



# PLANNING & ZONING REPORT

## Liquor and Tobacco Advisory Board Meeting of October 20, 2020

### Laid over from June, July, August and September meetings

File # 020-LTAB-070

**APPLICANT:** Samar Al Sagaf / Corner Mini Mart, LLC d/b/a Corner Mini Mart

**LOCATION:** 1706 Rural Street

**REQUESTED ACTION:** The sale of tobacco products in conjunction with a convenience store in a C-2, Limited Commercial Zoning District.

**EXISTING USE:** Vacant building

**PROPOSED USE:** Convenience store with the sale of tobacco products

**DIMENSIONS:** Irregular shape      **SQUARE FOOTAGE:** 6,895 sq. ft.

**ADJACENT ZONING AND LAND USES:**

|        |          |   |
|--------|----------|---|
| NORTH: | RE       | Scandinavian Cemetery                       |
| EAST:  | C-2      | Rural Oaks Plaza                            |
| SOUTH: | C-2      | Vacant commercial                           |
| WEST:  | RE & C-3 | BP Gas Station/Convenience Store & Car Wash |

**YEAR 2020 PLAN:** C      Commercial Retail

**HISTORY:** File #019-LTAB-20: The sale of tobacco products in conjunction with a convenience store in a C-2, Limited Commercial Zoning District was denied on September 30, 2019 for the property at 1708 Rural Street. This is the subject property.

File #016-LTAB-018: A modification of an existing liquor license to allow the operation of a video gaming facility, allow DJ's, and packaged liquor sales in a C-2, Limited Commercial Zoning District was approved May 3, 2017 for the property located modification of an existing liquor license to allow the operation of a video gaming facility, allow DJ's, and packaged liquor sales in a C-2, Limited Commercial Zoning District. This property is located directly east of the subject property.

File #015-LTAB-001: The sale of tobacco products in conjunction with a gas station, car wash, and convenience store was approved March 12, 2015 for the property located 1630 Rural Street. This property is located directly west of the subject property.

File #014-LTAB-052: The sale of beer and wine by the drink in conjunction with a restaurant in a C-2, Limited Commercial Zoning District was approved February 2, 2015 for the property located 1710 Rural Street, Suite 3. This property is located directly east of the subject property.

**REVIEW COMMENTS:** The Applicant is requesting the sale of tobacco products in conjunction with a convenience store in a C-2, Limited Commercial Zoning District. Exhibit A shows

that the subject property is located on the northeast corner of the Guilford Road and Rural Street intersection.

The Applicant, Samer Al Sagaf, is the owner of Corner Mini Mart LLC. Within the Tobacco Application, it is indicated that Corner Mini Mart will not be managed by a manager or agent. The parcel is surrounded by commercial and residential uses (Exhibits B & C).

Exhibit D is the site plan submitted by the Applicant that shows the existing building and the revised parking layout and landscape areas. The existing building is approximately 3,769 square feet but the convenience store will only occupy 1,250 square feet. The Corner Mini Mart requires five (5) parking spaces (using the 4 space per 1,000 square feet of retail and service uses). The site plan shows there are five (5) parking stalls. Additionally, the site plan does show landscape areas along the north, west, and south property lines but does not include the number and type of species to be planted. Landscaping was required to be installed by June 1, 2020 as a condition of the building permit but has not been installed as required.

