

ORDINANCE NO. 3865

ORDINANCE GRANTING A SPECIAL USE PERMIT TO DENISE COOK FOR PROPERTY LOCATED AT 831 LAKE ST. IN THE CITY OF KEWANEE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KEWANEE, ILLINOIS IN COUNCIL ASSEMBLED, AS FOLLOWS:

**SECTION ONE:** The City Council finds that a Petition has heretofore been filed by Denise Cook with the City Clerk, directed to the Plan Commission and the City Council requesting that a Special Use Permit to allow establishment and operation of a beer garden / outdoor eating area be granted, on the following described real estate, to-wit:

LT 3 Jim Kelly's Sub PT Blk 3 John Zangs Addition, Now City of Kewanee, Henry County, Illinois. This land is commonly known as 831 Lake St.

**SECTION TWO:** The Plan Commission conducted a hearing upon said Petition on Wednesday, December 7, 2016, pursuant to notice published in the Kewanee Star Courier according to law, at which time and place the Commission heard the statements of the Petitioners. There were three objectors.

**SECTION THREE:** The Plan Commission has recommended, by a vote of five in favor, one opposed, two absent, to the City Council, that a Special Use Permit to allow establishment and operation of a beer garden / outdoor eating area, be granted for the land described in Section One hereof.

**SECTION FOUR:** The recommendation of the Plan Commission be, and the same is, hereby accepted and approved.

**SECTION FIVE:** A Special Use Permit shall be and hereby is granted to Denise Cook to allow establishment and operation of a beer garden / outdoor eating area on the premises described in Section One hereof, in conformance with the stipulations enumerated in Section Six hereof.

**SECTION SIX:** The following Six (6) stipulations and restrictions are hereby placed upon the proposed use on the premises described in Section One hereof:

1. The Special Use Permit is granted to Denise Cook and D&D Lake St. Tap, only, and is not transferable to any successor property owners and/or operators of a restaurant serving alcohol 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 §155.117 Beer Garden/Outdoor Eating Area of the City Code.

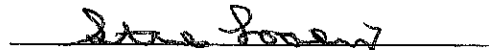
5. Any violations of the terms and conditions of the Special Use Permit are subject to review and possible revocation by the Plan Commission and City Council.
6. The beer garden/outdoor eating area shall close at shall be closed at 11:00 pm Sunday through Thursday and at midnight Friday and Saturday.

**SECTION SEVEN:** This Ordinance shall be in full force and effect immediately upon its passage and approval as provided by law.

Passed by the City Council of the City of Kewanee, Illinois, this 12<sup>th</sup> day of December, 2016.

ATTEST:

  
Melinda K. Edwards, City Clerk

  
Steve Looney, Mayor

RECORD OF THE VOTE	Yes	No	Abstain	Absent
Mayor Steve Looney	X			
Council Member Deann Schweitzer	X			
Council Member Andrew Koehler	X			
Council Member Kellie Wallace – McKenna	X			
Council Member Michael Yaklich	X			

