



LIQUOR & TOBACCO ADVISORY BOARD
Tuesday, July 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
Alicia Neubauer
Tom Fabiano
Maurice Redd
Jennifer Smith

Absent:

Staff: Lafakeria Vaughn – Assistant City Attorney
Samuel Bellone – Administrative Assistant
Scott Capovilla – Zoning and Land Use Administrator
Karl Franzen- Director of Community & Economic Development

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

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 Tuesday, July 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 6:56 PM. A **MOTION** was made by Kim Johnsen to **APPROVE** the minutes from the June 18, 2019 meeting as written. The Motion was **SECONDED** by Maurice Redd and **CARRIED** by a vote of 6-0 with Jennifer Smith abstaining.

019-LTAB-013

Applicant
Ward 10

2715 Charles Street

Jessica Pipitone / AGP 18, Inc.

Sale of beer and wine by the drink in conjunction with a pizzeria and gaming parlor in a C-2, Limited Commercial Zoning District

Laid Over From June Meeting

Before the meeting, a request was received from the Applicant’s attorney requesting that this item be Laid Over to the August 20th meeting. Attorney Lafakeria Vaughn explained that the applicant needs additional time to work out some issues with the landlord of the premises before proceeding with the application.

A **MOTION** was made by Craig Sockwell to **LAY OVER** the Sale of beer and wine by the drink in conjunction with a pizzeria and gaming parlor in a C-2, Limited Commercial Zoning District at 2715 Charles Street. The motion was **SECONDED** by Alicia Neubauer and **CARRIED** by a vote of 7-0.

019-LTAB-014

Applicant
Ward 13

425 South Winnebago Street

Rami Fakhouri / City Fuel 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. The applicant, Rami Fakhouri, was present. The subject property has been operating as a gas station since 1983. The property obtained a tobacco license in 2017. Since that approval, the property has been sold to the applicant, Mr. Fakhouri. Mr. Fakhouri is seeking a tobacco license to continue to sell tobacco in the gas station. He recently installed a new camera system to help with security. He would like to have the hours changed from 10:00 P.M. to 9:00 P.M.

Attorney Lafakeria Vaughn asked Mr. Fakhouri if he had reviewed the staff recommendation and agrees to all conditions. Mr. Fakhouri stated that he does agree to all conditions.

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

A **MOTION** was made by Jennifer Smith to **APPROVE** the Sale of tobacco products in conjunction with a gas station and convenience store in an I-1, Light Industrial Zoning District at 425 South Winnebago Street. Amending condition six (6) to hours of operation to be 5:30 a.m. to 9:00 p.m. and adding condition fourteen (14) stating, "all conditions must be met prior to issuance of the license." The motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 7-0.

Approval is subject to the following conditions.

1. Must meet all applicable building and fire codes.
2. Compliance with all City of Rockford 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 Sunday 5:30 a.m. to 9:00 p.m.
7. Must install curb around the landscape 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. Removal of the non-conforming free-standing sign and submittal of a sign permit for new landmark style sign.
11. All temporary signage including posts must be removed off the building and site.
12. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
13. All outstanding general ordinances fines must be paid prior to issuance of the license.
14. All conditions must be met prior to issuance of the license.

019-LTAB-015

Applicant
Ward 03

116 North Madison Street, Suite 118

Jargal Gendenbaatar / Crust and Crumbles

Sale of beer and wine by the drink and the **sale of packaged beer and wine** in conjunction with a bakery cafe in a C-4, Urban Mixed-Use Zoning District

The subject property is located on the west side of North Madison Street, 130 feet north of the East State Street and North Madison Street intersection. The business is located inside of Rockford Indoor Market. The applicant, Jargal Gendenbaatar, was present. Ms. Gendenbaatar stated that this is her first retail store and bakery. She is planning to sell packaged beer and wine. She would like to build a partnership with other restaurants around the City of Rockford. There would be no packaged beer sales smaller than twenty-two (22) ounces or malt liquor sold.