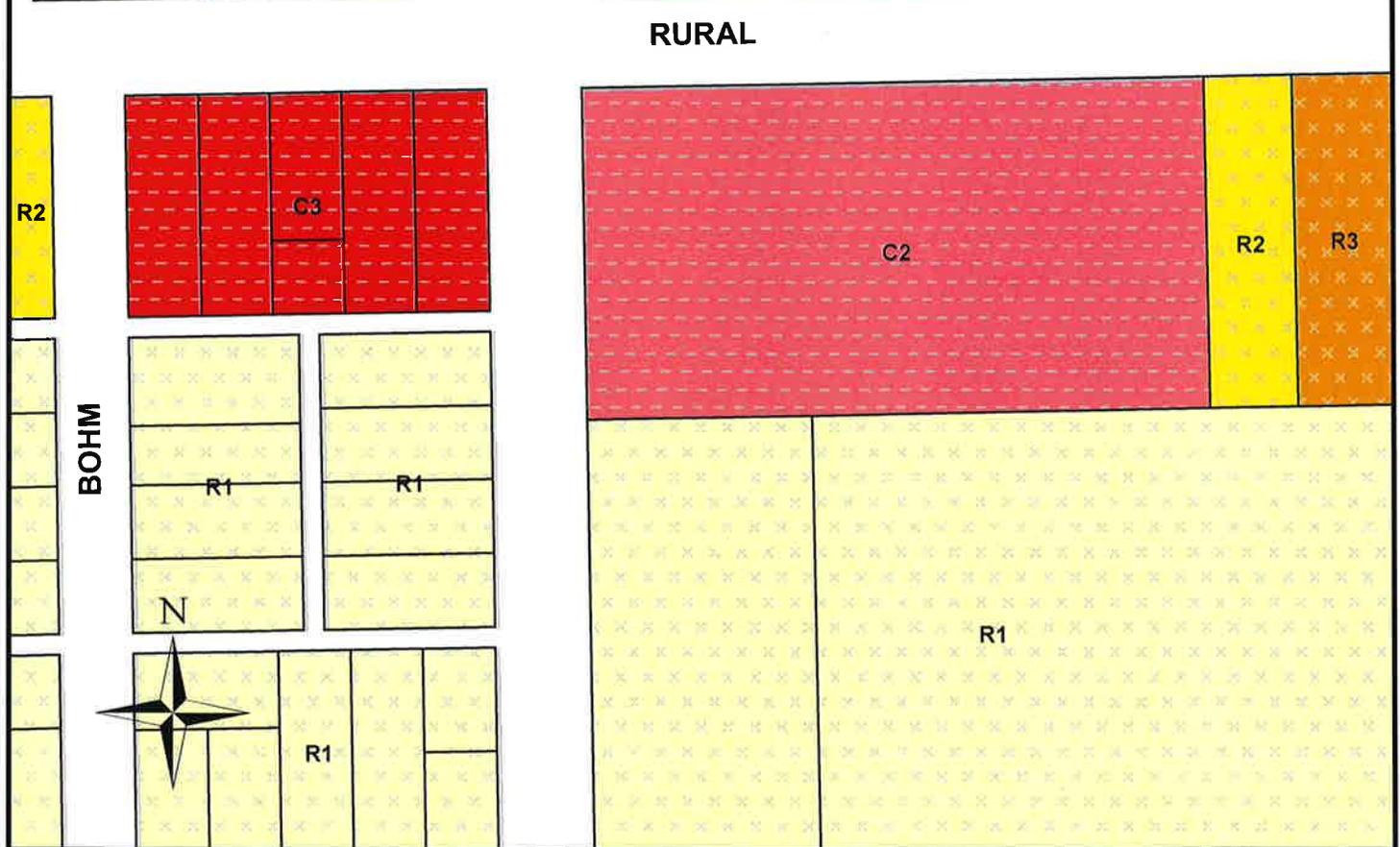
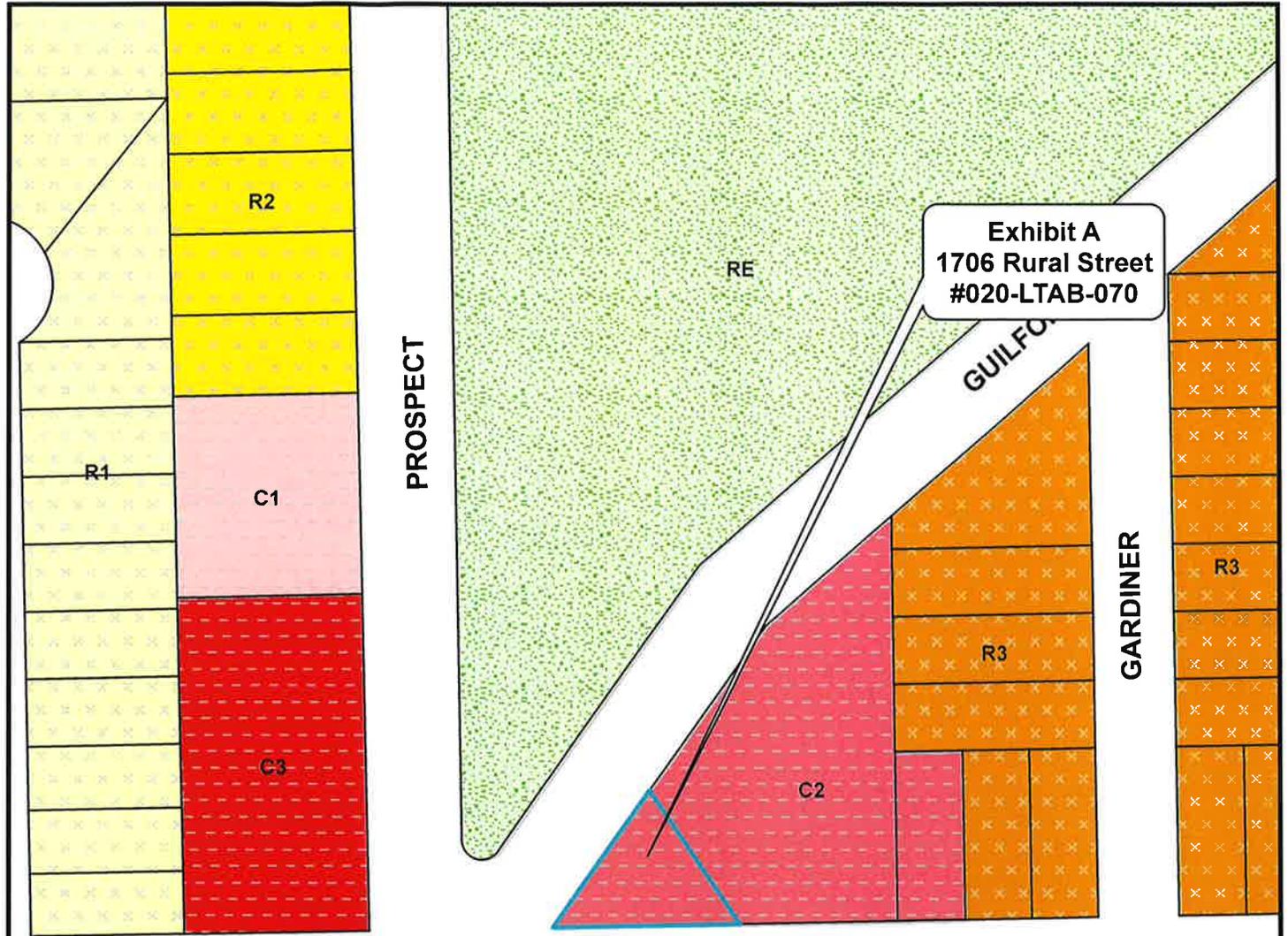
Exhibit E is the interior floor plan. The floor plan shows the tobacco display area and the point of sales in the interior of the convenience store behind the sales counter. However, additional details regarding the interior floor plan of the convenience store are limited to just a cooler area and freezer. Staff feels that a detailed interior floor plan should be submitted.

