



LIQUOR & TOBACCO ADVISORY BOARD
Wednesday February 22, 2017
6:00 P.M. – City Council Chambers
Rockford City Hall, 425 East State Street

Minutes on Website: <http://rockfordil.gov/community-economic-development/construction-development-services/land-use-zoning/zoning-board-of-appeals.aspx>

Present:

- LTAB Members:** Dan Roszkowski
Craig Sockwell
Melissa Beckford
Kimberly Johnsen
- Absent:** Tom Fabiano
Alicia DiBenedetto-Neubauer
Scott Sanders
- Staff:** Scott Capovilla – Zoning and Land Use Administrator
Angela Hammer - Assistant City Attorney
Marcy Leach - Engineering Manager, Public Works
Sandra Hawthorne - Administrative Assistant
Lafakeria Vaughn - Assistant City Attorney
Tim Morris - Fire Department
- Others:** Alderman Franklin Beach
Alderman Ann Thompson-Kelly
Kathy Berg - Court Stenographer
Applicants and Interested Parties

Sandra Hawthorne 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 will 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 to the Liquor & Tobacco 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 Monday, February 27, 2017, at 5:30 PM in City Council Chambers in 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 of the agenda which was made available to all those in attendance. The City's web site for minutes of this meeting are listed on the agenda as well. This information was also presented in written form attached to the agendas.

The meeting was called to order at 6:00 PM. A **MOTION** was made by Kim Johnsen to **APPROVE** the minutes from the January 19, 2017 meeting as written. The Motion was **SECONDED** by Melissa Beckford and **CARRIED** by a vote of 4-0 with Alicia Neubauer, Scott Sanders and Tom Fabiano absent.

016-LTAB-019

Applicant
Ward 10

4846 East State Street

Sandra L. Staskal/ SLS Food Inc. d/b/a Charlie's Pub & Eatery

Sale of liquor by the drink in conjunction with a restaurant and video gaming

Sale of Liquor by the drink in conjunction with an outdoor seating area/beer garden in a C-3, General Commercial Zoning District

Laid Over from January meeting

The subject property is the former Fatty McGee's and is located on the north side of East State Street with the parking lot located east of Flintridge. Sandra Staskal, Applicant, and Michael Schirger, Attorney, were present. The Applicant is only leasing half of the building.

Ms. Staskal explained that it is her intent to have an atmosphere similar to the Stone Eagle and the Olympic, with the focus more on food. She further stated they would be considering a dress code. They are wanting to have an outside patio as well. Ms. Staskal explained that the inside of the building has had updates to electrical and plumbing. The vehicles that were located in the back of the building have been removed.

Attorney Vaughn asked what changes to the proposed hours the Applicant wished to make, but definite hours were not provided. Craig Sockwell asked about the dress code she was referring to because he did not believe neither Stone Eagle nor the Olympic had a dress code. Ms. Staskal stated she is not certain that she needs a dress code as long as the cliental does not cause any problem. She spoke of possibly having karaoke.

Mr. Sockwell stated the Applicant is presenting a lot of changes to the original application and these are not reflected in the report. He is not comfortable proceeding without all of the changes in writing in front of him. In addition, Mr. Capovilla stated their presentation at this meeting regarding what restaurants they want to emulate are totally the opposite of what was originally presented to Staff by the Applicant, such as Dusty Boots, Oscar's, Old Chicago and Jax. He further stated Staff has not seen anything updated from the Applicant in over a month and a half and they are agreeable that written material should be provided prior to a presentation to the Board.

Staff Recommendation is for Denial of both requests.

The Applicant was agreeable to a Lay Over to allow them time to submit written materials consistent with the proposed changes.

A **MOTION** was made by Craig Sockwell to **LAY OVER** the Sale of liquor by the drink in conjunction with a restaurant and video gaming and to **LAY OVER** the Sale of liquor by the drink in conjunction with an outdoor seating area/beer garden in the name of Sandra L. Staskal / SLS Food Inc. d/b/a Charlie's Pub & Eatery in a C-3, General Commercial Zoning District at 4846 East State Street. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 4-0.

