



**LIQUOR & TOBACCO ADVISORY BOARD**  
**Tuesday, June 18, 2013**  
**6:00 P.M. – City Council Chambers**  
**Rockford City Hall, 425 East State Street**

**Minutes on Website:** <http://rockfordil.gov/community-economic-development/construction-development-services/land-use-zoning/zoning-board-of-appeals.aspx>

**Present:**

**LTAB Members:** Aaron Magdziarz  
Alicia Neubauer  
Dennis Olson  
Scott Sanders  
Craig Sockwell

**Absent:** Dan Roszkowski

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

**Others:** Alderman Joseph Chiarelli  
Kathy Berg, Stenographer  
Applicants and Interested Parties

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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 & 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, July 1, 2013, 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 6:00 PM. A **MOTION** was made by Dennis Olson to **APPROVE** the minutes of the May meeting as submitted. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 4-0 with Alicia Neubauer abstaining and Dan Roszkowski absent.

<b>013-LTAB-008</b>	<b><u>2338 Charles Street</u></b>
Applicant	Nabil A. Alkablory d/b/a S & N Convenience Store
Ward 02	Sale of tobacco in conjunction with a convenience store in a C-3, Commercial General Zoning District
	<b>Laid Over from April and May meetings</b>

A request was received to Lay Over this item to the July 16th meeting.

A **MOTION** was made by Aaron Magdziarz to **LAY OVER** the sale of tobacco in conjunction with a convenience store in the name of Nabil A. Alkablory d/b/a S & N Convenience Store in a C-3, Commercial General Zoning District at 2338 Charles Street. The Motion was **SECONDED** by Dennis Olson and **CARRIED** by a vote of 5-0.

<b>013-LTAB-016</b>	<b><u>1019 Broadway</u></b>
Applicant	Marta Cozzo d/b/a Sassy's Playground
Ward 11	Sale of liquor by the drink with a night club, country and western music, stage dancing and special events in a C-4, Urban Mixed Use Zoning District
	<b>Laid Over from May Meeting</b>

Suny Havenith and Attorney Calgaro were present but the Applicant was not. The Board stated they could not hear the application without the Applicant being present, as stated in the letter sent to all Applicants along with the Staff Report. This was confirmed by Attorney Cacciapaglia.

A **MOTION** was made by Aaron Magdziarz to **LAY OVER** the sale of liquor by the drink with a night club, country and western music, stage dancing and special events in the name of Marta Cozzo d/b/a Sassy's Playground in a C-4, Urban Mixed Use Zoning District at 1019 Broadway. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

**013-LTAB-018**

Applicant  
Ward 10

**298 North Mulford Road, 5836 and 5880 East State Street**

Cecelia Hough a/k/a Midge Hough d/b/a Jena's  
Sale of beer and wine by the drink with a restaurant and video gaming in a C-3,  
Commercial General Zoning District  
**Laid Over from May Meeting**

A request that this item be Laid Over to the July 16<sup>th</sup> meeting was received prior to the meeting.

A **MOTION** was made by Aaron Magdziarz to **LAY OVER** the sale of beer and wine by the drink with a restaurant and video gaming in the name of Cecelia Hough a/k/a Midge Hough d/b/a Jena's in a C-3, Commercial General Zoning District at 298 North Mulford Road, 5836 and 5880 East State. The Motion was **SECONDED** by Dennis Olson and **CARRIED** by a vote of 5-0.

**013-LTAB-020**

Applicant  
Ward 07

**43XX, 43XX 4307, 4311, 4315, 4317, 44XX and 4417 Auburn Street**

Ahmad Tawfiq Elwan d/b/a Petromax 101  
Sale of packaged liquor in conjunction with a gas station and convenience store  
in a C-3, Commercial General Zoning District  
**Laid Over from May Meeting**

The subject property is located on the northeast corner of the Auburn Street and North Johnston Avenue Intersection and is an existing gas station and convenience store. Attorney Thomas Meyer and Ahmad Tawfiq Elwan, Applicant, were present. Attorney Meyer stated the applicant has experience in liquor sales within a convenience store and has had a packaged liquor license before. The landscaping has been upgraded and the parking lot has been re-striped. The Applicant is acceptable to closing times as 6:00 AM to 12:00 Midnight.

