19-05
 Gold Standard Enterprises, Inc.

 d/b/a Binny's Beverage Depot
 2601 W. Lake, Suite A1-B

 Requesting:
 Class C (packaged goods)

Bob Hall, Attorney, representing Westlake Shopping Center, and Michael Binstein, Owner, presented a Site Application for a Class C (packaged goods) Liquor License at 2601 W. Lake, Suite A1-B.

In discussion with Chairman Miller, Attorney Hall reported that the former tenant at this location closed and vacated the site last summer. He said since then they had worked hard to find a suitable tenant to fill the space. He went on to say that there were very happy with the opportunity to welcome the operation of Binny's Beverage Depot.

In more discussion, Mr. Binstein gave a brief description of their history. He said his father started the business in 1948. He said for the entire 71 years they had been in business, they operated as a private family owned business. He explained that he entered the business in 1995. He went on to say that since the first store which in 1948 that sold peanuts, produce and pints of whiskey, he said they had evolved from a full-service to self-service concept. He said today they had 40 stores and he said they sign very long-term leases, but he said he continues to remind himself that they had day-to-day employment contracts with their over nine million customers.

In response to Chairman Miller's question in regards to their hours of operation, Mr. Binstein said they would be open seven days a week, from 9:00 a.m. to 9:00 p.m., except on Sundays where they opened a little later and they closed at 6:00 p.m. He further stated that they were big on education and he said they did a lot of cutting edge programs where they invited distillers and wine makers from around the world. He said they wanted to be open for operation in approximately four months.

Mohmad Mohamad, Local Liquor Business Owner, spoke in opposition of the request for Site Approval. He commented that he felt the proposed business would potentially draw a number of bad influences to this shopping center where he currently frequented with his family. He said this establishment would also hurt current local businesses in Peoria. He mentioned the effects of chain stores and also the rise of crime rates in this area. He commented that Peoria needed more grocery stores in town rather than more liquor stores.

Rutul Amin, Local Liquor Business Owner, also spoke in opposition of the request for Site Approval. He expressed his concerns and agreed that this establishment would hurt local small scale businesses.

Aneel Modugulu, Local Liquor Business Owner, said he shared the same concerns of the previous current liquor business owners. He mentioned that the discounted prices at this establishment could harm current small local businesses.

In response to the concerns mentioned by the current local liquor business owners, Attorney Hall said that this establishment has operated in the Chicago area for many years and he said they had dealt with similar issues that had been addressed. He said as far as competition, he said this type of business was market based. He said the concerns mentioned were not an appropriate standard or evaluation for the Liquor Commission to make in order to keep out competition.

Mr. Binstein responded to the comments by stating that as a reference point, he said they sold commodity items and he said Binny's was all about selections. He said they had one of the best trained organizations. He went on to say that they were all about service and that had been their trademark for the past 71 years. He said they were still a private family-owned establishment located in only one state.

Commissioner Cassidy said for the record, he wanted to thank the business owners who had come before the Liquor Commission to speak. He referred to Section 3-92 of the Liquor Code, which addressed the suitability of the site and what the Commission were supposed to consider. He agreed with Attorney Hall's comments that competition was not something the Commission was supposed to consider. He said in regards to whether or not the operation would be detrimental to the neighborhood, he said this was a well-established business. He then said there wasn't any evidence that would suggest that this store would cause any harm to the shopping center or the surrounding neighborhood.

Hearing no more comments or questions, Chairman Miller called for the motion.

Commissioner Cassidy moved to recommend approval of the Site Application for a Class C (packaged goods) Liquor License at 2601 W. Lake, Suite A1-B; seconded by Commissioner Kouri.

Approved by roll call vote. Yeas: Cassidy, Coates, Kouri, Miller, O'Brien - 5; Nays: None.

Chairman Miller stated this recommendation would be heard at the City Council Meeting to be held on Tuesday, April 23, 2019, at 6:00 p.m. and a representative of this establishment should be present at that meeting.

