



PLANNING & ZONING REPORT

Liquor and Tobacco Advisory Board Meeting of October 20, 2020

Laid over from June, July, August and September

File #020-LTAB-071

APPLICANT: Dimitrios Kalaitzakis / Zipcode, Inc. d/b/a Pink Pony Pizza and Pub

LOCATION: 4419 Charles Street

REQUESTED ACTION: The sale of liquor by the drink in conjunction with a restaurant, tavern and video gaming in a C-2, Limited Commercial Zoning District.

EXISTING USE: Vacant commercial building

PROPOSED USE: Restaurant, tavern and video gaming

DIMENSIONS: See attached Exhibit D

ADJACENT ZONING AND LAND USES:

NORTH:	C-3;	Expert Electronics
EAST:	C-3;	The Hot Rod Shop, Papa John's Pizza
SOUTH:	R-1;	Single family residences
WEST:	C-2;	Tiffany Court commercial center

YEAR 2020 PLAN: C Retail

HISTORY: **File #019-LTAB-022:** The sale of liquor by the drink and the sale of packaged liquor in conjunction with a tavern with video gaming in a C-2, Limited Commercial Zoning District was withdrawn on November 19, 2019 for the property located at 4419 Charles Street. This is the subject property.

File #019-LTAB-019: The sale of liquor by the drink in conjunction with a restaurant, bar and video gaming in a C-2, Limited Commercial Zoning District was approved on October 7, 2019 for the property located at 3905 Broadway. This is west of the subject property.

File #014-LTAB-004: The sale of beer and wine in conjunction with a restaurant in a C-2, Limited Commercial Zoning District was approved on April 16, 2014 for the property located at 3840 Broadway. This is northwest of the subject property.

File #012-LAB-029: The sale of liquor by the drink in conjunction with bar and grill (tavern and restaurant) and the sale of liquor by the drink in conjunction with an outdoor seating area in a C-2, Limited Commercial Zoning District was denied on November 19, 2012 for the property located at 3835 Broadway. This is west of the subject property.

File#012-LAB-027: The sale of liquor by the drink in conjunction with a restaurant in a C-2, Limited Commercial Zoning District was approved on September 6, 2012 for the property located at 3929 Broadway. This is west of the subject property.

REVIEW COMMENTS: The Applicant is requesting the sale of liquor by the drink in conjunction with a restaurant, tavern and video gaming in a C-2, Limited Commercial Zoning District. Exhibit A shows that the subject property is located on the southeast corner of Remington and Broadway. The parcel is surrounded by commercial uses and residential uses (Exhibits B & C).

The Applicant, Dimitrios Kalaitzakis of Zipcode, Inc., is requesting the sale of liquor by the drink in conjunction with a restaurant, tavern and video gaming with the intention of establishing a new restaurant and, as such, must go before the board for review. The current site is a vacant commercial space that many years ago was the home of the Pink Pony restaurant. The new restaurant would be required to comply with current building and fire codes and would, therefore, require architectural plans to be provided by a design professional. The Applicant also owns Bigfoot Lounge, which is located approximately 200 feet southeast of the subject property.

As part of the review, it is required by the Applicant to submit a completed liquor license application along with a business plan. Additional items are presented for the use approval regarding the site and intended business.

Exhibit D is the site plan of the subject property. The property currently has no frontage landscaping along Broadway or Remington with the exception of a small patch of grass at Broadway and Charles Street. The site lacks sidewalks along Remington as well. The existing building would be remodeled and the parking lot on the south side of the alley behind the building would be reconstructed to add landscaping and sidewalks. Thirty-two (32) parking spaces would be provided in this location. However, it appears the landscaping would be in the right-of-way and not on the property. The site plan would have to be revised to indicate landscaping on the subject property and not within the right-of-way. This would result in the loss of approximately four (4) to six (6) parking spaces. The portion of the site between the alley and Broadway adjacent to the building is also proposed for sidewalks and landscaping. Due to difficult grades issues in this location, the Public Works Staff would work with the Applicant on a plan so sidewalks could be provided.

Additional parking is also shown on Exhibit D within the old Charles Street right-of-way. The Applicant indicates there are sixteen (16) parking spaces in this area. However, those spaces are shared with the adjacent business and are not exclusive to the Applicant. Staff would like to note that there is a lack of handicap accessible (ADA) spaces on this site. ADA spaces must be provided per State and Federal law. These spaces should be located as close to the nearest entrance as possible.