The Applicant submitted Exhibit F as the business plan for Corner Mini Mart. The Corner Mini Mart business concept will be a neighborhood convenience store that will offer products such as groceries, soft drinks, snacks and candy, toiletry products, calls cards, and tobacco products. (Exhibit F). The Applicant explains, "we aim to offer quality and affordable products and exceptional customer service that is second to none" (Exhibit F). Within Exhibit F, the hours and days of operation are proposed to be Monday through Friday 7:00 A.M. to 11:00 P.M., Saturday 9:00 A.M. to 9:00 P.M., and Sunday (9:00 A.M. to 7:00 P.M. The Applicant indicated on Exhibit F and the Tobacco Application, that the estimated ratio of tobacco sales will be 25%. The Applicant did not submit a security plan and indicated on the Tobacco Application that they would not hire private security licensed by the State of Illinois upon written request of the Tobacco Commissioner.

Staff has concerns with the applicant's request as the same business plan was submitted from the previous application. The interior floor plan only shows the counter area and point of sale (POS) along with a cooler and freezer. Although City staff recommended approval for the applicant's tobacco license application in September 2019, several aldermen expressed concerns with this use at this location. As a result, the request for a tobacco license was denied. A similar business was removed from the adjacent shopping plaza a few years back and, since its removal, the plaza is now fully leased with good neighborhood oriented businesses and reductions in the calls for service. Further, no additional or new information for Staff's consideration was provided by the Applicant since the prior application. So at this time, Staff cannot support this request.

