

**LIQUOR ADVISORY BOARD**  
**Tuesday, May 15, 2012**  
**6:00 P.M. – City Council Chambers**  
**Rockford City Hall, 425 East State Street**

**Present:**

**LAB Members:** Scott Sanders  
Dennis Olson  
Dan Roszkowski  
Alicia Neubauer  
Julio Salgado – Arrived at 6:22 PM

**Absent:** Craig Sockwell  
Aaron Magdziarz

**Staff:** Jennifer Cacciapaglia – City Attorney  
Todd Cagnoni, Deputy Director - Construction Services Division  
Mark Marinaro, Fire Department  
Kelly Nokes – Public Works  
Darius Morrow – Land Use Planner

**Others:** Alderman Frank Beach  
Kathy Berg, Stenographer  
Applicants and Interested Parties

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Todd Cagnoni explained the format of the meeting will follow the Boards Rules of Procedure generally outlined as:

The Chairman will call the address of the application.

- The Applicant or representative are to come forward and be sworn in.
- The Applicant or representative will present their request before the Board
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name and address to the Liquor Advisory Board secretary and the stenographer
- The Objector or Interested Party will present all their concerns, objections and questions to the Applicant regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns/questions of the Objector or Interested Party
- No further discussion from the Objector or Interested Party will occur after the rebuttal of the Applicant.
- The Board will then discuss the application and a vote will be taken.

It was further explained to the public in attendance, applicants, objectors and interested parties that this meeting is not a final vote on any item. The date of the Codes & Regulations meeting was given as Tuesday, May 29, 2012, at 4:45 PM in Conference Room A of this building as the second vote on these items. The public in attendance, applicants, objectors and interested parties were instructed that they could contact the Zoning Office for any further information and the phone number was listed on the top



lobby. The fresh market concept has been around for 3 to 4 years. The new concept is known as a bistro concept and is part of a larger renovation not only in Rockford but nationwide to modernize the look and feel of the hotel to appeal today's traveler generally in their late 20's to mid-30's and the bistro concept evolves and is an extension of what was there and looking to extend hours where food will be available to breakfast, lunch and dinner. A wider variety of food and alcoholic beverages will be available in addition to the beer and wine that is currently being sold. The overall notion really does not change that much there still looking to sell these products to their guests and only their guests. It is still a notion where at the end of the day the guest is looking to have that type of beverage they go the counter and they select what they want and have one drink per customer arrangement it is not an situation where they have a lounge, music, dancing, or nightclub concept. This is just a convenience that the hotel wants to add for their existing customer base.

Legal had no questions of the applicant.

Staff Recommendation is for Approval with 2 conditions.

No Objectors or Interested Parties were present.

Colin Powell stated that in process of presenting their request it was anticipated that the build-out/renovation would not be complete to June 1 but the renovation was completed well in advance of the schedule and looking to implement the bistro concept sooner than later and I was advised that a waiver could be requested of the typical rules and have the matter sent directly to City Council as opposed to going to the Rules Committee.

Jennifer Cacciapaglia stated that the request would still need to go to the Codes and Regulations Committee but you could request a Rules Suspension it could come out that evening and go City Council.

Colin Powell stated that it would be appropriate to be brought at that time.

Jennifer Cacciapaglia stated that we can make a note of that if that is what you requesting.

Colin Powell stated yes.

A **MOTION** was made by Scott Sanders to **APPROVE** sale of liquor by the drink in conjunction with a hotel with full service restaurant and bar and the sale of liquor by the drink in conjunction with an outdoor seating area in the name of Chad Ahrens d/b/a Courtyard by Marriott in a C-3, Commercial General Zoning District at 7676 East State Street. The Motion was **SECONDED** by Dennis Olson and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Meeting all applicable liquor codes.
2. Meeting all applicable building and fire codes.

**012-LAB-014**

Applicant  
Ward 04

**6795 East Riverside Boulevard**

Philippe A. Forcioli – Greenfire Market  
The sale of liquor by the drink with a restaurant and the sale of liquor by the drink with an outdoor seating area in a C-3, Commercial General District.

The subject property is located south east corner East Riverside Road and Auto Park Drive intersection and is the former Happy Joe's Pizza and Ice Cream Parlor. The applicant Philippe A. Forcioli of Greenfire Market Commercial was present. The applicant has a lease agreement with the property owners for a term of five (5) years and would like to provide a full service restaurant with an outdoor seating area. The Applicant, will be a new owner to the business and the liquor license must be reviewed under the

ownership. The review process requires the applicant to submit a completed license application, security plan, if applicable and business plan. Philippe A. Forcioli, Applicant, reviewed his request. He stated that the restaurant would be open for breakfast, lunch, and dinner 7 days a week. There will be more healthy food served than beer and wine, and retail sale of small wine bottles and small retail wine shop but no hard liquor retail sales but wine, champagne, and maybe some non-alcoholic beverages. I will also use locally grown food from the region and have experience in the restaurant business of 14 years and the 5 years at a resort. I am looking forward to a fresh new concept in Rockford and all the food will be cooked in the ovens that were over a \$100,000 investment.