017-LTAB-001

824 7th Street

Applicant

Muhanad Chasib d/b/a Zake Convenience

Ward 11

Sale of Tobacco products in conjunction with a grocery and tobacco store in an I-1, Light Industrial Zoning District

The subject property is located east of the 7th Street and 8th Avenue intersection. Muhanad Chasib and Ola Almansuri were present. Ms. Almansuri assisted Mr. Chasib with his presentation as an interpreter. She stated Mr. Chasib is going into partnership with another gentleman. Mr. Chasib has 5 years experience in the sale of tobacco. They also plan on adding pre-paid phones and other grocery items generally found in a convenience store. Ms. Almansuri stated this would be beneficial to the neighborhood as there are no other convenience stores in the nearby area.

Craig Sockwell asked Staff to explain the reason for condition (14) which stated all conditions must be met prior to establishment of use, since the business was already established. Scott Capovilla explained the convenience store is continuing to operate under the old ownership at this time; however, all Staff conditions must be met prior to establishment of use by the new owner / applicant.

Staff Recommendation is for Approval with (15) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Craig Sockwell to **APPROVE** the Sale of tobacco products in conjunction with a grocery and tobacco store in the name of Muhanad Chasib d/b/a Zake Convenience in an I-1, Light Industrial Zoning District at 824 7th Street. The Motion was **SECONDED** by Melissa Beckford and **CARRIED** by a vote of 4-0.

Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. Submittal of an interior floor plan for Staff review and approval.
4. The sale of tobacco products shall be limited to the new interior floor plan approved by Staff.
5. Submittal of a Parking Lot Permit and detailed site plan to include improvements to the parking lot, 14 parking spaces and striping, and removal of gravel.
6. Submittal of a detailed landscape plan for the parking lot to include perimeter landscaping, open green space along the east property line, new concrete curbed island around the perimeter landscaping, and plant species for Staff review and approval.
7. Submittal of a dumpster detail, rendering, and Dumpster Enclosure Permit for Staff's review and approval.
8. The hours and days of operation for the grocery store will be from 9:00 AM to 10:00 PM, Monday through Sunday.
9. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
10. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
11. Window display signage is limited to 20% of window area.

12. That there shall not be temporary exterior signage.
13. That the windows shall not be covered with bars or other devices that block the windows.
14. All conditions must be met prior to establishment of use.
15. Installation of approved landscaping, parking lot improvements, and dumpster enclosure must be completed by June 1, 2017.

017-LTAB-002

Applicant
Ward 11

902 9th Street

Vito J. Grisanzio / KKN Railroad Tap, Inc. d/b/a Railroad Tap

Sale of liquor by the drink in conjunction with a tavern and video gaming
Sale of packaged liquor in conjunction with a tavern and video gaming in an I-1,
Light Industrial Zoning District

The subject property is located on the southeast corner of Railroad and 9th Street and is currently a Tavern with Video gaming. Vito Joseph Grisanzio, Applicant and his Attorney, Robert Calgaro, were present. Mr. Grisanzio is under contract to purchase the property. It is the intent of Mr. Grisanzio to maintain the current operation of the Railroad Tap except to perhaps add more food items such as frozen pizza.

Attorney Vaughn asked the Applicant if he was agreeable to Staff conditions, to which he responded he was. The business plan states food sales will be approximately 5%. Attorney Calgaro agreed stating they are seeking an "E" license. Mr. Grisanzio stated currently there is no kitchen, but they may improve on that in the future to boost food sales.

Staff Recommendation is for Approval of both items with (5) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Melissa Beckford to **APPROVE** the Sale of liquor by the drink in conjunction with a tavern and video gaming and to **APPROVE** the Sale of packaged liquor in conjunction with a tavern and video gaming in the name of Vito J. Grisanzio / KKN Railroad Tap, Inc. d/b/a Railroad Tap in an I-1, Light Industrial Zoning District at 902 9th Street. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 4-0.

