:

Parcel 20-33-178-042 Located at 113 W. 3rd St., Special Use Permit Petition to serve alcohol by the drink in the proposed gaming parlor.

Property Owner: Fernando Anaya, 226 N Tremont St, Kewanee, IL. 61443.

Address: 113 W. 3rd St.

Legal Description: LOT 6 COUNTY CLERKS SUB PT BLK 16 ORIG TOWN CITY OF KEWANEE [EZ], Henry County, Illinois.

Location: On the South side of the 100 Block of West Third St.

Dimensions: 150 feet East to West, 32 feet North to South

Area: 0.11 Acres or 4800 Square feet, approximately.

Existing buildings or uses: Strip mall.

Current Zoning District: B-1 Business District – Limited Retail.

Surrounding Zoning: B-1 Business District – Limited Retail to the East, West and South, B-3 Business and Wholesale District to the North.

Existing Land Use: Commercial.

Proposed Land Use Map: Commercial.

Background Information:

The proposed location currently houses food establishments that fronts N. Tremont St. and three small storefronts that face W. Third St. The location for this use will be in the suite that most recently was occupied by a barbershop.

Luis Anaya is proposing to do business as Slotsland, LLC. According to the provided floor plan, Slotsland will be a gaming parlor serving alcohol by the drink.

Anaya has been advised that all plumbing codes must be complied with as well as all ADA codes for the restroom.

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The Public Hearing:

At 7:10 p.m. on March 28, 2019, the hearing on the proposed Special Use Permit to serve alcohol by the drink in a proposed new business (Slotsland LLC) at 113 W. Third St. was held. There were no persons present to represent the application.

- Plan Commission Chair Steve Morrison read the petition.
- Edwards stated that Fernando Anaya came to City Hall to discuss this new business and that the applicant Luis Anaya is his father who is moving to Kewanee. Fernando was advised the same as Reed was in Case #1 that all codes must be complied with prior to opening the business.

Recommendation:

After discussing the facts and testimony presented, the Plan Commission recommends, by a vote of three in favor of the application, two opposed to the application, four absent, that the application to grant a Special Use Permit to serve alcohol by the drink be approved by the City Council. Specifically, the Plan Commission recommends that a Special Use Permit allowing the serving of alcohol by the drink at 113 W. Third St. be granted to Luis Anaya and Slotsland LLC.

Additionally, the Plan Commission recommends by a vote of five in favor, none opposed, four absent that the following six stipulations be placed on the Special Use Permit.

1. The Special Use Permit is granted to Luis Anaya, DBA Slotsland 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;

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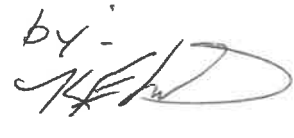
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- (2) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity, 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.

There being no further business, the meeting adjourned at 7:19 p.m.

Respectfully yours,

Steve Morrison by: 

Steve Morrison, Chairman

PLAN COMMISSION

Date

3/28/19

Attendance

SA stipulations

SA stipulations

	Attendance	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
COSTENSON	✓	no absent	no absent	yes abstain	no absent	no absent	no absent	yes abstain	no absent
EDLEMAN	✗	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
HEMPHILL	✓	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
MINELLA	✗	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
MIROCHA	✗	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
MORRISON	✓	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
HODGE	✗	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
SAYERS	✓	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
MILROY	✓	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
		3	2	3	2	5	0	5	0

LeMirage

5 lots land