

LIQUOR ADVISORY BOARD
Tuesday, April 17, 2012
6:00 P.M. – City Council Chambers
Rockford City Hall, 425 East State Street

Present:

LAB Members: Aaron Magdziarz
Dennis Olson
Dan Roszkowski
Julio Salgado – arrived at 6:05
Craig Sockwell

Absent: Scott Sanders

Staff: Jennifer Cacciapaglia – City Attorney
Todd Cagnoni, Deputy Director - Construction Services Division
Mark Marinaro, Fire Department
Marcy Leach – Public Works
Sandra Hawthorne - Administrative Assistant

Others: Alderman Frank Beach
Kathy Berg, Stenographer
Applicants and Interested Parties

Sandra Hawthorne 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 are to 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 and address to the Liquor 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 30, 2012, at 4:45 PM in Conference Room A of 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. The City's web site for minutes of this meeting are listed on the agenda as well.

The meeting was called to order at 6:01 PM. A **MOTION** was made by Aaron Magdziarz to **APPROVE** the minutes of the March meeting as submitted. The Motion was **SECONDED** by Dennis Olsen and **CARRIED** by a vote of 6-0 with Scott Sanders absent.

12-LAB-006

Applicant
Ward 09

3005 North Rockton Avenue

Kamil KM Chatur d/b/a Rockford Racer
Sale of liquor by the package in conjunction with a gas station and mini-food mart in a C-2, Limited Commercial Zoning District

It was discussed in advance with the applicant that a layover the request was required.

A MOTION was made by Aaron Magdziarz to LAY OVER the sale of liquor by the package in conjunction with a gas station and mini-food mart in the name of Kamil KM Chatur d/b/a Rockford Racer in a C-2, Limited Commercial Zoning District at 3005 North Rockton Avenue. The Motion was SECONDED by Dennis Olsen and CARRIED by a vote of 6-0 with Scott Sanders absent.

012-LAB-007

Applicant
Ward 12

908 West Riverside

Sali Limani - Boomers Sports Bar and Grill
The sale of liquor by the drink in conjunction with a Sports Bar and Grill and an outdoor seating area/beer garden in a C-2, Limited Commercial District.

The subject property is located within the North Towne Shopping Center and is currently a vacant tenant space. The Applicant is a new owner and wishes to secure a liquor license as well as to establish and outdoor seating area approximately 12' x 31'. Petrit Dalip and Sali Limani were present. Mr. Dalip runs Swedish Pancake House and feels the west side offers opportunities and that this type of establishment is needed. Mr. Dalip stated he loves the West side and they are committed to the community. Mr. Limani stated he also has 20 years experience in the restaurant business.

Legal had no questions of the Applicant.

Staff Recommendation is for Approval with 8 conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Alicia Neubauer to APPROVE the sale of liquor by the drink in conjunction with a Sports Bar and Grill and an outdoor seating area/beer garden in the name of Sali Limani d/b/a Boomers Sports Bar and Grill in a C-2, Limited Commercial Zoning District at 908 West Riverside. The Motion was **SECONDED** by Aaron Magdziarz and **CARRIED** by a vote of 6-0 with Scott Sander absent.

Approval is subject to the following conditions:

1. Meeting all applicable liquor codes.
2. Meeting all applicable building and fire codes.
3. That there shall be no cover charge to enter other than pay per view events.
4. Hours are limited to Sunday through Saturday 11:00 A.M. to 2:00 A.M.
5. That the premises have (1) security staff for every (50) customers.
6. That the outdoor seating area to close by 10:00 P.M. during the weekdays and midnight on weekends.
7. The plan for the outdoor seating area must be reviewed by Staff and must meet the required code prior to issuance of a building permit which will require modification of the design.

8. That the property not function as a night club with a dance floor/stage area over 150 square feet.

012-LAB-008

Applicant
Ward 10

1603 North Alpine Road

Neel Patel – Cork, Keg & Spirits
The sale of packaged liquor in conjunction with a liquor store in a C-2, Limited Commercial District.

The subject property is located on the NE corner of North Alpine Road and Highcrest, within the Edgebrook shopping center and is currently a vacant tenant space. Chirag Patel was present to review his application. The applicant stated he has a business on Broadway that is doing well and would now like to open an upscale liquor store at this new location. Mr. Patel clarified that this is the old Walgreen's tenant space within the Edgebrook Shopping Center.

Legal had no questions of the Applicant.

Staff Recommendation was for Approval with 4 conditions. Objectors and Interested Parties were present.

Mike Boehm, 1438 Country Farm Road representing Orput Companies the owner of the center spoke in support of the Applicant's venture. As the owner of the shopping center, they have investigated their previous locations and looked over their business plan. They have 3 tenants that do sell alcohol and have had no issues with any of these tenants. Mr. Boehm stated he feels Mr. Patel's business would be a great asset to this location.

A **MOTION** was made by Craig Sockwell to APPROVE the sale of packaged liquor in conjunction with a liquor store in the name of Neel Patel d/b/a Cork, Keg & Spirits in a C-2, Limited Commercial Zoning District at 1603 North Alpine Road. The Motion was **SECONDED** by Julio Salgado and **CARRIED** by a vote of 6-0 with Scott Sanders absent.

Approval is subject to the following conditions:

1. Meeting all applicable liquor codes.
2. Meeting all applicable building and fire codes.
3. Signage must be in compliance with the Zoning Ordinance and may not cover more than 35% of the window surface for indoor signs.
4. Hours of operation should be limited to Monday through Thursday 10:00 A.M. to 10:00 P.M.; Friday through Saturday 10:00 A.M. to midnight; and Sunday 10:00 A.M. to 9:00 P.M.

