

14-20

Los Cabos Cantina & Grill, Inc.

d/b/a Los Cabos Cantina & Grill

7800 N. Sommer St., Suite 106 (formerly Jalapenos)

Requesting: Class B (restaurant, 50% food)

Subclass 3 (beer garden)

Laura Tafoya presented a Site Application for a Class B (restaurant, 50% food) Liquor License with a Subclass 3 (beer garden) for 7800 N. Sommer St., Suite 106.

In discussion with Chairman Cassidy, Ms. Tafoya said they would operate a full-service restaurant with a patio. She said their hours of operation would be from 11:00 a.m. to 10:00 p.m. on Sunday thru Thursday, and from 11:00 a.m. to 11:00 p.m. on Friday and Saturday.

During further discussion, Ms. Tafoya said she was aware that a second exit from the beer garden would be required if occupancy capacity was greater than 50 persons.

Hearing no further questions, Chairman Cassidy called for the motion.

Commissioner White moved to recommend approval of the Site Application for a Class B (restaurant, 50% food) Liquor License with a Subclass 3 (beer garden) for 7800 N. Sommer St., Suite 106; seconded by Commissioner Coates.

Approved by roll call vote.

Yeas: Cassidy, Coates, Miller, White - 4;

Nays: 0.

Chairman Cassidy stated this recommendation would be heard at the City Council Meeting to be held on Tuesday, July 22, 2014, at 6:15 p.m. and a representative of this establishment should be present at that meeting.

SITE APPROVAL APPLICATION FOR THE SALE OF ALCOHOLIC BEVERAGES IN THE CITY OF PEORIA, ILLINOIS

TO THE MAYOR OF THE CITY OF PEORIA, ILLINOIS, for approval of site location for the purpose of retail sale of alcoholic liquor, pursuant to an ordinance to regulate the sale of alcoholic liquor adopted by the City Council of the City of Peoria on January 2, 1974, and any subsequent amendments thereto:

- Name(s), address(es) and phone number(s) of Property Owner(s):
Randall Taylor, Pioneer Park Industrial Park, Inc.
7820 N. University St., Peoria, IL 61614
- Name, address and phone number of Intended Lessee:
Laura Tafaya, Los Cabos Cantina + Grill, Inc. 3312 N. California Ave, Peoria, IL
219-3457 DBA Los Cabos Cantina + Grill 61603
- Street address of Property requested for approval:
7800 N. Sommer St. Suite 106, Peoria, IL 61615

NOTE: All site approvals are 1st floor only, unless specifically applied for and authorized.

4. Legal description of Property listed in #3: Restaurant (see attached)

5. Are there any improvements (buildings, accessories, etc.) presently on the property?
Yes ___ No X If Yes, please give description of same:

6. Are you planning to build any improvements upon the property? X If Yes, please indicate such improvements:

7. What type of sale of alcoholic beverages is the property to be used for (i.e., tavern, restaurant, package liquor, etc.)? restaurant

8. Is this property located in a residential section? Yes ___ No X

9. What classification of license are you applying for? (Section 3-52 of the Code of the City of Peoria)

Class: A, B, B1, C, C1, CG, D, E, E-1, B
G, I, J, K, K-1, L, M, N

Subclass: 1, 1A, 2, 3, 3A, 4, 6, 7, 8, 10, 11 3

10. A site plan MUST BE SUBMITTED with this application, see Attachment A.

AFFIDAVIT

I (we) swear that I (we) am (are) the owner(s) of the property described in this application and that the statements contained herein are true and correct.

Randall G. Taylor - President 5/29/14

Subscribed and sworn to before me this 29 day of May, 2014

Pioneer Industrial Park, Inc. Open MSANTJAGO Date: 5/30/14 02 Type: TD Drawer: 1 Receipt no: 7992

Signature of Property Owner(s) 35 LIQUOR - ALL 1.00 \$250.00
CA CASH \$250.00

Tiffany Cobb
Notary Public "OFFICIAL SEAL"
TIFFANY COBB
Notary Public, State of Illinois
My Commission Expires 10-08-2017

(NOTE: Non-Refundable \$250 Filing Fee)

Trans Date: 5/30/14 Time: 12:34:18
PATRICK A. NIGHTING - TREASURER
CITY OF PEORIA

