

1. Call To Order And Roll Call
2. Public Comment
3. Approval Of Minutes

3.I. January 9, 2020

Documents:

[JANUARY 9, 2020.PDF](#)

4. Old Business

5. New Business

5.I. Amendment To The Class A Liquor License Requirements- Hale Street Cantina - 109 N. Hale Street

Documents:

[HALE STREET CANTINA AMENDMENT.PDF](#)

5.I.i. Approval Of A Limited Menu - Burger Social - 108 N. Hale Street

Documents:

[BURGER SOCIAL LIMITED MENU.PDF](#)

6. Adjournment



# **WHEATON LOCAL LIQUOR CONTROL COMMISSION MEETING AGENDA**

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WHEATON CITY HALL, 303 W WESLEY STREET, WHEATON, ILLINOIS 60187

**JANUARY 9, 2020**

**COUNCIL CHAMBERS  
WHEATON CITY HALL  
303 WEST WESLEY STREET**

**7:00 P.M.**

**AGENDA**

- I. Call to Order and Roll Call
- II. Public Comment
- III. Approval of Minutes
  - December 12, 2019
- IV. New Business
  - Application for a Class A Liquor License and Amendments to the Class A Liquor License Classification - Hale Street Cantina - 109 N. Hale Street
- V. Miscellaneous Business
- VI. Adjournment

## MEMORANDUM

**TO:** Chair Taylor and Members of the Wheaton Liquor Commission

**FROM:** James P. Kozik, AICP Director of Planning and Economic Development

**DATE:** February 4, 2020

**SUBJECT:** Amendment to the Class A Liquor License Classification Requirements - Hale Street Cantina - 109 N. Hale Street

### Background

At their January meeting, the Liquor Commission met and recommended approval of a Class A Liquor License to HFO entertainment LLC for their proposed restaurant, Hale Street Cantina, a 65 seat Mexican-American restaurant to be located at 109 N. Hale Street. The operator currently has three other existing restaurants located in Downtown Glen Ellyn, Naperville and St. Charles.

Because of his experience in other suburban downtowns, the operator is also seeking an amendment to the hours of operation for Class A Licensees (minimum 25 seats), currently Monday – Sunday, 7am to 11pm so they will match the hours of operation for Class I Licensees (minimum 125 seats), currently Monday – Saturday, 7am to 1am and Sunday, 7am to 12 midnight.

Following a discussion of the proposed amendment to the hours of operation, the Commission asked for a list of the existing Class A, B and I Licensee’s at their next meeting. Below is a list of the Licensee’s requested by the Commission:

Class A or B  
(at least 25 seats)

302 Wheaton  
Altiro  
Choun’s  
El Zarape  
Gia Mia  
India Palace  
Moveable Feast + Co.  
Smashburger  
Sushi Mono  
Sushi House  
Suzette’s  
Lu’s Sushi & Chinese

Class I  
(at least 125 seats)

Adelle’s  
Chili’s  
Emmett’s  
Ivy  
Cozymels  
Gino’s East  
Warren’s Ale House  
Wok n Fire

In addition, if the change in hours of operation for Class A Licensees were to be approved, the operator is seeking an amendment to the Class A License Classification to allow for approval of a limited menu after 11pm; similar to what is afforded to Class I Licensees.

The proposed amendment would read as follows: *“Alcoholic liquor may be sold in a restaurant holding a Class A license only during the period when patrons of the licensee are offered a complete meal, or where a limited menu is offered after 11:00 p.m. which has been approved by the Local Liquor Commission.”*

The operator states that after normal dinner hours their food sales drop drastically. Having a smaller menu will allow them to cut down on labor costs since they will not need to staff a full kitchen. Attached to this memorandum is their proposed "Limited Menu".

### **Recommendation**

The proposed amendments to the hours of operation and provision for the approval of a limited menu would provide consistency among the restaurant classes; particularly among the larger Class A or B Licensee's. Staff would recommend approval of the proposed amendments.

Attachment

c: Kevin Hahn

## MEMORANDUM

**TO:** Chair Taylor and Members of the Wheaton Liquor Commission  
**FROM:** James P. Kozik, AICP Director of Planning and Economic Development  
**DATE:** February 4, 2020  
**SUBJECT:** Approval of Limited Menu – Burger Social – 108 N. Hale Street

### Background

Following the Commission's January meeting where they discussed various Class A, B and I Licensee's, staff became aware that Burger Social, a Class A Licensee at 108 N. Hale Street, advertised their hours of operation to be in apparent conflict with those prescribed by Wheaton's Liquor Code.

The hours for a Class A Licensee are Monday - Sunday, 7am to 11 pm. In addition, alcoholic liquor may be sold in a restaurant holding a Class A license only during the period when patrons of the license are offered a complete meal.

Burger social was directed to immediately alter their business practices (which they did) to comply with these requirements. Not doing so would have will placed them at risk of receiving a notice of violation requiring an appearance to appear before the Liquor Control Commission.

Since their notification, Burger Social, in order to honor a previous commitment, did receive permission from the Liquor Commissioner (Mayor) to allow for the extension of liquor sales at Burger Social from 11 pm to 12am on Sunday February 2<sup>nd</sup>. This request was approved consistent with the City of Wheaton's applicable liquor ordinances.

Burger Social was also informed of the efforts of Hale Street Cantina to amend the hours of operation for Class A Licensees and to allow for approval of a limited menu after 11pm; like what is afforded to Class I Licensees.

### Proposal

Burger Social plans to attend the February 13<sup>th</sup> Liquor Commission meeting to, in addition to humbly apologize for their transgression, offer testimony in support of the proposed amendment to the hours of operation and present a "limited menu" for Commission approval should the proposed amendment be approved by the City Council.

Attached to this memorandum is Burger Social's proposed "Limited Menu".

Attachment

c: James Larson