MEMORANDUM

TO:	Leah Allison, Community Development Scot Wolf, Building Inspections Officer Kevin Slavens, Police - TOU Lt. Earnest McCall, Police - Traffic Division Fire Engineer Charlie Perrin, Fire Prevention Division Rebecca Runyon, Accounts Receivable Supervisor Mayor Jim Ardis, Liquor Commissioner						
				Eric Turner, Deputy Liquor Commissioner Jim Montelongo, Council Member			
				Julie Schmidt, Public Works (Sidewalk Café Requests Only)			
				FROM:	Trina D. Bonds, Deputy Clerk II		
					Liquor Commission Secretary		
				DATE:	March 6, 2019		
	SUBJECT:	SITE APPLICATION:	Case: 19-05				
			Gold Standard Enterprises, Inc.				
			d/b/a Binny's Beverage Depot				
		2601 W. Lake, Suite A1-B					
		Requesting: Class C (packaged good	s)				

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, April 1, 2019. Contact person for this application is Attorney Bob Hall (671-9600) if you have questions or need to make arrangements to inspect the interior of the building.

Your comments are DUE: March 21, 2019 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 ALCOHOUS BEVERAGES

2019 MAR -6 PM 1: 53

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): <u>Westlake Shopping Center, LLC, c/o Cohen Development Company, 406 SW</u> Washington Street, Peoria, IL 61602 Attn.: Leslie B. Cohen (309) 671-1000
- 2. Name, address and phone number of intended Lessee: Gold Standard Enterprises, Inc. d/b/a Binny's Beverage Depot. 8935 N. Milwaukee Avenue, Niles, IL 60714, Attn.: Walter Fornek, President (847) 966-2300
- Street address of Property requested for approval: <u>2601 W. Lake Avenue, Space A-1b Peoria, IL</u>

 NOTE: All site approvals are 1st floor only, unless specifically applied for and authorized.
- 4. Legal description of Property listed in #3: SEE ATTACHED
- Are there any improvements (buildings, accessories, etc.) presently on the property?
 Yes <u>x</u> No if Yes, please give description of same: Shopping Center
- 6. Are you planning to build any improvements upon the property? <u>No</u> 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 Liquor

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

Subclass: 1, 1A, 2, 2A, 3, 3A, 4, 6, 7, 8, 10, 11, 12

Yes No x

10. Do you plan to add video gaming? (Must wait 2 years & show 80% revenue from food & drinks)

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

AFFIDAVIT

We swear that we are the Owner and Intended Lessee of the property and space described in this application and that the statements contained herein are true and correct.

Subscribed and sworn to before me this _____ day of _____, 2019.

Notary Public

Subscribed and sworn to before me this 27 th day of Fubruary, 2019.

Ц. n Jaru 20 Notary Public



See attached counterpart Signature of Intended Lessee

Signature of Owner

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

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): <u>Westlake Shopping Center, LLC, c/o Cohen Development Company, 406 SW</u> Washington Street, Peoria, IL 61602 Attn.: Leslie B. Cohen (309) 671-1000
- 2. Name, address and phone number of Intended Lessee: Gold Standard Enterprises, Inc. d/b/a Binny's Beverage Depot, 8935 N. Milwaukee Avenue, Niles, IL 60714, Attn.: Walter Fornek, President (847) 966-2300
- Street address of Property requested for approval: <u>2601 W. Lake Avenue, Space A-1b Peoria, IL</u>

 NOTE: All site approvals are 1st floor only, unless specifically applied for and authorized.
- 4. Legal description of Property listed in #3: SEE ATTACHED
- Are there any improvements (buildings, accessories, etc.) presently on the property?
 Yes <u>x</u> No lf Yes, please give description of same: Shopping Center
- 6. Are you planning to build any improvements upon the property? <u>No</u> 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 Liquor

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

Subclass: 1, 1A, 2, 2A, 3, 3A, 4, 6, 7, 8, 10, 11, 12

10. Do you plan to add video gaming?

Yes No x

(Must wait 2 years & show 80% revenue from food & drinks)

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

AFFIDAVIT

We swear that we are the Owner and Intended Lessee of the property and space described in this application and that the statements contained herein are true and correct.

hubscribed and sworn to before me this the day of March, 2019. OFFICIAL SEAL	
otary Public Signature of Intended Lessee	
ubscribed and sworn to before me thispires January 18, 2022	

Notary Public

Signature of Owner

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

LEGAL DESCRIPTION

OF

SHOPPING CENTER

Tract 1:

A part of the Northwest Quarter of Section 30, and a part of the Southwest Quarter of Section 19, Township 9 North, Range 8 East of the Fourth Principal Meridian, more particularly described as follows: Commencing at the Northeast corner of the Northwest Quarter of said Section 30; thence North 89 degrees 49 minutes 00 seconds West along the North Line of the Northwest Quarter of said Section 30, a distance of 323.4 that to a point on the Westerly right of way line of Rockwood Road and the Point of Beginning of the tract to be described; thence South 00 degrees 02 minutes 37 seconds West along the Westerly right of way line of Rockwood Road, a distance of 39.33 feet; thence in a Southeasterly direction slong the Westerly right of way line of Rockwood Road on a curve to the left having a radius of 120 feet for an aro distance of 41.92 feet; thence North \$5 degrees 50 minutes 29 seconds West, a distance of 110.88 feet; thence South 01 degrees 09 minutes 31 seconds West, a distance of 103.08 fest; thence South \$8 degrees 50 minutes 29 seconds East, a distance of 156.83 fast to a point on the Westerly right of way line of Rockwood Road; thence South 22 degrees \$7 minutes 04 seconds East along the Westerly right of way line of Rockwood Road, a distance of 16.49 feet to the intersection of the Westerly right of way line of Rockwood Road and the Northwesterly right of way line of West Lake Street; thence in a Southwesterly direction along the Northwesterly right of way line of West Lake Street on a curve to the Left having a radius of 340 feet for an are distance of 163.34 feet; thence South 28 degrees 41 minutes 58 seconds West along the Northwesterly right of way line of West Lake Street, a distance of 22.18 feet; thenes in a Southwesterly direction along the Northwesteriy right of way line of West Laka Street on a curve to the right having a radius of 260 that for an are distance of 319.92 feet; thence North 80 degrees 48 minutes 02 seconds West along the Northerty right of way line of West Lake Street, a distance of 349.56 fest; thence North 00 degrees 49 minutes 57 seconds East, a distance of 416.47 feet to a point on the South line of the Southwest Quarter of said Section 19; thence continuing North 00 degrees 49 minutes 57 seconds East, a distance of 629.34 feet; thence South \$9 degr 38 minutes 37 seconds East, a distance of 525.48 fest to a point on the Southwesterly right of way line of Rockwood Road; thence South 41 degrees 28 minutes 14 seconds East along the Southwesterly right of way line of Rockwood Road, a distance of 94.71 feet; thence in a Southeasterly direction along the Southwesterly right of way line of Rockwood Road on a curve to the right having a radius of 295 feet for an arc distance of 213.74 feet; thence South 00 degrees 02 minutes 37 seconds West along the Westerly right of way line of Rockwood Road, a distance of 361.6 feet to the Point of Beginning; situated in the County of Peoris and State of Lilinois.

Tract IL:

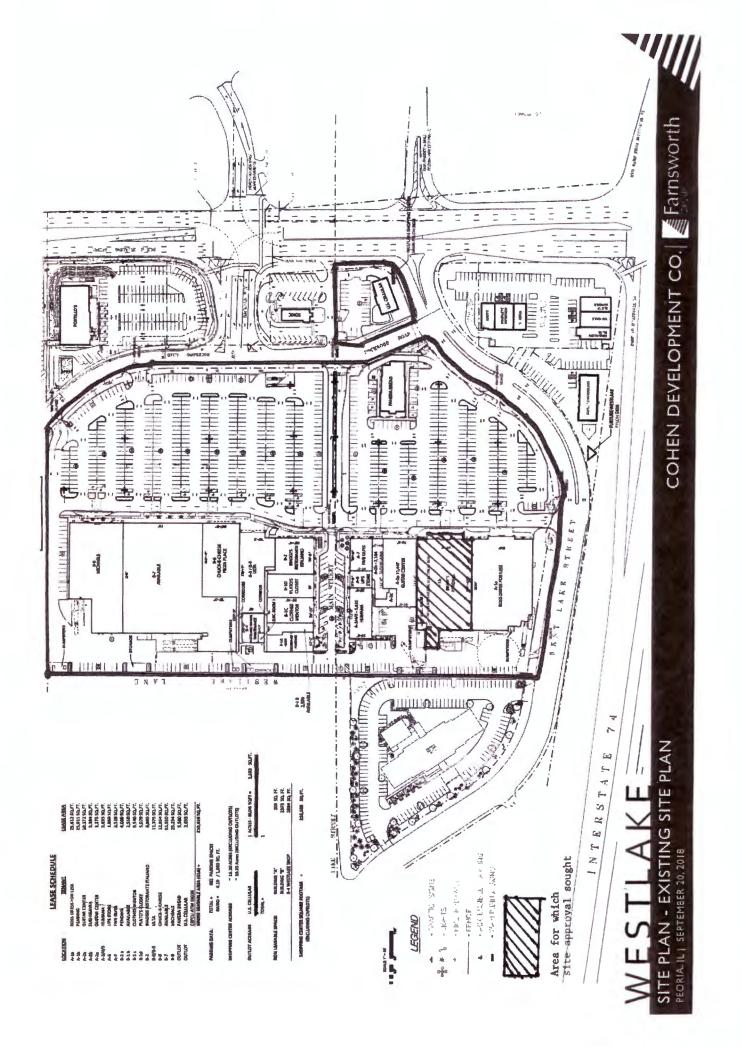
A part of the Northwest Quarter of Section 30, Township 9 North, Range 8 East of the Fourth Principal Meridian, more particularly described as follows: Commencing at the Northeast corner of the Northwest Quarter of said Section 30; thence North 89 degrees 49 minutes 00 seconds West along the North line of the Northwest Quarter of axid Section 30, a distance of 107.24 feet to the Point of Beginning of the tract to be described; thence South 03 degrees 19 minutes East along the West right of way line of North Starling Avenue, a distance of 74.33 feet; thence in a Southerly direction along the West right of way line of North Starling Avenue, a distance of 74.43 feet; thence in a Southerly direction along the West right of way line of North Starling Avenue along a curve to the right having a radius of 4932.61 fiset for an are distance of 52 feet; thence South 68 degrees 38 minutes 19 seconds West, a distance of 88.74 flast; thence in a Southwesterly direction along a curve to the left having a radius of 340 feet for an are distance of 46.66 feet; thence North 20 degrees 27 minutes 54 seconds West, a distance of 135.09 feet; thence North O0 degrees 02 minutes 37 seconds East, a distance of 50 feet to a point on the North line of the Northwest Quarter of said Section 30; thence South 89 degrees 49 minutes 00 seconds East along the North fine of the Northwest Quarter of said Section 30, a distance of 166.16 feet to the Point of Beginning; situated in the County of Peoria and State of Ellipsis.