Exhibit E is the proposed interior floor plan for the restaurant and tavern. The seating area will consist of fourteen (14) seats at the bar, eight (8) tables with seating for four (4) persons and six (6) tables with seating for two (2) persons for a total of fifty-eight (58) persons. The gaming area is shown toward the rear of the space behind the bar area and across from the bathrooms. The kitchen area will be located behind the bar and gaming area. Elevations of the building were not provided with this application.

Exhibit F is the business plan and security plan. The business plan indicates the Applicant would like to open this former restaurant building as the Pink Pony Pizza & Pub as a tavern/restaurant with full liquor service and video

gaming. The Applicant proposes to offer a full restaurant menu including pizza, sandwiches, other entrées and breakfast. A menu was not provided. The anticipated ratio of sales would be 50% food, 25% liquor and 25% gaming. There would be no live entertainment, no DJs or dance floor and the only music would be via jukebox. The hours of operation would be 9:00 am to 2:00 am Sunday through Thursday and 7:00 am to 2:00 am Friday and Saturday. Food service hours would be 11:00 am to 9:00 pm.

The security plan indicates that one security person would be employed per each 8-hour shift and that all security personnel will be Basset certified and trained in how to maintain order in the event of unruly patrons. Security personnel will call the police in the event they cannot maintain order. Security personnel will be responsible for controlling and addressing disorderly conduct in and around the exterior of the premises. They will also escort patrons to their cars after 9:00 pm if they deem it appropriate. Additionally, a dress code will be enforced so there are no backward hats, baggy pants, visible outside chains, no bare torsos for men and no immodest dress for women.

Although the vacant commercial site had no calls for service, the Applicant's other nearby business, Bigfoot Lounge, had forty-four (44) calls for service for the last two years (Exhibit G). The majority of the calls were for disorderly conduct and check for well-being.

Exhibit H is a map identifying businesses with a liquor license. The yellow dots identify the sale of beer and wine by the drink. The green dot is for a full liquor license for the sale of liquor by the drink. The red dot is for packaged liquor sales. The yellow star is the subject property.

Staff has concerns with the lack of a detailed business plan, landscaping, parking and no proposed menu for this business. The Applicant states they will offer breakfast, but food sales will not start until 11:00 am despite opening early in the morning. Food service will also end at 9:00 p.m., when the proposed closing time is 2:00 a.m. Furthermore, Staff is concerned with the saturation of liquor license establishments in this area. An additional liquor establishment with video gaming may have a detrimental impact on the neighborhood.

RECOMMENDATION: Staff recommends **Denial** of the sale of liquor by the drink in conjunction with a restaurant, tavern and video gaming in a C-2, Limited Commercial Zoning District.

