

LA GRANGE LIQUOR COMMISSION  
SPECIAL MEETING

53 South La Grange Road  
First Floor Conference Room  
La Grange, IL 60525

Monday, October 8, 2012 – 6:15 p.m.

MINUTES

1. Call to Order and Roll Call

A meeting of the La Grange Liquor Commission was convened at 6:15 p.m. by Liquor Commissioner Elizabeth Asperger. Present and constituting a quorum were:

Present: Liquor Commissioner Elizabeth Asperger, Commissioner Mark Kuchler and Commissioner Mark Langan

Absent: Village Attorney Mark Burkland

Also Present: Assistant Village Manager Andrianna Peterson  
First Applicant Richard Smith, Joseph Zappala, and Alex Batio  
Second Applicant Paul and Meg LeFaivre  
Third Applicant Christine, Shirley and Blair Makinney

2. Approval of the Minutes from the Liquor Commission meeting on April 23, 2012.

It was moved by Commissioner Kuchler and seconded by Commissioner Langan to approve the minutes of April 23, 2012, as submitted. The motion carried on a voice vote.

3. Liquor License Requests / Liquor License Applicants

Smashburger Acquisition – Chicago, LLC d/b/a Smashburger

Commissioner Asperger indicated that Richard Smith, store manager; Alex Batio and Joseph Zappala district managers were present as representatives of Smashburger Acquisition – Chicago, LLC d/b/a Smashburger to be located at 1 N. La Grange Road, Unit A.

Commissioner Asperger informed the applicant that liquor control is taken very seriously and it is a privilege to sell and serve liquor in the Village. Commissioner Asperger explained that the Village is a family oriented community and a Class A-1 liquor license requires that more than 60% of the gross annual revenue of the dining establishment must result from the sale of food. Adding that there is no set number of liquor licenses but

rather that licenses are considered on an individual basis, Commissioner Asperger opened the floor to the other Commissioners to ask questions of the applicant.

Commissioner Kuchler asked representatives of Smashburger to explain why La Grange was selected for a new restaurant. Mr. Batio indicated that La Grange would be their 11<sup>th</sup> location in the Chicago area and that the franchise is expanding. He believes the demographics and vibrancy of the downtown is a good fit for the business.

Commissioner Kuchler inquired if Smashburger would have a drive-thru. Mr. Batio said that Smashburger aims to deliver healthy food, fast, but not “fast food.” Therefore, none of their stores include a drive thru.

Commissioner Asperger inquired about the length of time most patrons spend in the business. Mr. Batio responded that patrons of Smashburger typically spend about twenty minutes in the store. The restaurants are small and turnaround of tables is important to their business model.

Commissioner Kuchler inquired about how alcohol consumption is promoted and regulated. Mr. Batio responded that their business model is targeted toward families and less than 2% of sales are expected to be alcohol. The restaurant only serves bottled beer to add to the meal experience. It is rare for a customer to order a second beer and there is no table service for alcohol.

Commissioner Kuchler inquired when the restaurant is expected to open and the hours of operation. Mr. Smith responded that the anticipated opening is scheduled for November and hours of operation will be from 10 a.m. to 10 p.m.

Staff reports that all of the elements of the applicant’s application are in order however confirmation from Police Chief Holub affirming that Richard Smith conforms to the requirements of the Liquor Control Ordinance is pending.

It was moved by Commissioner Langan and seconded by Commissioner Kuchler that the Liquor Commission make a recommendation: (a) that the Village Board of Trustees create a new Class A-1 liquor license and (b) that the Liquor Commissioner issue that license to Smashburger Acquisition – Chicago, LLC d/b/a Smashburger to be located at 1 N. La Grange Road contingent upon fingerprint clearance of store manager Richard Smith.

Commissioner Asperger stated that the recommendation would be made to the Village Board at their next regularly scheduled meeting on October 22, 2012.

#### Bottle and Bottega (LeFaivre Limited)

Commissioner Asperger noted that Paul and Meg LeFaivre, owners of Bottle and Bottega located at 1 W. Harris Avenue, are present and applying for a Class H Liquor License.

The Class H license authorizes the licensee to allow customers to carry their own beer and wine into a Bring-Your-Own authorized establishment to be consumed within the licensed premises, but only in conjunction with a private event or a structured instructional class under controlled circumstances.

Commissioner Asperger explained that the Village is a conservative, family oriented community and the Class H category is a relatively new and unique concept.