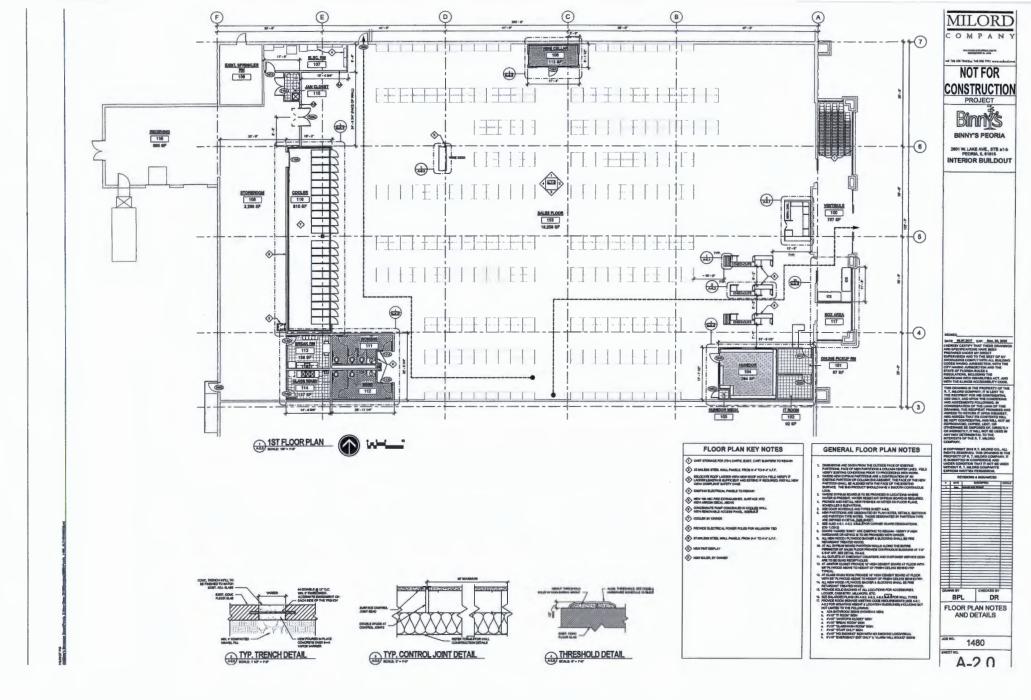
Tract III:

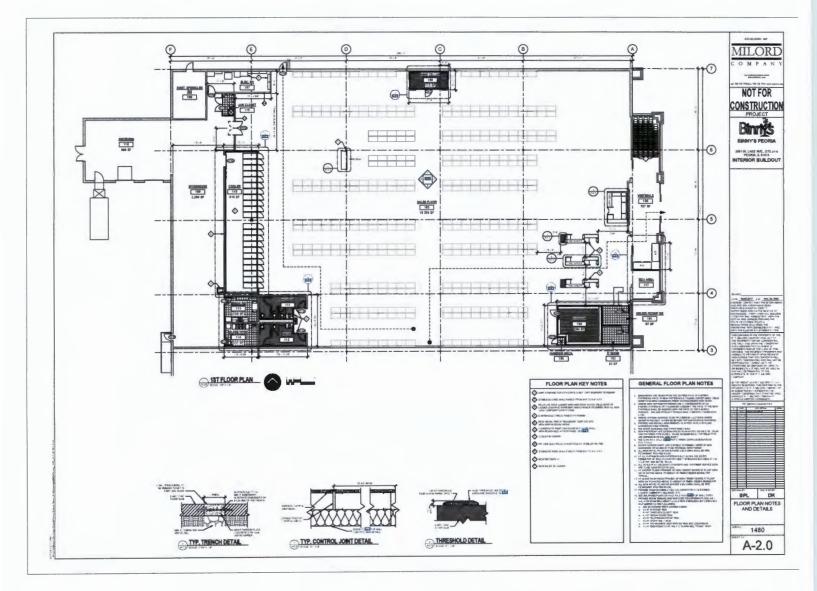
A PART OF THE NORTHWEST 14 OF SECTION 30, TOWNSHIP 9 NORTH, RANGE & EAST OF THE FOURTH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 30, AND RUNNING THENCE NORTH B9 DEGREES 49 MINUTES 00 SECONDS WEST ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 30, A DISTANCE OF 425.48 FEET; THENCE SOUTH 1 DEGREE 09 MINUTES 31 SECONDS WEST, A DISTANCE OF 78.50 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING SOUTH 1 DEGREE 69 MINUTES 31 SECONDS WEST, A DISTANCE OF 103.08 FEET; THENCE SOUTH 38 DEGREES 50 MINUTES 33 SECONDS BAST A DISTANCE OF 161.56 FEET; THENCE NORTH 22 DEGREES 56 MINUTES 33 SECONDS WEST, A DISTANCE OF 112.93 FEET; THENCE NORTH 22 DEGREES 56 MINUTES 29 SECONDS WEST, A DISTANCE OF 112.93 FEET; THENCE NORTH 48 DEGREES 50 MINUTES 29 SECONDS WEST, A DISTANCE OF 112.93 FEET; THENCE NORTH 48 DEGREES 50 MINUTES 29 SECONDS WEST, A DISTANCE OF 112.93 FEET; THENCE NORTH 48 DEGREES 50 MINUTES 29 SECONDS WEST, A DISTANCE OF 112.45 FEBT TO THE POINT OF BEGINNING; SITUATE, LYING AND BEING IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.

PIN: 14-30-126-005 and 14-30-127-001

Address: 2601 W. Lake Street and 4221 N. Sterling Ave., Peoria, IL 61615







Trina Bonds

From: Sent: To: Subject: Rebecca Runyon Thursday, March 07, 2019 3:55 PM Trina Bonds Liquor Site Application for Case 19-05

Good afternoon.

All is okay for case 19-05 as far as I see. Thanks!

Have a great day!

Rebecca Runyon Accounts Receivable Supervisor City of Peoria 419 Fulton Street, Room 111 Peoria, IL 61602 (309) 494-8505 rrunyon@peoriagov.org



Fire Department

March 21, 2019

Liquor Commission Office of Corporation Counsel City of Peoria, IL

Re: Site Approval Application Case: 19-05 Gold Standard Enterprises, Inc. d/b/a Binny's Beverage Depo 2601 W Lake, Suite A1-B Requesting: Class C (package goods)

Liquor Commissioners,

The above mentioned business has not completed interior construction tenant fit out. This business will be required to meet all applicable fire and life safety codes prior to occupancy.

Your mutual concern for life safety is appreciated.

