



LIQUOR & TOBACCO ADVISORY BOARD
Wednesday, June 29, 2016
2:00 P.M. – Conference Room B
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:

ZBA Members: Alicia DiBenedetto-Neubauer
Kimberly Wheeler-Johnsen
Dan Roszkowski
Craig Sockwell
Tom Fabiano

Absent: Scott Sanders
Melissa Beckford

Staff: Scott Capovilla – Zoning and Land Use Administrator
Angela Hammer - Assistant City Attorney
Sandra Hawthorne - Administrative Assistant

Others: Applicant

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 will 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 to the Zoning Board of Appeals 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 Tuesday, July 5, 2016, 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 are listed on the agenda as well.

The meeting was called to order at 2:05 PM. There were no minutes to be approved by the Board.

016-LTAB-012

Applicant
Ward 03

305 South Madison Street and 301 South Water Street

Dustin Koch, Prairie Street Brewing Company

The sale of liquor by the drink in conjunction with a restaurant, the sale of liquor by the drink in conjunction with a restaurant and outdoor seating are/beer garden and the sale of packaged liquor in conjunction with a restaurant in a C-4, Urban Mixed Use Zoning District.

Chris Manuel of the Prairie Street Brewing Company, the Applicant, was present. Mr. Manuel explained that Prairie Street Brewing was chosen by the Rockford Park District to lease the restaurant space inside the UW Health Sports Factory. They will provide full restaurant service for all events and are the exclusive provider for all Sports Factory events.

Chairman Roszkowski asked if legal had any questions. Assistant City Attorney Angela Hammer asked Mr. Manuel if he had a chance to review staff's recommendations and conditions. He was provided the opportunity to review the recommendation. Mr. Manuel had questions about some of the conditions specifically the no cover charge, no live music and no DJ's. He questioned if the Park District had events other than sporting events that had cover charges. Clarification was provided by staff that this only applied to the restaurant portion of the complex. Thomas Fabiano questioned the applicant and said "so no cover charge period?" Mr. Manuel said the restaurant would never charge a cover but there could be an entrance fee into the Sports Factory paid to the Park District for the sporting events and other gatherings.

Mr. Manuel also addressed the issue of live music. The Park District wanted to create something similar to dinner on the docks and that is one of the reason why Prairie Street was chosen as the restaurant provider in the Sports Factory. The idea was to create something on the south patio that would be on a much smaller scale but provide dinner and music outside on certain nights when there were no sporting events.

He also stated the Park District could host events other than sporting events such as Club Blue's annual party and possibly weddings. There were certainly be the potential for dancing, live music and DJ's at these events as well. Craig Sockwell said he has been to car shows where they have live bands and provide music. The Board discussion the conditions and possible modifications. Attorney Hammer clarified that some of the events discussed may have to go through the Special Events permit process and could require City council Approval.

Kim Johnsen wanted Mr. Manuel to clarify his hours of operation. Mr. Manuel explained that food service would begin in the concession stand when events started in the morning but the restaurant would not open at the same time. Chairman Roszkowski then asked if there would be gaming machines here. Mr. Manuel stated no. Alicia Neubauer asked if this could be added as a condition of approval. Attorney Hammer said yes, as long as the applicant agrees which he did.

There were no objectors or interested parties.

A **MOTION** was made by Kim Johnsen to **APPROVE** the sale of liquor by the drink in conjunction with a restaurant, the sale of liquor by the drink in conjunction with a restaurant and outdoor seating are/beer garden and the sale of packaged liquor in conjunction with a restaurant in a C-4, Urban Mixed Use Zoning District amending condition #5, removing conditions 6, 7 and 8 and add the condition that there shall be no gaming in agreement with the applicant. 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. Must meet all applicable Liquor Codes.
3. The sale of liquor shall be limited to interior floor plan on Exhibit D including the outdoor patio.
4. The hours of operation per the submitted business plan Exhibit F as Sunday 10:00 a.m. to 12:00 a.m. with food operations starting at 8:00 a.m., Monday through Thursday 11:00 a.m. to 12:00 a.m., Friday 11:00 a.m. to 2:00 a.m., and Saturday 10:00 a.m. to 2:00 a.m. with food operations starting at 8:00 a.m.
5. The proposed use for alcohol service shall not have a cover charge, dance floor or DJ.
6. The proposed use shall not operate as a nightclub.
7. There shall be no gaming machines per agreement with the Applicant.

With no further business to come before the Board, the meeting was adjourned at 2:30 p.m.

Respectfully submitted,
Angela Hammer, Assistant City Attorney
City of Rockford Department of Law