

MINUTES OF THE CITY OF PEORIA
LIQUOR COMMISSION
May 5, 2008

A meeting of the City of Peoria Liquor Commission was held in Room 404, City Hall, Peoria, Illinois, on May 5, 2008, Acting Chairman Drew Cassidy presiding.

ROLL CALL:

Present: Acting Chairman Drew Cassidy; Commissioners Ted Arndt; Dan Irving; Don Jackson - 4
Absent: Chairman Frank McCabe - 1

Others present: Sonni Williams, Assistant Corporation Counsel; Capt. Otis Leach, Fire Inspector; Scott Jordan, Police Investigator; Jim Brownfield, Inspections; and concerned citizens.

I. CALL TO ORDER

Acting Chairman Cassidy called the meeting to order at 3:28 p.m.

II. APPROVAL OF MINUTES

Commissioner Jackson moved to approve the Minutes of the April 7, 2008 Liquor Commission Meeting; seconded by Commissioner Arndt.

Approved by roll call vote:

Yeas: Arndt, Cassidy, Irving, Jackson, – 4;

Nays: 0

III. LIQUOR SITE APPLICATIONS

08-12 KLC Investments

d/b/a to be named package liquor store

8305 N. Allen Road

Requesting: Class C (package liquor)

Scott Lewis, builder and property owner, presented an application for a Class C (package liquor) Liquor License for 8305 North Allen Road.

Mr. Lewis stated he was the builder-contractor of the strip mall and was approached by a liquor store owner who was interested in the 2,500 square foot corner area of the building for a new package liquor store. When asked by Commissioner Cassidy, Mr. Lewis stated the establishment may be named Holiday Wine and Liquors, but there was no concrete name of the business. The proposed tenant/lessee of this building already operates Sheridan Liquor and Liquor Investigator Jordan indicated that the same corporation also operates the Big Hollow convenient store.

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Investigator Jordan explained that in order to maintain consistency and because of the current licenses already in that area, the Peoria Police Department is opposed to this site application. There was a previous proposal close to the area that the Police Department had also opposed. Investigator Jordan stated that the establishment currently operated by the proposed tenant/lessee is subject to numerous calls and complaints.

When asked by Commissioner Jackson whether the factor of the potential operator can be used for the site application process, Attorney Williams indicated that typically the site application process looks at the appropriateness of the site and reiterated that the reasons the Police Department was opposed were because of license saturation.

Commissioner Cassidy voiced concerns regarding the potential unsightliness of the establishment if the establishment was going to be run similarly to Sheridan Liquors with all the signs of different beer and/or liquor signs at the windows. Mr. Lewis stated that although he will control the standing signs around the proposed establishment, he could not control the signs that the business owners may put on the windows of the business.

Commissioner Irving stated that this proposed site may lead to proliferation of other liquor establishments and in aggregate may deteriorate the surrounding neighboring businesses. Mr. Lewis indicated that if this site application is denied, he may be before the Liquor Commission on another liquor application for a restaurant since there is another business owner waiting in line to propose a restaurant.

Commissioner Cassidy expressed the problems and concerns with this stand alone liquor store and the potential effects to other businesses around the area.

Hearing no further questions or comments from any neighbors or anyone in the audience, Acting Chairman Cassidy called for the vote.

A motion was made by Commissioner Arndt to recommend **APPROVAL** of the Class C (package liquor) seconded by Commissioner Jackson.

Yeas: Arndt, Cassidy, Jackson - 3;
Nays: Irving -1

Acting Chairman Cassidy stated that the Commission was a recommending body and their recommendation would go to the City Council on Tuesday, May 27, 2008.

08-13 American Pi of Peoria, Inc.
d/b/a American Pi
5720 N. Knoxville
Has: Class A (tavern)
Subclass 1A (2:00 a.m. closing)
Subclass 2 (live entertainment)
Requesting: Subclass 3 (beer garden)

Michael Petsas, business owner, presented an application for a Subclass 3 (beer garden) to be added to his liquor license at 5720 N. Knoxville.

