

SPECIAL AGENDA

LICENSING/PERMIT COMMITTEE
Kenosha Municipal Office Building – Room 204
Wednesday, September 4, 2013
6:45 p.m.

PLEASE NOTE TIME AND ROOM NUMBER CHANGE

Chairman: Jesse Downing
Vice-Chair: Patrick Juliana

Aldersperson: Curt Wilson
Aldersperson: Chris Schwartz
Aldersperson: Anthony Kennedy

CALL TO ORDER & ROLL CALL

NOTE: All licenses and permits are subject to withholding of issuance by the City Clerk as specified in Section 1.045 of the Code of General Ordinances.

1. Applications for new Operator's (Bartender) licenses, with a recommendation from the City Attorney to grant, subject to:
- 20 demerit points:
 - a. Motasem Abdeljaber
 - b. Dawn Schiller
 - c. Michael Schnell
2. Application of James O'Brien (1709 - 61st Street), for a Pet Fancier Permit, with a recommendation from the City Attorney to deny or defer. (*Deferred from the meeting on August 26, 2013*)
3. Application of Antonio's Pizza & Pasta, LLC, for a Temporary Outdoor Extension of the Class "B" Beer/"Class B" Liquor License located at 2410 - 52nd Street, 5/Fifty Pizza & Pub, on September 14, 2013, with no adverse recommendations. (7th District)
4. Application of Antonio's Pizza & Pasta, LLC, for an Outdoor Area – Cabaret/Amplified License located at 2410 - 52nd Street, 5/Fifty Pizza & Pub, on September 14, 2013, with no adverse recommendations. (7th District)

CITIZENS COMMENTS/BUSINESS AS AUTHORIZED BY LAW
ALDERMEN COMMENTS
STAFF COMMENTS

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE MEMBERS OF THE COMMON COUNCIL MAY BE PRESENT AT THE MEETING, AND ALTHOUGH THIS MAY CONSTITUTE A QUORUM OF THE COMMON COUNCIL, THE COUNCIL WILL NOT TAKE ANY ACTION AT THIS MEETING.

IF YOU ARE DISABLED AND IN NEED OF ASSISTANCE, PLEASE CALL 653-4020 BEFORE THIS MEETING

APPLICANT INFORMATION

Date of Application	Name of Applicant	Applicant's Date of Birth	Driver's License Status
8/16/2013	Motasem Abdeljaber		SUSPENDED IL DL
License Number	Address of Applicant	Business (where license is to be used)	Business Address
N140673	3272 Victoria Lane,Waukegan,IL	Kenosha Gas Stop	2207-60th Street

DATE OF CHARGE	OFFENSE	CASE STATUS	OFFENSE LISTED ON APPLICATION	POINTS
8/7/2013	LIQUOR,LICENSE VIOLATION	DISPO PENDING	Y	20

CITY ATTORNEY'S RECOMMENDATION

Offense Demerit Points	20	
Were all offenses listed on the application?	Y	
TOTAL DEMERIT POINTS	20	

CITY ATTORNEY'S COMMENTS

FINAL RECOMMENDATION

GRANT, subject to Demerit Points

DENY, based on material police record (substantially related to the license activity)

DEFER or GRANT subject to Non-Renewal Revocation due to False Application

ADV
L28/24

E-MAILED AUG 13 REC'D

Type 85

Fee: \$35.00 (Non-Refundable)

Expires 12/31



**CITY OF KENOSHA
City Ordinances §14.013 D.
PET FANCIER PERMIT**

LICENSE PERIOD FROM January 1st to December 31st (No Pro-ration)

District # 3

1. Name James O'Brien
2. Address 1709 61st Street 53143
3. Drivers License Number Q165-4457-0010-06
4. Phone Number ~~Q165-4457-0010-06~~ 262-657-7055
5. Number of dogs* 3 Number of cats 0 (limit of up to five (5) dogs, cats or combination thereof. *Working dogs such as service dogs, medical alert dogs and certified therapy dogs are not included in the pet limit calculation. However, they must remain licensed in the City.
6. Are there any working, service, medical alert or certified therapy dogs included in #5? If so, please attach accreditation. Check here if attached
7. Attach proof of current dog and/or cat licenses. Check here if attached.
8. Do you currently have, or have you had within the past two (2) years, a conviction for animal cruelty, neglect or mistreatment of an animal? no yes
If yes, please explain _____