Staff Recommendation is for Denial; however, Attorney Cacciapaglia they and Staff are prepared to recommend approval subject to conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Alicia Neubauer to **APPROVE** the sale of packaged liquor in conjunction with a gas station and convenience store in the name of Ahmad Tawfiq Elwan d/b/a Petromax 101 in a C-3, Commercial General Zoning District at 43XX, 43XX, 4307, 4311, 4315, 4317, 44XX and 4417 Auburn Street with conditions. The Motion was **SECONDED** by Aaron Magdziarz and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor codes.
3. Window display signage shall not exceed 35% of window area
4. The sale of rose tubes, airplane-sized bottles of liquor and any other product which can be easily converted into a "crack pipe" is prohibited.
5. Hours of operation are limited to 6:00 AM to 12:00 Midnight Sunday through Saturday.
6. Windows shall not be obstructed by bars or any other device that will block windows
7. The amount of alcohol sales shall not exceed 25% of gross sales of business.
8. There shall be no single sales of beer or malt liquor in volume of 40 ounces or less

**013-LTAB-022**

Applicant  
Ward 10

**318 North Alpine Road; 300-318 North Alpine Road, and 43XX Morsay Drive**

Daniel Fischer d/b/a Dottys  
Sale of beer and wine by the drink with a café, deli, and video gaming in a C-2,  
Limited Commercial Zoning District  
**Laid Over from May Meeting**

The Applicant was not present.

Staff Recommendation is for Denial.

A **MOTION** was made by Aaron Magdziarz to **LAY OVER** the sale of beer and wine by the drink with a café, deli, and video gaming in the name of Daniel Fischer d/b/a Dottys in a C-2, Limited Commercial Zoning District at 318 North Alpine Road; 300-318 North Alpine Road, and 43XX Morsay Drive. The Motion was **SECONDED** by Alicia Neubauer and **CARRIED** by a vote of 5-0.

**013-LTAB-023**

Applicant  
Ward 06

**3003 11<sup>th</sup> Street**

Samer Alzubi d/b/a Zubi Rockford Inc.  
Sale of tobacco products with a gas station in a C-3, Commercial General Zoning  
District  
**Laid Over from May Meeting**

The subject property is located on the southwest corner of Brooke Road and 11<sup>th</sup> Street. Samer Alzubi, Applicant, presented his application. Mr. Alzubi reviewed his request, stating the gas station is closed at this time and they will be rehabbing prior to opening.

Attorney Cacciapaglia had no questions of the Applicant.

Staff Recommendation is for Denial. Mr. Cagnoni stated Staff would be comfortable working with the Applicant to recommend Approval with condition, understanding they have submitted a revised plan. No Objectors or Interested Parties were present.

Mr. Sanders felt the bulk of the objection was the condition of the building. He felt the landscaping was sufficient.

A **MOTION** was made by Aaron Magdziarz to **APPROVE** the sale of tobacco products with a gas station in the name of Samer Alzubi d/b/a Zubi Rockford Inc. in a C-3, Commercial General Zoning District at 3003 11<sup>th</sup> Street subject to conditions. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. Compliance with all City of Rockford Tobacco Codes.
3. Window display signage is limited to 35% of window area.
4. The sale of rose tubes, airplane-sized bottles and any other product which can be easily converted into a "crack pipe" is prohibited.
5. Submittal of landscaping plan for Staff review and approval prior to issuance of tobacco license.
6. That the windows shall not be obstructed with bars or other devices that block the windows.

**013-LTAB-011**

Applicant  
Ward 12

**1090 West Riverside Boulevard**

Tyler Voorhees d/b/a Lucky Lee's

Sale of liquor by the drink in conjunction with a bar in a C-2, Limited Commercial Zoning District

**Referred back to LTAB by City Council**

The subject property is located on the southeast corner of Riverside Boulevard and North Main Street and is a vacant tenant space within the North Towne Mall. This item came before the LTAB in April, 2013, and was Denied. The Applicant requested City Council refer this item back to LTAB to allow him the ability to respond to Staff's report.