Attorney Lafakeria Vaughn asked Ms. Gendenbaatar if she had reviewed the Staff recommendation. Ms. Gendenbaatar stated that she had reviewed Staff's recommendation. Attorney Vaughn asked Ms. Gendenbaatar for an explanation for wanting to charge a cover, according to the business plan. Ms. Gendenbaatar explained that she would only want to charge a cover for certain events. Attorney Vaughn also asked if Ms. Gendenbaatar agreed to condition thirteen (13) that prohibits video gaming. Ms. Gendenbaatar agreed to condition thirteen (13).

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 and the sale of packaged beer and wine in conjunction with a bakery cafe in a C-4, Urban Mixed-Use Zoning District at 116 North Madison Street, Suite 118. Striking condition nine (9) regarding a cover charge, striking duplicative condition seventeen (17) and adding a new condition "single servings of packaged beer shall not be smaller than 22 oz." 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 Liquor Codes.
3. The sale of beer and wine by the drink shall be limited to the area as submitted in Exhibit F.
4. The hours of operation will be limited to 7:00 A.M. to 7:00 P.M. Tuesday through Thursday.
5. The hours of operation will be limited to 7:00 A.M. to 9:00 P.M. Friday.
6. The hours of operation will be limited to 7:00 A.M. to 7:00 P.M. Saturday.
7. Window display signage is limited to 20% of window area.
8. That the windows shall not be covered with bars or other devices that block the windows.
9. The bakery cafe shall not have a dance floor.
10. The bakery cafe shall not have any DJs.
11. The bakery cafe shall not operate as a nightclub.
12. As presented within the applicant's proposal, the proposed use and facility is prohibited from having any video gaming machines.
13. All conditions must be met prior to establishment of use.
14. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
15. All outstanding general ordinance fines must be paid prior to the issuance of the license.
16. Single servings of packaged beer shall not be smaller than twenty-two (22) oz.

019-LTAB-016

Applicant
Ward 09

3135 North Rockton Avenue

Gurinder Kullar / GP Petroleum Inc.

Modification of an existing liquor license to allow a full liquor license for the **sale of packaged liquor** in conjunction with a gas station and convenience store in a C-2, Limited Commercial Zoning District

The subject property is located on the northeast corner of Paradise Boulevard and North Rockton Avenue. The applicant, Gurinder Kullar, was present. Mr. Kullar explained that he is seeking a modification to his existing liquor license to allow a full packaged liquor license. He has made many improvements to the gas station. He has also installed a new security camera system.

Attorney Lafakeria Vaughn asked Mr. Kullar if he had reviewed the staff recommendation and agrees to the conditions of approval. Mr. Kullar stated that he reviewed the staff recommendation and agreed to the conditions.

Staff Recommendation is for Approval with ten (10) conditions. No Objectors or Interested parties were present.

A **MOTION** was made by Craig Sockwell to **APPROVE** the Modification of an existing liquor license to allow a full liquor license for the sale of packaged liquor in conjunction with a gas station and convenience store in a C-2, Limited Commercial Zoning District at 3135 Rockton Avenue. The motion was **SECONDED** by Tom Fabiano and **CARRIED** by a vote of 7-0.

Approval is subject to the following conditions.

1. Must meet all applicable Building, Liquor and Fire 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. That sale of packaged liquor shall be limited to five (5) coolers and the area behind the counter.
5. The hours of sale of packaged liquor shall be limited to Monday through Saturday, 6:00 a.m. to 10:00 p.m., Sunday 9:00 a.m. to 10:00 p.m.
6. There shall be no single serving sales of beer or wine in volumes of 12 oz. or less.
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. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
9. All outstanding general ordinances fines must be paid prior to issuance of the license.
10. 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 7:20 PM.

Respectfully submitted,

Samuel Bellone, Administrative Assistant
Liquor & Tobacco Advisory Board