SC: BM 06/08/2020

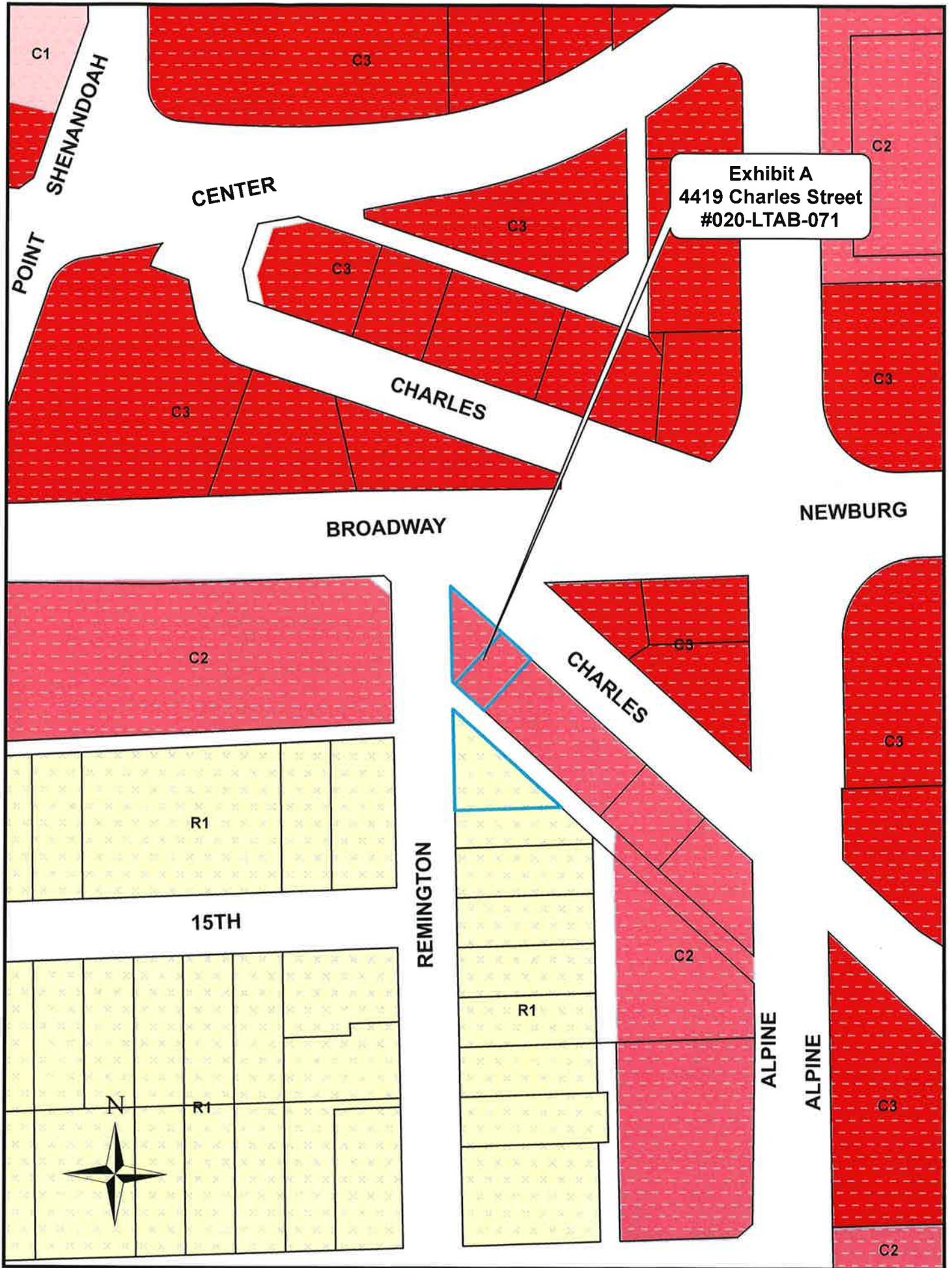


Exhibit A
4419 Charles Street
#020-LTAB-071



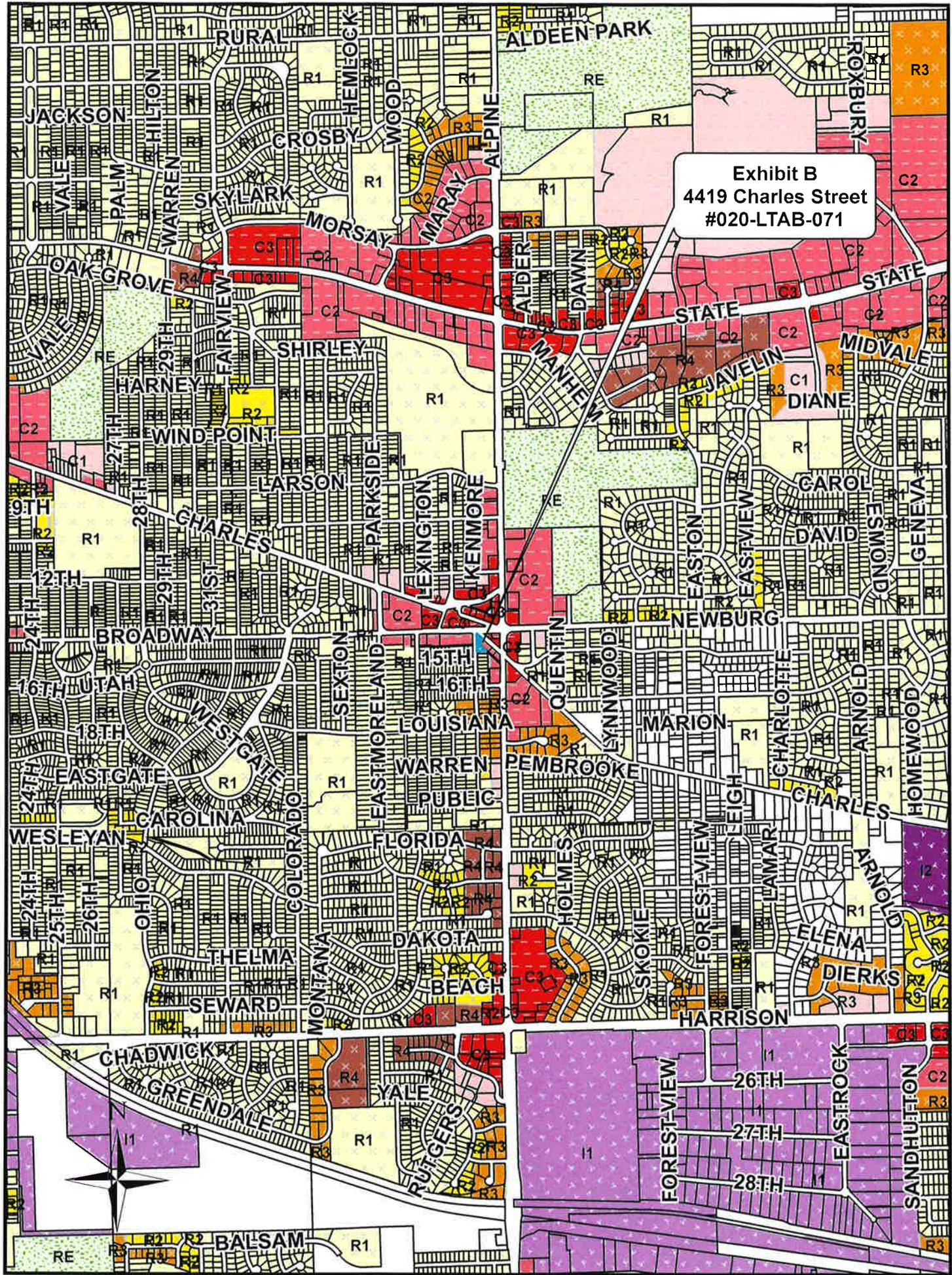


Exhibit B
4419 Charles Street
#020-LTAB-071



Exhibit C
4419 Charles Street
#020-LTAB-071

JOSEPH W. ANDERSON
ARCHITECT



4630 Created Buile Tr.
Rockford, IL 61114
P. 815-971-9612
WWW.JWAARCHITECT.COM

DATE: 01/11/10

PROJECT: BUILDING FACADE RENOVATION

PINK PONY

ARCHITECT: JOSEPH W. ANDERSON ARCHITECT

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	01/11/10
2	ISSUED FOR PERMITS	01/11/10
3	ISSUED FOR PERMITS	01/11/10
4	ISSUED FOR PERMITS	01/11/10
5	ISSUED FOR PERMITS	01/11/10
6	ISSUED FOR PERMITS	01/11/10
7	ISSUED FOR PERMITS	01/11/10
8	ISSUED FOR PERMITS	01/11/10
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11	ISSUED FOR PERMITS	01/11/10
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14	ISSUED FOR PERMITS	01/11/10
15	ISSUED FOR PERMITS	01/11/10
16	ISSUED FOR PERMITS	01/11/10
17	ISSUED FOR PERMITS	01/11/10
18	ISSUED FOR PERMITS	01/11/10
19	ISSUED FOR PERMITS	01/11/10
20	ISSUED FOR PERMITS	01/11/10

DATE PLOTTED: 01/11/10 10:41 AM
DRAWN BY: JWA
CHECKED BY: JWA
PROJECT NO.: 19-0021
SHEET NO.: 19-0021-01
SHEET TOTAL: 19-0021-01