Tyler Voorhees, Applicant, reviewed his request. He stated he will not be a night club and will not have a dance floor. He will not have pool tables, bands or DJ's. His target audience is 40 years of age and up. He stated they will have some quiet music, Wi-Fi, and televisions to counter balance the noise of the machines. He anticipates a maximum number of 20 people, with 7-10% alcohol sales. Employees will have a panic button, security cameras, and one additional camera monitoring the games. There will be internal signs specifying dress and conduct code. The Kiosk will act as an ATM and will also make change so the terminal operator will not be carrying large amounts of money out of the building at night. Staff will not have access to either game or kiosk money. Mr. Voorhees stated he will have a "wait board" for patrons waiting for a game to avoid any conflicts on who is next in line for a machine. He also felt his establishment will provide more security for the mall just by their presence and could deter any crime in the mall. There is a double door controlled by a buzzer for customers entry. He is willing to hire private security if necessary. Mr. Voorhees explained the other liquor establishment in the mall is approximately 1/8<sup>th</sup> of a mile away at the opposite end, and they are more of a night club atmosphere. The landlord stated for now they have hired security on Friday and Saturday nights to monitor the parking lot. Mr. Voorhees stated he lives on the west side of town, has another business on the west side, and wants to locate a business on the west side. He stated he has a good track record for this type of business and the landlord felt he would be a good fit. He anticipates \$150 a day for drink sales, including non-alcoholic items. Mr. Voorhees stated he is agreeable to be subject to the same conditions as placed on other applications of this type of business.

Staff Recommendation remains at Denial. Objectors or Interested Parties were present.

Police Officer Cynthia Smith, 421 E. State Street, spoke representing the City. She stated they have been experiencing a lot of problems with the other liquor establishment in the North Towne Mall and the Applicant's tenant space is very close. She stated she is very reticent to putting another liquor license with one that is already objectionable.

In response Mr. Voorhees stated the City should perhaps look at removing the liquor license of the establishment that is causing the problems instead of his application, as he has not had any part of the present problems.

Aaron Magdziarz stated he did not like to see one business application being held up because of another business's actions. Mr. Olson stated his concern with the proximity of the other bar is that often patrons will wander from one facility to the other.

Attorney Cacciapaglia clarified that the current liquor license holder has been working with the City and they have done everything they can to rectify the situation. She stated it is not the business itself but rather the type of clientele that hang around this area. Attorney Cacciapaglia further stated that even with police on site there have been shots fired.

A **MOTION** was made by Craig Sockwell to **DENY** the sale of liquor by the drink in conjunction with a bar in the name of Tyler Voorhees d/b/a Lucky Lee's in a C-2, Limited Commercial Zoning District at 1090 West Riverside Boulevard. The Motion was **SECONDED** by Dennis Olson and **CARRIED** by a vote of 4-1 with Aaron Magdziarz voting Nay.

**013-LTAB-026**

Applicant  
Ward 01

**7521, 7531, 6541 and 7551 Walton Street & 172 S. Bell School Road**

John Hassett d/b/a Flamingo Slots  
The sale of liquor by the drink in conjunction with video gaming in a C-3,  
Commercial General Zoning District

The subject property is located within a strip center with Road Ranger Gas Station on the southeast corner of East State Street and South Bell School Road. John Hassett, Applicant, reviewed his request. He stated he has been a resident of Rockford for 30 years. Mr. Hassett stated he worked for a gaming industry on the distribution side for 2 ½ years and now wishes to get into the operation end. He holds a Illinois Terminal Handler License issued by the Illinois Gaming Board and has been vetted twice by the FBI and the Illinois State Police to obtain that license. This location is the part of town he grew up in and knows very well. The landlord is Road Ranger also participates in Illinois throughout the state at their truck stops and are very comfortable with it. He further stated the Rockford 2020 Plan designate this area for entertainment, recreation and touring. He stated his concern with Staff report of denial based on the number of liquor licenses in the area. He did a survey of the area from Buckley Street to I-90 and Walton Street to two blocks south of the Holiday Inn and found 12 license issued – 4 for hotels, very low volume and 7 for restaurants. All low volume and the majority of income for food sales. Only found one lounge, which was the Tiger Tail Lounge. Alcohol sales is not a high volume in his business and he anticipates 5-10% sales. The focus is not now, and never will be on alcohol. There will be no signage in the windows, nor inside signage.