2014 MAY 30 P 12:39
 CITY CLERK
 PEORIA, ILL.

BEER GARDEN

APPLICATION FOR SUBCLASS 3 LIQUOR LICENSE

Present License Class _____ Present License No. _____ (\$50.00 filing fee)

Establishment Name: Los Cabos Cantina + Grill

Address 7800 N. Sommer St. Ste. 106 Peoria, IL 61615

ATTACH a scale drawing showing, specifically:

1. Dimensions and scale drawing of how the area will be confined to restrict noise and prohibit removal of alcohol;
2. a substantial structure across which alcohol shall be served that provides bartenders reasonable protection from patrons unless facility is directly serviced from indoor licensed premises;
3. the locations of (2) exits (one may be through the premises);
4. the location of a landline telephone in beer garden area.

AS REQUIRED BY ORDINANCE: attach a list of the names and addresses of the last person to whom taxes were assessed for any property within 300 feet of the proposed site.

Also attach a sworn statement that you, as applicant, have caused notices to be sent to all such property owners.

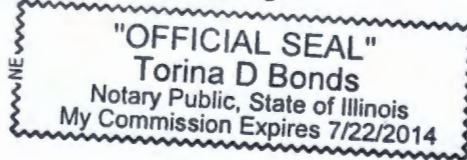
AFFIDAVIT

I swear that I am fully informed as to the provisions of the Illinois Liquor Control Laws and the liquor ordinances of the City of Peoria and will not violate any of the laws of the State of Illinois or of the City of Peoria in the conduct of the function described herein; and that the statements contained in this application and any attachments thereto are true and correct.

Jawara Tafara
Signature of Licensee or Agent

Subscribed and sworn to before me this 30
day of 30 May, 2014.

Torina D Bonds
Notary Public



FOR OFFICE USE ONLY

Application for Subclass 3 is APPROVED _____ DENIED _____

Liquor Commissioner / Date

Oper: MSANTIAGO	Type: TD	Drawer: 1
Date: 5/30/14 02	Receipt no: 7958	
36	LIQUOR - ALL	
	1.00	\$50.00
CA CASH		\$50.00

