

15-13 **Bacci Pizzeria of Peoria, Inc.**
d/b/a Bacci Pizza
1222 W. Bradley
Requesting: Class G-B (beer & wine only restaurant)

Sean Gubricky, Co-Owner, presented a Site Application for a Class G-B (beer & wine only restaurant) Liquor License for 1222 W. Bradley.

In discussion with Chairman Cassidy, Mr. Gubricky said they would like to be able to serve bottled beer and wine with pizza inside the restaurant only. He said they did not want to make their establishment a bar and he said they did not want to have video gaming. He said their seating capacity was for approximately 25 people inside the restaurant. He clarified they were not asking for approval to serve any alcohol outside in their sidewalk café area. He said their hours of operation were from 10:30 a.m. to 3:00 a.m.

Chairman Cassidy informed the applicant that they could not serve alcohol past 1:00 a.m., as per the hours of sale section of the Liquor Code. Mr. Gubricky confirmed that he understood the hours of sale.

Commissioner Miller said he felt the site was a good location for this type of license, but he said the potential to have packaged sales worried him. He mentioned another applicant in the area who had applied for packaged sales that he had voted against. He said his feelings were not against the applicant as an individual, but he said he opposed the sale of packaged alcohol because of the influence on the neighborhood.

In more discussion, Deputy Corporation Counsel Williams said conditions could be made by the Commission in regards to the operation of the establishment. She said the Commission could make recommendations, but she said it was ultimately up to the City Council to make the decision whether or not they wanted to ratify the condition made by the Commission.

After more discussion, Mr. Gubricky agreed that he would be willing to accept conditions on the approval of his request.

Liquor Investigator Jordan also pointed out that the Commission had conditioned approvals in the past.

Monsignor Brian Brownsey, representing St. Mark's Church & School, said he felt it made sense to have beer and wine at a pizza joint. He said it was his understanding that with a liquor license at this location, this could possibly be the first step to becoming a gaming establishment. He expressed his concerns and he then asked that a condition be made that the property could never be allowed to have video gaming.

Deputy Corporation Counsel Williams clarified that the Commission could place such a condition on the approval of the site. She explained that video gaming applications were processed administratively and she said this would be the Commission's only opportunity to make a recommendation to take such action.

Rod Lorenz, Moss Bradley Residential Association Representative, said they had been working to improve quality of life issues in the neighborhood for over 40 years. He said their biggest problems and threats within the Moss Bradley neighborhood were on the streets between Moss Avenue and Bradley University, which included a high density of rental properties occupied by Bradley students. He

mentioned problems with social gatherings and public drinking, which were cited by Realtors as reasons prospective families should not purchase homes within the area. He said they opposed the application because they already had enough alcohol abuse there and he said it was a constant problem. He then said the addition of alcohol to a restaurant at this location would not bring anything positive to the neighborhood that it didn't already have. He mentioned different establishments in the area who already had alcohol.

In response to Chairman Cassidy's question in regards to how this small pizza restaurant would exacerbate the existing problem with Bradley rental properties, Mr. Lorenz said someone could begin drinking at this establishment at 10:30 a.m. and continue throughout the entire day. He said he felt that it was a facilitator for an existing problem. In addition, Mr. Lorenz commented that the site was essentially the back door to residential properties in the area.

Marjorie Klise, Moss Bradley neighborhood resident, said this request was not the first time this particular area had received a request to obtain approval to hold a liquor license. She said there had been at least three other requests at this intersection. She said each request for a liquor license had been turned down because it was inappropriate for this location. She also mentioned the proximity to the school in the area and the surrounding properties. She said the location was a great place for pizza and she said she felt it should remain that way.

Council Member Beth Jensen, Moss Bradley neighborhood resident, also opposed the request for site approval. She said her children frequented Bacci and she said she felt that this business obtaining a liquor license in the middle of a residential neighborhood would be inappropriate. She said as a parent, a liquor license at this location would have a negative impact on the neighborhood and the young families they were trying to attract there.

Commission Coates commented on the Community Development issues mentioned. She asked the applicant if he planned to comply with the Code. Mr. Gubricky said he would talk to the landlord in regards to the compliance with the Code.

