



LIQUOR & TOBACCO ADVISORY BOARD
Tuesday, April 17, 2018
6:00 P.M. – City Council Chambers
Rockford City Hall, 425 East State Street

Present:

LTAB Members:

Tom Fabiano
Kim Johnsen
Maurice Redd
Dan Roszkowski
Jennifer Smith
Craig Sockwell

Absent:

Alicia Neubauer

Staff:

Scott Capovilla - Zoning and Land Use Administrator
Jeremy Carter - Public Works
Matthew Flores - Assistant City Attorney
Sandra Hawthorne - Administrative Assistant
Tim Morris - Fire Department
Lafakeria Vaughn - Assistant City Attorney

Others:

Alderman Joe Chiarelli
Alderman Chad Tuneberg
Alderman Tuffy Quinonez
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, April 23, 2018, 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. This information was also presented in written form attached to the agendas and attached to notifications sent to the Adjacent Property Owners.

The meeting was called to order at 7:08 PM. A **MOTION** was made by Kim Johnsen to **APPROVE** the minutes from the March, 2018 meeting as written. The Motion was **SECONDED** by Maurice Redd and **CARRIED** by a vote of 6-0 with Alicia Neubauer absent.

018-LTAB-007

Applicant
Ward 11

811 Broadway

Oscar Sanchez dba Mis Dos Patrias JJ Inc.

Modification of an existing liquor license to include the sale of beer and wine by the drink, a café and video gaming in a C-4, Urban Mixed-Use Zoning District

Laid Over from March meeting

This item was Laid Over from the March meeting. The subject property is located on the southwest corner of 4th Street and Broadway in a neighborhood that is a mixture of commercial and residential uses. Ericka Sanchez and Oscar Sanchez, Applicants were present. Mrs. Sanchez stated they have removed the bars and signs on the windows, replaced the fence, and curbing in front of the parking lot. She stated they will be adding mulch and landscaping once weather permits. They have been operating at this business for about 14 years. Ms. Sanchez stated at this point they are unable to redo the parking lot due to the cost. The Applicants provided a menu as requested at the March meeting. Ms. Sanchez confirmed that they would have seating for 12. They do have an existing liquor license for the grocery store.

Scott Capovilla explained that the Applicants have spoken with a Land Use Planner, but as of this date no one has been out to verify the improvements. He further stated Staff's recommendation would remain at denial as the improvements Ms. Sanchez mentioned were conditions of approval from a previously approved Special Use Permit in June 2015 from the Applicant for a U-Haul business. Those conditions were not completed until this past month. Attorney Vaughnn also wished to clarify that Grocery Store food sales would not qualify for the 50% revenue requirement. That percentage would need to be met from food prepared and served on site.

Staff Recommendation remains at Denial. No Objectors or Interested Parties were present.

Craig Sockwell stated his understanding of allowing gaming was that it was mostly allowed for bars, and now the Board is getting requests for gas stations and convenience stores.

A **MOTION** was made by Craig Sockwell to **DENY** the Modification of an existing liquor license to include the sale of beer and wine by the drink, a café and video gaming in the name of Oscar Sanchez dba Mis

Dos Patrias JJ Inc. in a C-4, Urban Mixed-Use Zoning District at 811 Broadway. The Motion was **SECONDED** by Tom Fabiano and **CARRIED** by a vote of 6-0.

018-LTAB-009

Applicant
Ward 12

1955 Elmwood

Muhammad Fyaz / Super Gas, Inc. dba Super Gas
Sale of packaged liquor in conjunction with a gas station and convenience store in a C-3, General Commercial Zoning District

The subject property is located on the northwest corner of the Elmwood Road and Spooner Drive intersection. Attorney Bob Calgaro and Muhammad Fyaz, Applicant, were present. Attorney Calgaro stated the Applicant has been in business at this location for over 4 years. He feels he needs the ability to sell liquor for increased sales and to be competitive. Mr. Fyaz is in agreement with all (14) conditions of Staff.

Neither Attorney Vaughnn nor the Board had any questions of the Applicant.