Special Conditions: _____

Trans date: 5/30/14 Time: 12:35:00

PATRICK A. NICHING - TREASURER
CITY OF PEORIA

ORDINANCE NO. 14,255

EXHIBIT A

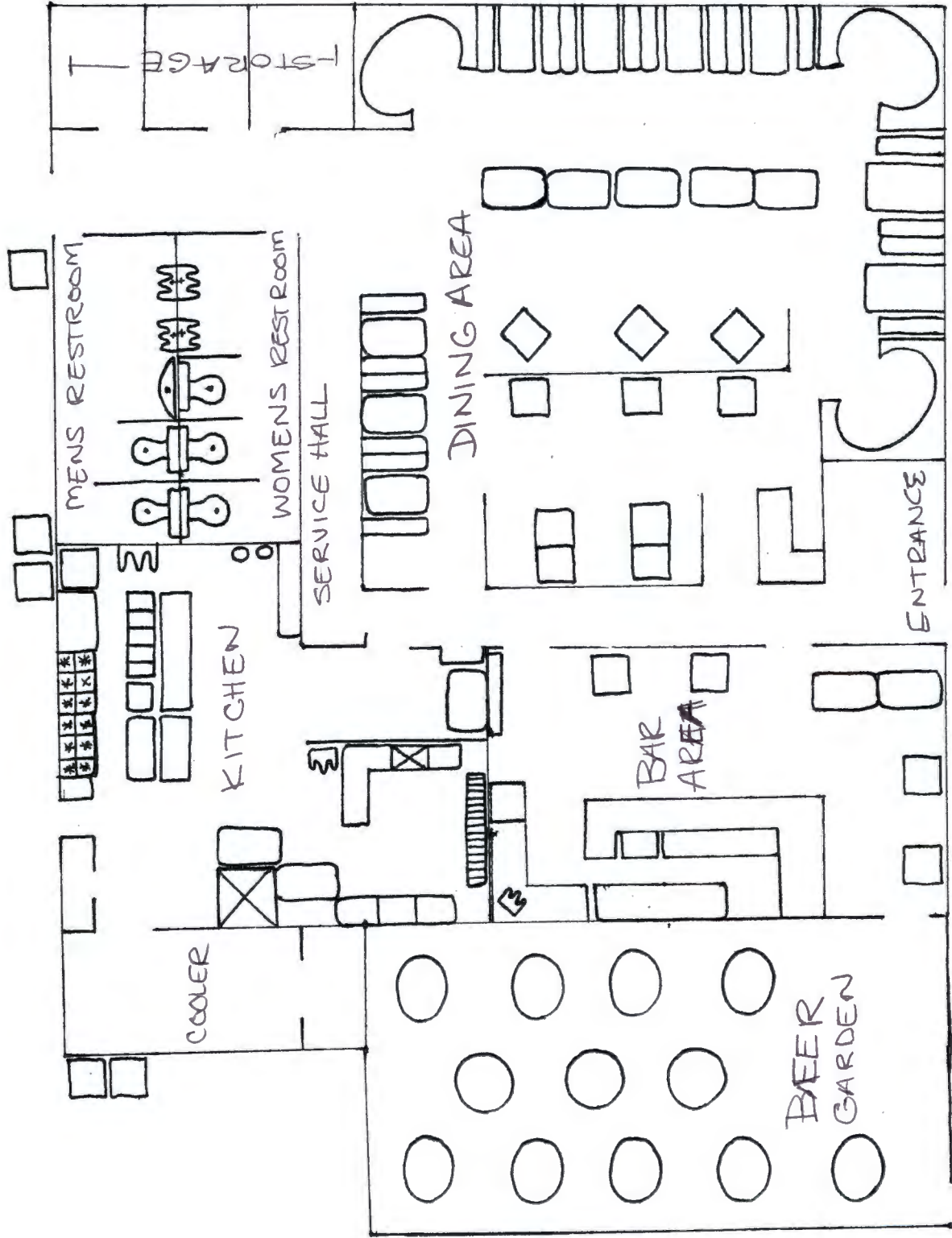
Legal description

Parkway Plaza

A part of the Northwest Quarter of Section Eight (8), Township Nine (9) North, Range Eight (8) East of the Fourth Principal Meridian, and a part of Lot 1 of Yalehurst Subdivision, a subdivision of part of the Northeast Quarter of Section Eight (8), more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of said Section 8, thence North $89^{\circ}-56'-45''$ East (bearing assumed for purpose of description only), along the North line of the Northwest Quarter of said Section 8, 2303.92 feet; thence South $00^{\circ}-18'-15''$ West, 60.00 feet to the intersection of the South Right-of-Way line of S.B.I. Route 174 (West Pioneer Parkway) and the East Right-of-Way line of Sommer Street; thence South $00^{\circ}-18'-15''$ West, along the East Right-of-Way line of said Sommer Street, 199.82 feet to the Point of Beginning of the tract to be described: FROM THE POINT OF BEGINNING, thence continuing South $00^{\circ}-18'-15''$ West, along said East Right-of-Way line, 180.37 feet to a point of curvature; thence Southerly, along said East Right-of-Way line, on a curve to the right having a radius of 763.68 feet, an arc distance of 191.53 feet to a point of reverse curvature; thence Southerly, along said East Right-of-Way line, on a curve to the left having a radius of 703.68 feet, an arc distance of 176.48 feet to a point of tangency; thence South $00^{\circ}-18'-15''$ West, along said East Right-of-Way line, 17.08 feet to the North Right-of-Way line of Candletree Drive; thence East, along said North Right-of-Way line, 466.50 feet; thence South $00^{\circ}-01'-35''$ West, 60.00 feet to the South Right-of-Way line of Candletree Drive; thence East, 448.39 feet to the Southwesterly Right-of-Way line of the Peoria, Peoria Heights, and Western Railroad; thence North $24^{\circ}-57'-16''$ West, along said Southwesterly Right-of-Way line, 560.61 feet; thence South $89^{\circ}-53'-24''$ West, 301.17 feet to the West line of the Northeast Quarter of said Section 8 and the West line of said Lot 1 of Yalehurst Subdivision; thence North $00^{\circ}-25'-25''$ West, along said West line, 114.00 feet; thence South $89^{\circ}-56'-45''$ West, 329.10 feet to the Point of Beginning, said tract containing 9.225 acres, more or less.

