



LIQUOR & TOBACCO ADVISORY BOARD
Wednesday, April 16, 2019
6:00 P.M. – City Council Chambers
Rockford City Hall, 425 East State Street

Present:

LTAB Members: Kim Johnsen
Dan Roszkowski
Craig Sockwell
Jennifer Smith
Alicia Neubauer
Maurice Redd

Absent: Tom Fabiano

Staff: Scott Capovilla - Zoning and Land Use Administrator
Jeremy Carter – Traffic Engineer
Matthew Flores - Assistant City Attorney
Lafakeria Vaughn - Assistant City Attorney
Samuel Bellone – Administrative Assistant

Others: Kathy Berg - Court Stenographer
Applicants and Interested Parties

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 Monday, April 22, 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 7:46 PM. A **MOTION** was made by Kim Johnsen to **LAY OVER** the minutes from the March 19, 2019 meeting as written. The Motion **CARRIED** by a vote of 6-0 with Tom Fabiano absent.

019-LTAB-003

Applicant
Ward 05

430 Harrison Avenue

Ali Aziz Thabet

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

The subject property is located 380 feet east of South Main Street on the southwest corner of the West Harrison Avenue and Express Lane intersection. The property is surrounded by residential and some commercial uses.

Attorney Mario Tarara, representing the Applicant, Ali Thabet, was present. The Applicant was also present. Attorney Tarara stated that the applicant is in the process of leasing the subject property. The property is already existing as a Shell gas station, and Mr. Thabet will be taking over the operations. Attorney Tarara further stated that they will not be selling liquor. However, Attorney Tarara did have a question with condition number four (4) concerning sign replacement. He stated that he has been in contact with Alderman Venita Hervey. Mr. Thabet, Attorney Tarara, and Alderman Hervey came to an agreement concerning condition four (4). This change would allow the applicant to not replace the sign until it needs repairs over fifty percent (50%) of its value. Dan Roszkowski asked if the applicant would be opposed to having a time frame on the sign replacement. Mr. Thabet explained that he could not promise a time frame since he is using all of his savings to lease and operate the property. Craig Sockwell asked if the gas station would sell liquor. Attorney Tarara stated the current business operator does have a liquor license, but the applicant would only be selling tobacco.

Staff Recommendation is for Approval with nine (9) 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 convenience store and gas station in a C-2, Limited Commercial Zoning District, but amending condition #4 to, the applicant will be allowed to continue the use of the existing free standing sign until such time that the cost to maintain the sign or repair damage to it will exceed 50% of the sign's value or its replacement. Applicant must obtain permits for any other signs where required under ordinance, for a

maximum of five (5) years. The Motion was **SECONDED** by Maurice Redd 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 Codes.
3. Submittal of a site plan indicating the current conditions of subject property in its entirety including parking spaces
4. The applicant will be allowed to continue the use of the existing free standing sign until such time that the cost to maintain the sign or repair damage to it will exceed 50% of the sign's value or its replacement. Applicant must obtain permits for any other signs where required under ordinance, for a maximum of five (5) years.
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. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
8. All outstanding general ordinance fines must be paid prior to the issuance of the license.
9. All conditions must be met prior to establishment of use.

019-LTAB-004

Applicant
Ward 13

117 South Main Street and 308 West State Street

Aakash Patel

Sale of beer and wine by the drink in conjunction with a restaurant in a C-4, Urban Mixed-Use Zoning District

The subject property is located on the southwest corner of the South Main Street and West State Street intersection. The property is surrounded by commercial uses, but there is senior citizen housing and new residential lofts to the east.

The applicant, Aakash Patel, is the owner of Cantina Taco. He is looking to add beer and wine to help drive dinner business. He is fine with the conditions presented by staff but asked if he can change the hours of operation for events downtown.

Jennifer Smith asked what time he would like the hours to be changed to. Mr. Patel stated it would depend on the events. But he would like to stay open till 1:00 AM, Monday through Saturday.

Staff Recommendation is for Approval with seventeen (17) conditions. No Objectors or Interested parties were present.

A **MOTION** was made by Jennifer Smith to **APPROVE** the sale of beer and wine by the drink in conjunction with a restaurant in a C-4, Urban Mixed-use Zoning District, modifying conditions #4, #5, #6 to reflect the hours of closure till 1:00 AM. 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 Codes.
3. Submittal of a revised interior floor plan to show the seating arrangement and the point of sales for beer and wine.
4. The hours of operation will be limited to 10:30 A.M. to 1:00 A.M. Monday through Thursday.
5. The hours of operation will be limited to 10:30 A.M. to 1:00 A.M. on Friday.
6. The hours of operation will be limited to 11:00 A.M. to 1:00 A.M. on Saturday.

7. Window display signage is limited to 20% of window area.
8. The restaurant shall not have a cover charge.
9. The restaurant shall not have a dance floor.
10. The restaurant shall not have any DJs.
11. The restaurant shall not have any live entertainment.
12. The restaurant shall not operate as a nightclub.
13. There shall not be temporary exterior signage.
14. The windows shall not be covered with bars or other devices that block the windows.
15. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
16. All outstanding general ordinance fines must be paid prior to the issuance of the license.
17. All conditions must be met prior to establishment of use.

With no further business to come before the Board, the meeting was adjourned at 08:03 PM.

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