

**14-16**            **RSB Petro, Inc.**  
**d/b/a Marathon on Prospect**  
**3124 N. Prospect**  
**Requesting:    Class CG (gas station)**

Attorney Sam Zabek presented a Site Application for a Class CG (gas station) Liquor License for 3124 N. Prospect.

In discussion with Chairman Cassidy, Mr. Zabek said his client was not present, but he could answer questions about the site. He stated his client had recently taken over the operations of the gas station and they were requesting approval to sell beer and wine. He said they were well aware of the requirements for the Class CG Liquor License.

In more discussion, Attorney Zabek said he had just learned that there had been other requests for site approvals at the proposed location, which were all denied. He said when reviewing the packet of information, he did not see any apprehension from the neighbors. He said the only negative responses were from the Police Department. He said in regards to increased traffic, noise or parking problems, he did not feel this request would increase any additional traffic that Prospect Road could not handle. He said the fact that there were other retailers in the area who were already approved to sell alcohol bolstered the position that this address was a suitable site. He said the request would not be detrimental because precedent had already been set.

Liquor Investigator Jordan pointed out one of the two locations allowed to sell alcohol was very detrimental to the neighborhood, and he said the other site was located in Peoria Heights.

Chairman Cassidy mentioned the minutes of the previous requests for site approval at the subject location. He said mainly the issue stated regarded the proximity to the residential neighborhood.

In response to Chairman Cassidy's comments, Attorney Zabek said since there weren't any neighbors present to object the request; he did not feel it would be injurious to the neighborhood. He said the type of liquor proposed would not increase any litter or noise. He said they weren't requesting a bar or tavern, they just wanted a place for individuals to stop to purchase beer or wine while getting gas.

Commissioner Miller commented, in regards to other gas stations in the city that were permitted to sell alcohol, he said there was a greater distance between the site and the neighborhood. He said that issue was the Commission's concern in the past and he said he felt the same way in regards to this request.

Attorney Zabek said he had not spoken to his client, but he said he probably would not be opposed to putting up some type of barrier or boundary like fencing to separate the business from the neighborhood.

Commissioner Miller mentioned he did not support a recent request for site approval on the same street, which was before the Commission a few months ago. He went on to say that he would not be able to support this request either.

Liquor Investigator Jordan reiterated the Police Department's concerns and he mentioned the close proximity of the residences to the store.

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

Commissioner Miller moved to recommend denial of the Site Application for a Class CG (gas station) Liquor License for 3124 N. Prospect; seconded by Commissioner O'Brien.

Approved by roll call vote.

Yeas: Cassidy, Coates, Miller, O'Brien - 4;

Nays: 0.

Chairman Cassidy stated this recommendation would be heard at the City Council Meeting to be held on Tuesday, June 24, 2014, at 6:15 p.m. and a representative of this establishment should be present at that meeting.

## MEMORANDUM

TO: Josh Naven, Site Plan Review Board/Planning Department  
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  
Ken Andrejasich, Public Works (Sidewalk Café Requests Only)

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

DATE: April 17, 2014

SUBJECT: **SITE APPLICATION: Case: 14-16**  
**RSB Petro, Inc.**  
**d/b/a Marathon on Prospect**  
**3124, 3128 & 3134 N. Prospect Rd.**  
**Requesting: Class CG (gas station)**

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 2, 2014. **Contact person for this application is Attorney Sam Zabek (PH: 671-4300)** if you have questions or need to make arrangements to inspect the interior of the building.

Your comments are DUE: **May 22, 2014** 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

2014 APR 15 P 1:07

*Beth Bell*

**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:

1. Name(s), address(es) and phone number(s) of Property/Building Owners:  
RSB Petro, Inc.
2. Name, address and phone number of Intended Lessee:  
Marathon On Prospect, 3124 N Prospect Rd Peoria IL 309-946-2230
3. Street address of Property requested for approval:  
3124, 3128 & 3134 North Prospect Rd., Peoria, IL Sam Zabeck - 671-4300
4. Legal description of Property listed in #3:  
Parcel 1: Lots 9 through 12 inclusive and the South 22 feet of Lot 13, in Tripp Place, a Subdivision of part of the Southeast Quarter of Section 27, Township 9 North, Range 8 East of the Fourth Principal Meridian in Peoria County, Illinois.  
Parcel 2: Lot 14 and 3 feet of even width by full depth of Lot off North side of Lot 13 Tripp Place, being a Subdivision of part of the Southeast Quarter of Section 27, Township 9 North, Range 3 East of the Fourth Principal Meridian in Peoria County, Illinois.
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.)? package
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, C2, C3, C4, C5  
D, E, G, I, J, K, L, N CG  
Subclass 1, 1A, 2, 3, 3A, 4, 6, 7, 8 \_\_\_\_\_
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.

