



LIQUOR & TOBACCO ADVISORY BOARD
Tuesday, December 17, 2019
6:00 P.M. – City Council Chambers
Rockford City Hall, 425 East State Street

Present:

LTAB Members: Dan Roszkowski
Craig Sockwell
Jennifer Smith
Kim Johnsen
Tom Fabiano
Alicia Neubauer

Absent: Maurice Redd

Staff: Chad Baker – Assistant City Attorney
Samuel Bellone – Administrative Assistant
Scott Capovilla – Zoning and Land Use Administrator
Jeremy Carter – Traffic Engineer
Karl Franzen – Community and Economic Development Director
Nicholas Meyer – Legal Director
Kerry Partridge – City Attorney

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, December 30, 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 6:16 PM. A **MOTION** was made by Kim Johnsen to **APPROVE** the minutes from the November 19, 2019 meeting as written. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0 with Maurice Redd absent.

019-LTAB-029

Applicant
Ward 14

4302 Sandy Hollow Road

Samih Issa Haddad / Sandy Hollow Foods Inc.

Sale of packaged liquor in conjunction with a grocery store in a C-2, Limited Commercial Zoning District

Attorney Thomas Laye, representing that applicant, was present. Attorney Laye explained that the applicant was currently traveling and was unable to attend the meeting. The subject property is located on the northwest corner of Sandy Hollow Road and Colony Bay Drive intersection. The parcel is surrounded by commercial and industrial uses; however, there are residential uses west and north of the subject property. Attorney Laye explained that the store would focus on health foods. The neighborhood next to the store would benefit from the store due to the limited access to other grocery stores. Attorney Laye also stated that his client agrees to all of the conditions.

Attorney Kerry Partridge asked Attorney Laye, if his client, the applicant, will abide by oath and agrees to the conditions given by staff.

Dan Roszkowski asked if the applicant had any experience running a store. Attorney Laye stated that he did not know the answer.

Alicia Neuabuer asked how many square feet is the entire commercial building it. Attorney Laye stated that tenant space is almost four thousand (4,000) square feet.

Kim Johnsen asked if the store is planning to sell cigarettes since the floor plan outlines an area for tobacco sales. Attorney Laye explained that at first, his client wanted to seek a tobacco license, but wanted to follow his intentions of having a health store and removed tobacco from the request. The site plan is the original plan before he decided to remove tobacco.

Staff recommendation is for Approval with fourteen (14) conditions. No objectors or interested parties were present.

A **MOTION** was made by Craig Sockwell to **APPROVE** the Sale of packaged liquor in conjunction with a grocery store in a C-2, Limited Commercial Zoning District. The Motion was **SECONDED** by Jennifer Smith and **CARRIED** by a vote of 6-0.

019-LTAB-030

Applicant
Ward 12

2209 North Main Street

Mohammed Abdulrab / North Main Convenience Store Inc.
Sale of tobacco products in conjunction with a convenience store in a C-2, Limited Commercial Zoning District

Attorney Tim Whitham, who is representing the applicant, was present. Attorney Whitham is requesting a layover to discuss the conditions with his client.

A **MOTION** was made by Alicia Neubauer to **LAY OVER** the Sale of tobacco products in conjunction with a convenience store in a C-2, Limited Commercial Zoning District. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0.

019-LTAB-031

Applicant
Ward 07

7128 Spring Creek Rd.

Benny Salamone / Franchesco’s Ristorante
A Modification of the existing liquor license consisting of a restaurant with a drive-up window and a banquet facility to include video gaming terminals in a C-2, Limited Commercial Zoning District.

The applicant Benny Salamone was present with Attorney William Reilly II. Mr. Salamone handed out a copy of a floor plan with the proposed area for the gaming machines to the board. The subject property is located on the northeast corner of Spring Creek Rd. and McFarland Rd. Mr. Salamone explained that he is planning an interior renovation to Franchesco’s Ristorante that would allow room for gaming machines. He further explained that the hostesses would be able to watch the gaming machines.

Scott Capovilla stated that staff would like to add a sixth (6th) condition stating, “the restaurant shall have no more than five (5) video gaming terminals”.

Attorney Kerry Partridge asked Mr. Salamone if he had reviewed and agreed to the conditions by staff. Ms. Salamone reviewed the conditions and agreed to them. Attorney Partridge asked if Mr. Salamone heard, understood, and agrees to the sixth (6th) condition stated by Mr. Capovilla. Mr. Salamone heard, understood, and agreed to the additional condition given by Mr. Capovilla.

Alicia asked how the hostess station will see people getting in and leaving the gaming machine room. Mr. Salamone explained that he would have a hostess there at all times. He also explained that he would have an alert system to notify the hostess station when someone exits or enters the room. Alicia said she is still concerned that the hostess station might not have visibility of the room. Mr. Salamone also explained that the gaming room door will have a clear glass door and would allow people to see inside.

Kim Johnsen asked why Mr. Salamone had decided to apply for a gaming license now. Mr. Salamone explained that they would have more room with the renovation that would allow gaming machines.

A **MOTION** was made by Kim Johnsen to **APPROVE** a Modification of the existing liquor license consisting of a restaurant with a drive-up window and a banquet facility to include video gaming terminals in a C-2, Limited Commercial Zoning District. The Motion was **SECONDED** by Tom Fabiano 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 the Liquor Ordinance.
3. The restaurant shall not operate as a nightclub.
4. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
5. All outstanding general ordinances fines must be paid prior to issuance of the license.
6. The restaurant shall have no more than five (5) video gaming terminals.

OTHER BUSINESS

2020 Schedule

The 2020 Liquor and Tobacco Advisory Board Schedule was presented for vote as follows:

FILING DEADLINE: (Thursday, 5:00 P.M.)	MEETING DATE: (Third Tuesday of the Month)
December 12, 2019	January 22, 2020 - Wed
January 16, 2020	February 19, 2020 - Wed
February 13, 2020	March 17, 2020
March 19, 2019	April 21, 2020
April 16, 2020	May 19, 2020
May 14, 2020	June 16, 2020
June 18, 2020	July 21, 2020
July 16, 2020	August 18, 2020
August 13, 2020	September 15, 2020
September 17, 2020	October 20, 2020
October 15, 2020	November 17, 2020
November 12, 2020	December 15, 2020
December 10, 2020	January 19, 2021

A **MOTION** was made by Kim Johnsen to **APPROVE** the 2020 Liquor and Tobacco Advisory Board schedule as presented. The Motion was **SECONDED** by Tom Fabiano and **CARRIED** by a vote of 6-0.

With no further business to come before the Board, the meeting was adjourned at 6:37 PM.

Respectfully submitted,

Samuel Bellone, Administrative Assistant
Liquor & Tobacco Advisory Board