Attorney Cacciapaglia had no questions.

Staff Recommendation is for Denial. Objectors or Interested Parties were present.

Guy DeSerio, 7475 E. State Street, Chief Operating Executive for Machine Shed Restaurant was present as an Objector. He stated he is also representing the owner of Thunder Bay Restaurant. He stated he does not feel this is a family natured business. In response, Mr. Hassett stated all of the teams who come into Rockford for sports stay at hotels in the area. His establishment will provide entertainment within walking distance for the adults from all the hotels in proximity to his location.

Mr. Sanders stated this area tries to focus on hospitality and recreation and if another restaurant were to come in within the vicinity would we hesitate to issue a liquor license. Mr. Olson stated he did not see "soccer moms and dads" going to gambling establishments.

Attorney Cacciapaglia stated if the Board wished to approve the normal conditions of other applications would apply.

A **MOTION** was made by Aaron Magdziarz to **APPROVE** the sale of liquor by the drink in conjunction with video gaming in the name of John Hassett d/b/a Flamingo Slots in a C-3, Commercial General Zoning District at 7521, 7531, 6541 and 7551 Walton Street and 172 S. Bell School Road. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. That the business operates in conformance with the liquor codes.
3. The hours of operation are allowed as established under the liquor code.
4. That there be no exterior window signage.
5. That there shall be no cover charge or dance floor and shall not operate as a night club.
6. The gross overall sales of liquor shall be limited to what is represented in the business plan submitted - Exhibit F.

**013-LTAB-027**

Applicant  
Ward 07

**3216 Auburn Street**

Joshua Marinelli d/b/a The IT Drive In Liquor Store  
The sale of package liquor in conjunction with a liquor store in a C-2, Limited Commercial Zoning District

The subject property is located on the south side of Auburn Street and currently is operating within a shopping center with two other businesses – Happy Wok and General Dollar. Joshua Marinelli, Applicant, reviewed his request for the sale of package liquor. He stated he has been a driver and delivery person for beer for over 18 years and would like to operate his own business. He does not have any retail sales experience. Ms. Neubauer asked about the name of the business and Mr. Marinelli responded that this has been the name of the business for years so he really did not know where it originated.

Attorney Cacciapaglia stated if Staff has an opportunity to work with the Applicant, they may reverse their decision of Denial. She suggested a Lay Over may allow the necessary time for Staff and Mr. Marinelli to discuss options. Mr. Cagnoni felt there may be an opportunity to work with the Landlord regarding landscaping.

Staff Recommendation is for Denial. Interested Parties were present

Paul Kanel, 3500 Spring Creek Road, was present in Support of the Applicant. He has been the current owner of this liquor store for 38 years and is looking forward to retiring. Mr. Marinelli has had experience working for him occasionally when he is on vacation. Mr. Kanel stated he would be on site for two or three months to help with the transition to Mr. Marinelli.

A **MOTION** was made by Dennis Olson to **LAY OVER** the sale of package liquor in conjunction with a liquor store in the name of Joshua Marinelli d/b/a The IT Drive In Liquor Store in a C-2, Limited Commercial Zoning District at 3216 Auburn Street. The Motion was **SECONDED** by Alicia Neubauer and **CARRIED** by a vote of 5-0.

**013-LTAB-028**

Applicant  
Ward 11

**1804 18<sup>th</sup> Avenue**

Konrad Kallenbach d/b/a Rusty Nail  
(A) The sale of liquor by the drink with a bar and grill; (B) the sale of package liquor with a bar and grill; and (C) the sale of liquor by the drink with an outdoor beer garden in an I-1, Light Industrial Zoning District

The subject property is located on the northeast corner of 13<sup>th</sup> Street and 18<sup>th</sup> Avenue and is currently a bar and grill. Konrad Kallenbach, Applicant, Attorney Mario Tarara, and Carl Rossi, owner of the building was present. Attorney Tarara reviewed the Applicant's request. The business is currently operating as a bar and grill and will continue to operate with the same hours. The dumpster enclosure will be corrected

prior to Mr. Kallenbach's operation. In 1999 Mr. Rossi applied as the owner for an outdoor beer garden and that was approved. They wish to keep the existing signage with no changes.