**RECOMMENDATION:** Staff recommends **Denial** of sale of tobacco products in conjunction with a convenience store in a C-2, Limited Commercial Zoning District.

SC: BM 6/05/20



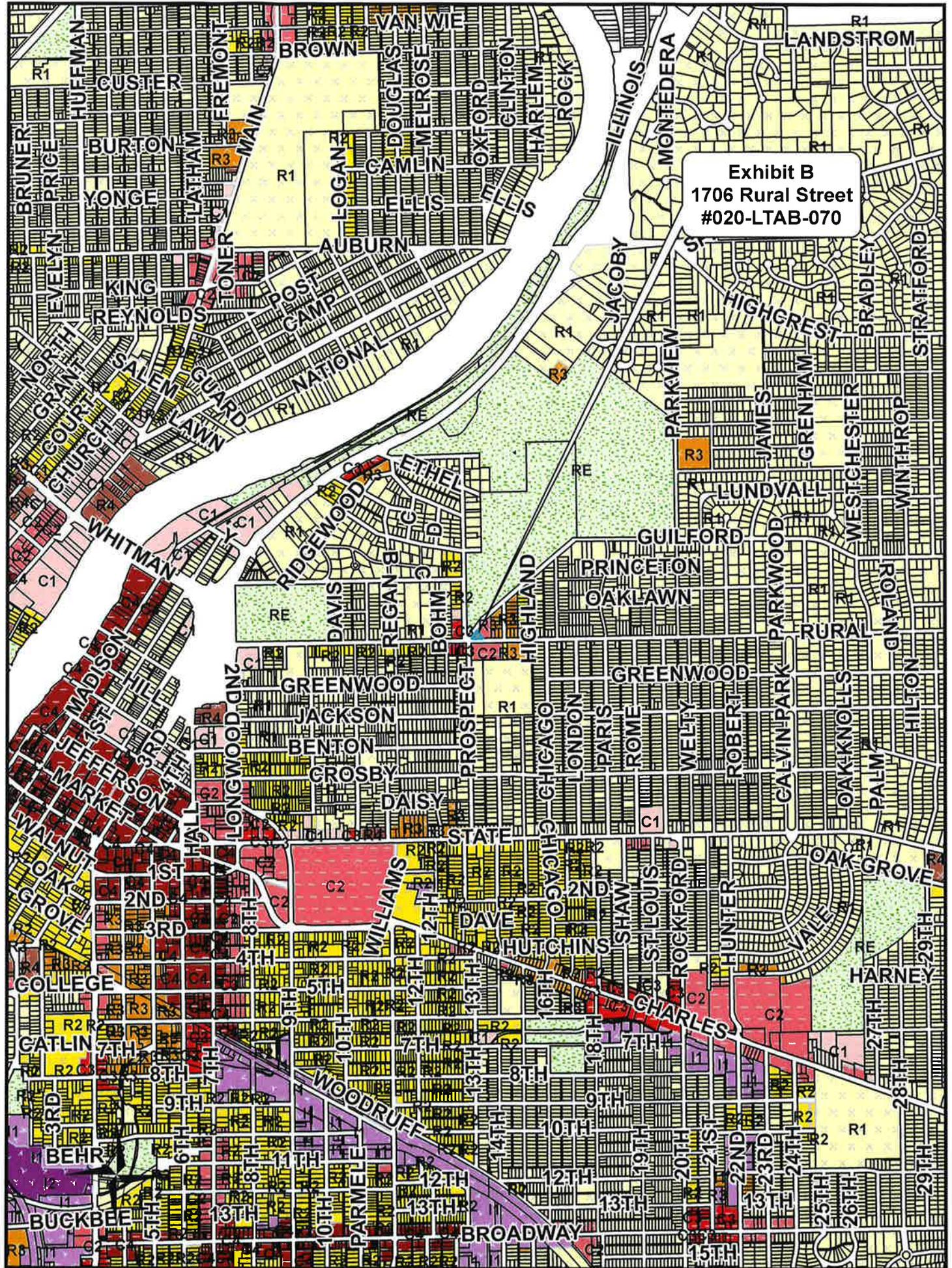


Exhibit B  
1706 Rural Street  
#020-LTAB-070



Exhibit C  
1706 Rural Street  
#020-LTAB-070

PROSPECT

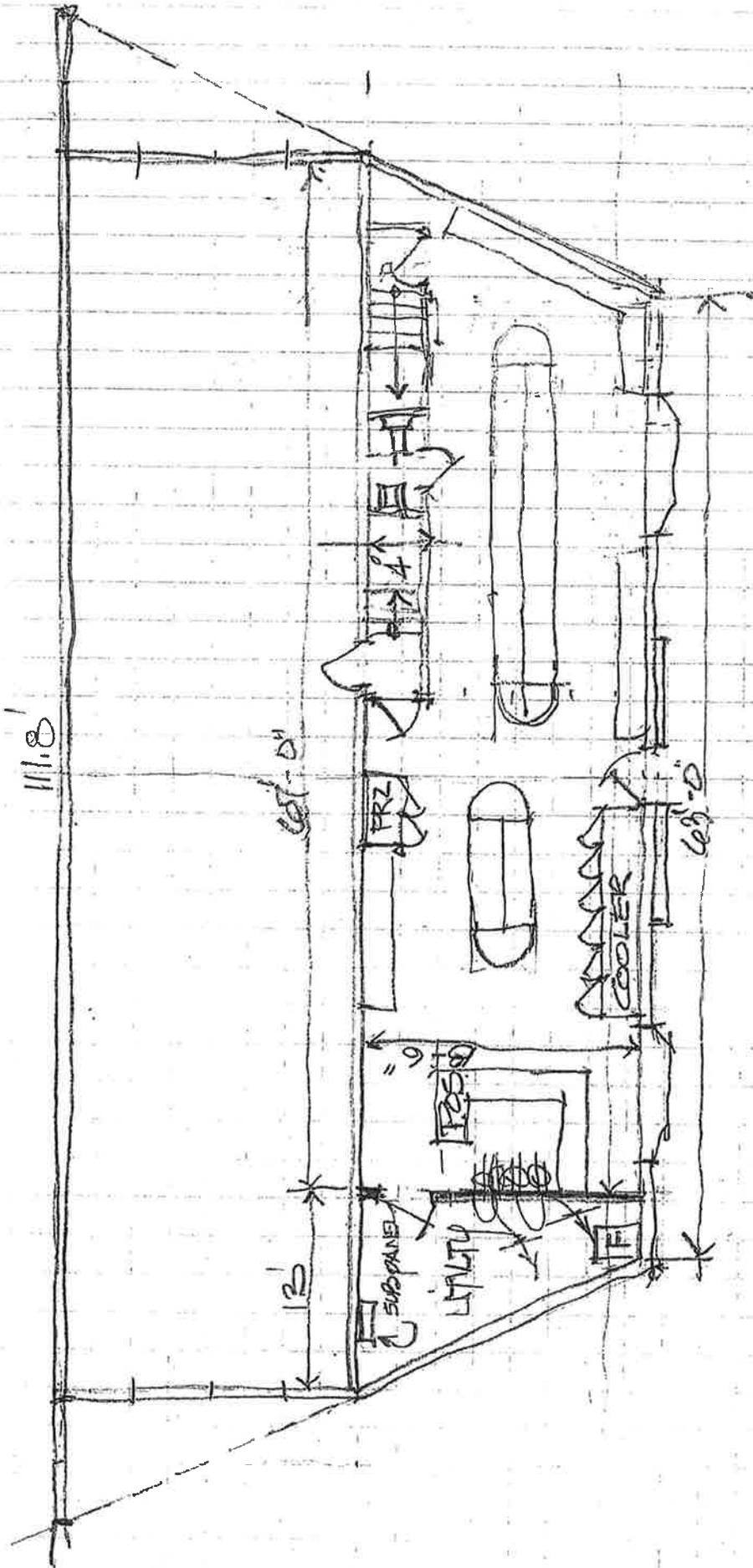
RURAL

GARDINER

GUILFORD

BOHM





PROPOSED  
 CONVENIENCE STORE 1198 SF NET  
 1706 RURAL ST  
 ROCKFORD IL 61104



Exhibit E  
 1706 Rural Street  
 #020-LTAB-071

**Business Plan for Corner Mini Mart at 1706 Rural Street, Rockford IL 61107**

**Name of the Store: Corner Mini Mart**

**Product: Convenience Store and Tobacco**

**Day and Hours of Operation: Monday to Friday 7 a.m. – 11 p.m.**

**Saturday from 9 a.m. – 9 p.m.**

**Sunday from 9 a.m. – 7 p.m.**

**Food Service Hours: Same as above**

**Estimated Ratio of Tobacco Sales: 25%**

**Summary:**

**Corner Mini Mart is a neighborhood convenience store which will be located at 1706 Rural Street. We will offer products such as groceries, soft drinks, snacks and candy, toiletry products, call cards and tobacco products. We aim to offer quality and affordable products and exceptional customer service that is second to none.**