PROJECT: BUILDING FACADE RENOVATION
SHEET NO.: 19-0021-01
SHEET TOTAL: 19-0021-01

AC100

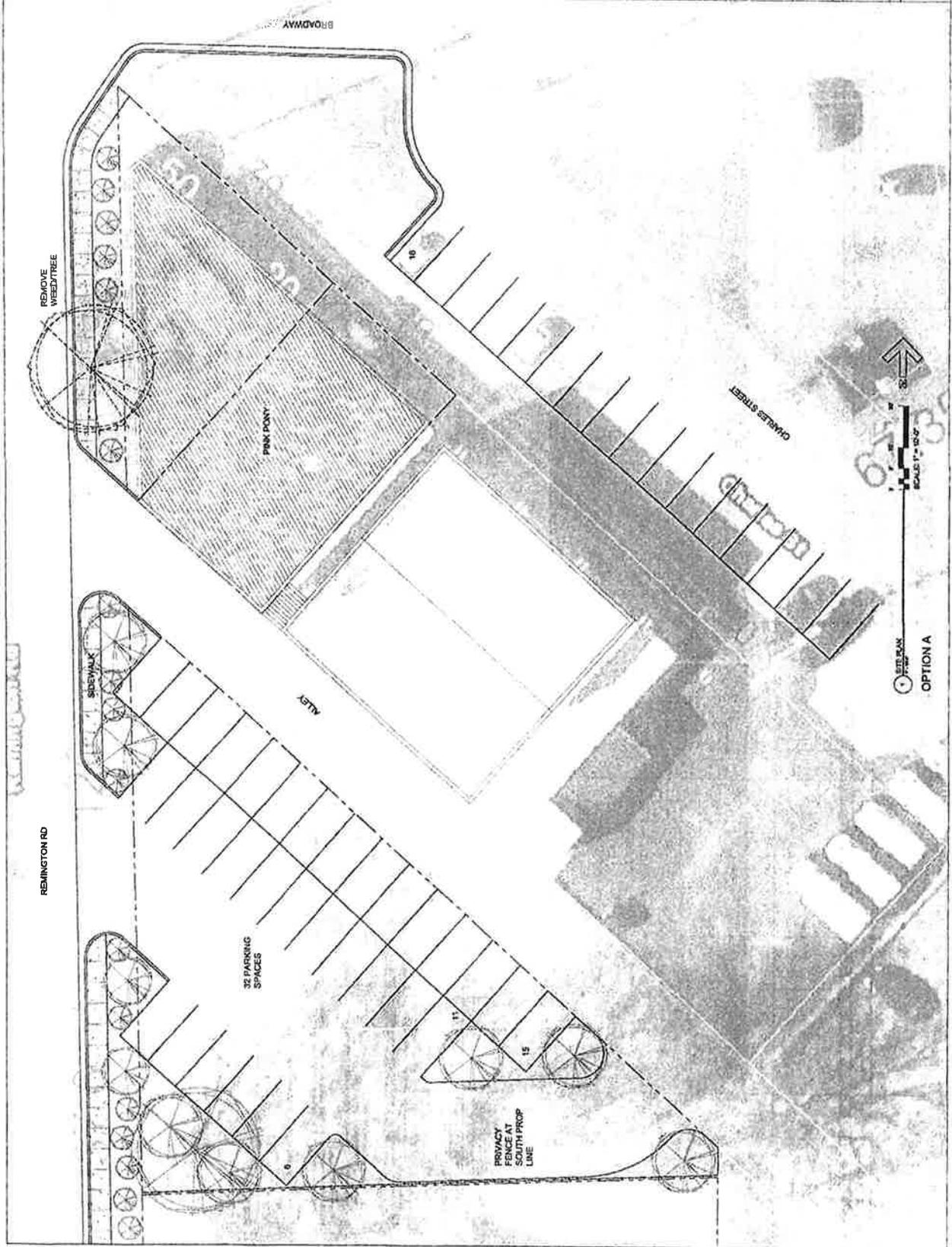
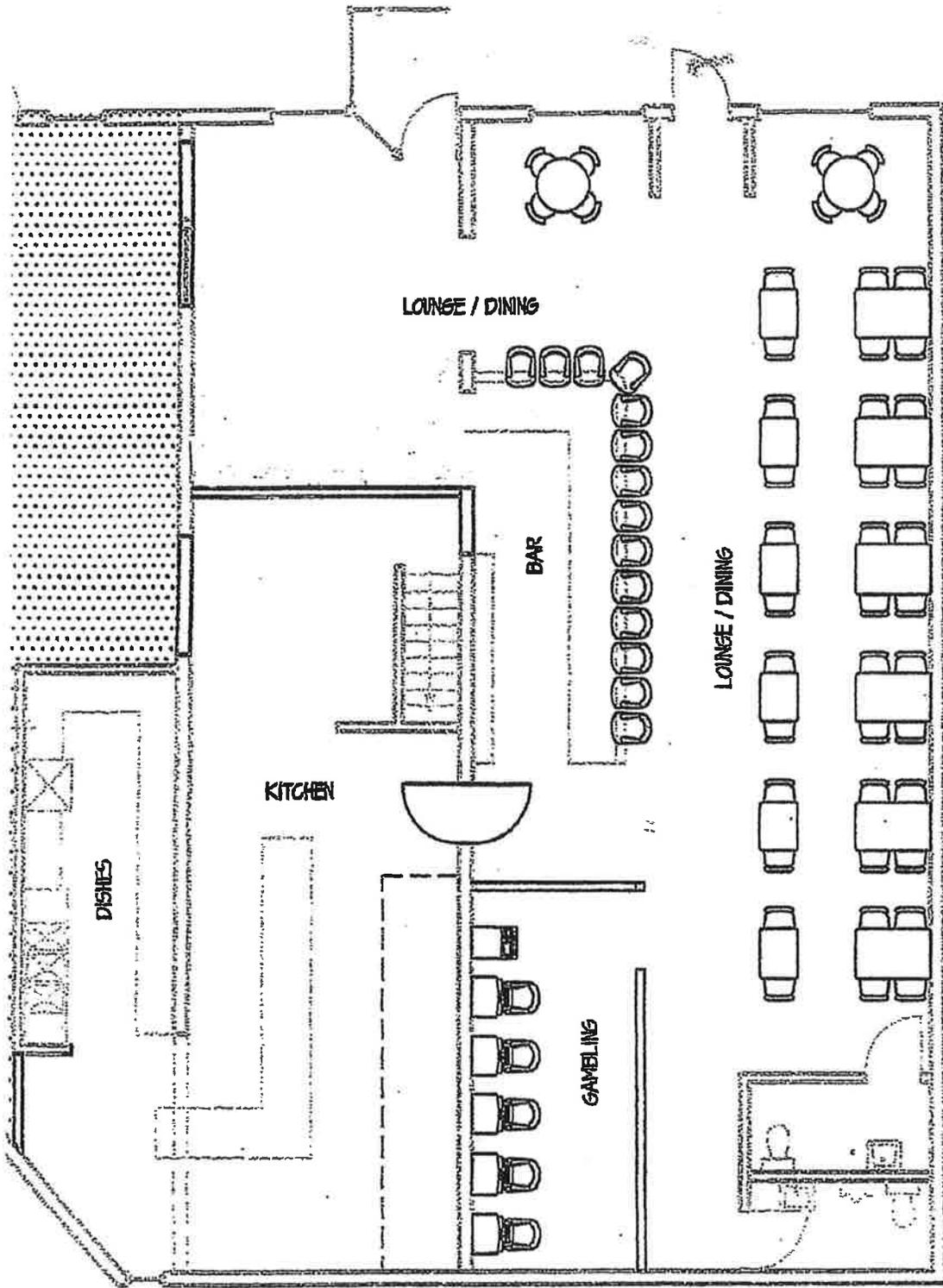