Staff Recommendation is for Approval with (14) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Jennifer Smith to **APPROVE** the sale of packaged liquor in conjunction with a gas station and convenience store in the name of Muhammad Fyaz / Super Gas, Inc. dba Super Gas in a C-3, General Commercial Zoning District at 1955 Elmwood Road. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 6-0.

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. Submittal of a detailed landscaping plan of existing plant species, sizes, and the replacement of two (2) removed shade trees along the west property line for Staff's review and approval.
4. Submittal of a revised detailed interior floor plan that includes the location of tobacco products and packaged liquor for Staff review and approval.
5. Submittal of a dumpster detail, rendering, and dumpster enclosure permit for Staff's review and approval.
6. The sale of packaged liquor and the sale of tobacco products shall be limited to the revised interior plan approved by Staff.
7. The sale of packaged liquor will be from 9:00 AM to Midnight Monday through 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. Window display signage is limited to 20% of window area.
10. There shall not be temporary exterior signage.
11. The windows shall not be covered with bars or other devices that block the windows.
12. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
13. All outstanding general ordinance fines must be paid prior to the issuance of the license.
14. All conditions must be met prior to establishment of use.

018-LTAB-010

Applicant
Ward 03

1402 North Main Street

Emily Christensen / Rockford Norwegian, Ltd dba The Norwegian
Sale of liquor by the drink in conjunction with a restaurant, music venue,
and coffee bar in a C-2, Limited Commercial Zoning District

The subject property is located on the northwest corner of the North Main Street and King Street intersection. Emily Christensen, Applicant, was present and reviewed her application. She explained her restaurant will offer high-end Scandinavian dishes, with an old world Nordic pub décor. There will be a small stage for evening events to combine live entertainment with the dinner meal; however, there is no dance floor as the tables are right up to the stage. At this point, they will only be offering breakfast and lunch.

Attorney Vaughn asked the Applicant if she had reviewed Staff report and was agreeable to Staff's recommended conditions. Ms. Christensen responded that she was. Attorney Vaughn also stated Alderman Tuneberg is in support of this application but was unable to attend the presentation.

Staff Recommendation is for Approval with (11) conditions. Interested Parties were present.

Dorien Peterson and Robert Peterson wished to add their Support for this venture. They have lived in Signal Hill since 1982. They are very pleased and delighted to welcome the Applicant's business to the area. They felt that everyone they have spoken to is very much in favor of her enterprise. They feel it would be a great focal point as a gathering place for the neighborhood.

Holly Connell and Mike Werckle were also present. Mr. Werckle stated he is President and Artistic Director of the West Side Showroom Performing Arts Theater that was approved in May of 2017 for 1414 North Main Street. He felt he has never met a person quite so passionate as the Applicant when it comes to investing into her venture. Mr. Werckle and Ms. Connell both feel the Applicant is building a community to bring people back to the neighborhood. They see her as being the beginning of the Renaissance of the North End.

A **MOTION** was made by Kim Johnsen to **APPROVE** the sale of liquor by the drink in conjunction with a restaurant, music venue, and coffee bar in the name of Emily Christensen / Rockford Norwegian, Ltd dba The Norwegian in a C-2, Limited Commercial Zoning District at 1402 North Main Street. The Motion was **SECONDED** by Jennifer Smith and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of liquor by the drink shall be limited to the interior floor plan Exhibit E approved by Staff.
4. The hours of operation will be limited to 7:00 AM to 10:00 PM Monday through Sunday.
5. Window display signage is limited to 20% of window area.
6. That the windows shall not be covered with bars or other devices that block the windows.
7. The restaurant, music venue, and coffee bar shall not have a cover charge.
8. The restaurant, music venue, and coffee bar shall not have a dance floor.
9. The restaurant, music venue, and coffee bar shall not have any DHs.
10. The restaurant, music venue, and coffee bar shall not operate as a nightclub.
11. All conditions must be met prior to establishment of use.