[Signature]
Signature of Applicant

8/13/2013
Date

For Office Use Only

RS 8-13-13
Clerk's Initials/Date Received

Date Granted by Licensing/Permit Committee

NEW PET FANCIER PERMIT

Police Record Report

APPLICANT INFORMATION

Date of Application	Name of Applicant	Applicant's Date of Birth	Driver's License Status
8/13/2013	James O'Brien		Valid
License Number	Address of Applicant	Business (where license is to be used)	Business Address
	1709-51st Street		

DATE OF CHARGE	OFFENSE	CASE STATUS	OFFENSE LISTED ON APPLICATION	POINTS
7/8/2013	ANIMAL LAWS, OTHER - TOO MANY DOGS (8/30/13) §14.08 D.4.	DISPO PENDING		N/A

CITY ATTORNEY'S RECOMMENDATION

Offense Demerit Points	
Were all offenses listed on the application?	
TOTAL DEMERIT POINTS	

CITY ATTORNEY'S COMMENTS

✱
CH. 14 VIOLATION IS A BASIS TO DENY
✱
DENY OR DEFER UNTIL MUNICIPAL COURT CITATION IS RESOLVED.

FINAL RECOMMENDATION

GRANT, Subject to Demerit Points
 DENY, based on material police record (substantially related to the license activity)
 DEFER or GRANT subject to Non-Renewal Revocation due to False Application

Application for a Temporary Outdoor Extension
of Retail "Class B" Liquor, "Class C" Wine
and/or Class "B" Beer License(s)
City Ordinance 16-075
Fee: \$50.00 (Type 211)

(5-Fifty)

1. If the temporary Outdoor Area obstructs the public right-of-way, a temporary outdoor extension does not apply. Does the outdoor area obstruct the public-right-of-way? Yes No District # 7
2. List date or dates (not to exceed three (3) days): 9-14-13
3. Name of Applicant: DALE S. RICE Antonio's Pizza & Pasta, LLC
4. Address of Retail "Class B", "Class C" and/or Class "B" premises: 2410-52ND STREET
5. Business Name: 5/FIFTY PIZZAR PUB
6. Home Phone: 262-344-2083 Business Phone: 262-652-5555
7. What type of activity is planned for the outdoor area? ROCK THE BLOCK
8. A detailed map describing the outdoor area is required. Check here if map is attached. (Map for Tent)

For Office Use Only: To be completed by Community Development & Inspections staff:

a. Zoning Classification: B-2 (If zoned single-family residential, waiver required-choose #9b)

b. The outdoor area sought is twenty-five (25) feet or more from any single-family dwelling* Yes No (If no, waiver required-choose waiver #9a, or #9b)
**Requirement shall not apply to two-family, multi-family, B-1/B-2 B-3, B-4 districts, or dwellings within twenty-five (25) feet of said boundary if occupied by the applicant and/or his/her immediate family and no others*

Distance from nearest single-family dwelling: 50ft Preliminary approval granted Yes No
N.P. on site

Waiver Required? Yes No If yes, which waiver is required 9a or 9b

By: [Signature] ~~Zoning Coordinator~~ Inspection Date: 8-29-13

N/A
3/3

9. Waiver Criteria:

A waiver from the single-family zoning and dwelling distance requirement may be waived by the Common Council upon submittal of appropriate waiver:

Waiver 9a. Premise is located wholly within an area zoned Institutional Park (IP).

Waiver 9b. The business is categorized as a restaurant as defined by Section 3.046 A.9. *Restaurant. Restaurant shall be defined as any building or room where, as the establishment's primary business, food and/or beverages are prepared, or served or sold to transients or the general public, and where the sale of Alcohol Beverages account for less than fifty (50%) percent of the establishment's gross receipts in the B-1, B-2, B-3 or B-4 Zoning Districts.*

Attach the appropriate waiver and submit to the City Clerk's Office at least fourteen (14) days before a Common Council meeting. Common Council meetings are held the 1st and 3rd Mondays of each month.