Exhibit D
4419 Charles Street
#020-LTAB-071



1

PROPOSED BUILDING PLAN

SCALE 1/8" = 1'-0"

1ST

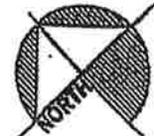


Exhibit E
4419 Charles Street
#020-LTAB-071

DATE
04-17-2014

PROJECT No.
919

SHEET No.
Z1

DWG FILE: Z1

4201 CHARLES STREET
ROCKFORD, ILLINOIS

LIQUOR LICENSE APPLICATION ATTACHMENT FOR
"PINK PONY"

BELLES FIRM OF
Architecture
2990 N. Perryville Road, Suite #2300, Rockford, IL 61107
(815)-961-0504 BellesFirm@yahoo.com
License No. 184-001868

BUSINESS PLAN & SECURITY PLAN
FOR
ZIPCODE, INC. d/b/a PINK PONY PIZZA & PUB

Nature of Business: Applicant proposes to reopen the Pink Pony Pizza & Pub as a tavern/restaurant with full liquor service and video gaming.

Days and Hours of Operation:

Liquor Service Hours:

- A. Sunday – Thursday: 9:00 AM – 2:00 AM
- B. Friday-Saturday: 7:00 AM – 2:00 AM

Food Service Hours: 11:00 AM – 9:00 PM

Proposed Menu: Applicant proposes to offer full restaurant menu including pizza and sandwiches, other entrees and breakfast. A complete menu is being formulated and will be provided when completed.

Proposed Entertainment: Applicant intends on applying for a Video Gaming License. The location of the video gaming terminals is set forth on the interior site plan attached hereto. There would be no D.J.'s; no dance floor; the only music would be coming from juke box music services.

Target Audience: Patrons over 30 years of age.

Anticipated Ratio of Food vs. Liquor vs. Gaming Revenue: Applicant anticipates that food sales will be 50% of total revenue; liquor sales will be 25% of total revenue; and the net operating income from gaming would be 25% of total revenue.

Security Plan: The number of security personnel to be employed: 1 person per 8-hour shift.

Proposed Qualifications of Security Personnel:

1. Security personnel will be BASSET certified and specifically trained in how to maintain order in the event of unruly patrons.
2. Security personnel will be specifically advised to call the police in the event they cannot maintain order themselves.
3. Security staff will be responsible for controlling and addressing disorderly conduct in and around the exterior of the Applicant's premises, including escorting quests to their cars after 9:00 PM if Applicant and Applicant's staff deems that to be appropriate.

Dress Code: Dress code will be no hats on backwards, no baggy pants, no visible outside chains, no bare torsos for men and no inappropriately immodest dress for women.

Exhibit F
4419 Charles Street
#020-LTAB-071

Please note that calls are subject to change as Calls for Service are submitted. Offenses represent the initial call: not the verified offense.