018-LTAB-011

Applicant
Ward 02

2338 Charles Street

Ali Hariz dba 815 Convenience Store
Sale of tobacco products in conjunction with a tobacco store in a C-3,
General Commercial Zoning District

The subject property is located on the northwest corner of the South Rockford Avenue and Charles Street intersection. Ali Hariz, Applicant, and Attorney Tim Whitham, were present. Attorney Whitham reviewed the Applicant's request, stating Mr. Hariz has recently taken over as the majority owner of the business and is requesting a tobacco license in his name.

Legal had no questions of the Applicant.

Staff Recommendation is for Approval with (14) 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 tobacco store in the name of Ali Hariz dba 815 Convenience Store in a C-3, General Commercial Zoning District. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. The sale of tobacco products shall be limited to the interior site plan that was submitted Exhibit D.
4. The sale of tobacco products will be from 7:00 AM to 9:00 PM Monday through Sunday.
5. 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.
6. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
7. Window display signage is limited to 20% of window area.
8. There shall not be temporary exterior signage.
9. The windows shall not be covered with bars of other devices that block the windows.
10. That there shall not be temporary exterior signage.
11. Parking spaces including the handicapped accessible stall must be striped per ordinance requirements by September 1, 2018.
12. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
13. All outstanding general ordinance fines must be paid prior to the issuance of the license.
14. All conditions must be met prior to establishment of use.

018-LTAB-012

Applicant
Ward 03

513 East State Street

Yolanda Stewart / Jammer's Pub, Inc. dba The Office
Sale of liquor by the drink in conjunction with a tavern, night club, gaming facility and an outdoor seating area
Sale of packaged liquor in conjunction with a tavern and night club in a C-4,
Urban Mixed Use Zoning District

The subject property is located on the south side of East State Street and 170 feet west of 3rd Street. Yolanda Stewart, Applicant, and Attorney Bob Calgaro were present. Attorney Calgaro reviewed the Application, stating Ms. Stewart is purchasing the business from the current owners, Danial Ford and Michael Wright. Ms. Stewart stated she has been working with them for around 6 months.

Attorney Calgaro further stated packaged liquor has been sold on these premises for the past 27 years although Staff report indicated that package liquor was a new request. All they sell for packaged liquor are intact, 6 packs. In regards to the removal of the mural mentioned in Staff Condition (5), Attorney Calgaro stated putting up a glass window would be a big waste because it would be a glass window opening into a storage area. He further explained that there is no ingress/egress for the 511 E. State Building where the mural is located.

Staff Recommendation is for Approval of the sale of liquor by the drink, and Denial of packaged liquor sales with (10) conditions. No Objectors or Interested Parties were present.

Attorney Vaughnn stated she did not personally check the records on the sale of packaged liquor, but had her assistant check and was told they had no record. Attorney Calgaro stated at some point there was information from the City that packaged liquor sales were allowed because the State grants the license based on information provided by the City. Attorney Vaughnn stated she would check into this.

Craig Sockwell expressed his concern that allowing bars to sell packaged liquor would become the norm. Maurice Redd also felt that people being at a bar until 1:00 AM or 2:00 AM in the morning and then purchasing liquor to take with them could be a problem.

Kim Johnsen stated she has no problem with packaged liquor sales nor the mural. Scott Capovilla explained that this goes against the design standards of the downtown image. He further stated there are photographs on file from the late 1980's showing a store front at that location. Staff would like to see these standards maintained all along the downtown structures.

Attorney Vaughnn explained to the Board that it was up to them to approve or deny packaged liquor, and she will check into it tomorrow and pass her findings on to the Codes & Regulations committee for next week's meeting.

A **MOTION** was made by Tom Fabiano to **APPROVE** the sale of liquor by the drink in conjunction with a tavern, night club, gaming facility and an outdoor seating area and to **APPROVE** the sale of packaged liquor in conjunction with a tavern and night club in the name of Yolanda Stewart / Jammer's Pub, Inc. dba The Office in a C-4, Urban Mixed Use Zoning District. The Motion was **SECONDED** by Jennifer Smith and **CARRIED** by a vote of 4-2 with Maurice Redd and Craig Sockwell voting Nay.

Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor 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 removal of the wood and mural painting on the 511 East State Street side of the building and replacement with glass storefront window as required by Ordinance.
6. The sale of liquor by the drink shall be limited to the submitted interior floor plans and outdoor seating area.
7. The hours of operation shall be limited to Monday-Sunday 11:00 AM to 2:00 AM.
8. Outdoor music would have to cease operations at 10:00 P per the City's Noise Ordinance (Section 17-33)
9. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
10. All outstanding general ordinance fines must be paid prior to issuance of the license.

018-LTAB-013

Applicant
Ward 03

1710 Rural Street, Suite 4

Matt Pendergrass / Rural on Tap, Inc. dba Rural on Top
Sale of liquor by the drink in conjunction with a tavern and video gaming in a C-2, Limited Commercial Zoning District

The subject property is located within the Rural Oaks Plaza, which is located 180 feet east of the Prospect Street, Guilford Road and Rural Street intersection. Matt Pendergrass, Applicant, and Attorney Amanda Martinez were present. Attorney Martinez explained that Mr. Pendergrass is in the process of purchasing stock in this business, with the goal of having a seamless transition in operation from one owner to the next. The Applicant is agreeable to all (12) conditions of Staff.

Staff Recommendation is for Approval subject to (12) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Kim Johnsen to **APPROVE** the sale of liquor by the drink in conjunction with a tavern and video gaming facility and DJ's in the name of Matt Pendergrass / Rural on Tap, Inc. dba Rural on Tap in a C-2, Limited Commercial Zoning District at 1710 Rural Street, Suite 4. The Motion was **SECONDED** by Maurice Redd and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Compliance with City of Rockford Noise Ordinance.
4. The hours of operation will be limited to 2:00 PM to 1:00 AM Monday through Sunday.
5. That the use shall not have any outdoor sales area or outdoor seating area permitted on the subject property.
6. That the use shall not have any outdoor smoking area permitted on the east and north side of the building.
7. The hours of operation for tenant space #3 (Lydia's Café) and tenant space #4 (Rural on Tap) shall not conflict and must be in accordance with Exhibit D, as approved by Staff.
8. The proposed use shall not have a cover charge.
9. The proposed use shall not have a dance floor.
10. The proposed use shall not operate as a nightclub.
11. Submittal of a revised floor plan that reflects the current layout of the bar.
12. All conditions must be met prior to issuance of a liquor license.

018-LTAB-014

Applicant
Ward 14

2627 Sandhutton Avenue

Rajvir Chinna / New Milford Bines, Inc. dba Spanky's Gyros
Sale of beer and wine by the drink in conjunction with a restaurant and gaming facility in a C-3, General Commercial Zoning District

The subject property is located on the southwest corner of Harrison Avenue and Sandhutton Avenue. Attorney Bob Calgaro and Rajvir Chinna were present. Attorney Calgaro reviewed the request of the Applicant. The Applicant is agreeable to all (15) Staff conditions. She stated she will produce a more acceptable site plan to Staff.

Attorney Vaughnn stated the outdoor seating area was shown on the site plan, but not requested in the application. Attorney Calgaro responded there will be no outside alcohol sales.

Maurice Redd asked if the applicant would be willing to drop the request for gaming facility to which Attorney Calgaro responded "no".

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 beer and wine by the drink in conjunction with a restaurant and gaming facility in the name of Raivir Chinna / New Milford Bines, Inc. dba Spanky's Gyros in a C-3, General Commercial Zoning District with modification to condition (3) to read "sale of beer and wine". The Motion was **SECONDED** by Jennifer Smith and **CARRIED** by a vote of 4-2 with Maurice Redd and Tom Fabiano voting Nay.

Approval is subject to the following conditions:

1. Meeting all applicable building, fire and liquor codes.
2. The hours of operation are limited to 9:00 AM to 11:00 PM Monday through Sunday.
3. The sale of beer and wine by the drink is in conjunction with a restaurant.
4. The outdoor seating area may not have any liquor sales as indicated on submitted site plan nor are patrons allowed to consume alcohol on the outdoor seating area.
5. The use shall not have a cover charge.
6. The use shall not have a dance floor.
7. The use shall not have any DJs.
8. The use shall not operate as a nightclub.
9. Submittal of a revised site plan/landscape plan including the replacement of shade trees that were removed.
10. Submittal of a revised interior floor plan.
11. Submittal of a menu including drinks.
12. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
13. All outstanding general ordinance fines must be paid prior to issuance of the license.
14. Must remove Pembroke Place signage from the property.
15. All conditions must be met prior to issuance of a liquor license.

