

Request For Board Action

REFERRED TO BOARD: April 18, 2016

AGENDA ITEM NO: 5 & 6

ORIGINATING DEPARTMENT: Administration

SUBJECT:

An Ordinance Amending Section 4-2B-10-B of the Municipal Code of Antioch Modifying the Class 'B' license Regulations by Allowing Package Sales of Wines

AND

An Ordinance Adding One Class "B" Liquor License, together with Class "B-1" and "B-2" Ancillary Licenses for Lucky Bernie's

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

At the August 10, 2016 Committee of the Whole Meeting, the Village Board considered a request from Bryan Sterbenz to open an upscale wine and deli restaurant in the Village of Antioch, similar to the one operated by him in Spring Grove. He requested a Class "B" Beer and Wine License with the option to offer packaged sales for consumption off premises.

The first of the proposed ordinances amends Village Code 4-2B-10-B, adding a Class "B-2" Liquor License to allow for the packaged sale of wines for consumption off premises. The second of the proposed ordinances makes Class "B", "B-1" and "B-2" licenses available for Lucky Bernies, pending the applicant securing a certificate of occupancy, completion of the build-out in substantial conformance with the plans and concepts presented to the Village Board, and qualification for a Village of Antioch Liquor License.

DOCUMENTS ATTACHED:

1. Ordinances
2. Application for an additional license
3. Clerk's License Listing

RECOMMENDED MOTIONS:

Motion to approve An Ordinance Amending Section 4-2B-10-B of the Municipal Code of Antioch Modifying the Class 'B' license Regulations by Allowing Package Sales of Wines

AND

Motion to approve An Ordinance Adding One Class "B" Liquor License, together with Class "B-1" and "B-2" Ancillary Licenses for Lucky Bernie's

ORDINANCE 16-xx-xx

**AN ORDINANCE AMENDING SECTION 4-2B-10-B
OF THE MUNICIPAL CODE OF ANTIOCH
MODIFYING THE CLASS “B” LICENSE REGULATIONS
BY ALLOWING PACKAGE SALES OF WINES**

WHEREAS, the Village Board has been petitioned by Cuhlife, LLC, the developer of a new concept upscale deli seeking the opportunity to sell wine in sealed bottles for consumption off premises, and

WHEREAS, the Village Board has considered the petition and has determined that the unique nature of the overall proposal is appropriate to add to the allowable license types, in that it will allow restaurants the opportunity to market unusual vintages of wine at the table by the glass, and follow that up with sales of the wines in sealed bottles which will likely be a desirable opportunity for a number of customers, and

WHEREAS, the Village Board wishes to expand business opportunities wherever possible, for the overall benefit of the citizens and taxpayers of this Village, and

WHEREAS, this particular proposal appears to be an attractive amenity being added to the assets of the Village, which should assist the Village Board in improving the overall marketability of the Village and in attracting additional tourists and hotel guests,

NOW THEREFORE, BE IT ORDAINED by the Village of Antioch, Lake County, Illinois, as follows:

SECTION ONE: Section 4-2B-10-B of the Antioch Municipal Code is hereby amended by the addition of paragraph B-2, which shall hereafter read as follows:

B-2. Limited Restaurant Wine License. This license authorizes the retail sale of bottled wine by a restaurant with a class B license, in original package form, for consumption off the premises where sold.

SECTION TWO: The chart of license fees set forth in section 4-2B-11 of the Antioch Municipal Code shall be amended by the addition of Class B-2 licenses with the annual fee set at \$250.00.

SECTION THREE: This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

**PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, ILLINOIS,
ON THIS ___ day of _____, 2016.**

ATTEST:

municipal building, commencing on _____, 2014 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

DATED at Antioch, Illinois, this ____ day of _____, 2014

Lori K. Folbrick, RMC/CMC
Village Clerk

ORDINANCE 16-xx-xx

**AN ORDINANCE ADDING ONE CLASS B LIQUOR LICENSE,
TOGETHER WITH CLASS B-1 AND B-2 ANCILLARY LICENSES
FOR LUCKY BERNIE'S**