Los Cabos Cantina + Grill



7800 N. SOMMER ST. PEORIA, IL 61615
SUITE 106

TO: Trina Bonds, Liquor Commission Secretary

FROM: Jodi Maybanks , Accounts Receivable Supervisor I

DATE: June 10, 2014

SUBJECT: Case 14-20 Los Cabos Cantina & Grill Inc

The Finance Department has no objection in regards to this site approval.

Any questions, please contact me at x8505. Thank you!



PEORIA POLICE DEPARTMENT



June 20, 2014

City of Peoria, Liquor Commission
Office of Corporation Counsel
City of Peoria, Illinois

RE: Site Approval Application 14-20
Los Cabos Cantina & Grill, Inc.
d/b/a Los Cabos Cantina & Grill
7800 N. Sommer St., Suite 106
Requesting: Class B (restaurant)
Subclass 3 (beer garden)

Dear Commissioners,

A site application has been received from Los Cabos Cantina & Grill, Inc., d/b/a Los Cabos Cantina & Grill, 7800 N. Sommer St., Suite 106, Peoria, Illinois, for a Class B, Subclass 3 liquor license. The approval of this application will allow this new restaurant to operate a full service bar for onsite consumption with a beer garden.

Officer Scott Jordan inspected the location which is part of the Pioneer Parkway Plaza, on Sommer near Pioneer Parkway and Candletree Lane. The plaza is comprised of offices, businesses and similar restaurants. The Fox Pub & Café, also in the plaza currently holds a Class B, Subclass 3A (sidewalk café) liquor license. This is a commercial area and the closest known residence is approximately 480 feet to the south west, which is an apartment complex. There are also residences approximately 618 feet to the south. The beer garden will be located at the east end of the restaurant and accessible through the bar portion of the restaurant and will have a second exit at the front.

This location previously operated as Jalapeno's which closed in May, 2014. At the time of its closing Jalapeno's did not hold a liquor license. Jalapeno's previously held a Class B and Subclass 3 liquor license, but the license was revoked by the Illinois Liquor Control Commission approximately 2 years ago for failure to pay required taxes to the Illinois Department of Revenue. Officer Jordan also learned through the finance department that Jalapeno's had failed to pay city HRA taxes since December, 2013.

Officer Jordan spoke to the applicant, Ms. Laura Tafoya, who stated she has no connection to the previous owner, Mr. Jose Leon. Ms. Tafoya said she negotiated with the landlord for the rent and purchased equipment left inside the restaurant from the Internal Revenue Service who had seized the equipment from Jalapeno's.

600 S. W. Adams Street
Peoria, IL 61602-1592
Phone 309.494.8300

In 2011, the former owner was cited for selling alcohol to a minor and violation of classification for operating a beer garden without the proper license. No other issues or known complaints were found regarding the operation of a licensed restaurant at this location.

It does not appear that the approval of this application would be detrimental to the neighboring businesses or the residents in the area. There are no traffic or parking concerns raised by this request.

The Peoria Police Department has no objections to this site approval request.

Sincerely,


Jerry E. Mitchell
Interim Chief of Police

JEM/sj

cc: City Clerk
Corporation Counsel
W. Eric Turner

FIRE DEPARTMENT



June 25, 2014

Liquor Commission
Office of Corporation Counsel
City of Peoria, Illinois

Re: Site Approval Application
Case: 14-20
LOS CABOS Cantina & Grill, Inc.
d/b/a Los Cabos Cantina & Grill
7800 N. Sommer St., Suite 106 (formerly Jalapenos)

Dear Liquor Commission:

A site application has been received from Los Cabos Cantina & Grill, Inc., d/b/a Los Cabos Cantina & Grill for a Class B, (restaurant, 50% food) and a Subclass 3 (beer garden).

Unable to access business for inspection. Do not anticipate any major issues.

Sincerely,


Daniel McGinn
Captain, Fire Prevention Div.

