



LIQUOR & TOBACCO ADVISORY BOARD
Tuesday, March 17, 2015
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: Alicia DiBenedetto-Neubauer
Tom Fabiano
Melissa Luciani-Beckford
Dan Roszkowski
Craig Sockwell
Kimberly Wheeler-Johnsen

Absent: Scott Sanders

Staff: Scott Capovilla – Zoning and Land Use Administrator
Angela Hammer – Assistant City Attorney
Sandra Hawthorne - Administrative Assistant
Marcy Leach - - Engineering Operators Manager – Public Works
Lafakeria Vaughn – Assistant City Attorney

Others: Alderman Franklin Beach
Alderman Joseph Chiarelli
Alderman Teena Newburg
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 & 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, March 23, 2015 at 5:30 PM in City Council Chambers 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 is listed on the agenda as well.

The meeting was called to order at 6:05 PM. A **MOTION** was made by Kim Johnsen to **APPROVE** the minutes of the February 18th meeting. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 4-0 with Dan Roszkowski and Tom Fabiano abstaining and Scott Sanders absent.

Items 014-LTAB-017 through and including 014-LTAB-039 were requested to be Laid Over to the April 21st meeting. A **MOTION** made by Craig Sockwell to **LAY OVER** items 014-LTAB-017 through and including 014-LTAB-039 to the April 21, 2015 meeting. The **MOTION** was seconded by Melissa Beckford and **CARRIED** by a vote of 6-0.

014-LTAB-017

Applicant
Ward 10

5410 and 5456 East State Street

Drinc, Inc., 4 Bar Restaurant d/b/a Drinc, Inc.

Sale of liquor by the drink in conjunction with a restaurant, bar and grill, nightclub and video gaming facility with an outdoor seating area in a C-2, Limited Commercial Zoning District.

Laid Over June 2014 – February 2015

014-LTAB-035

Applicant
Ward 10

262 North Phelps Avenue

Mary Maggio d/b/a Sam's Slots Inc.

Sale of beer and wine by the drink in conjunction with a video gaming facility in a C-3, General Commercial Zoning District.

Laid Over September 2014 – February 2015

014-LTAB-036

Applicant
Ward 10

280 North Phelps Avenue

Brandan T. Blackler d/b/a Maxswells Eatery & Slots

Sale of beer and wine by the drink in conjunction with an eatery and a video Gaming facility in a C-3, General Commercial Zoning District

Laid Over September 2014 – February 2015

014-LTAB-037 **2515 Kilburn Avenue**
Applicant Ampelio Delgado Martinez for El Carrizal Inc. d/b/a Fuzzy's
Ward 07 **Sale of liquor by the drink** in conjunction with a restaurant, bar, and video gaming facility with an outdoor beer garden in a C-2, Limited Commercial Zoning District
Laid Over September 2014 – February 2015

014-LTAB-038 **3806 East State Street, 3800 East State Street**
Applicant Dan A. Olson for Olson Enterprises LLC d/b/a Olson Gaming
Ward 10 **Sale of beer and wine by the drink** in conjunction with a video gaming facility and bar in a C-2, Limited Commercial Zoning District
Laid Over September 2014 – February 2015

014-LTAB-039 **7551 Walton St, 172 S. Bell School Rd, 7521, 7531 & 7541 Walton St.**
Applicant John Hassett for Premier Entertainment of Illinois LLC d/b/a Pinky's
Ward 01 **Sale of liquor by the drink** in conjunction with a video gaming facility and bar in a C-3, General Commercial Zoning District
Laid Over September 2014 - February 2015

End of Laid Over Items

015-LTAB-011 **7542 Colosseum Drive**
Applicant Suril Shal for R.I. Heritage Inn of Rockford Opco, LLC d/b/a Rockford Residence Inn
Ward 01 **Sale of beer and wine** by the drink in conjunction with a hotel in a C-3, General Commercial Zoning District

Neither Applicant nor Representative was present. Mr. Capovilla stated Staff had fully expected the Applicant to be in attendance based on discussions with him.

Staff Recommendation is for Approval with (11) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Alicia Neubauer to **LAY OVER** the sale of beer and wine by the drink in conjunction with a hotel in the name of Suril Shal for R.I. Heritage Inn of Rockford Opco, LLC d/b/a Rockford Residence Inn in a C-3, General Commercial Zoning District at 7542 Colosseum Drive to the April 21st meeting. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 6-0.

015-LTAB-012 **4402 Linden Road**
Applicant Raj Patel for Jisa Gas and Food Inc. d/b/a Jisa Gas and Food
Ward 06 **Sale of packaged liquor** in conjunction with a gas station, car wash and convenience store
Sale of tobacco products in conjunction with a gas station, car wash and convenience store in a C-3, General Commercial Zoning District

The subject property is located east of Linden Court on the northwest corner of Linden Road and South Alpine Roads. Raj Patel, Applicant, reviewed his request for the sale of packaged liquor and tobacco products. Mr. Patel is in the process of purchasing this property. He further stated he has been operating

a gas station in Winnebago County located on West State Street, across from Farm and Fleet for the past three years. Mr. Patel felt being able to serve packaged liquor and tobacco products would benefit commuters along Route 20 and Alpine Road as well as neighborhoods in the surrounding area. Mr. Patel stated he is agreeable to all Staff Conditions.