City of Rockford Police Department Calls for Service For 6/7/2018 to 6/7/2020



CFS Number	CFSDate	Time	Reported Offense (Non-Verified)	Location
18-069919	06/10/2018	1:22	2890 Disorderly Conduct	1609 S ALPINE
18-079349	06/30/2018	1:57	2890 Disorderly Conduct	1609 S ALPINE
18-089685	07/21/2018	1:35	2445 Hit and Run	1609 S ALPINE
18-090800	07/23/2018	15:45	7255 Citizen requests standby	1609 S ALPINE
18-094873	08/01/2018	2:25	2890 Disorderly Conduct	1609 S ALPINE
18-095062	08/01/2018	15:02	7160 Service to other agency- Other agency	1609 S ALPINE
18-105551	08/23/2018	15:52	7977 Central Reporting Unit - DPR	1609 S ALPINE RD
18-107594	08/28/2018	0:07	7720 Traffic stop	1609 S ALPINE
18-123773	09/30/2018	22:43	7350 Domestic Trouble (911 CAD Code)	1609 S ALPINE
18-126607	10/07/2018	1:26	7980 911 Information	1609 S ALPINE
18-134151	10/25/2018	8:43	7314 Alarm (burglary/robbery)	1609 S ALPINE RD
18-134855	10/26/2018	19:25	7817 Dept Service- Assist ambulance	1609 S ALPINE RD
18-137912	11/03/2018	0:46	031A Armed Robbery - Handgun	1609 S ALPINE
18-141855	11/12/2018	21:48	7252 Check for well-being	1609 S ALPINE
18-142300	11/13/2018	21:55	7252 Check for well-being	1609 S ALPINE
18-143572	11/16/2018	21:56	2410 Driving Under Influence Liquor	1609 S ALPINE
19-013416	02/03/2019	19:58	2890 Disorderly Conduct	1609 S ALPINE
19-013490	02/04/2019	0:30	7362 Customer/management dispute	1609 S ALPINE RD
19-014813	02/07/2019	13:21	7829 Preliminary follow-up patrol	1609 S ALPINE
19-014855	02/07/2019	15:04	7829 Preliminary follow-up patrol	1609 S ALPINE
19-015048	02/08/2019	0:07	7160 Service to other agency- Other agency	1609 S ALPINE
19-017490	02/13/2019	19:15	2890 Disorderly Conduct	1609 S ALPINE
19-020524	02/21/2019	1:13	0820 Theft (less than \$300- Unauthorized Control)	1609 S ALPINE
19-024722	03/03/2019	3:49	0420 Aggravated Battery - Knife/Cutting Instrument	1609 S ALPINE
19-027671	03/10/2019	21:35	2890 Disorderly Conduct	1609 S ALPINE
19-029380	03/15/2019	0:21	7829 Preliminary follow-up patrol	1609 S ALPINE
19-040939	04/12/2019	2:31	0460 Battery (Simple)	1609 S ALPINE
19-041381	04/13/2019	4:21	7252 Check for well-being	1609 S ALPINE
19-041722	04/13/2019	23:34	7871 Investigation (Non-Specific)	1609 S ALPINE RD

Exhibit G
4419 Charles Street
#020-LTAB-071

CFS Number	CFSDate	Time	Reported Offense (Non-Verified)	Location
19-043004	04/17/2019	1:27	031A Armed Robbery - Handgun	1609 S ALPINE
19-044186	04/19/2019	23:22	0460 Battery (Simple)	1609 S ALPINE
19-048633	04/29/2019	23:07	7813 Warrant Service - Other Agency (List Type in Note Field)	1609 S ALPINE
19-063716	06/03/2019	1:26	7817 Dept Service- Assist ambulance	1609 S ALPINE RD
19-076894	07/01/2019	9:40	7704 Traffic- Hazard or obstruction	1609 S ALPINE RD
19-080019	07/07/2019	12:40	7871 Investigation (Non-Specific)	1609 S ALPINE RD
19-093440	08/05/2019	13:07	7977 Central Reporting Unit - DPR	1609 S ALPINE RD
19-099022	08/17/2019	15:59	7977 Central Reporting Unit - DPR	1609 S ALPINE RD
19-101610	08/23/2019	16:18	1880 All of cannabis offenses	1609 S ALPINE RD
19-106276	09/03/2019	10:15	7977 Central Reporting Unit - DPR	1609 S ALPINE RD
19-117621	09/28/2019	23:58	2410 Driving Under Influence Liquor	1609 S ALPINE RD
19-143496	12/02/2019	4:01	7252 Check for well-being	1609 S ALPINE RD
19-144729	12/04/2019	22:11	7252 Check for well-being	1609 S ALPINE RD
20-012670	02/02/2020	22:39	2410 Driving Under Influence Liquor	1609 S ALPINE RD
20-019164	02/20/2020	2:16	7252 Check for well-being	1609 S ALPINE RD

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Please note that the Call for Service is specified for a property. Location is not specific to any person, place, or event. Call for service location is tied to the location to where the call was received.