In more discussion, Senior Urban Planner Shannon Techie clarified that the grease trap and the dumpster needed to be screened in a four-sided enclosure.

Chairman Cassidy said he appreciated the comments from the neighbors and he said he also understood their concerns, but he said he personally agreed with Monsignor Brownsey. He said he did not see anything wrong with allowing patrons to have a beer or wine with pizza. He said he would support restrictions on carry-out and he said he would not have supported a sidewalk café had it been requested. He said he felt neighborhood restaurants were a benefit where you could have beer or wine.

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

Commissioner Miller moved to recommend denial of the Site Application for a Class G-B (beer & wine only restaurant) Liquor License for 1222 W. Bradley; no second was heard.

The motion to deny failed due to the lack of a second.

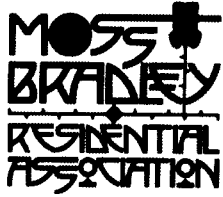
Commissioner Coates moved to recommend approval of the Site Application for a Class G-B (beer & wine only restaurant) Liquor License for 1222 W. Bradley, contingent upon the compliance with the Community Development Department concerns and with the stipulation that there would be no retail sale of alcohol or video gaming permitted at this location; seconded by Commissioner Miller.

Approved by roll call vote.

Yeas: Cassidy, Coates—2;

Nays: Miller-1.

Chairman Cassidy stated this recommendation would be heard at the City Council Meeting to be held on Tuesday, June 23, 2015, at 6:15 p.m. and a representative of this establishment should be present at that meeting.



CITY CLERK
PEORIA, ILL.

2015 MAY 26 P 4: 19

Mr. Drew Cassidy
Chairman, Liquor Commissioner
City of Peoria

A handwritten signature in cursive script, appearing to read "Beth Lee".

Dear Mr. Cassidy,

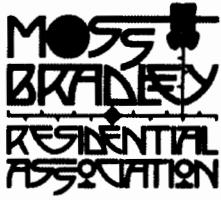
I am writing on behalf of the Moss Bradley Residential Association to express our vigorous opposition to the Site Liquor License application filed by Bacci's Pizza shop.

Our opposition is based on clear understanding of the conditions that enhance or diminish quality of life for Moss Bradley neighborhood residents, a goal that also serves the interests of the City of Peoria generally. Many citizens get their impression of our neighborhood by driving Moss Avenue, which has shown steady improvement in overall appearance and quality of life during at least the past two decades. One street does not make a neighborhood, however, and in other parts of Moss Bradley we recognize certain vulnerabilities that routinely affect quality of life, as follows:

1. The streets between Moss Avenue and Bradley University are densely populated with rental properties, occupied mostly by Bradley students. In these areas multiple loud parties that violate the city's noise and public drinking ordinances and extend into the early morning hours are a weekly occurrence in the spring and fall and frequent in the winter. If Peoria Police are called they generally defer to Bradley Police. Although Bradley officers may visit the site of the disturbance, any improvement in conditions lasts only a few minutes after the police depart. Notably, just last month a Bradley officer told a Barker Avenue homeowner that their officers have been instructed by the University administration not to issue citations to Bradley students who were caught drinking under age. Despite many complaints from neighborhood residents about these disturbances, effective controls remain only a faint hope. These problems are often cited by individuals seeking to purchase a home as a reason not to locate in our neighborhood.
2. The many rental properties are notably less well maintained than those occupied by homeowners. A quick review of housing court cases in recent weeks reveals multiple citations issued to properties on streets with many rentals, such as Ayres and Callendar. While we appreciate the city's code enforcement efforts, the violations diminish neighborhood quality of life and are representative of our vulnerability.
3. High density rental properties also tend to attract transient residents whose contribution to neighborhood life is questionable to say the least. For example, one of the suspects in the recent armed robbery of a US Postal Service letter carrier was arrested in our neighborhood.

For all these reasons we are attentive to every opportunity to influence conditions that potentially affect quality of life, and the proposal to add an outlet for liquor on a residential street in the neighborhood is such an opportunity.