Waiver attached Yes No

10. Is there a fence surrounding the area? If not are you requesting the Common Council waive this requirement? Yes No

480

**Application for Temporary Outdoor Extension of Retail Class "B" Liquor, "Class C" Wine
and/or Class "B" Beer License(s)
City Ordinance 10.075**

11. THE CLOSING HOURS FOR AN OUTDOOR EXTENSION ARE 10:00 P.M. TO 8:00 A.M. You may request to change these hours to 12:00 midnight to 8:00 a.m. if you are zoned as listed on the "request to change closing hours". Check here if you have attached a request to change the closing hours to this application. Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided for by law, the undersigned states that each of the above questions has been truthfully answered to the best of his/her/their knowledge. Applicant acknowledges receiving a copy of Ordinance 10.075 and agrees to comply with its terms and conditions should this application be approved. (Individual applicants and each member of a partnership must sign; designated corporate officers must sign)

Wala J. Pull (President/Partner/Individual) Sole Member (Corporate Officer/Partner)

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 28 DAY OF August, 2013

Michelle L. Nease
Notary Public, My commission expires 4-11-17

For Office Use Only – To be Completed by City Clerk Staff

Date Received 8/28/13 Does this application require Council to waive fence requirement (question 10)? no
Council Date _____ Date Issued _____ Initials _____

#Demerit Points _____ *

*pursuant to Section 10.063, accumulation of more than 50 demerit points shall be a basis for denial, revocation or suspension of the outdoor area.

OUTDOOR EXTENSION ^{temporary}
CITY ORDINANCE §10.075 9-14-13

REQUEST TO CHANGE CLOSING HOURS
TO 12:00 MIDNIGHT TO 8:00 AM

Licensee Name Antonio's Pizza & Pasta, LLC
Trade Name 5 Fifty Pizza & Pub
Trade Address 2410 52nd St

.....
The undersigned is hereby applying for a change of the closing hours of the outdoor extension of the Class "B" Beer/"Class B" Liquor Combination license in accordance with §10.075 of the Code of General Ordinances to 12:00 Midnight to 8:00 am.

In making this application, I understand that amplified music or sound otherwise permitted under Section 10.75 E.2. shall not be allowed after 10:00.

.....
Dale J. Rice
(Individual/Partner/President of Corporation)

(Partner/Secretary of Corporation)

SUBSCRIBED TO AND SWORN TO BEFORE ME

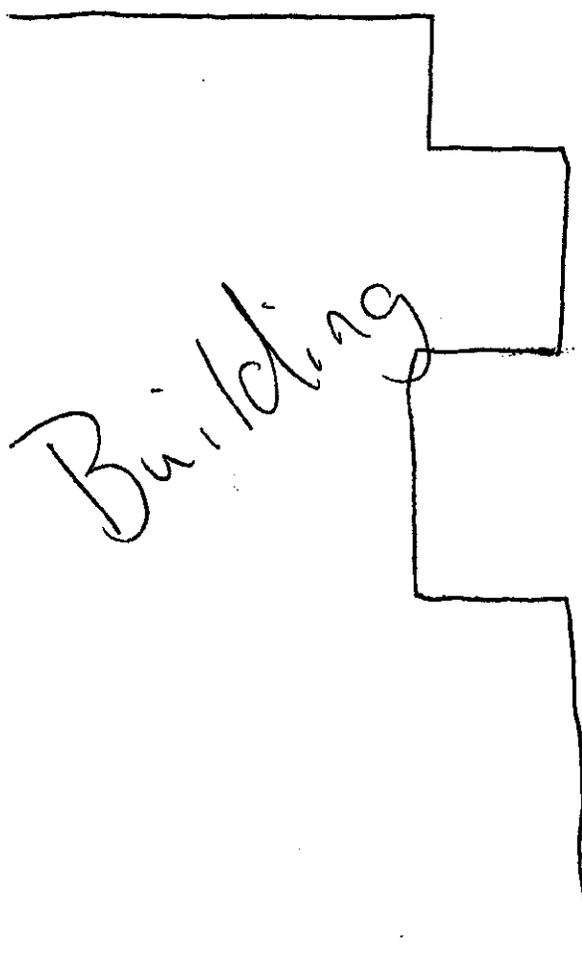
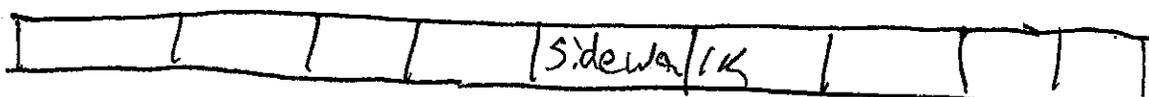
THIS 29 OF August, 2013.

