



**LIQUOR & TOBACCO ADVISORY BOARD**  
**Tuesday, December 18, 2018**  
**6:00 P.M. – City Council Chambers**  
**Rockford City Hall, 425 East State Street**

**Present:**

**LTAB Members:**

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

**Staff:**

Scott Capovilla - Zoning and Land Use Administrator  
Kelly Nokes - Deputy Operations Manager  
Samuel Bellone – Administrative Assistant  
Lafakeria Vaughn - Assistant City Attorney  
Matthew Flores- Assistant City Attorney  
Tim Morris – Fire Prevention Coordinator

**Others:**

Alderman Tuffy Quinonez  
Kathy Berg - Court Stenographer  
Applicants and Interested Parties

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Scott Capovilla 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 Wednesday, January 2, 2019, 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 letters sent to adjacent property owners.

The meeting was called to order at 06:44 PM. A **MOTION** was made by Kim Johnsen to **APPROVE** the minutes from the November, 2018 meeting as written. The Motion was **SECONDED** by Tom Fabiano and **CARRIED** by a vote of 5-0 with Maurice Redd and Craig Sockwell abstaining.

**018-LTAB-043**

Applicant  
Ward 06

**2901 11<sup>th</sup> Street**

Safa Qurashi/ M & R Mini Market Inc.

**Sale of tobacco products** in conjunction with a grocery store in a C-3 General Commercial Zoning District

The subject property is located on the southwest corner of the Reed Avenue and 11<sup>th</sup> Street intersection. The neighborhood is a mixture of commercial and residential uses. There are similar and complimentary uses in the area. The applicant, Safa Qurashi is being represented by Attorney Tim Whitham. Attorney Whitham stated that Mr. Qurashi will manage M & R Mini Market. He is seeking approval for the sale of tobacco products. He states that the property is a small convenience store and that the sale of tobacco would benefit the business.

Attorney Vaughn asked if Mr. Qurashi agreed to the fifteen (15) conditions presented in the staff recommendation. Attorney Whitham stated that Mr. Qurashi does agree to the conditions presented by staff. However, he asked for an extension for repair of the sign base and landscaping. Mr. Qurashi explained that the sign base was damaged when a vehicle hit it this winter. He is currently waiting for the insurance company to issue him a check. He stated that he would be able to get it fixed around April or May. He also stated that the dumpster enclosure can be repaired depending if the ground is frozen.

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

A **MOTION** was made by Jennifer Smith to **APPROVE** the Sale of tobacco products in conjunction with a grocery store in a C-3 General Commercial Zoning District. With amendments to conditions four (4) and six (6) to extend until May 31, 2019. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 7-0.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Tobacco Codes.
3. The sale of tobacco products shall be limited to Exhibit D, the submitted interior floor plan.
4. Must develop site in accordance with previously approved site and landscaping plans approved by Staff by May 31, 2019.
5. Repair the existing dumpster enclosure.

6. Repair the landmark-style sign base by May 31, 2019.
7. The hours and days of operation for the grocery store will be from 8:00 A.M. to 10:00 P.M., Sunday through Saturday.
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. That there shall not be temporary exterior signage.
12. That the windows shall not be covered with bars or other devices that block the windows.
13. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
14. All outstanding general ordinances fines must be paid prior to issuance of the license.
15. All conditions must be met prior to issuance of license.

**018-LTAB-044**

Applicant  
Ward 11

**818 South 6<sup>th</sup> Street**

Aysha Malik/Manglewood  
The **sale of packaged liquor** in conjunction with a gas station and convenience store and the **sale of tobacco products** in conjunction with a gas station and convenience store in a C-3, General Commercial Zoning District.

The subject property is located on the northeast corner of 6<sup>th</sup> Street and 8<sup>th</sup> Avenue. Attorney Tim Whitham represented the applicant, Aysha Malik. Attorney Whitham stated that Ms. Malik is the owner of the property and she had recently rented the property. Now she is taking over the business that is located at the property. The sale of tobacco had recently been approved, but now Ms. Malik is looking to add packaged liquor and the sale of tobacco to their business, under a new license. Attorney Whitham pointed out on the site plan, an area by the cash register that would be a point of sales for tobacco and hard liquor that is not allowed in the cooler, per the City Ordinance. He further explained that the alcohol would be in view of the cash register. Attorney Whitham explained that there is a lot of empty space around the building that can be made into extra parking spots if needed. He explained that the convenience store is for the local area where customers come to get groceries. The pumps are currently functioning and operable. Attorney Whitham stated that any building code violations would like to be known for an opportunity to be fixed.

Attorney Vaughn asked Attorney Whitham if Ms. Malik agreed to the conditions for the approval of tobacco. Attorney Whitham stated that Ms. Malik does agree to all conditions.

Craig Sockwell asked if the applicant was unsure if the gas pumps worked. Attorney Whitham stated that as far as they know, the gas pumps do work. There are only two pumps at the gas station. Mr. Sockwell further asked, what the percentage of sales would be from fuel. Attorney Whitham explained, the gas pump sales would be a smaller minority than the rest of the sales, roughly about thirty (30%). The applicant is hoping that people would buy gas and then go inside to buy groceries. Mr. Malik will be running the day to day operations.

Alderman Tuffy Quinonez spoke in support of the applicant. He explained that two-thirds (2/3) of the land around that station is empty. It is not next to any school, church, or park. He stated that they have had their license before and he has not received a phone call concerning the property.