*[Signature]*

Subscribed and sworn to before me this  
27<sup>th</sup> day of March, 2014.

Signature of Building Owner(s)

Notary Public

**NOTE: A NON-REFUNDABLE \$250.00 FILING FEE MUST ACCOMPANY THIS APPLICATION.**



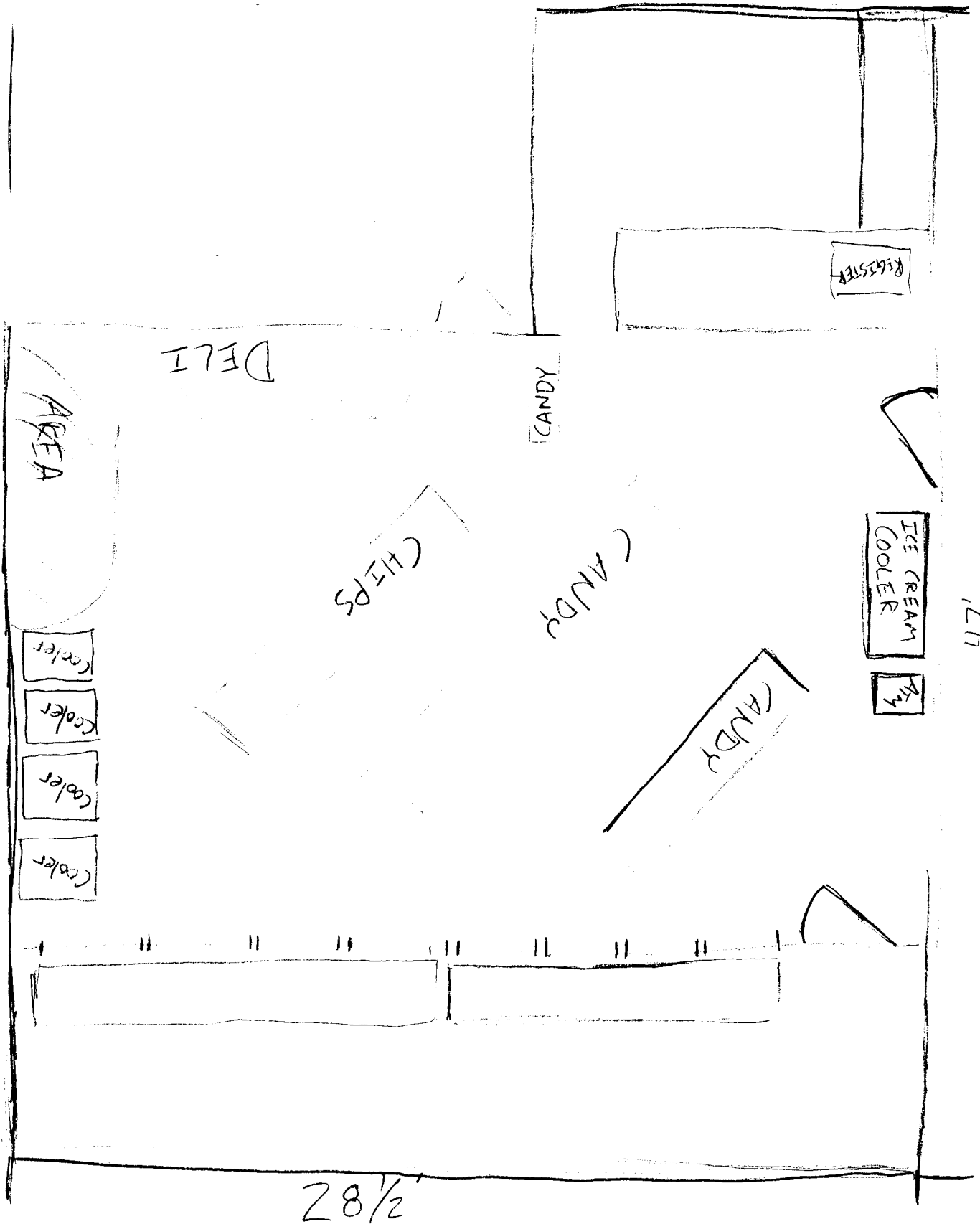
Oper: TCALDWELL	Type: TO	Drawer: 1
Date: 4/15/14 01	Receipt no: 5644	
36	LIQUOR - ALL	
	1.00	\$250.00
OK CHECK	1902	\$250.00