012-LAB-009

Applicant
Ward 5

519 Marchesano

Pedro Silva – Guanauyato, Supermercado
The sale of packaged liquor in conjunction with a grocery store and the sale of liquor by the drink in conjunction with a restaurant in a C-3, Commercial General District.

The applicant requested a layover.

A **MOTION** was made by Aaron Magdziarz to LAY OVER the sale of packaged liquor in conjunction with a grocery store and the sale of liquor by the drink in conjunction with a restaurant in the name of Pedro Silva d/b/a Guanajyato, Supermercado in a C-3, Commercial General Zoning District at 519 Marchesano. The Motion was **SECONDED** by Dennis Olsen and **CARRIED** by a vote of 6-0 with Scott Sanders absent.

012-LAB-010

Applicant
Ward 3

205 West State Street

Dionisios Trakas - Downtown Rockford Restaurant, LLC
The sale of liquor by the drink in conjunction with a restaurant and nightclub with a beer garden and outdoor seating area in a C-4, Urban Mixed-Use Zoning District.

The subject property is located 50 feet west of the Wyman Street and West State Street intersection. The previous use of the property was the Paragon. This property has had a restaurant and nightclub use in the past. Patricia Gibbs, First Rockford Group, Denny Trakas, Applicant, and Andy Roiniotis were present. Looking at operating a sports themed restaurant bar and nightclub. They have RBI on North Perryville as well as an establishment in Loves Park. She is asking that the requirement for security be added only as an "as needed" basis since they would not be operating as a nightclub full time. She stated their in-house security system operates very well. Mr. Cagoni stated Staff would be comfortable with this and asked that condition 7 be amended to eliminate "by a State of Illinois Licensed Security Firm".

Staff Recommendation is for Approval with 7 conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Aaron Magdziarz to APPROVE the sale of liquor by the drink in conjunction with a restaurant and nightclub with a beer garden and outdoor seating in the name of Dionisios Trakas d/b/a Downtown Rockford Restaurant LLC in a C-4, Urban Mixed-Use Zoning District at 205 West State Street with amended condition 7. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0 with Scott Sanders absent.

Approval is subject to the following conditions:

1. Meet all building and fire codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The interior layout of the business shall be consistent with the submitted interior floor plan Exhibit D.
4. Submittal of a detailed site plan for the outdoor seating area for Staff approval and permit.
5. That the facility shall include a full service restaurant.
6. The hours of operation shall be in accordance with the Liquor Code.
7. The business shall operate according to the submitted business and security plans including security being provided at a minimum of 1 per 60 patrons while operating as a nightclub.

012-LAB-011

Applicant
Ward 11

1138 Broadway

Rosa Laurencio - Tortacos Soto
The 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 north side of Broadway, 60 feet west of 8th Street. The Applicant wishes to operate Tortacos Soto restaurant with the sale of beer and wine by the drink. Rosa Laurencio and Jonathan Soto were present to review this item. Mr. Soto stated their customers have been asking for the sale of beer and wine by the drink with their meals. He stated they have been at 1138 Broadway for almost 4 years with no problems.

Legal had no questions of the applicant.

Staff Recommendation is for Approval with 7 conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Craig Sockwell to APPROVE the sale of beer and wine by the drink in conjunction with a restaurant in the name of Rosa Laurencio d/b/a Tortacos Soto in a C-4, Urban Mixed-

Use Zoning District at 1138 Broadway. The Motion was **SECONDED** by Aaron Magdziarz and **CARRIED** by a vote of 6-0 with Scott Sanders absent.

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 alcoholic beverages shall be in conjunction with a restaurant.
4. The sale of alcohol shall be limited to the interior of the restaurant that was submitted Exhibit E.
5. The hours and days of operation for the restaurant will be from 8:00 A.M. to 9:00 P.M. Monday through Sunday.
6. The amount of liquor sales as a percentage of gross annual sales of the business shall not exceed 25%.
7. The restaurant shall not operate as a nightclub.

012-LAB-012

505 and 507 East State Street

Applicant
Ward 3

Frank Calvanese - Deli Italia
The sale of liquor by the drink in conjunction with a restaurant and an outdoor seating area in a C-4, Urban Mixed-Use Zoning District.

The subject property is located 80 feet east of the North Second Street and East State Street intersection and is Deli Italia. Commercial uses surround the subject property. The Applicant proposes an outdoor eating area on the south side of the building, 792 square feet in size. Frank Calvanese, Applicant, reviewed his request. He stated they want to serve food and alcohol in an outdoor area behind the building. He has been in the downtown area for 35 years.

Legal had no questions of the Applicant.

Staff Recommendation is for Approval with 5 conditions. Objectors or Interested Parties were present.

A **MOTION** was made by Dennis Olson to APPROVE the sale of liquor by the drink in conjunction with a restaurant and an outdoor seating area in the name of Frank Calvanese d/b/a Deli Italia in a C-4, Urban Mixed-Use Zoning District. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0 Scott Sanders absent.

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 alcoholic beverages shall be in conjunction with a restaurant and outdoor seating area.
4. The hours of operation will need to be in accordance with the liquor code.
5. The outdoor seating area will need to be surrounded by a fence to be approved with a Fence Permit.

With no further business to come before the Board, the meeting was adjourned at 6:30 PM

Respectfully submitted,
Sandra A. Hawthorne, Administrative Assistant
Todd Cagnoni, Deputy Director
Liquor Advisory Board