

LICENSE APPEAL COMMISSION
CITY OF CHICAGO

B.B.L.L., Inc.)
d/b/a Cleo's)
Applicant (Late Hour))
for the premises located at) Case No. 16 LA 13
1935 West Chicago Avenue)
)
v.)
)
Department of Business Affairs and Consumer Protection)
Local Liquor Control Commission)

ORDER

B.B.L.L., Inc., d/b/a Cleo's, applied for a Late Hour liquor license for the premises located at 1935 West Chicago Avenue. The application was denied by Local Liquor Control Commissioner Gregory Steadman on August 29, 2016. The application was denied for the following reasons:

- 1) The late hour safety plan was insufficient.
 - a. The applicant did not provide information describing the equipment for the required exterior safety hardware.
 - b. The plan did not include diagrams showing the placement of the exterior lighting and security cameras.
 - c. The plan does not include the specifications of the cameras that will be used for the exterior lighting or ensure the aforementioned cameras are in accordance with BACP rules and regulations.
 - d. The plan does not describe the emergency evacuation procedures, strategies for fire safety, or plans to prevent over occupancy.
- 2) Law Enforcement concerns raised by the 12th Police District.

Commissioner Steadman found that the public interest would be best served by denying the applicant a late hour license at the above-described location. He further found that the 12th District believes that issuing a late hour license to this location would exacerbate existing illegal activity in the area of the business and place an undue strain on police resources. The denial letter was dated August 29, 2016.

On August 29, 2016, the applicant-respondent filed a timely appeal with the License Appeal Commission of the City of Chicago. This matter was placed on the docket of the License Appeal Commission on September 28, 2016, and was continued, by agreement of the parties, to October 26, 2016, and November 30, 2016. On November 30, 2016, this matter was set for hearing before the License Appeal Commission.

On January 25, 2017, this matter proceeded to hearing before the License Appeal Commission of the City of Chicago. It was stipulated between the parties that the Police Commander of the 12th District had withdrawn the police objection. It was further stipulated that the Commissioner of the Department of Business Affairs and Consumer Protection, by ordinance the acting Local Liquor Control Commissioner of the City of Chicago, had withdrawn any and all objections to the exterior safety plan.

Based on these stipulations, it would have been the decision of this Commission unanimously to find that the City had not proved by a preponderance of the evidence the grounds for denial of this late hour license and to further order that the late hour license issue.

The parties agree that rather than issue this decision, the applicant-respondent would ask leave to withdraw the appeal based on the representation that this late hour license will issue. It was agreed that the License Appeal Commission would retain jurisdiction for 30 days and this matter can be reinstated if the late hour license has not issued within 30 days.

It is the order of this Commission unanimously that the applicant-respondent is granted leave to withdraw this appeal and this Commission shall retain jurisdiction for 30 days for the matter to be reinstated if the license does not issue.

Dated: January 31, 2017

Dennis M. Fleming
Chairman