**Sincerely,**

**Corner Mini Mart LLC**

Jonathan S. Whitlock and Nancy L. Whitlock

To: the Liquor & Tobacco Advisory Board

Re: Public Hearing,  
June 16 Tuesday  
1706 Rural Street--File## 020-LTAB--070

We live in the 500 block of North Prospect Street and own the commercial strip mall at 1710 Rural Street, behind the subject property. We are deeply committed to the neighborhood.

We strongly oppose the granting of a permit for the sale of tobacco products at this site. Another tobacco retailer is not necessary in the area.

When we purchased the mall property 12 years ago, a tobacco store was operating out of one of the units, which created issues that resulted in crime and loitering in the area which in turn often led to intimidation of other businesses and their customers. After the tobacco store left, no trouble has been experienced at this corner. We have been able to attract good tenants and the mall is now fully leased.

We are trying to make the area more family friendly and a tobacco store at this location would very likely draw some unwanted customers.

The minutes of the September 17, 2019 Advisory Board meeting, when the application was first presented, states that the applicant or his representatives said:

“tobacco would be 25% of the sales. Attorney Whitman stated that there is no competition for BP [the gas station across the street] to sell tobacco products.”

We believe any store emphasizing tobacco sales will most likely generate many of the same issues our former tenant did. It is true that BP already sells tobacco across the street—it can meet the needs of the neighborhood for this product. Why allow another outlet? Tobacco, while legal, is universally recognized as a serious health concern. We certainly don't need to encourage competition in the distribution and sale of it.

Tobacco sales will, furthermore, increase traffic at the corner. We don't understand how the parking requirement complies with the store size. The lot is small and awkwardly triangular, making entering, exiting and maneuvering very difficult and perhaps dangerous with three or more cars present. We are concerned that many of the store patrons will park in our lot instead, no matter how we try to prevent that.

As Alderman Tuneberg stated at the September, 2019 meeting, the area has come back and been revived. We see many families walking in the neighborhood and coming down for ice cream at Lessley's, pizza at Primos, a meal at Lydia's. The bar, Rural on Tap, has become a popular neighborhood gathering place. A tobacco store would not be a good, positive fit for the area.

Respectfully,

Jonathan Whitlock, Nancy Whitlock

July 20, 2020

Alderman Tony Gasparini

% City of Rockford  
425 E. State Street  
Rockford, IL 61104

RE: Rural Oaks Shopping Centre

Alderman Gasparini:

We are 21-year residents of 2007 Guilford Road and Constituents in your ward. We are aware of the new tenant at 1710 Rural Street, who is operating a convenience store in a space that has been previously home to numerous businesses since our residency here. We are also aware that the owner of this property is before the Advisory Board of The City applying for a license to sell tobacco. We want to state our opposition to this move and request that this application be denied.

We were well-acquainted with the previous tenants of the shopping center, before it was acquired by the current owners 12 years ago. At that time, there was a tobacco shop operating in the center that saw all kinds of dubious traffic and mayhem. We would park our car and watch customers run into the store, literally in and out in less than a couple of minutes. The current owners, once they acquired the center, did not renew that lease and once that tenant left the space, the constant traffic subsided, and the center quieted down. Since the current owners acquired the center, it has undergone considerable improvements and has become stabilized, supporting several businesses that compliment this neighborhood. The owners of this center are doing their best to protect their tenants and ensure that the center itself is a good neighbor, repairing the building the parking lot and the signage. It is a very presentable center currently and one that instills pride in the area.

With Schnuck's abandoning the Rural Oaks area several years ago, we have some blight already in the area. We understand the City is working to ensure this area does not decline further and the hopes are that at some point, the previous grocery may become another viable and desirable business. Until then, we all run the risk of further decay and mayhem in the area.