Trans date: 4/15/14 Time: 12:50:34

PATRICK A. NIGHTING - TREASURER  
CITY OF PEORIA

RSB Petro. Inc  
3124 N. Prospect

TOTAL  
SQUARE  
FOOT 1316 1/2



**TO:** Trina Bonds, Liquor Commission Secretary

**FROM:** Jodi Maybanks , Accounts Receivable Supervisor I

**DATE:** May 9, 2014

**SUBJECT:** Case 14-16 RSB Petro Inc d/b/a Marathon on Prospect

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

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



PEORIA POLICE DEPARTMENT



May 19, 2014

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

RE: Site Approval Application 14-16  
RSB Petro, Inc.  
d/b/a Marathon on Prospect  
3128 N. Prospect Rd.  
Requesting: Class CG (gas station, packaged)

Dear Commissioners,

A site application has been received from RSB Petro, Inc., d/b/a Marathon on Prospect, 3128 N. Prospect Rd., Peoria, Illinois, for a Class CG liquor license. This license would allow this gas station and convenience store to sell packaged liquor for off-site consumption.

Officer Jordan inspected the location which is at the corner of Prospect Rd. and Elmwood, near Forrest Hill Ave. The area along Prospect Rd. is made up of commercial businesses. Neighbors include a tire store to the north and small retail shops across Prospect Rd. to the west. There is a residential neighborhood directly to the east and south of the site and this area of the East Bluff is mostly residences. The closest house to this site is approximately 85 feet to the east and another house is approximately 110 feet to the south. There are other gas stations along Prospect Rd., none of which have a liquor license. There is a convenience store at the corner of Abingdon and Prospect and a Walgreen's at the corner of Prospect and War Memorial Dr. which sell packaged liquor.

The gas station also sells snacks, sodas, candy and other similar items. There is no history of liquor sales at this location. In 2011 this store was cited for selling cigarettes to an underage person during an age compliance check done by the Peoria Police Department.

The Peoria Police Department believes that the addition of packaged liquor to this store would cause an increase in traffic, noise and litter, especially in light of the close proximity of the residences to the store. There are currently two liquor retailers in the vicinity providing sufficient access to packaged liquor. The addition of packaged liquor at this site would be detrimental to the surrounding neighborhood and businesses.

The Peoria Police Department objects to this site application request.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven M. Settingsgaard".

Steven M. Settingsgaard  
Chief of Police

SMS /saj

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

cc: Corporate Counsel  
Liquor Commissioner  
City Clerk

FIRE DEPARTMENT



May 21, 2014

Liquor Commission  
Office of Corporation Counsel  
City of Peoria, Illinois

Re: Site Approval Application  
Case: 14-16  
RSB Petro, Inc.  
d/b/a /Marathon on Prospect  
3124, 3128 & 3134 N. Prospect

Dear Liquor Commission:

A site application has been received from RSB Petro, Inc., d/b/a Marathon on Prospect for a ClassCG, (gas station).


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,

A handwritten signature in black ink that reads 'Daniel McGann'.

Daniel McGann  
Captain, Fire Prevention Div.

DM/cc



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





Community Development Department



May 23, 2014

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

RE: **Site Approval Application 14-16**  
**RSB Petro, Inc**  
**d/b/a Marathon on Prospect**  
**3124, 3128, 3134 N Prospect Road**  
**Requesting: Class CG (gas station)**

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. **Parking Surface has deteriorated and must be resurfaced.**
2. **Parking lot striping has faded and must be re-striped.**
3. **The dumpster must be screened.**

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 CG Subclass \_\_\_\_\_ Liquor License for the following described property.

RSB PETRO, INC. D/B/A MARATHON ON PROSPECT  
(name of establishment)

3124, 3128 & 3134 N. PROSPECT  
(address)

FOR USE AS:

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REQUEST FOR A CLASS CG (GAS STATION)

LIQUOR LICENSE.