We wish to emphasize first that there is no need for another liquor outlet in the neighborhood. Within walking distance from any residence in the neighborhood there are multiple taverns, restaurants serving liquor, and package stores, on West Main Street, Western Avenue, and in Campustown. We submit that granting a site license at Bacci's location (on a residential street) adds nothing positive to the neighborhood. On the contrary, the sale of liquor at Bacci's will likely contribute further to the already rampant alcohol related problems we experience. We also note that Bacci's routinely provides outdoor seating for its customers, within eyesight of St. Mark's School and church. The prospect of Bacci's



customers drinking beer while seated in front of the shop with St. Mark's School as a backdrop is a very negative image to say the least.

Finally, we note that Bacci's is not your local mom-and-pop pizza shop that is a neighborhood gathering place. It was started by Bradley University students. While we applaud their entrepreneurship, any enthusiasm is stifled by the proposed liquor license. We cannot help suspecting that the application may simply be an attempt to increase the value of the location in advance of a sale.

For all the reasons indicated we vigorously oppose the granting of a site liquor license to Bacci's.

Sincerely,

Brian Buralli
President
Moss Bradley Residential Association

MEMORANDUM

TO: Josh Naven (email), Site Plan Review Board/Community Development
Ross Black (email), Community Development
Officer Scott Jordan, Police - SID (Vice & Drugs)
Lt. Steve Roegge, Police - Traffic Division
Jim Stevens, Inspections
Capt. Dan McGann, Fire Prevention Division
Jodi Maybanks, Accounts Receivable
Don Leist, Corporation Counsel
Ken Andrejasich, Public Works (Sidewalk Café Requests Only)

FROM: Trina D. Bonds, Deputy Clerk II
Liquor Commission Secretary

DATE: May 4, 2015

SUBJECT: **SITE APPLICATION: Case: 15-13**
Bacci Pizzeria of Peoria, Inc.
d/b/a Bacci Pizza
1222 W. Bradley Ave.
Requesting: Class G-B (beer & wine only restaurant)

The City Liquor Commission has received the attached application for consideration and would like to go before the Commission for a Public Hearing on Monday, June 1, 2015. **Contact person for this application is Sean Gubricky (PH: 773-597-7788)** if you have questions or need to make arrangements to inspect the interior of the building.

Your comments are DUE: May 21, 2015 so I can forward them to the Commissioners.

- Zoning** classification/comments
- Police** inspection/comments
- Traffic** inspections/comments
- Code** inspections/comments
- Fire Safety** inspection/comments
- Accounts-fines/liens, etc.** outstanding/comments
- Any comments concerning any aspect of the application.

Thanks!

Trina (ext. 8566)
City Clerk's Office

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

2015 APR 29 P 3:49

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:

1. Name(s), address(es) and phone number(s) of Property Owner(s):
Edison R Khourisader PO Box 6062 Peoria, IL 61601 (309)-370-3721

2. Name, address and phone number of Intended Lessee:
Sean Gubrichy 1014 N Institute Pl Peoria, IL 61606 (773)-597-7788

* Bacci Pizzeria of Peoria Inc. DBA Bacci Pizza
3. Street address of Property requested for approval:
* 1222 W Bradley Ave Peoria, IL 61606

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

4. Legal description of Property listed in #3:
Bacci Pizzeria of Peoria Inc.
UNDERHILL & BOURLAND'S ADD SE 1/4 Sec 5-8-8E 1266 NW COR LOT 6 BLK 13 TH E 70.55' S 70' E 33' S 19.82'

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

6. Are you planning to build any improvements upon the property? No 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

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, G-A, G-B, G-C, I, J, K, K-1, L, M, N G-B

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

10. Do you plan to add video gaming within your first year of operation? Yes ___ No

11. 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.

Subscribed and sworn to before me this
24 day of April, 2015.

[Signature]
Notary Public

[Signature]
Signature of Property Owner(s)

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

OFFICIAL SEAL
MICHAEL A. SANDLIN
Notary Public - State of Illinois
My Commission Expires Sep 21, 2015
Oper: MSANTIAGO
Date: 4/29/15
36 LIQUOR - PE 1.00 2288
CK CHECK
Trade date: 4/29/15 Time: 15:30:49

PATRICK A. NIGHTING - TREASURER
CITY OF PEORIA

KHOURISADER, EDISON R
 P O BOX 6062
 PEORIA, IL 61601
 UNDERHILL & BOURLAND'S ADD SE 1/4 SEC
 5-8-8E BEG NW COR LOT 6 BLK 13: TH E 70
 55' S 70' E 33' S 19.82' W 103.38' N