Scott Sanders asked about the wine store and would there be packaged sales.

Philippe Forcioli stated that there would be like 5 Forks.

Scott Sanders asked if this needed to be acknowledged because I don't know if package is part of this.

Philippe Forcioli stated that a customer may want to buy a case of wine.

Jennifer Cacciapaglia stated that it was not part of the application but if the Board chooses to approve it they will need to make it a part of the approval.

Legal had no questions of the Applicant.

Staff Recommendation is for Approval with 6 conditions.

Objectors or Interested Parties were present.

A **MOTION** was made by Dennis Olson to the sale of liquor by the drink in conjunction with a restaurant and **packaged beer and wine sales** an outdoor seating area in the name of Philippe A. Fercoli d/b/a Green Fire Market in a C-3, Commercial General Zoning District

Dan Roszkowski stated the packaged sales need to be added to the motion.

Jennifer Cacciapaglia stated Staff recommends the sale of liquor by the drink in conjunction with a restaurant and an outdoor seating area along with packaged liquor sales in a C-3, Commercial General Zoning District subject to the following conditions.

A **MOTION** was made by Dennis Olson to the sale of liquor by the drink and packaged liquor sales in conjunction with a restaurant and an outdoor seating area in the name of Philippe A. Fercoli d/b/a Green Fire Market in a C-3, Commercial General Zoning District. The Motion was **SECONDED** by Scott Sanders and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Meeting all applicable liquor codes.
2. Meeting all applicable building and fire codes.
3. That there shall be no cover charge and may not function as a night club or have a dance floor/stage area over 150 square feet.
4. Hours are limited to Sunday through Saturday 6:30 a.m. to 2:00 a.m.
5. That the outdoor seating area must close by 10:00 p.m. during the weekdays and midnight on weekends.
6. The plan for the outdoor seating area must be reviewed by staff and must meet the required code prior to issuance of a building permit.

**012-LAB-015 3299 South Alpine Road**

Applicant Charnpal Chumon – Alpine Marathon  
Ward 03 The sale of packaged beer and wine in conjunction with a gas station in an R-4, Multi-family Residential District and C-3, Commercial General District.

The subject property is located on the northwest corner of the Mayflower Avenue and South Alpine Road intersection. The applicant Charnpal Chumon of Alpine Marathon was present. The applicant has entered into lease agreement with the property owners and would like to continue a similar operation as existing. The gas station and convenience store was developed in 1988 which received approval of a Special Use Permit to allow the construction and the gas station was granted a Special Use Permit for liquor sales in 1992. The Applicant, will be a new owner to the business and the liquor license must be reviewed under the ownership. The review process requires the applicant to submit a completed license application, security plan, if applicable and business plan. Charnpal Chumon, Applicant, reviewed his request. He stated he wants to operate very similar to the existing operation which consists of beer, wine, and liquor. The applicant is looking to purchase the property if the liquor license is approved.

Dan Roszkowski asked if the existing facility has beer and wine.

Charnpal Churmon stated that there is beer, wine, and liquor sales.

Jennifer Cacciapaglia asked the applicant if he had any experience operating a store with packaged liquor.

Charnpal Churmon stated that he held a liquor license in 2002 and 2003 in Rockford and Beloit, Wisconsin.

Jennifer Cacciapaglia asked the applicant where the location in Rockford that he held a liquor license was.

Charnpal Churmon stated that he held a license at 1955 Elmwood

Jennifer Cacciapaglia asked the applicant if this was a gas station.

Charnpal Churmon answered yes that it was a Mobil Gas Station he thought that it had been 10 years ago.

Dennis Olson asked if the station was open for business and if there was any liquor sales there now and if he was going to buy the property.

Charnpal Churmon answered yes.

Scott Sanders asked if the gas station will operate as a Marathon.

Charnpal Churmon answered yes.

Objectors or Interested Parties were not present.

Board Members had a discussion on the request.

Dan Roszkowski asked why there was reluctance and a denial by the City.

Todd Cagnoni answered that there were some concerns regarding on-going property maintenance at the property related to landscaping, temporary signs, existing free standing sign, dumpster enclosure, and fundamentally we are not in objection of package liquor sales in conjunction with the gas station at this location but we do want to see these issues addressed comprehensively as part of the application before we can support.