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The Hearing will be held on MONDAY - JUNE 2, 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.

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BURROWS KELLY  
1215 E ELMHURST AVE  
PEORIA IL 61603

CAMPOUNOVO DEBORAH  
1215 E NORWOOD AVE  
PEORIA IL 61603

CLARK KAREN  
1313 E ELMHURST ST  
PEORIA IL 61603

COX ERNEST  
268 FAR HILLS  
EAST PEORIA IL 61611

~~COX ERNEST  
268 FAR HILLS  
EAST PEORIA IL 61611~~

DRISCOLL JULIE  
1219 E ELMHURST AVE  
PEORIA IL 61603

HOFFMAN MARK  
1515 GROVE LN  
METAMORA IL 615487809

HOWARD ARCHIE  
1317 E ELMHURST AVE  
PEORIA IL 61603

HUNT MARILYN  
4109 GRANVILLE AVE  
PEORIA IL 61607

JD PROPERTIES & ASSOCIATES LLC  
ATTN JEAN H DEMOSTHENES 3  
CLOVERHILL CIRCLE  
BLOOMINGTON IL 61704

LONG LAWRENCE  
1309 E ELMHURST AVE  
PEORIA IL 61603

MANNING MATTHEW  
1216 E ELMHURST AVE  
PEORIA IL 61603

MARTIN MICHAEL  
3216 W RICHWOODS BLVD  
PEORIA IL 616041025

METTERNICH MELISSA  
4008 N HARVARD AVE  
PEORIA IL 61614

MISSIONARY NEW  
1311 E FORREST HILL AVE  
PEORIA IL 61603

NELSON MAGARET  
6612 N COBBLESTONE CT  
PEORIA IL 61614

OBER ANNA  
1214 E NORWOOD AVE  
PEORIA IL 61603

ODUM LEW  
1312 E ELMHURST AVE  
PEORIA IL 61603

PRECONNECTION INC  
EDGEWOOD TERRACE P O BOX 366  
MORTON IL 61550

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EDGEWOOD TERRACE P O BOX 366  
MORTON IL 61550~~

~~PRECONNECTION INC  
EDGEWOOD TERRACE P O BOX 366  
MORTON IL 61550~~

~~PRECONNECTION INC  
EDGEWOOD TERRACE P O BOX 366  
MORTON IL 61550~~

REGIONS BANK  
P O BOX 9565  
PEORIA IL 61612

~~REGIONS BANK  
P O BOX 9565  
PEORIA IL 61612~~

RITTHALER DANIEL  
P O BOX 342  
MORTON IL 61550

RSB PETRO INC  
P O BOX 1263  
BLOOMINGTON IL 617021263

~~RSB PETRO INC  
P O BOX 1263  
BLOOMINGTON IL 617021263~~

RUSSELL LANCE  
1313 E RICHWOODS BLVD  
PEORIA IL 61604

THOMAS ANTHONY  
1400 E RICHWOODS BLVD  
PEORIA IL 61603

TITTAMUS TOTTAMUS LLC  
3217 N PROSPECT RD  
PEORIA IL 61603

WALT ROBERT  
3200-3214 N PROSPECT RD  
PEORIA IL 61603

~~WALT ROBERT  
3200-3214 N PROSPECT RD  
PEORIA IL 61603~~

~~WALT ROBERT  
3200-3214 N PROSPECT RD  
PEORIA IL 61603~~

WILLIAMS MICHAEL  
1401 E ELMHURST AVE  
PEORIA IL 61603

WILMA P THIEMANN TRUST  
903 E ELMHURST AVE  
PEORIA IL 61603

STATE OF ILLINOIS     )  
  )  ss  
COUNTY OF PEORIA    )

**AFFIDAVIT**

Jennifer Shuomake, being duly sworn, does hereby swear/affirm  
that:

1. I am the Liquor Licensee of RSB Petro, Inc  
(establishment name)

located at 3124, 3128, 3134<sup>N</sup> Prospect Rd. Peoria, Peoria, Illinois.  
(address)

2. On April 16, 2014, 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.

Jennifer Shuomake  
(Signature of Liquor Licensee)

Subscribed and sworn to before me  
this 15<sup>th</sup> day of April,  
2014.

Torina D. Bonds  
Notary Public