Neighborhood Number
 643

TAXING DISTRICT INFORMATION

Jurisdiction Name Peoria County
 Area 010
 District 001
 Section & Plat 05

Transfer of Ownership				
Owner	Consideration	Transfer Date	Deed Book/Page	Deed Type
	0			
	0			
	0			
	0			
	0			
	0			

Site Description

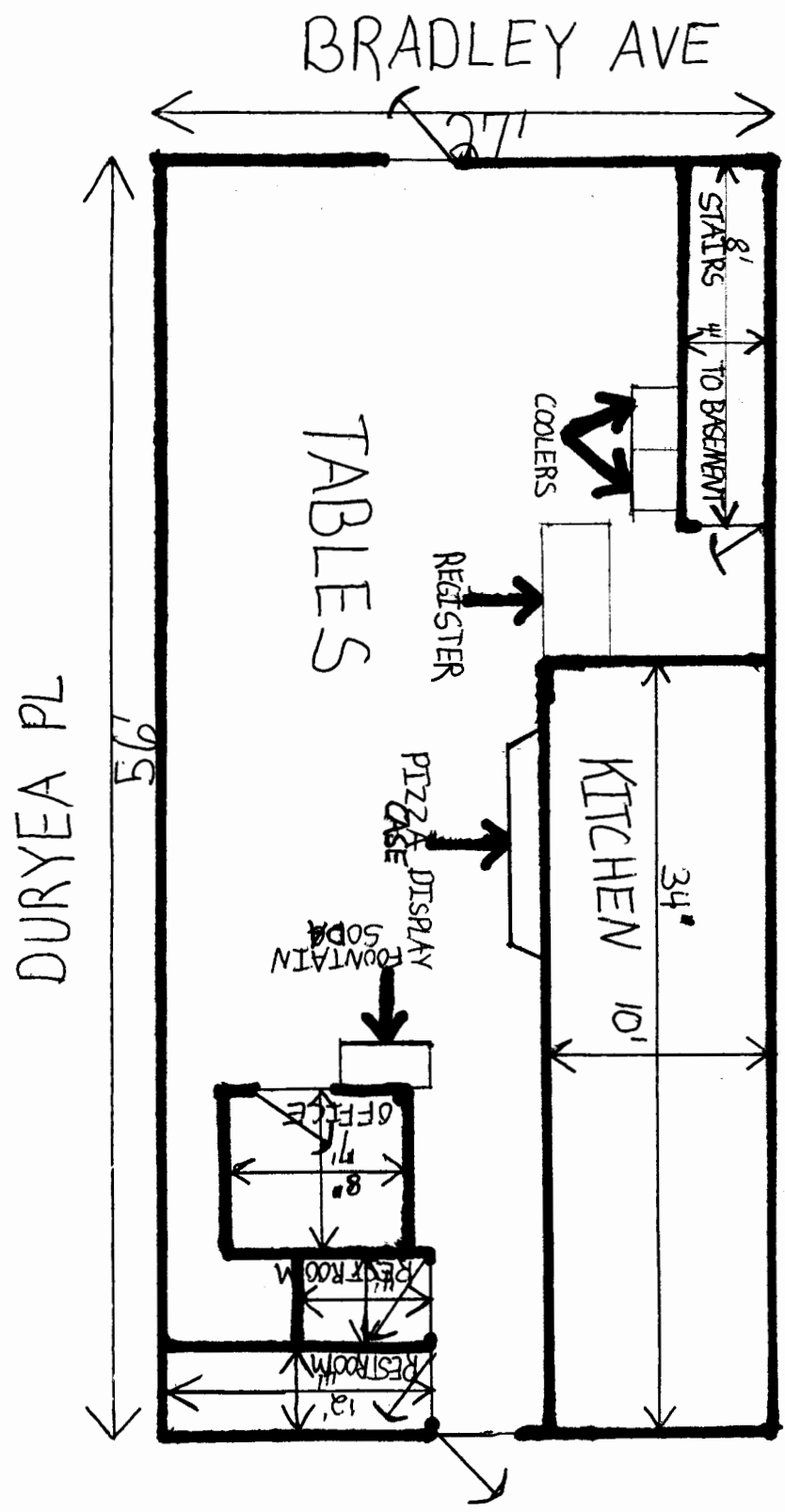
Topography Level
 Public Utilities All
 Street or Road Paved
 Neighborhood Declining
 Zoning: Commercial
 Legal Acres: 0.0000