Dan Roszkowski asked if these concerns of the City could be addressed with the applicant over a month and whether or not certain conditions could be added to the approved packaged liquor sales

Todd Cagnoni answered I think so yes. We would also like to evaluate the previous location.

A **MOTION** was made by Dan Roszkowski to Layover the sale of packaged beer and wine in conjunction with a gas station in an R-4, Multi-family Residential District and C-3, Commercial General District. The Motion was **SECONDED** by Scott Sander and **CARRIED** by a vote of 5-0.

**012-LAB-016**

**3840 Broadway**

Applicant  
Ward 02

Adrian Canelo – La Esquina De Oro Restaurant  
The sale of beer and wine by the drink in conjunction with a restaurant in a C-2, Limited Commercial District.

The subject property located on the north side of Broadway, south of Charles Street, and east of Parkside Drive within the East Gate Shopping Center. The applicant Adrian Canelo of La Esquina De Oro Restaurant was present. The applicant has lease agreement with the property owners and has expanded the restaurant into the adjacent space. The Applicant, will be a new owner to the business and the liquor license must be reviewed under the ownership. The review process requires the applicant to submit a completed license application, security plan, if applicable and business plan. Attorney Nicolosi is representing Adrian Canelo and stated that they were in front of the Board last year asking for a liquor license that was approved for a location on 3850 Broadway. Currently at that location there is a bakery and Adrian was going to open a restaurant next and also owns a grocery store at 3840 Broadway "5 Points" with a small restaurant inside the grocery store. A new owner bought the strip center and at that time Mr. Canelo exercised an option to lease a space next door to the grocery store of 1,500 square feet after he started doing the math and most of his time is spent at the grocery store thought that it would make sense to expand the restaurant at this location. The bakery at the other location as taken off and expanded into the space that was going to be used for a restaurant. What we are trying to do is ask for a liquor license for the current location that is next to the grocery store and we are only looking for beer and wine this time. This business will operate and have a similar concept to what he was going to have further down west on Broadway with a full restaurant for about 100 people and open at 9:00 AM to serve breakfast and will serve lunch and dinner with a standard closing time of 2:00 AM.

Legal had no questions of the Applicant.

Scott Sanders asked if there is a little restaurant inside La Esquina De Oro right now.

Attorney Nicolosi answered that was adjacent to the deli area with a couple of tables and is fast service.

Scott Sanders asked if there was existing kitchen or new kitchen.

Adrian Canelo answered that there is an existing kitchen.

Objectors or Interested Parties were present.

Staff Recommendation is for Approval with 6 Conditions.

A **MOTION** was made by Scott Sanders to APPROVE the sale of beer and wine by the drink in conjunction with a restaurant in the name Adrian Canelo d/b/a La Esquina De Oro Restaurant in a C-2, Limited Commercial Zoning District. The Motion was **SECONDED** by Alicia Neubauer and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Meeting all applicable liquor codes.

2. Meeting all applicable building and fire codes.
3. Hours are limited to Sunday through Saturday 11:00 a.m. to 2:00 a.m.
4. That the sale of liquor by drink to be in conjunction with a restaurant.
5. Inside window signage shall not exceed 35% of the window surface area.
6. The sale of liquor by the drink shall be limited to the tenant space shown as Exhibit E as the interior floor plan.

**012-LAB-017**

**615 South Rockford Avenue**

Applicant  
Ward 02

Nilesh Patel– Discount Tobacco & Pantry  
The sale of packaged liquor in conjunction with a convenience in a C-3, General Commercial District.

The subject property is located within a strip center 150 feet north of the South Rockford Avenue and Charles Street intersection. The applicant Nilesh Patel – Discount Tobacco & Pantry was not present. Steven Johnson was in attendance and speaking on behalf Nilesh Patel. Steven Johnson stated that Nilesh Patel just had a baby and was in Alabama.

Todd Cagnoni stated that the request could not be heard without the applicant being present and would have to layover the request to the June 19 Meeting so that the general public is afforded the opportunity to ask questions.

A **MOTION** was made by Dennis Olson to **Layover** the sale of beer and wine by the drink in conjunction with a restaurant in the name Nilesh Patel d/b/a Discount Tobacco & Pantry in a C-3, General Commercial Zoning District. The Motion was **SECONDED** by Scott Sanders and **CARRIED** by a vote of 5-0.

**012-LAB-018**

**2428 South Alpine Road**

Applicant  
Ward 08

Shantilal Patel – Pridom Liquors  
The sale of packaged liquor in conjunction with a liquor store in a C-3, General Commercial District.