Michelle L. Wilson
Notary Public

My commission expires 4-11-17

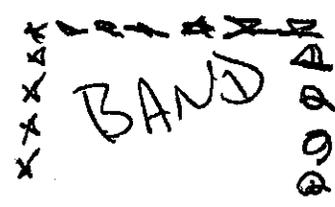


- - - - 52 Street -

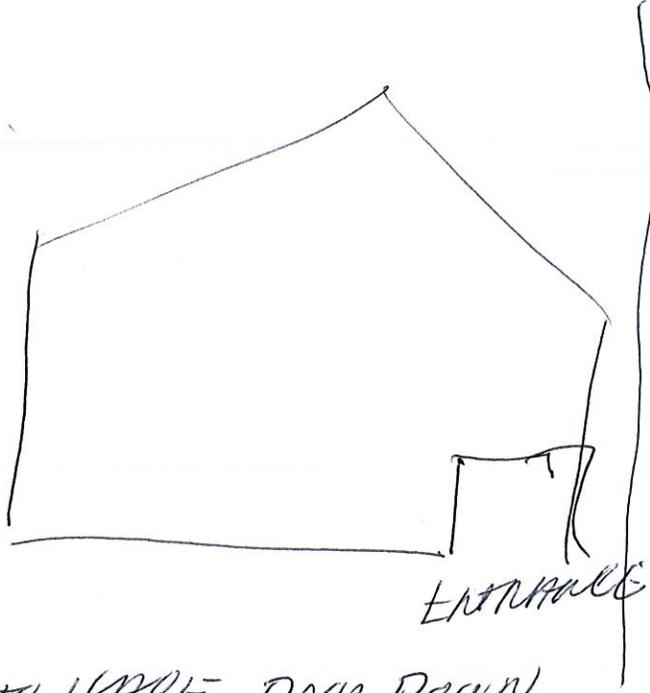


Building

Parking lot
Outdoor
EXT Area



BAND



BLINDING

TENT TO MAKE DRAP DOWN
WALLS ON FENCE SURROUNDING

(5-fifty)

APPLICATION FOR
OUTDOOR AREA - CABARET/AMPLIFIED
CITY OF KENOSHA

LIMIT: FOUR DAYS PER LICENSE TERM (JULY 1 TO JUNE 30)
(see reverse side for additional instructions regarding speedy approval process)

PLEASE NOTE: The Committee on Licenses/Permits shall review all applications, any reports, the recommendation of the City Attorney and all other information before it. Said Committee shall recommend to the Common Council either the granting or denial of each application. (In accordance to Chapter X, Section 10.075 of the Code of General Ordinances of the City of Kenosha.)

Type: 223 District 7 Contact Phone # 344-2083
Fee: \$50.00/application (nonrefundable)

1. Licensee Name DALE S. RICE Antonio's Pizza & Pasta, LLC
(NOTE: must be same name as beer/liquor license)

2. Business Name & Address 5/FIFTY PIZZA & Pub 2410-52nd St

3. If license is in the name of a Corporation or LLC, Agent Name Dale Rice

4. Applicant has received (or applied for this event) a cabaret license and an extension of their "Class B" Liquor and/or Class "B" Fermented Malt Beverage Licenses in accordance with Section 10.075 of the Code of General Ordinances. Yes No If answer is no, applicant does not qualify for waiver.

5. Applicant requests a waiver of Section 10.075 E.1 cabaret license restriction. Yes No

6. Applicant requests a waiver of Section 10.075 E.2 amplified music restriction. Yes No

7. Date(s) waiver is sought: 9-14-13

8. Hours of operation: 5 pm - 10 pm

9. Purpose/Event: Rock the Block

Applicant's Signature Dale S. Rice Date: 8/27/13
(Licensee/Officer/Member/Manager/Partner/Individual)

REQUIRED FOR SPEEDY APPROVAL ONLY
(must be filed at least 72 hours prior to event)

Signature of District Alderperson _____ Date _____

or, if District Alderperson is unavailable:

Member of Licensing/Permit Committee _____

To be completed by Clerk:

Date Received and Filed 8/28/13

Date Reported to Council _____

Date Waiver Granted _____

Initials _____