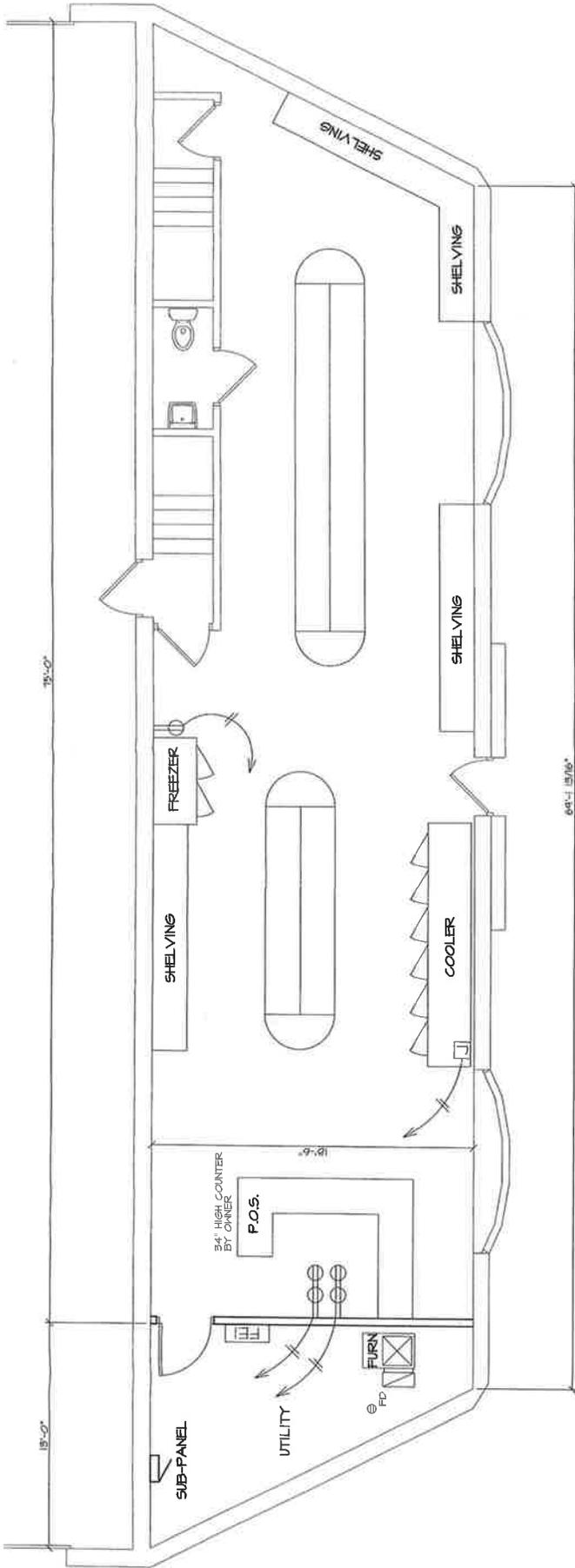
While we support businesses that compliment the neighborhood, it is our opinion that tobacco and liquor products are already well-represented in this residential area. The BP across from 1710 Rural sells tobacco products and packaged goods, which it has done for many years. That location has been able to maintain some control over the clientele and seems to present itself as a decent business, catering to the convenience store trade already. We do not believe however that adding another outlet for tobacco will provide any benefit to the area. In the past, that location sold these products by the individual item (such as one cigarette) and sold other paraphernalia that did not seem to directly relate to tobacco sales.

The business model these owners should have adopted when they pursued this location was one that would not require additional approvals by the City, such as selling liquor or tobacco. The City has been wise to ensure that these marginal areas, of which Rural Oaks is one, do not fall into further decline by attracting non-residents and traffic that isn't conducive to the well-being of the permanent residents.

It is our request and hope that once this request comes before the Advisory Board it will be denied. We are long-time residents and hope to continue to reside here for many more years. We have spoken with our neighbors and they are also in agreement that this location should not be allowed this permission to sell tobacco.

Sincerely,

Mr. Rusty DuFoe  
Mr. Gary Gordon  
2007 Guilford Road  
Rockford, IL 61107  
[rdufoe@netscape.net](mailto:rdufoe@netscape.net)  
815-222-0789




**FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"