Valuation Record									
Assessment Year	2007	2009	2010	2010	2011	2012	2013		
Reason for Change	4Y Reval	Update	Update	Trended Val	4Y Reval	Trended Val	Trended Val		
0 L	25180	28280	28280	28560	28500	27960	27540		
I	102390	103330	123990	125230	125140	122760	120920		
T	127570	131610	152270	153790	153640	150720	148460		
0 L	8390	9430	9430	9520	9500	9320	9180		
I	34130	34440	41330	41740	41710	40920	40310		
T	42520	43870	50760	51260	51210	50240	49490		



Land Size				
Land Type	Rating, Soil ID - or - Actual Frontage	Acreage - or - Effective Frontage	Square Feet - or - Effective Depth	Influence Factor

BACCI PIZZERIA OF PEORIA, INC
SCALE DRAWING
(EACH SQUARE = 2')



TO: Trina Bonds, Liquor Commission Secretary
FROM: Jodi Maybanks , Accounts Receivable Supervisor
DATE: May 18, 2015
SUBJECT: Case 15-13 Bacci Pizzeria of Peoria, Inc d/b/a Bacci Pizza

The Finance Department has no objection to this site approval.

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



PEORIA POLICE DEPARTMENT



May 19, 2015

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

RE: Site Approval Application 15-13
Bacci Pizzeria of Peoria, Inc.
d/b/a Bacci Pizza
1222 W. Bradley Ave.
Requesting: Class G-B (beer & wine only restaurant)

Dear Commissioners,

A site application has been received from Bacci Pizzeria of Peoria, Inc., d/b/a Bacci Pizza, 1222 W. Bradley Ave., Peoria, Illinois, for a Class G-B liquor license. This license would allow the applicant to serve beer and wine for on-site consumption at this restaurant.

Officer Jordan inspected the site which is located at the corner of Bradley Avenue and Duryea Place and within the Bradley University Campus neighborhood. The nearest residence, which has traditionally been used as student housing, is approximately 40 feet to the south of the restaurant. To the northwest approximately 140 feet is a residential dormitory for Bradley University. St. Mark's School, which serves students from pre-k through 8th grade, is approximately 200 feet to the east and the school's playground is 140 feet to the east of the site. There is a parking lot between the site and the playground. St. Mark's Roman Catholic Church is approximately 362 feet to the northeast of the site.

While the proximity of the school and church may raise concern, the distances are outside of the limitations placed by ordinance and alcohol service is not the primary business of this restaurant. The restaurant will be required to meet at least 50% food sales to maintain the G-B liquor license.

Officer Jordan spoke with the applicant who stated the alcohol will be served in containers from a cooler. The restaurant will not operate a bar inside the restaurant and there will be no alcohol allowed in the outdoor café. There have been no known disturbances or problems at this restaurant and it does not appear that this request will be detrimental to the surrounding area. The Peoria Police Department believes the request in appropriate for this location and type of restaurant. There are no traffic or parking concerns with this request.

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

Sincerely,

Jerry E. Mitchell
Chief of Police

JEM/sj

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

cc: Liquor Commissioner
Deputy Liquor Commissioner
City Clerk
Corporate Counsel



Community Development Department

May 16, 2015

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

**RE: Site Approval Application 15-13
Bacci Pizzeria of Peoria Inc.
d/b/a Bacci Pizza
1222 W Bradley Avenue**

Requesting: Class G-B (Beer and Wine Only Restaurant)

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. **The property is zoned C-N (Neighborhood Commercial) District and a restaurant is a permitted use.**
2. **The following site deficiencies must be resolved and will require Site Plan Review Board review and approval:**
 - a. **Parking Lot Surface: The parking lot has deteriorated and is not currently maintained as an evenly paved surface. The parking lot must be resurfaced.**
 - b. **Parking Lot Striping: Parking lot striping has faded and the lot must be striped per Land Development Code requirements.**
 - c. **Disabled Parking: Disabled parking is not currently provided on the site and must be provided per Land Development Code and ADA requirements.**
 - d. **Mechanical and Utility Screening: A dumpster and grease trap which appear to be serving Bacci are located on the adjacent lot at 710 N DUYEA PLACE (same property owner). Both the dumpster and the grease trap must be screened per Land Development Code requirements.**

