



**LIQUOR & TOBACCO ADVISORY BOARD**  
**Tuesday, September 19, 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:** Kim Johnsen  
Dan Roszkowski  
Jennifer Smith  
Craig Sockwell

**Absent:** Alicia Neubauer  
Tom Fabiano

**Staff:** Scott Capovilla - Zoning and Land Use Administrator  
Matthew Flores - Assistant City Attorney  
Sandra Hawthorne - Administrative Assistant  
Tim Morris - Fire Department  
Lafakeria Vaughn - Assistant City Attorney

**Others:** Kathy Berg - Court Stenographer  
Applicants and Interested Parties

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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, September 25, 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 6:50 PM. A **MOTION** was made by Kim Johnsen to **APPROVE** the minutes from the August 15, 2017 meeting with corrections. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 3-0 with Tom Fabiano, and Alicia Neubauer absent and Jennifer Smith abstaining.

**017-LTAB-028**

Applicant  
Ward 02

**1602 North Alpine Road**

Penny S. Lakhani / Penny Inc. dba Citgo Highcrest

**Sale of tobacco products** in conjunction with a gas station in a C-2, Limited Commercial Zoning District

The subject property is located on the northwest corner of North Alpine Road and Highcrest Road. Penny Lakhani, and Sadruddin Lakhani, Applicants, were present and reviewed their request for tobacco sales. Mr. Lakhani explained they do not have a convenience store other than very few item for sale due to the limited size of their building. Without the sale of tobacco products he feels they would have to close down.

Attorney Vaughn asked if they had an opportunity to review the (11) conditions of Staff. Mr. Lakhani stated they are in agreement to comply but had a question regarding enclosing the dumpster. Because they had difficulty getting the previous company to service them, they attempted to have that dumpster removed from the property. As yet, the disposal company has yet to do so and Mr. Lakhani stated it has been about a year. They did obtain another disposal company and had to locate their dumpster on the adjacent IGA property. Mr. Capovilla stated if the previous dumpster company will not remove their dumpster from the Applicant's property, Staff may have to become involved in assisting the Applicant. Based on this information, it was decided to remove condition (9) stating that the Applicant enclose the existing dumpster that is located on their property.

Staff Recommendation is for Approval with (11) conditions, revised to (10). 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 gas station in the name of Penny S. Lakhani / Penny Inc. dba Citgo Highcrest in a C-2, Limited Commercial Zoning District at 1602 North Alpine Road with the removal of condition (9). The Motion was **SECONDED** by Kim Johnsen 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. Window display signage is limited to 20% of window area.
4. That the windows shall not be covered with bars or other devices that block the windows.

5. The sale of tobacco products shall be limited to the area shown on Exhibit D.
6. Hours of operation shall be limited to the hours allowed per the submitted business plan 5:00 AM to Midnight, Monday through Sunday.
7. 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.
8. The sale of water pipes and "huka" or "hookah" are prohibited.
9. Removal of the abandon sign on the building where the bathrooms are located.
10. All conditions must be met prior to establishment of use.

**017-LTAB-029 This item was Withdrawn by the Applicant prior to advertising**

**017-LTAB-030**

**425 South Winnebago Street**

Applicant  
Ward 13

Vivian M. Wierman dba Wierman's Corner Store, Inc.  
**Sale of tobacco products** in conjunction with a gas station and convenience store in an I-1, Light Industrial Zoning District

The subject property is located on the northwest corner of Cedar Street and South Winnebago Street. Vivian Wierman, Applicant, reviewed her request for the sale of tobacco products. Ms. Wierman stated she has a small deli within the convenience store. Very often her customers come in for deli products and wish to purchase cigarettes as well. She is concerned that she is not meeting the needs of some of her customers by not offering the sale of tobacco products. She stated she is agreeable to all (10) Staff conditions.

Staff Recommendation was for Approval with (10) 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 gas station and convenience store in the name of Vivian M. Wierman dba Wierman's Corner Store, Inc. in an I-1, Light Industrial Zoning District at 425 South Winnebago Street. The Motion was **SECONDED** by Jennifer Smith 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. Window display signage is limited to 20% of window area.
4. That the windows shall not be covered with bars or other devices that block the windows.
5. The sale of tobacco products shall be limited to the area shown on Exhibit E.
6. Hours of operation shall be limited to Monday through Friday 5:30 AM to 6:30 PM, Saturday 7:00 AM to 4:30 PM; and Sunday closed.
7. Submittal of a landscaping plan for the area around the free-standing sign located at the southeast corner of the property.
8. 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.
9. The sale of water pipes and "huka" or "hookah" are prohibited.
10. The dumpster enclosure must be installed under a permit. All temporary signage including posts must be removed off the building and site. The abandoned pay phone booth must be removed.