Data obtained from NetRMS.
Produced: 6/8/2020 11:25:34AM

Exhibit G
4419 Charles Street
#020-LTAB-071

4419 Charles Street-Pink Pony Pizza and Pub

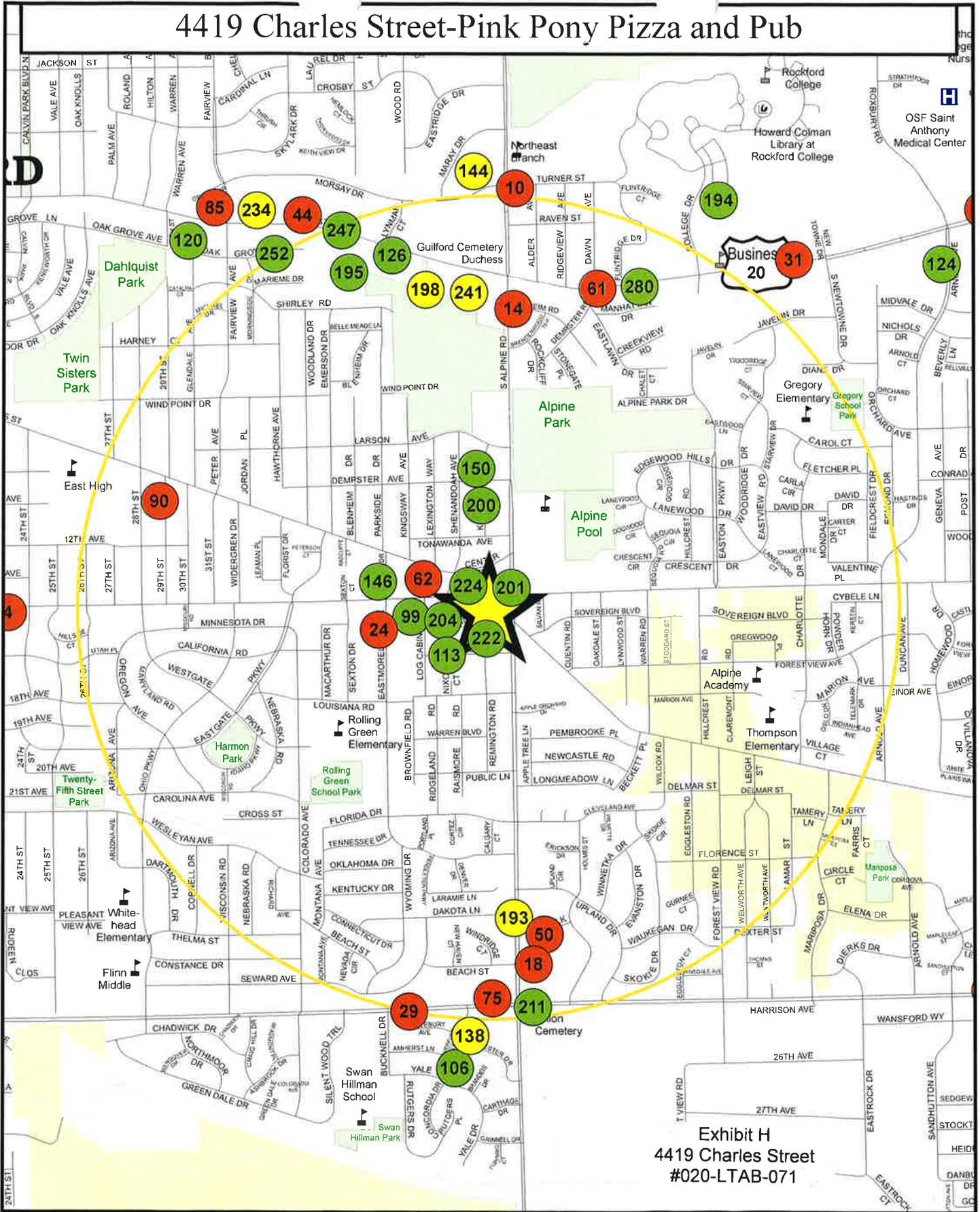


Exhibit H
4419 Charles Street
#020-LTAB-071

- Key**
- College/University
 - School (K-12)
 - City/Village Hall
 - Parks
 - Forest Preserves
 - Sale by the Drink (Beer and Wine)
 - Sale by the Drink (Full Liquor)
 - Package Liquor Sales

CITY OF ROCKFORD, ILLINOIS

LIQUOR LICENSE LOCATIONS 3/2/2020

2020