Attorney Cacciapaglia asked the Applicant if addressing signage and landscaping results in a recommendation of Approval, would they be willing to do so? Mr. Kallenbach stated if they have to they will, but they have tried flowers in the past and they just get ripped out. Mr. Rossi also stated this. Attorney asked if they would comply with signage and Mr. Kallenbach stated if they will if they have to.

Attorney Cacciapaglia explained in order to be consistent with the decision on the previous application, she would request a Lay Over.

Staff Recommendation is for Denial of all three applications. No Objectors or Interested Parties were present. Staff is willing to meet with the Applicant to bring the property to requirements.

A **MOTION** was made by Aaron Magdziarz to **LAY OVER** the (A) The sale of liquor by the drink with a bar and grill; to **LAY OVER** the (B) the sale of package liquor with a bar and grill; and to **LAY OVER** (C) the sale of liquor by the drink with an outdoor beer garden in the name of Konrad Kallenbach d/b/a Rusty Nail in an I-1, Light Industrial Zoning District at 1804 18<sup>th</sup> Avenue. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

**013-LTAB-029**

Applicant  
Ward 10

**1641 N. Alpine Rd, Suite 212; 1605 N. Alpine Rd. & 1639 N. Alpine Rd.**

Joshua Binning d/b/a Lucha Cantina

The sale of liquor by the drink with a casual dining restaurant and bar; and the sale of liquor by the drink with an outdoor seating area in a C-3, Commercial General Zoning District

The subject property is located within the Edgebrook Shopping Center and is currently a vacant tenant space with a 42 space shopping center. Joshua Binning, Applicant, reviewed his request. He stated he has been the General Manager of Old Chicago for 13 years. He feels the area of town he is applying for is very underserved. Mr. Binning further stated he lives on this side of town and would like to bring a restaurant and bar to his area.

Attorney Cacciapaglia had no questions of the Applicant.

Staff Recommendation is for Approval with (5) conditions. No Objectors or Interested Parties were present. Mr. Binning was not aware of the conditions of approval – Staff reviewed them and Mr. Binning stated he was agreeable to all conditions.

A **MOTION** was made by Craig Sockwell to **APPROVE** the sale of liquor by the drink with a casual dining restaurant and bar, and the sale of liquor by the drink with an outdoor seating area in the name of Joshua Binning d/b/a Lucha Cantina in a C-3 Commercial General Zoning District at 1642 N. Alpine Road, Suite 212; 1605 N. Alpine Road and 1639 North Alpine Road in a C-3, Commercial General Zoning District. The Motion was **SECONDED** by Aaron Magdziarz and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Must meet all applicable building codes and fire codes.
2. Hours of operation are limited as provided on the submitted Business Plan Exhibit F, Monday through Sunday 11:00 A.M. to 2:00 A.M.
3. A cover charge, DJ or dance floor shall not be allowed.
4. That the business shall operate in conformance with the liquor code.
5. That the sale of liquor is in conjunction with a full service restaurant as defined within the liquor code.

**013-LTAB-030**

Applicant  
Ward 07

**4432 Auburn Street**

Sabrina R. Bunton-Bell d/b/a Mobil  
Sale of packaged liquor with a gas station in a C-3, Commercial General Zoning District

The Applicant was not present.

A **MOTION** was made by Dennis Olson to **LAY OVER** the sale of packaged liquor with a gas station in the name of Sabrina R. Bunton-Bell d/b/a Mobil in a C-3, Commercial General Zoning District at 4432 Auburn Street. The Motion was **SECONDED** by Aaron Magdziarz and **CARRIED** by a vote of 5-0.

**013-LTAB-031**

Applicant  
Ward 01

**6655, 6681, 6651, 6657 and 6663 East State Street**

William White d/b/a Longhorn Steakhouse  
Sale of liquor by the drink with a restaurant in a C-2, Limited Commercial Zoning District

The subject property is located on the southeast corner of East State Street and Mid America and is currently part of a shopping center that has three businesses with American TV being the largest. Jason Taliaferro, Director of Operations for Longhorn Steakhouse, was present and reviewed his Application. The Applicant went before the Zoning Board of Appeals earlier this year and received Approval for several Variations for signage and landscaping.

Neither Attorney Cacciapaglia nor the Board had any questions of the Applicant.

