

LICENSE APPEAL COMMISSION
CITY OF CHICAGO

The Monkey’s Paw, Ltd.)	
Barbara A. Parkinson, President)	
Applicant (Expansion of COP-IA))	
for the premises located at)	
2524 North Southport)	No. 11 LA 20
)	
v.)	
)	
Department of Business Affairs and Consumer Protection)	
Local Liquor Control Commission)	
Gregory Steadman, Commissioner)	

ORDER

DECISION OF CHAIRMAN FLEMING JOINED BY COMMISSIONER O’CONNELL

On or about April 8, 2011, Local Liquor Control Commissioner Gregory Steadman advised the applicant that its application for expansion of the Consumption on Premises – Incidental Activity license was denied. This denial was based on his finding that the granting of this license would have a deleterious impact on the health, safety and welfare of the surrounding community. The finding was based on his review of written objections of area residents and community groups, and oppositions from the local police commander. The applicant chose not to submit a plan of operation and instead filed its appeal of this denial with the Commission in a timely manner.

Since this matter deals with the denial of an application, the jurisdiction of this Commission is to determine de novo the propriety of this denial. This matter proceeded to hearing on June 23, 2011. The Local Liquor Control Commissioner was represented

by Assistant Corporation Counsel Noel Quanbeck and the applicant was represented by attorney David Daudell.

At the hearing the City was allowed to introduce into evidence City Exhibits 1 through 4, as the documents relied on by Mr. Steadman in making his decision to deny the application. They were not admitted as substantive evidence. The City did not present at the hearing any witnesses to testify in opposition to this license.

The applicant presented four witnesses from the community that support the issuance of this license at this location. In addition, there was testimony from the applicant that this business is to be a restaurant with alcohol incidental to serving food. There is to be no outdoor café or live entertainment. All employees will be trained in alcohol awareness. There was testimony from co-owner Barb Parkinson that she ran a restaurant in Taos, New Mexico, for seven years with no problems. She also testified to putting \$350,000.00 into the building on top of the \$650,000.00 purchase price. Testimony was also produced that the objections from the community have been withdrawn.

Based on the evidence presented de novo at the hearing the decision of the Local Liquor Control Commissioner denying the application is reversed and the license shall issue.

THEREFORE, IT IS HEREBY ORDERED That the said order or action of the Local Liquor Control Commissioner of the City of Chicago be and the same hereby is REVERSED.

Pursuant to Section 154 of the Illinois Liquor Control Act, a petition for rehearing may be filed with this Commission within TWENTY (20) days after service of this order. The date of the mailing of this order is deemed to be the date of service. If any party wishes to pursue an administrative review action in the Circuit Court, the petition for rehearing must be filed with this Commission within TWENTY (20) days after service of this order as such petition is a jurisdictional prerequisite to the administrative review.

Dated: August 15, 2011

Dennis M. Fleming
Chairman

Donald O'Connell
Member