DM/cc



505 NE Monroe Street
Peoria, Illinois 61603-3767
309/494-8700
FAX 309/494-8777



Community Development Department



June 17, 2014

City of Peoria, Liquor Commission
Office of the Corporation Counsel
City of Peoria, Illinois

RE: **Site Approval Application 14-20
Los Cabos Cantina & Grill, Inc.
d/b/a Los Cabos Cantina & Grill
7800 N Sommor St, Suite 106
Requesting: Class B (restaurant, 50% food); Subclass 3 (beer garden)**

Dear Commissioners:

Building and Zoning staff from the Community Development Department have reviewed the above listed request. Following is a summary of the results:

1. **Second exit from beer garden is required if occupancy capacity is greater than 50 persons.**
2. **No construction work has been identified at this time that would require a building permit. However, the owner needs to contact the Community Development Department before any permit related work is started.**

The Community Development Department requests that the liquor license be issued **contingent upon** successful compliance with the above listed Code items.

Sincerely,

A handwritten signature in black ink, appearing to read "Ross Black".

Ross Black
Director

City Hall
419 Fulton Street, Suite 300
Peoria, IL 61602
309.494.8600

NOTICE OF PUBLIC HEARING

The Liquor Commission of the City of Peoria, Illinois will hold a Public Hearing on an application of a Class B Subclass 3 Liquor License for the following described property.

LOS CABOS CANTINA & GRILL, INC. D/B/A LOS CABOS CANTINA & GRILL
(name of establishment)

7800 N. SOMMER ST., SUITE 106
(address)

FOR USE AS:

REQUEST FOR A CLASS B (RESTAURANT, 50% FOOD)
LIQUOR LICENSE WITH A SUBCLASS 3 (BEER GARDEN).

The Hearing will be held on MONDAY - JULY 7, 2014 in Room 404 at City Hall, 419 Fulton Street, Peoria, Illinois at 3:30 p.m., or as soon thereafter as the item can be heard.

Because the proposed location is within 300 feet of the premises owned or occupied by you, you may wish to attend this Hearing.

Objections may be heard at the meeting or submitted in writing to the Secretary of the Liquor Commission, City Hall, 419 Fulton, Room 401, Peoria, IL 61602.

Information concerning the application is available in the City Clerk's Office, City Hall, Room 401, or by calling the Secretary of the Liquor Commission at (309) 494-8566. Be advised that certain information is restricted under the requirements of the Freedom of Information Act.

(7)

DAVIS SUSAN
563 E HIGH POINT RD
PEORIA IL 61614

~~DAVIS SUSAN
563 E HIGH POINT RD
PEORIA IL 61614~~

~~DAVIS SUSAN
563 E HIGH POINT RD
PEORIA IL 61614~~

GROVE OF PEORIA LLC
1301 ASHLAND AVE
WILMETTE IL 60091

~~GROVE OF PEORIA LLC
1301 ASHLAND AVE
WILMETTE IL 60091~~

MILLER JOHN
200 W RAVINWOODS RD
PEORIA IL 616151382

OSF SAINT FRANCIS INC
800 NE GLEN OAK AVE
PEORIA IL 61603

PARK PIONEER
7820 N UNIVERSITY ST
PEORIA IL 61614

~~PARK PIONEER
7820 N UNIVERSITY #208
PEORIA IL 61614~~

PIONEER INDUSTRIAL PARK
7820 N UNIVERSITY #208
PEORIA IL 61614

~~PIONEER INDUSTRIAL PARK INC
7820 N UNIVERSITY ST SUITE 208
PEORIA IL 61614~~

PIONEER INDUSTRIAL PARK INC
7820 N UNIVERSITY ST
PEORIA IL 61614

~~PIONEER INDUSTRIAL PARK INC
7820 N UNIVERSITY ST
PEORIA IL 61614~~

~~PIONEER INDUSTRIAL PARK INC
7820 N UNIVERSITY ST
PEORIA IL 61614~~

STATE OF ILLINOIS)
) SS
COUNTY OF PEORIA)

AFFIDAVIT

Laura Tafoya, being duly sworn, does hereby swear/affirm that:

1. I am the Liquor Licensee of Los Cabos Cantina & Grill
(establishment name)

located at 7800 N. Sommer St Suite 106, Peoria, Illinois.
(address) Peoria, IL 61615

2. On 5/30/14, I caused Notices of Hearing to be mailed to all property owners within 300 feet of my liquor establishment.

3. I have attached to this Affidavit, the list of property owners and their addresses to whom I mailed Notices.

FURTHER AFFIANT SAYETH NOT.

Laura Tafoya
(Signature of Liquor Licensee)

Subscribed and sworn to before me
this 30th day of May,
2014.
Torina D. Bonds
Notary Public