**017-LTAB-031**

Applicant  
Ward 11

**2000 Harrison Avenue**

John LeRoy Wierman dba Wierman Oil Company  
**Sale of tobacco products** in conjunction with a gas station and convenience store in an I-1, Light Industrial Zoning District

John L. Wierman, Applicant, stated he wishes to reinstate his tobacco license. He stated he has been selling tobacco since 1965 and unintentionally neglected to renew his license for this location. The Applicant agrees to follow the (13) conditions of Staff.

Staff Recommendation is for Approval with (13) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Kim Johnsen to **APPROVE** the sale of tobacco products in conjunction with a gas station and convenience store in an I-1, Light Industrial Zoning District. The Motion was **SECONDED** by Jennifer Smith and **CARRIED** by a vote of 4-0.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. The sale of tobacco shall be limited to the submitted plan Exhibit E.
4. Must develop site in accordance with site and landscaping plans approved by Staff.
5. The hours and days of operation will be from 5:30 AM to 9:00 PM, Monday through Friday.
6. The hours and days of operation will be from 7:00 AM to 8:00 PM on Saturday.
7. The hours and days of operation will be from 8:00 AM to 6:00 PM on Sunday.
8. 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.
9. The sale of water pipes and "huka" or "hookah pipes are prohibited.
10. Window display signage is limited to 20% of window area.
11. There shall not be temporary exterior signage.
12. The windows shall not be covered with bars or other devices that block the windows.
13. All conditions must be met prior to establishment of use.

**017-LTAB-032**

Applicant  
Ward 05

**1701 South Main**

Jesus J. Medrano / Medrano Inc. dba El Tenampa Bar  
**Modification of an existing liquor license** to include outdoor seating in a C-2, Limited Commercial Zoning District

Rudy Valdez, and Jesus Medrano were present. Mr. Valdez stated he is part of the SWIFT organization and is speaking on behalf of the Applicant. He feels the addition of a seasonal beer garden with removable fencing during the winter would be beneficial to Mr. Medrano's business. The proposed beer garden is 600 sq. ft. in size with tables and chairs. The Security plan will remain the same. Mr. Valdez stated SWIFT is recommending the Board approve this application as Mr. Medrano's establishment has been good for the area.

Mr. Medrano did not provide hours of operation with his application. Attorney Vaughn asked Mr. Medrano to clarify hours. He stated business hours will be from 4:00 PM to 2:00 AM Monday through Sunday. She asked if the Beer Garden would be open until 2:00 AM to which the Applicant responded "maybe". Attorney Vaughn explained that there is a 10:00 PM Noise Ordinance that the Applicant is required to enforce for the Beer Garden. The Applicant has reviewed the conditions. Mr. Valdez stated he had concerns with Conditions (9), (11), (12), and (13). Condition (9) refers to removal of the log barrier across the former access point on South Main Street and the establishment of a landscape area. Mr. Valdez stated the road construction by IDOT tore up this area and he feels it should not be the Applicant's

responsibility to refurbish it. He stated the Applicant has had difficulty in getting cooperation from IDOT. Jeremy Carter from Public Works stated he will look into this with IDOT. Scott Capovilla stated condition (9) can be adjusted to state the Applicant will work with Staff. Regarding Conditions (11), (12) and (13) Mr. Valdez stated the Applicant already has live entertainment, the occasional cover charge, a DJ, and a dance floor. During discussion, Attorney Vaughn suggested removing conditions (12) and (13), modify condition (11) to allow a cover charge for live entertainment, and to add a condition that the Applicant must comply with the City of Rockford Noise Ordinance.

Staff Recommendation is for Approval subject to (15) conditions, modified to (14). No Objectors or Interested Parties were present.

A **MOTION** was made by Kim Johnsen to **APPROVE** the Modification of an existing liquor license to include outdoor seating in the name of Jesus J. Medrano / Medrano Inc. dba El Tenampa Bar in a C-2, Limited Commercial Zoning District at 1701 South Main Street. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 4-0.

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 a detailed site plan that clearly identifies the parking spaces and includes the number of tables and chairs for the outdoor seating.
4. Submittal of an interior floor plan for Staff review and approval.
5. The sale of liquor by the drink shall be limited to the revised site plan and interior floor plan approved by Staff.
6. Submittal of a Fence Permit for Staff review and approval.
7. Submittal of a dumpster detail and Dumpster Enclosure Permit for Staff review and approval.
8. Removal of the non-conforming free-standing beer signs.
9. The Applicant is to work with Staff on removal of the log barrier across the former access point on South Main Street and the establishment of a landscape area to connect the existing landscape into one continuous strip.
10. Window display signage is limited to 20% of window area.
11. The tavern shall not have a cover charge except for live entertainment events.
12. The tavern shall not operate as a night club.
13. The Applicant shall comply with the City of Rockford Noise Ordinance.

With no further business to come before the Board, the meeting was adjourned at 7:25 PM.

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