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Commissioner Cassidy asked how the two exits/entrances in and out of the beer garden were going to be patrolled so open alcohol could not be taken out of the area into the parking lot. Mr. Petsas responded there will be employees checking the entrances.

In further discussion, Mr. Petsas stated the current hours of operation are 3:00 p.m. to 1:00 or 2:00 a.m., but he was considering opening up for the lunch crowds. He indicated that the beer garden will be open the same hours his business is open. In response to Commissioner Cassidy, Mr. Petsas stated that at this time the alcohol will be served inside the establishment and carried to the beer garden area. Mr. Petsas indicated that there would be security employees who would be dedicated to monitoring the alcohol while the servers were going in and out of the beer garden.

Mr. Petsas also indicated that he was aware there can be no speakers or amplification from live entertainment in the beer garden.

A motion was made by Commissioner Arndt and seconded by Commissioner Irving to recommend **APPROVAL** of the Subclass 3 (beer garden) license to be added to the existing Class A (tavern) Liquor License at 5720 North Knoxville.

Yeas: Arndt, Cassidy, Irving, Jackson – 4;
Nays: 0

Deputy Liquor Control Commissioner approved the Subclass 3 (beer garden) license.

08-14 JJ Ryan's Inc.

d/b/a JJ Ryan's

7719 N. University

Requesting: Class B-1 (restaurant, 25% food)
Subclass 1A (2:00 a.m. closing)
Subclass 2 (live entertainment)
Subclass 3 (beer garden)

Lorrie Newman, owner, presented an application for a Class B-1 (restaurant, 25% food sales) with a Subclass 1A (2:00 a.m. closing), Subclass 2 (live entertainment) and Subclass 3 (beer garden) Liquor License for 7719 N. University.

Commissioner Jackson stated that he will abstain from voting on this application due to being one of the co-owners of property located within 300 feet of the proposed site.

Commissioner Cassidy asked the owner if there is anything different from the previous application and Ms. Newman indicated nothing had changed, except the license class being requested. Ms. Newman did indicate that the kitchen will be bigger. She added that the hours of operation will be 7 days a week from lunch until closing.

In response to Commissioner Irving, Ms. Newman indicated the beer garden is the same beer garden that was built and established by the previous owner.

Commissioner Cassidy voiced some concerns regarding live entertainment and beer garden. Ms. Newman stated that there are bushes planted along the area that may buffer the sound and she has not plan on using any amplification in the beer garden.

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A motion was made by Commissioner Irving to recommend the **APPROVAL** of the Class B-1 (restaurant, 25% food sales) Liquor License site application, with a Subclass 1A (2:00 a.m. closing), Subclass 2 (live entertainment), and Subclass 3 (beer garden) at 7719 N. University; seconded by Commissioner Arndt.

Yeas: Arndt, Cassidy, Irving, – 3;
Nays: 0
Abstention: Jackson -1

Chairman Cassidy stated that the Commission was a recommending body and their recommendation for the Class B-1 (restaurant, 25% food sales) Liquor License site application with a Subclass 1A (2:00 a.m. closing) would go to the City Council on Tuesday, May 13, 2008.

Deputy Liquor Control Commissioner approved the Subclass 2 (live entertainment) and Subclass 3 (beer garden) licenses subject to the approval of the Class B-1 site application by the City Council.

IV. UNFINISHED BUSINESS

There was no unfinished business discussed at this meeting.

V. NEW BUSINESS

There was no new business discussed at this meeting.

VI. NEXT SCHEDULED MEETING

The next scheduled regular meeting of the Liquor Commission is Monday, June 2, 2008.

VII. ADJOURNMENT

Commissioner Arndt moved to adjourn the meeting; seconded by Commissioner Irving.

Approved by viva voce vote.

The Liquor Commission Meeting adjourned at 3:55 p.m.

Sonni C. Williams
Assistant Corporation Counsel