There was a question regarding gaming machines originally shown on the site plan. Mr. Capovilla explained the site plan showed gaming machines, but these would not be allowed. Mr. Patel is aware of this, stating they were originally on site and that his plan does not include gaming machines on location. A revised site plan excluding the gaming machines is required as per Staff condition 4.

Staff Recommendation is for Approval of both requests with (11) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Craig Sockwell to **APPROVE** the sale of packaged liquor and to **APPROVE** the sale of tobacco products in conjunction with a gas station, car wash and convenience store in the name of Raj Patel for Jisa Gas and Food Inc. d/b/a Jisa Gas and Food in a C-3, General Commercial Zoning District at 4402 Linden Road. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Meet all Applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. Window display signage is limited to 20% of window area.
4. Submittal of a revised interior floor plan that excludes the gaming machines and area for Staff review and approval.
5. The sale of packaged liquor and the sale of tobacco products shall be limited to the revised interior floor plan submitted to and approved by Staff.
6. The hours of operation and days for packaged liquor sales shall be 6:00 A.M. to 2:00 A.M. Monday through Saturday.
7. The hours of operation and days for packaged liquor sales shall be 9:00 A.M. to Midnight Sunday.
8. There shall be no single serving sales of beer or wine in volumes of 12 oz. or less.
9. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
10. That the windows shall not be covered with bars or other devices that block the windows.
11. All conditions must be met prior to establishment of use.

015-LTAB-013

Applicant
Ward 01

2011 North Perryville Road

Meijer Great Lakes Limited Partnership d/b/a Meijer Gas Station #192
Sale of tobacco products in conjunction with a gas station and convenience store in a C-2, Limited Commercial Zoning District and C-3, General Commercial Zoning District

Neither Applicant nor Representative were present.

Staff Recommendation is for Approval with (6) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Kim Johnsen to **LAY OVER** the sale of tobacco products in conjunction with a gas station and convenience store in the name of Meijer Great Lakes Limited Partnership d/b/a Meijer Gas Station #192 in a C-2, Limited Commercial Zoning District and C-3, General Commercial Zoning District at 2011 North Perryville Road to the April 21st meeting. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0.

015-LTAB-014

Applicant
Ward 01

2013 McFarland Road

Meijer Great Lakes Limited Partnership d/b/a Meijer Store #192
Sale of tobacco products in conjunction with a grocery store in a C-2, Limited Commercial Zoning District and C-3, General Commercial Zoning District

Neither Applicant nor Representative were present.

Staff Recommendation is for Approval with (6) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Kim Johnsen to **LAY OVER** the sale of tobacco products in conjunction with a grocery store in the name of Meijer Great Lakes Limited Partnership d/b/a Meijer Store #192 in a C-2, Limited Commercial Zoning District and C-3, General Commercial Zoning District at 2013 McFarland Road to the April 21st meeting. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0.

015-LTAB-015

Applicant
Ward 12

3325 North Main Street

Bond Drug Company of Illinois LLC d/b/a Walgreens #03283
Sale of packaged liquor in conjunction with a retail drug store with sundries in a C-2, Limited Commercial Zoning District

The subject property is located on the southeast corner of the Halsted and North Main Street intersection.

This item and the remaining items 015-LTAB-016; -17; -018; and 019 - on this meeting's agenda are all requests for the sale of packaged liquor from Walgreens Drug Stores within the City. These items were all discussed under one presentation. James Mead, District Manager for Walgreens reviewed the request for packaged liquor sales. Attorney Hammer asked Mr. Mead if he had reviewed and is agreeable to all conditions of Approval as recommended by Staff. Mr. Mead stated they were agreeable to all ten conditions for each location.

Mr. Sockwell asked if the hours of operation were also the hours for the sale of liquor. Mr. Mead responded yes. Mr. Capovilla clarified that the hours of operation on Sunday for the sale of liquor were limited to no sales prior to 9:00 AM per liquor law. There will be two locations in the City of Rockford that Walgreen stores will not be applying for liquor, nor is it their intent to do so. Mr. Mead expressed the feeling that these stores are in locations that are problematic areas and the sale of liquor would not be beneficial to the area.

Staff Recommendation was for Approval with (10) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Kim Johnsen to **APPROVE** the sale of packaged liquor in conjunction with a retail drug store with sundries in the name of Bond Drug Company of Illinois LLC d/b/a Walgreens #03283 in a C-2, Limited Commercial Zoning District at 3325 North Main Street. The Motion was **SECONDED** by Alicia Neubauer and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. Window display signage is limited to 20% of window area
4. The sale of packaged liquor shall be limited to the submitted plan Exhibit E.
5. The hours and days of operation will be from 7:00 AM to 10:00 PM Monday through Friday.
6. The hours and days of operation will be from 8:00 AM to 10:00 PM Saturday and Sunday.
7. There shall be no single serving sales of beer or wine in volumes of 12 oz. or less.

8. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
9. That the windows shall not be covered with bars or other devices that block the windows.
10. All conditions must be met prior to establishment of use.

015-LTAB-016

Applicant
Ward 08

2525 South Alpine Road

Bond Drug Company of Illinois LLC d/b/a Walgreens #04777

Sale of packaged liquor in conjunction with a retail drug store with sundries in a C-3, General Commercial Zoning District

The subject property is located on the northwest corner of the Harrison Avenue and South Alpine Road intersection.

Staff Recommendation is for Approval with (10) 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 retail drug store with sundries in the name of Bond Drug Company of Illinois LLC d/b/a Walgreens #04777 in a C-3, General Commercial Zoning District at 2525 South Alpine Road. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. Window display signage is limited to 20% of window area.
4. The sale of packaged liquor shall be limited to the submitted plan Exhibit E.
5. The hours and days of operation will be from 7:00 AM to 10:00 PM Monday through Friday.
6. The hours and days of operation will be from 8:00 AM to 10:00 PM Saturday and Sunday.
7. There shall be no single serving sales of beer or wine in volumes of 12 oz. or less.
8. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
9. That the windows shall not be covered with bars or other devices that block the windows.
10. All conditions must be met prior to establishment of use.

015-LTAB-017

Applicant
Ward 02

1201 East State Street

Bond Drug Company of Illinois LLC d/b/a Walgreens #06002

sale of packaged liquor in conjunction with a retail drug store with sundries in a C-2, Limited Commercial Zoning District

The subject property is located on the southwest corner of the 9th Street and East State Street intersection.

Staff Recommendation is for Approval with (10) 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 retail drug store with sundries in the name of Bond Drug Company of Illinois LLC d/b/a Walgreens #06002 in a C-2, Limited Commercial Zoning District at 1201 East State Street. The Motion was **SECONDED** by Melissa Beckford and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. Window display signage is limited to the submitted plan Exhibit E.
4. The sale of packaged liquor shall be limited to the submitted plan Exhibit E.
5. The hours and days of operation will be from 7:00 AM to 10:00 PM Monday through Friday.
6. The hours and days of operation will be from 8:00 AM to 10:00 PM Saturday and Sunday.
7. There shall be no single serving sales of beer or wine in volumes of 12 oz. or less.
8. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
9. That the windows shall not be covered with bars or other devices that block the windows.
10. All conditions must be met prior to establishment of use.

015-LTAB-018

Applicant
Ward 06

3336 11th Street

Bond Drug Company of Illinois LLC d/b/a Walgreens #06003

Sale of packaged liquor in conjunction with a retail drug store with sundries in a R-1, Single-family Residential Zoning District and C-3, General Commercial Zoning District

The subject property is located on the northeast corner of the Sandy Hollow Road and 11th Street intersection.

Staff Recommendation is for Approval with (10) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Tom Fabiano to **APPROVE** the sale of packaged liquor in conjunction with a retail drug store with sundries in the name of Bond Drug Company of Illinois LLC d/b/a Walgreens #06003 in a R-1, Single-family Residential Zoning District and C-3, General Commercial Zoning District at 3336 11th Street. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. Window display signage is limited to 20% of window area.
4. The sale of packaged liquor shall be limited to the submitted plan Exhibit E.
5. The hours and days of operation will be from 7:00 AM to 10:00 PM Monday through Friday.
6. The hours and days of operation will be from 8:00 AM to 10:00 PM Saturday and Sunday.
7. There shall be no single serving sales of beer or wine in volumes of 12 oz. or less.
8. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
9. That the windows shall not be covered with bars or other devices that block the windows.
10. All conditions must be met prior to establishment of use.

015-LTAB-019

Applicant
Ward 10

5690 East State Street

Bond Drug Company of Illinois LLC d/b/a Walgreens #07069

Sale of packaged liquor in conjunction with a retail drug store with sundries in a C-3, General Commercial Zoning District

The subject property is located on the northwest corner of the East State Street and North Phelps Avenue intersection.

Staff Recommendation is for Approval with (10) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Melissa Beckford to **APPROVE** the sale of packaged liquor in conjunction with a retail drug store with sundries in the name of Bond Drug Company of Illinois LLC d/b/a Walgreens #07069 in a C-3, General Commercial Zoning District at 5690 East State Street. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. Window display signage is limited to 20% of window area.
4. The sale of packaged liquor shall be limited to the submitted plan Exhibit E.
5. The hours and days of operation will be from 7:00 AM to 10:00 PM Monday through Friday.
6. The hours and days of operation will be from 8:00 AM to 10:00 PM Saturday and Sunday.
7. There shall be no single serving sales of beer or wine in volumes of 12 oz. or less.
8. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
9. That the windows shall not be covered with bars or other devices that block the windows.
10. All conditions must be met prior to establishment of use.

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

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