WHEREAS, the Village Board has been petitioned by Cuhlife, LLC, the intended developer of a proposed upscale deli who has a conditional lease on a property located at 420 Route 173 (formerly 22221 W. Route 173) Suite 111 and 112, and in particular, the petition seeks an additional Class B liquor license which will allow them to conduct retail sales of beer and wine along with their proposed deli sandwich offerings, and

WHEREAS, the petitioner has requested that it also be allowed to serve alcoholic beverages on a proposed patio overlooking the scenic marsh and wetlands to the south of the building, which would require a Class B-1 license, and

WHEREAS, the petitioner has further requested that it be allowed to sell wine in the original bottle for consumption off-premises as a part of its overall concept of upscaling the more common delicatessen offerings and providing a unique marketing approach to the community, and

WHEREAS, a true copy of the said Petition is attached hereto as Exhibit A, and

WHEREAS, the Village Board has considered the petition and has determined that the proposal is appropriate for the suggested location and type of business, and that the petitioner is an appropriate designated licensee, having been operated several other similar delis with a record of compliance with the liquor laws for some time, and

WHEREAS, the Village Board wishes to expand business opportunities wherever possible, for the overall benefit of the citizens and taxpayers of this Village, particularly where the offerings of the proposed business are unique and aimed at a target market that will likely draw people into town,

NOW THEREFORE, BE IT ORDAINED by the Village of Antioch, Lake County, Illinois, as follows:

SECTION ONE: The Village Clerk, acting as the Secretary of the Local Liquor Commissioner is directed to revise the chart of allowed liquor licenses to increase the number of Class B licenses by 1, along with increasing the number of Class B-1 and B-2 licenses by one each, effective at such time as Lucky Bernie's has secured a certificate of occupancy, based upon completion of the build-out of an upscale deli in substantial conformance with the plans and concepts presented to the Village Board in open session, and it has further qualified for a Village of Antioch Liquor License.

SECTION TWO: This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, ILLINOIS,
ON THIS ____ DAY OF _____, 2016.

ATTEST:

LAWRENCE M. HANSON, MAYOR

LORI K. ROMINE, VILLAGE CLERK

BUSINESS NAME	License Class	Business Address
Anastasia's Restaurant and Sports Lounge	A * A1	950 Hillside Ave
David's Bistro	A * A1	883 Main Street
Dockers North	A	955 Route 59
1200 Embers	A * A1	1200 Main Street
Johnny's Chophouse	A	1500 Main Street
Mexican Paradise Café	A * A1	438 Lake Street
Oliverii North	A * A1	384 Lake Street
Wings Etc.	A * A1	480 Orchard Street
Asian Harbor Antioch	B	508 Orchard Street
Betty's Bistro	B	417 E. Route 173
Szechwan Palace	B	1144 Main Street
The Pizza Joint	B	311 W. Depot Street
<i>Lucky Bernie's</i>	<i>B * B1 * B2</i>	
Antioch Liquor Mart	C	1180 Main Street
Aldi	C	1390 Deep Lake Road
CVS / Pharmacy # 8926	C	983 IL Route 59
Discount Tobacco	C	284 Main Street
Foods Unlimited	C	354 North Avenue
Oscos	C	968 Route 59
Piggly Wiggly	C	460 Orchard Street
Shop & Save	C	579 W. Route 173
Wal-Mart Supercenter #5199	C	475 East Route 173
Walgreens #2003	C	1130 S. Main Street
Graham Enterprises, Inc.	D	359 North
Antioch BP	D	602 W. Route 173
Bernie's Quik Shop	D	830 Main Street
Limerick Lounge	E * E1	912 Toft Avenue
Rugan's	E * E1	921 Toft Avenue
The Lodge of Antioch	E * E1	899 Main Street
Antioch VFW Post 4551	F	75 E. North Avenue
PM&L Theatre	F	877 Main Street
Fox's Lounge	H * H1	350 E. Route 173
Vigneto del Bino Winery	I	42150 Crawford Road
Class "A"	8	
Class "A-1"	6	
Class "B"	3	
Class "B-1"	0	
Class "C"	10	
Class "D"	3	
Class "E"	3	
Class "E-1"	3	
Class "E-2"	0	
Class "F"	2	
Class "H"	1	
Class "H-1"	1	
Class "I"	1	