018-LTAB-015

Applicant
Ward 06

2635 11th Street

Dimpalben G. Patel / NND Mart, Inc. dba NND Mart
Sale of packaged liquor in conjunction with a tobacco and convenience store in a C-3, General Commercial Zoning District

Prior to the meeting, a written request was received from the Applicant's attorney requesting that this item be Laid Over to the May 15th meeting.

A **MOTION** was made by Tom Fabiano to **LAY OVER** the sale of packaged liquor in conjunction with a tobacco and convenience store in the name of Dimpalben G. Patel / NND Mart, Inc. dba NND Mart in a C-3, General Commercial Zoning District at 2635 11th Street. The Motion was **SECONDED** by Jennifer Smith and **CARRIED** by a vote of 6-0.

018-LTAB-016

Applicant
Ward 14

3204 South Alpine Road

Erica Colombi / CC & MM Enterprise, LLC dba Sips

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

The subject property is located on the southeast corner of American Road and South Alpine Road. Erica Colombi and Joseph Mioni, Jr. were present. Ms. Colombi reviewed the request for sale of liquor by the drink. She stated she has experience running C.J.'s Public House on East State Street. They will have a smaller kitchen, with no kitchen hood. She feels they have a great menu considering how small the kitchen is.

Attorney Vaughnn asked what the kitchen will consist of. Ms. Colombi responded an oven that is self-contained, toaster oven, and prep table. She stated there will be no prepackaged food - all food will be done on site. Attorney Vaughnn asked if they would be able to meet the percentages. Ms. Colombi felt they could.

Attorney Vaughnn passed on Alderman Chiarelli's statement to her that he was not in favor of this application.

Staff Recommendation is for Denial. Interested Parties were present.

Joseph Mioni, Sr., father of Joseph Mioni Jr. (applicant) stated he had a business on the west side for over 30 years. He feels we need to look at younger people to bring experience and create business in Rockford.

Robert Colombi, father of Ms. Colombi's (applicant) stated they are planning on running a nice bar and restaurant. He expressed his faith in his daughter and Mr. Mioni, Jr.

A **MOTION** was made by Jennifer Smith to **APPROVE** the sale of liquor by the drink in conjunction with a restaurant and gaming facility in the name of Erica Colombi / CC & MM Enterprise, LLC dba Sips in an I-1, Light Industrial Zoning District at 3204 South Alpine Road. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 5-1 with Craig Sockwell voting Nay.

Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes
2. Compliance with city of Rockford liquor codes
3. The sale of liquor by the drink shall be limited to the interior floor plan submitted by the Applicant
4. The hours of operation will be limited to Monday through Saturday from 6:00 AM - 2:00 AM and Sunday from 9:00 AM - 2:00 AM
5. Window display signage is limited to 20% of window area
6. The use shall not have a cover charge
7. The use shall not have a dance floor
8. The use shall not have any DJ's
9. The use shall not operate as a nightclub
10. That the windows shall not be covered with bars or other devices that block the windows

018-LTAB-017

Applicant
Ward 03

214 East State Street

Paul Sletten / dba Abreo LLC

Sale of liquor by the drink in conjunction with a banquet hall, bar and an outdoor roof seating area in a C-4, Urban Mixed-Use Zoning District

The subject property is located on the north side of East State Street and 120 feet west of the North Madison Street and East State Street intersection. Sandy Johnson was present representing her brother, Paul Sletten. She stated he is out of the Country and was not aware of the meeting date at the time he made his arrangements. Ms. Johnson stated she is the business manager of the operation. Many of their clients booking parties or events wish to have a cash bar to reduce expenses and the Applicant is not able to provide this service.