The subject property is located within the Alpine Village Shopping Center on the northeast corner of South Alpine Road and Harrison Avenue intersection. The applicant Shantilal Patel of Pridom Liquors was present. The applicant has entered into an agreement with the property owner to buy the liquor store. The existing liquor store has been existence since the 1970's and over the years the liquor store has been remodeled and expanded into another store front. The Applicant, will be a new owner to the business and the liquor license must be reviewed under the ownership. The review process requires the applicant to submit a completed license application, security plan, if applicable and business plan. Vikes Patel stated he was here for the sale of packaged liquor license for beer, wine, and liquor and is here with his father Shantilal Patel the owner and Vikes Patel as the manager has 8 years of experience is the business and has a business in West Dundee and 5 years working experience. This store has been in existence for over 35 years and the current owner has owned the business for 7.5 years. So I am looking to get a license.

Legal had questions of the Applicant.

Staff Recommendation is for Approval.

Objectors or Interested Parties were not present.

A **MOTION** was made by Dennis Olsen to **APPROVE** the sale of liquor by the drink in conjunction with a liquor store in the name of Shantilal Patel d/b/a Pridom Liquor in a C-3, Commercial General Zoning District. The Motion was **SECONDED** by Scott Sanders and **CARRIED** by a vote of 5.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Submittal of Building Permit for Staff review and approval.
4. The hours of operation will be limited to 9:00 A.M. to 11:00 P.M. Monday through Thursday.
5. The hours of operation will be limited to 9:00 A.M. to Midnight Friday through Saturday.
6. The hours of operation will be limited to 11:00 A.M. to 11:00 P.M. on Sunday.
7. The sale of alcohol shall be limited to the interior site plan that was submitted Exhibit D.
8. The landscaping will need to be installed in accordance with Exhibit G the approved landscaping plan.
9. Window display signage is limited to 30% of window area.
10. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.

**012-LAB-019**

**5120 Spooner Street**

Applicant  
Ward 12

Samuel E. Johnson – Unknown  
The sale of liquor by the drink in conjunction with a restaurant and nightclub and an outdoor beer garden and seating area in a C-3, General Commercial District.

The Applicant was not present.

Jennifer Cacciapaglia stated she did not see the attorney and the applicant were not present and the report was sent to them May 10 and Staff has had no contact with either of them since then. Staff is recommending that the item be dismissed.

A **MOTION** was made by Scott Sanders to **DISMISS** the sale of liquor by the drink in conjunction with a restaurant and nightclub and an outdoor beer garden and seating area in a C-3, General Commercial District in the name of Samuel Johnson d/b/a unknown in a C-3, Commercial General Zoning District. The Motion was **SECONDED** by DENNIS OLSON and **CARRIED** by a vote of 5-0.

Todd Cagnoni asked the Chairman not to adjourn the meeting because he had an opportunity to speak with the applicant from 3299 South Alpine Road and if you could recall that item I would like to provide some information.

Dan Roszkowski recalled item **012-LAB-015 3299 South Alpine Road.**

Todd Cagnoni stated the applicant advised him that the land contract is a short sale and is concerned in regards to the timing of the project it is a short sale a no financing project and has been purchased in cash and he is agreeable to make all the improvement outlined in our Staff Report but is asking for the Board to move the item forward to Codes and Regulations and in between now and then we would work with him to have all of the issues addressed and present at the Codes and Regulations Committee. Dennis Olsen asked Todd if he would be presenting to Codes and Regulations if he does not follow through with his promise.

Todd Cagnoni stated that is correct and you could even condition the item if you feel comfortable with moving it forward with an approval that you condition that the items are addressed within the Staff Report prior to the Codes and Regulations Committee Meeting.

Dan Roszkowski asked if they have to approve a line item about the crack pipes and all that other stuff.

Todd Cagnoni stated that we can grab that at Codes and Regulations.

Dennis Olson made a **MOTION** to reconsider item **012-LAB-015** and bring it back in front of the board. The Motion was **SECONDED** by Scott Sanders and **CARRIED** by a vote of 5-0.

Dan Roszkowski opened the item back up for discussion item **012-LAB-015**.

Todd Cagnoni stated that we would modify recommendation to approval with a condition that the issues related to landscaping, signage, and overall maintenance to the building are addressed prior to the Codes and Regulation Committee Meeting.

A **MOTION** was made by Scott Sanders to **Approve** the sale of packaged beer and wine in conjunction with a gas station in an R-4, Multi-family Residential District and C-3, Commercial General District subject to Condition 1 that all items of concerns listed in Staff's Report are addressed to Staff's satisfaction in advance of Codes and Regulations Meeting. The Motion was **SECONDED** by Dennis Olson and **CARRIED** by a vote of 5-0.

With no further business to come before the Board, the meeting was adjourned at 6:40 PM

Respectfully submitted,  
Darius Morrow, Land Use Planner  
Liquor Advisory Board