Commissioner Langan inquired about the business model and how liquor is controlled. Mr. LeFaivre indicated that Bottle and Bottega is a relatively new franchise giving patrons creative, artistic experiences with an option of enjoying a BYO bottle of wine or beer. Mr. LeFaivre noted that alcohol consumption would be monitored by trained personnel as well as through signage.

Commissioner Langan asked about how off-premise parties are controlled and Commissioner Kuchler inquired about marketing options with other local businesses. Ms. LeFaivre noted that she has been discussing options for off-premise parties at other local businesses including restaurants and Vino e Birra. Commissioner Asperger encouraged partnerships but advised that details of these arrangements must be identified in advance to insure compliance with the liquor code.

Ms. Peterson further clarified that the Class H classification allows for bring-your-own at events held at 1 W. Harris Avenue. The license does not allow Bottle and Bottega to charge or collect money for alcohol at events held at 1 W. Harris or held at alternate locations.

Ms. LeFaivre indicated that while they plan to provide glasses and bottle openers as a convenience, they would not be charging any corkage, pouring or other fees for alcohol.

After discussion, it was moved by Commissioner Langan and seconded by Commissioner Kuchler, that the Liquor Commission recommend: (a) that the Village Board of Trustees create a new Class H Liquor License and (b) that the Liquor Commissioner issue that license to Bottle and Bottega located at 1 West Harris Avenue.

Commissioner Asperger stated that a recommendation would be made to the Village Board at their next regularly scheduled meeting on October 22, 2012.

#### Café 103 LLC

Commissioner Asperger indicated that Christine, Shirley, and Blair Makinney owners of Café 103 to be located at 9 S. La Grange Road are applying for a Class A-2 Liquor License. Commissioner Asperger informed the applicant that liquor control is taken very seriously and it is a privilege to sell and serve liquor in the Village. Explaining that there is no set number of liquor licenses but rather that licenses are considered on an individual basis, Commissioner Asperger informed the applicants that the Village is a family oriented community and a Class A-2 liquor license requires that more than 60% of the

gross annual revenue of the dining establishment must result from the sale of food.

Commissioner Langan inquired as to why La Grange was chosen for the business. Ms. Shirley Makinney responded that their previous business in Beverly was doing very well but that they lost their lease at their previous location and were drawn to La Grange's vibrant community.

Commissioner Asperger asked what the circumstances were that caused them to leave their previous location. Ms. Shirley Makinney responded that they were leasing a building in Beverly. Economic challenges in 2008-2009 were incurred, particularly as related to their retail component. They invested a considerable amount of money into the building to reinvent the space, and attempted to renegotiate the lease. The owner put the building up for sale and the Makinney's attempted to buy it, but were unsuccessful.

Commissioner Kuchler asked whether or not they had a liquor license at the Beverly location. Ms. Makinney responded that they only had BYO as the area where the business was located in Chicago was dry.

Commissioner Asperger inquired about their business model, noting that their plan calls for two kitchens. Noting the family oriented operation, Ms. Shirley Makinney responded that in addition to the restaurant they anticipate private parties and cooking classes, as well as birthday parties and children's summer camps. The idea of the business is to promote families learning to cook and spend time together.

Commissioner Langan inquired about an opening date and Ms. Shirley Makinney is hoping to open before the holiday season.

Commissioner Asperger asked about the retail sales and Ms. Shirley Makinney responded that retail will be very small and will be secondary to the main restaurant and classes.

Commissioner Kuchler inquired if bottles of wine would be sold and Ms. Shirley Makinney responded possibly within a gift basket but not individual bottles.

Commissioner Asperger encouraged involvement with community events. The owners of Café 103 indicated their desire to join the La Grange Business Association and participate in local events.

It was moved by Commissioner Langan and seconded by Commissioner Kuchler that the Liquor Commission recommend: (a) that the Village Board of Trustees create a new Class A-2 liquor license and (b) that the Liquor Commissioner issue that license to Café 103 LLC to be located at 9 S. La Grange Road.

Commissioner Asperger stated that the recommendation would be made to the Village Board at their next regularly scheduled meeting on October 22, 2012.

4. Other Business
5. Adjournment

It was moved by Commissioner Langan and seconded by Commissioner Kuchler that the meeting of the Liquor Commission be adjourned. The motion carried on a voice vote and the meeting was adjourned at 7:25 p.m.

Submitted by:  
Andrianna Peterson  
Assistant Village Manager

Date Approved: November 12, 2012