Staff Recommendation is for Approval with (1) condition. No Objectors or Interested Parties were present.

A **MOTION** was made by Aaron Magdziarz to **APPROVE** the sale of liquor by the drink with a restaurant in the name of William White d/b/a Longhorn Steakhouse in a C-2, Limited Commercial Zoning District at 6655, 6681, 6651, 6657, and 6663 East State Street. The Motion was **SECONDED** by Alicia Neubauer and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Must meet all applicable building, fire codes and liquor codes.

**013-LTAB-032**

Applicant  
Ward 14

**3110 S. Alpine Road**

Joseph Tarara d/b/a Jo-Jo's Pizza  
(A) Sale of liquor by the drink with a restaurant; and (B) the sale of liquor by the drink with an outdoor seating area in a C-2, Limited Commercial Zoning District

The subject property is located on the northeast corner of American Road and South Alpine Road and is an existing restaurant. Joseph Tarara, Applicant, reviewed his application. He explained this business has been in operation for 15 years as a delivery service with no sit down area. At this time, Mr. Tarara wishes to expand into a restaurant and bar style. The laundry mat is still at this location as well. However, they have about 1,000 square feet of unused space and are willing to negotiate their lease to allow him to expand into a restaurant.

Staff Recommendation is for Approval of both requests, with (7) conditions. Interested Parties were present.

Alderman Joseph Chiarelli, stated he is in full favor of this application. He has known Mr. Tarara and his family for many years and sees no problem with his ability to operate this expansion. He feels this business would be favorable to the neighborhood.

A **MOTION** was made by Aaron Magdziarz to **APPROVE** the (A) Sale of liquor by the drink with a restaurant; and to **APPROVE** the (B) the sale of liquor by the drink with an outdoor seating area in the name of Joseph Tarara d/b/a Jo-Jo's Pizza in a C-2, Limited Commercial Zoning District at 3110 S. Alpine Road. The Motion was **SECONDED** by Dennis Olson and **CARRIED** by a vote of 5-0

Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. The dumpster/grease container must be enclosed.
3. Modification/alterations to the existing freestanding signs must be towards bringing the signs into compliance with the sign regulations.
4. That the outdoor seating area be closed by 10:00 PM during the weekdays and midnight on weekends.
5. 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.
6. That the sale of liquor is in conjunction with a full service restaurant as defined within the liquor code.

**013-LTAB-033**

Applicant  
Ward 08

**3835 Broadway**

Martha M. Meyers d/b/a Throng Bar and Kitchen  
Sale of liquor by the drink with a tavern; and the sale of packaged liquor with a tavern in a C-2, Limited Commercial Zoning District and R-1, Single-Family Residential Zoning District

A request for Lay Over has been made on this item.

A **MOTION** was made by Aaron Magdziarz to **LAY OVER** the sale of liquor by the drink with a tavern; and the sale of packaged liquor with a tavern in the name of Martha M. Meyers d/b/a Throng Bar and Kitchen in a C-2, Limited Commercial Zoning District and R-1, Single-Family Residential Zoning District at 3835 Broadway. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

**013-LTAB-034**

Applicant  
Ward 01

**6560 East State Street**

Corey Haaland / Target Corporation d/b/a Target Store T-0810  
Sale of package liquor with an upscale discount retail store in a C-2, Limited Commercial Zoning District

The subject property is located on the northeast corner of East State Street and Trainer Street. Stacey Giacomazzo, Richard Robinson, and Daniel Rose, representing Target Corporation were present. Ms. Giacomazzo reviewed the request to add packaged liquor sales in this retail store.

There were no questions from Attorney Cacciapaglia nor the Board.

Staff Recommendation is for Approval subject to (2) conditions.

A **MOTION** was made by Aaron Magdziarz to **APPROVE** the sale of package liquor with an upscale discount retail store in the name of Corey Haaland / Target Corporation d/b/a Target Store T-0810 in a C-2, Limited Commercial Zoning District at 6560 East State Street. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Meeting all applicable liquor codes.
2. Meeting all applicable building and fire codes.

With no further business to report, the meeting was adjourned at 7:45 PM.

Respectfully submitted,  
Sandra A. Hawthorne, Administrative Assistant  
Liquor & Tobacco Advisory Board