Alicia Neubauer asked Scott Capovilla, if the reason for denial has to do with the previous owner, the closeness to residential, and the calls for service. Mr. Capovilla stated that some of those reasons being true, but it is also to keep consistent with previous history that called for denial in 2011. Dan Roszkowski also asked Mr. Capovilla, if he recalls the property being a problem in the past. Mr. Capovilla explained

that the property was a problem in the past but in the past few years, the calls of service has decreased, which is why in 2011 the liquor application was denied.

Staff Recommendation is for Approval of the sale of tobacco products with ten (10) Conditions and Denial of the sale of packaged liquor.

A **MOTION** was made by Jennifer Smith to **APPROVE** the sale of packaged liquor in conjunction with a gas station and convenience store and **APPROVE** the sale of tobacco products in conjunction with a gas station and convenience store in a C-3, General Commercial Zoning District. Adding condition eleven (11) being that alcohol sales should be limited to 6:00am to 12:00am Monday thru Saturday, 9:00am to 12:00am on Sunday. Adding condition twelve (12) being that submission and approval of security plan. The Motion was **SECONDED** by Tom Fabiano and **CARRIED** by a vote of 6-1, with Dan Roszkowski voted Nay.

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. 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 submitted interior floor plan Exhibit E.
6. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
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 existing free-standing pylon sign shall be replaced with a landmark style sign by September 1, 2019.
9. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
10. All outstanding general ordinances fines must be paid prior to issuance of the license.
11. Alcohol sales should be limited to 6:00am to 12:00am Monday thru Saturday, 9:00am to 12:00am on Sunday.
12. Submission and approval of security plan.

**018-LTAB-045**

Applicant  
Ward 03

**116 North Madison Street**

Cathy McDermott/Rock River Development Partnership  
**Sale of liquor by the drink** in conjunction with an indoor market and outdoor market and the **sale of liquor by the drink** in conjunction with an outdoor beer garden with outdoor seating area in a C-4, Urban Mixed-Use Zoning District

The subject property is located on the west side of Madison Street. Approximately one hundred and thirty feet (130) north of East State Street. The applicant, Cathy McDermott, is the manager of Rock River Development Partnership (RRDP). RRDP runs and manages the Rockford City Market. Ms. McDermott explained that the indoor market is currently under construction, but will be open to public in March of 2019. Ms. McDermott is seeking a liquor license that would cover the inside and the outside boundaries of the market. The outdoor market will run Friday nights, starting mid-May to the end of September. The indoor market is expected to be used for different events such as but not limited to, painting classes, cooking classes, wellness classes, and dance classes. During those events, the hosts will be provided with a list of caterers and will cover their own personal liquor license and catering. There will be permanent businesses located on the inside of the market. These businesses will be located on the Madison Street side of the market.

Attorney Vaughn asked Ms. McDermott if she agreed to all of staff's recommendations. Alicia Neubauer asked if the permanent tenants would be selling liquor. Ms. McDermott explained that the permanent tenants would have to apply for their own liquor license. She further explained that the permanent spaces will be a mixture of restaurants and retail and there will not be as much seating in the permanent tenant areas. Ms. McDermott clarified that this application is only for the personal entity RRDP to sell liquor on the inside of the market and the outside boundaries of the market.

No objectors or interested parties were present.

A **MOTION** was made by Craig Sockwell to **APPROVE** the sale of liquor by the drink in conjunction with an indoor market and outdoor market and **APPROVE** the sale of liquor by the drink in conjunction with an outdoor beer garden with outdoor seating area in a C-4, Urban Mixed-Use Zoning District. The Motion was **SECONDED** by Tom Fabiano and **CARRIED** by a vote of 6-0 with Dan Roszkowski abstaining.

Approval is subject to the following conditions:

1. Must meet all applicable Building, Fire and Liquor codes.
2. The liquor license is limited to areas shown on Exhibit E and F.
3. Hours of operation are limited as provided on the business plan labeled Exhibit I. Tuesday-Thursday 10:30 a.m. to 7:00 p.m., Friday 10:30 a.m. to 9:00 p.m., Saturday 10:00 a.m. to 7:00 p.m.
4. Special Events and Private Events must meet hours of operation per the Liquor code.
5. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
6. All outstanding general ordinances fines must be paid prior to issuance of the license.

**OTHER BUSINESS**

**2019 Schedule**

The 2019 Liquor and Tobacco Advisory Board Schedule was presented for vote as follows:

<b>FILING DEADLINE:</b> (Thursday, 5:00 P.M.)	<b>MEETING DATE:</b> (Third Tuesday of the Month)
December 13, 2018	January 15, 2019
January 17, 2019	February 20, 2019-Wed
February 14, 2019	March 19, 2019
March 14, 2019	April 16, 2019
April 18, 2019	May 21, 2019
May 16, 2019	June 18, 2019
June 13, 2019	July 18, 2019
July 18, 2019	August 20, 2019
August 15, 2019	September 17, 2019
September 12, 2019	October 16, 2019-Wed
October 17, 2019	November 20, 2019
November 14, 2019	December 19, 2019
December 12, 2019	January 22, 2020-Wed

A **MOTION** was made by Alicia Neubauer to **APPROVE** the 2019 Liquor and Tobacco Advisory Board schedule as presented. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 7-0.

With no further business to report, the meeting was adjourned at 7:12 PM.

Respectfully submitted,  
Samuel Bellone, Administrative Assistant  
Liquor & Tobacco Advisory Board