Attorney Vaughn asked Ms. Johnson if Paul Sletten had reviewed Staff's recommendation and was agreeable to recommended conditions. She stated he was.

Staff Recommendation is for Approval with (11) conditions. Interested Parties were present.

Brent Hughes explained that Mr. Sletten is going to be renting the facility. He reiterated Ms. Johnson's statement that many people renting the facility cannot afford, or are not willing, to pay for liquor sales and they request a cash bar.

Attorney Vaughn further stated Alderman Tuneberg did express his support for this application.

A **MOTION** was made by Jennifer Smith to **APPROVE** the sale of liquor by the drink in conjunction with a banquet hall, bar and an outdoor roof seating area in the name of Paul Sletten / dba Abreo LLC in a C-4, Urban Mixed-Use Zoning District at 214 East State Street. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of liquor by the drink shall be limited to submitted Exhibit E.
4. The hours of operation will be limited to 8:00 AM to 2:00 AM, Monday through Saturday for the banquet facility, bar and outdoor roof seating.
5. The hours of operation will be limited to 9:00 AM to 2:00 AM, Sunday for the banquet facility, bar and outdoor roof seating.
6. Outdoor music would have to cease operations at 10:00 PM per the City's Noise Ordinance (Section 17-33)
7. The rooftop venue will be subject to the City's Liquor Codes.
8. The nightclub, banquet facility and an outdoor beer garden shall not have a cover charge.
9. As presented within the Applicant's proposal, the proposed use and facility is prohibited from having any video gaming machines.
10. Window display signage is limited to 20% of window area.
11. Private security will be employed for events open to the public and for the proposed live entertainment.

018-LTAB-018

Applicant
Ward 13

308 West State

Robin Young / KenDev LLC dba Capital House

Sale of liquor by the drink in conjunction with a restaurant and outdoor seating area in a C-4, Urban Mixed Use Zoning District

The subject property is located at the southwest corner of the intersection between State and Main Streets, and is Suite #100. Robin Young, Applicant, reviewed her request for sale of liquor by the drink. She is the sole owner of KenDev LLC. She explained that the establishment will be an urban style restaurant with an upscale appearance. She verified that the Bar area is on the second floor. Wait staff will deliver drinks to dining customers. She asked that the hours be changed to extend to 1:00 AM on Friday and Saturday. They are wanting to have small live band entertainment featuring jazz and blues later in the evening.

Attorney Vaughn asked the Applicant if she agreed to follow the remaining Staff conditions. Ms. Young stated she was.

Scott Capovilla wished to clarify opening hours on Saturday will be 11:00 AM, and Friday opening at 8:00 AM.

Jennifer Smith questioned the number of calls for service at this location. Mr. Capovilla stated this area had a lot of calls in early morning and late at night related to homeless issues.

Staff Recommendation is for Approval with (11) conditions. No Objectors or Interested Parties were present.

Attorney Vaughn expressed that Alderman Tuneberg wished to notify the Board that he is in support of this application.

A **MOTION** was made by Jennifer Smith to **APPROVE** the Sale of liquor by the drink in conjunction with a restaurant and outdoor seating area in the name of Robin Young / KenDev LLC dba Capital House at 308 West State Street with a revision in hours of operation for Conditions (6) and (7). The Motion was **SECONDED** by Maurice Redd and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Compliance with City of Rockford Noise Ordinance.
4. Submittal of a revised interior floor plan to show the seating arrangement and the point of sales (bar) area for the dispensing of alcoholic beverages.
5. Submittal of the outdoor seating area and approval of the sidewalk café permit from the Public Works Department.
6. The hours of operation will be limited to 8:00 AM to 11:00 PM Monday through Thursday and 8:00 AM to 1:00 AM on Friday.
7. The hours of operation will be limited to 11:00 AM to 1:00 AM on Saturdays.
8. The proposed use shall not have a cover charge.
9. The proposed use shall not have a dance floor.
10. The proposed use shall not operate as a nightclub.
11. All conditions must be met prior to issuance of liquor license.

With no further business to come before the Board, the meeting was adjourned at 8:23 PM

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