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

FIRE DEPARTMENT



May 21, 2015

Liquor Commission
Office of Corporation Counsel
City of Peoria, Illinois

Re: Site Approval Application
Case: 15-13
Bacci Pizzeria of Peoria, Inc.
d/b/a Bacci Pizza
1222 W. Bradley Ave.

Dear Liquor Commission:


A site application has been received from Bacci Pizzeria of Peoria, Inc., d/b/a Bacci Pizza for a Class G-B (beer & wine only restaurant) .

This business has been inspected by City of Peoria Fire Inspectors and currently is found to have no significant issues concerning Fire and Life Safety codes.

Sincerely,


Daniel McGann
Captain, Fire Prevention Div.

DM/cc



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

~~Bradley University
1501 W Bradley Ave
Peoria Il 61625~~

~~Bradley University
1501 W Bradley Ave
Peoria Il 61625~~

~~Bradley University
1501 W Bradley Ave
Peoria Il 61625~~

~~Bradley University
1501 W Bradley Ave
Peoria Il 61625~~

~~St Marks Roman Catholic Congregation
1113 W Bradley Ave
Peoria Il 61606~~

~~St Marks Roman Catholic Congregation
1113 W Bradley Ave
Peoria Il 61606~~

~~Khourisader, Edison R
P O Box 6062
Peoria Il 61601~~

~~Bradley University
1501 W Bradley Ave
Peoria Il 61625~~

~~Bradley University
1501 W Bradley Ave
Peoria Il 61625~~

~~Bradley University
1501 W Bradley Ave
Peoria Il 61625~~

~~University, Bradley
1501 W Bradley Ave
Peoria Il 61625~~

~~Bradley University
1501 W Bradley Ave
Peoria Il 61625~~

~~Robins, Robert P Jr
131 Royal Vista Dr
East Peoria Il 61611~~

~~Bradley University
1501 W Bradley Ave
Peoria Il 61625~~

~~Bradley University
1501 W Bradley Ave
Peoria Il 61625~~

~~Bradley University
1501 W Bradley Ave
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~~Khourisader, Edison R
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Peoria Il 61601~~

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~~Bradley University
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~~St Mark's Roman Catholic
Congregation
1113 W Bradley Ave
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~~University, Bradley
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University, Bradley
1501 W Bradley Ave
Peoria Il 61625

Bradley University
1501 W Bradley Ave
Peoria Il 61625

Christianson, John P
1252 N Skyview Dr
East Peoria Il 616115432

Bradley University
1501 W Bradley Ave
Peoria Il 61625

St Marks Roman Catholic Congregation
1113 W Bradley Ave
Peoria Il 61606

Bradley University
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University, Bradley
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Peoria Il 61601

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1113 W Bradley Ave
Peoria Il 61606

Khourisader, Edison R
P O Box 6062
Peoria Il 61601

NOTICE OF PUBLIC HEARING

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

BACCI PIZZERIA OF PEORIA, INC. D/B/A BACCI PIZZA

(name of establishment)

1222 W. BRADLEY AVE.

(address)

FOR USE AS:

REQUEST FOR A CLASS G-B (BEER & WINE ONLY RESTAURANT)

LIQUOR LICENSE.

The Hearing will be held on MONDAY - JUNE 1, 2015 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.

STATE OF ILLINOIS)
) ss
COUNTY OF PEORIA)

AFFIDAVIT

Sean Gubricky, being duly sworn, does hereby swear/affirm
that:

1. I am the Liquor Licensee of Bacci Pizzeria of Peoria, Inc.
(establishment name)

located at 1222 W Bradley Ave, Peoria, Illinois.
(address)

2. On April 30, 2015, 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.

Sean Gubricky
(Signature of Liquor Licensee)

Subscribed and sworn to before me
this 29th day of April
2015.
Torina D. Bonds
Notary Public