Approval is subject to the following conditions:

1. Compliance with the City of Rockford Liquor Codes.
2. Window display signage is limited to 20% of window area.
3. That the windows shall not be covered with bars or other devices that block the windows.
4. The proposed use shall not have a cover charge, dance floor, DJs, live entertainment, or operate as a nightclub.
5. Business hours shall be consistent to business plan shown as Exhibit F.

017-LTAB-003

Applicant
Ward 03

203 and 205 West State Street

Andrew Roiniotis d/b/a District Bar & Grill

Modification of an existing liquor license to allow packaged liquor sales in a
C-4, Urban Mixed-Use Zoning District

Prior to the meeting, a written request was received from the Applicant's attorney to Lay Over this item to the March 21st meeting of the Liquor and Tobacco Advisory Board.

A **MOTION** was made by Craig Sockwell to **LAY OVER** the request for Modification of an existing liquor license to allow packaged liquor sales in the name of Andrew Roiniotis d/b/a District Bar & Grill in a C-4, Urban Mixed-Use Zoning District at 203 and 205 West State Street. The Motion was **SECONDED** by Melissa Beckford and **CARRIED** by a vote of 4-0.

017-LTAB-004

Applicant
Ward 07

3605 Auburn Street

Kelly R. Quinby / Ave Ash LLC d/b/a Granny's Home Cooking
Sale of beer and wine by the drink in conjunction with a restaurant and video gaming in a C-3, General Commercial Zoning District

The subject property is located on the north side of Auburn Street and is an existing restaurant. The restaurant is under new ownership. Kelly Quinby, Applicant, presented her application for sale of beer and wine by the drink. She wishes to extend her original request for hours of operation to Sunday thru Thursday from 6:00 AM to 10:00 PM and Friday and Saturday from 6:00 AM to 11:00 PM.

Craig Sockwell asked for an explanation of the 50% rule. Mr. Roszkowski explained to Ms. Quinby that at least 50% of revenue has to be from food and liquor and the other 50% can be from gaming. He explained if she does not meet these percentages the liquor license could be revoked. Staff did not have a problem with the request for change in hours, but Mr. Capovilla did inform Ms. Quinby that liquor sales cannot begin before 9:00 AM on Sunday.

Staff Recommendation is for Approval with (6) conditions. No Objectors or Interested Parties were present; one Supporter was present.

Alderman Ann Thompson-Kelly thanked Staff for working so well with the Applicant. She stated the Applicant has invested in the community being involved in the West Side Business Association and are now president of operations. In the few months they have been in business they have received support from other businesses in the community. Alderman Thompson-Kelly expressed her concern with Staff's recommendation of existing signage. The usage of the property has not changed and she appreciates Staff giving the Applicant a year to make changes, but feels Staff will need to work with the Applicant on landscaping and setback due to the amount of concrete at this location.

Ms. Quinby stated since she has added lighting to the parking lot, adding fencing to keep other vehicles from "flying through the parking lot" and has made a lot of improvements to the property.

A **MOTION** was made by Kim Johnsen to **APPROVE** the Sale of beer and wine by the drink in conjunction with a restaurant and video gaming in the name of Kelly R. Quinby / Ave Ash LLC d/b/a Granny's Home Cooking in a C-3, General Commercial Zoning District at 3605 Auburn Street with an amendment to condition 2 for hours of operation. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 4-0.

Approval is subject to the following conditions:

1. Compliance with the Liquor Ordinance.
2. Hours of operation are limited to Sunday through Thursday 6:00 AM to 10:00 PM; Friday and Saturday 6:00 AM to 11:00 PM. The restaurant shall not have a cover charge, dance floor, any DJ's or live entertainment.
3. The restaurant shall not operate as a night club.
4. Submittal of a revised site plan and landscape plan for Staff's review and approval.
5. Must remove existing free-standing sign and replace with a landmark style sign by March 1, 2018.

With no further business to come before the Board, the meeting was adjourned at 6:42 PM

Respectfully Submitted,
Sandra A. Hawthorne, Administrative Assistant
Liquor & Tobacco Advisory Board