Engineer Charles A. Perrin Fire Inspector, Fire Prevention Division Peoria Fire Department 309.303.8275 - c 309.494.8735 - o 309.494.8777 – f <u>CPerrin@peoriagov.org</u>

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





Community Development Department

March 19, 2019

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

RE: Case 19-05 Gold Standard Enterprises, Inc. d/b/a Binny's Beverage Depot 2601 W Lake Ave, Suite A1-B

Requesting: Class C (Packaged Goods)

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 currently zoned C-2 (Large Scale Commercial) district with a Special Use for a Shopping Center. Retail uses are permitted within this zoning district.
- 2. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. Architectural Construction Documents sealed and signed by a licensed Illinois Design Professional may be required for this project.

The Community Development Department does not object to the requested liquor license.

Sincerely,

Ross Black

Director

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



PEORIA POLICE DEPARTMENT

March 18, 2019

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

RE: Site Approval Application #19-05 Gold Standard Enterprises, Inc. d/b/a Binny's Beverage Depot 2601 W. Lake Ave., Suite A1-B Requesting: Class C (packaged goods)

Dear Commissioners,

A site application has been received from *Gold Standard Enterprises*, d/b/a Binny's Beverage Depot, 2601 W. Lake Ave., Suite A1-B, Peoria, Illinois. Approval of this site application will allow the applicant to sell packaged liquor and have unlimited tastings at this location.

Officer Kevin Slavens inspected this proposed site which is located in the West Lake Shopping Center. This location most recently operated as Fresh Market of Illinois from August 2010 to July 2018 and held the same liquor license. Neighboring businesses include licensed restaurants, retail shops and other commercial businesses. There are no nearby residential homes to this site.

This site approval request appears to be appropriate for this location and would not be detrimental to the surrounding businesses or neighborhood as it sits in an established commercial setting. There are no traffic or parking concerns raised by this request.

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

Sincerely,

Low Marios TP

Loren Marion III Chief of Police

LM/ks

CC: Deputy Liquor Commissioner Corporation Counsel City Clerk

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

NOTICE OF PUBLIC HEARING

The Liquor Commission of the City of Peoria, Illinois will hold a Public Hearing on an application of a Class <u>C</u> Subclass Liquor License for the following described property.

GOLD STANDARD ENTERPRISES, INC. D/B/A BINNY'S BEVERAGE DEPOT (name of establishment) •*

2601 W. LAKE AVE., SUITE A1-B (address)

FOR USE AS:

REQUEST FOR A CLASS C (PACKAGED GOODS)

LIQUOR LICENSE.

The Hearing will be held on <u>MONDAY</u> – <u>APRIL</u> 1, 2019 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. City of Peoria 419 Fulton St Peoria II 61602

Lovell, Calvin E 3448 Stirling Rd Palm Harbor FI 34684

Wct Investments LLC 2813 N Main St East Peoria II 61611

Sunil Peoria LLC First Rockford Group Attn Marvin Keys 6801 Spring Creek Rd Rockford II 61114

Dentino, Teague B 12700 N Crescent Dr Dunlap II 61525

PROPERTY OWNERS WITHIN 300 FEET

Ejm 2713 LLC C/O Earlynn J Miller 1587 Hillcrest Dr Harrisonburg Va 22802

Gunther, Clifford R 4406 N Wilco Dr Peoria II 61615

Westlake Shopping Center LLC 406 Sw Washington St Peoria II 61602

McCormick, John 5429 N Heinz Ln Edwards II 61528 Mc Cormick, Janice E 4329 N Westlake Ln Peoria II 61615

Marchand, Christopher E 4313 N Westlake Ln Peoria II 61614

Miller, Patrick A 806 S Maxwell Rd Peoria II 61607

McCormick, John 5429 N Heinz Ln Edwards II 61528 STATE OF ILLINOIS) ss COUNTY OF PEORIA

AFFIDAVIT

Reserrer C. HALL, being duly sworn, does hereby swear/affirm that:

I am the Liquor Licensee of ATTORNEY FOR APPLICANT WESTLAKE SHOPPING CENTER (establishment name) SITE APPROVAL located at 2601 West LAKE AVE. (STE M-B) Peoria, Illinois. (address)

2. On <u>MARCH less 2019</u>, I caused Notices of Hearing to be mailed to all property owners within 300 feet of my liquor establishment.

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

FURTHER AFFIANT SAYETH NOT.

(Signature of Liquor Licensee) ATTORNEY

APPLICANT OR

Subscribed and sworn to before me this loth day of March

2019 n Stommel may

OFFICIAL SEAL ANNA M STOMMEL NOTARY PUBLIC, STATE OF ILLINOIS My Commission Expires Jul 12, 2019

Notary Public