

**AGENDA
DOWNERS GROVE LIQUOR COMMISSION
APRIL 5, 2018
VILLAGE HALL COUNCIL CHAMBERS**

6:30 P.M.

I Call to Order

II Roll Call

III Approval of Minutes of March 1, 2018 Liquor Commission Meeting

IV Application Hearing

Maple Food & Liquor
2263-2265 Maple Avenue
P-1

V New Business

Orange Brew
License Classification Amendment

VI Old Business

VII Comments from the public

VIII Adjournment

**DOWNERS GROVE LIQUOR COMMISSION
VILLAGE HALL COUNCIL CHAMBERS
801 BURLINGTON AVENUE**

Thursday, March 1, 2018

I. CALL TO ORDER

Chairman Strelau called the March 1, 2018 Liquor Commission meeting to order at 6:30 p.m.

II. ROLL CALL

PRESENT: Mr. Clary, Mr. Krusenoski, Ms. Pietrucha (6:35 p.m.), Ms. Toerpe, Chairman Strelau

ABSENT: Ms. Flanagan, Mr. Jacobson

STAFF: Carol Kuchynka, Liaison to the Liquor Commission, Assistant Village Attorney Dawn Didier, Village Attorney Enza Petrarca

OTHERS: William O'Donoghue, Toni Conic, Carlos Gonzalez, Grant Vanderholt, Gregory Dose, Esq., Heather Rodriguez, Bob Irons, Court Reporter

III. APPROVAL OF MINUTES

Chairman Strelau asked for approval of the minutes for the December 7, 2017 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the December 7, 2017 minutes of the Liquor Commission meeting were approved as written.

Chairman Strelau reminded those present that this evening's meeting was being recorded on Village-owned equipment. Staff was present to keep minutes for the record and a court reporter was present taking the minutes verbatim.

IV. DISCIPLINARY HEARING FOR ALLEGED VIOLATIONS

Chairman Strelau made the following statements:

"Section 3-40 of the Downers Grove Municipal Code provides that the Local Liquor Commissioner may revoke or suspend any license issued if the Commissioner determines that the licensee has violated any of the provisions of this chapter or any State law pertaining to the sale of alcohol. Both under the Section cited above, and under Chapter 235, Section 5/7-5, Illinois Compiled Statutes, the Local Liquor Commissioner is required to hold a public hearing after notice to the licensee, in which the licensee is afforded an opportunity to appear and defend. Pursuant to Section 3-5 of the Downers Grove Municipal Code, this hearing is being conducted by the Local Liquor Commission at the request of the Local Liquor Commissioner."

"The Commissioner has the power to temporarily suspend a license without a hearing if there is reason to believe that continued operation of the licensed business would immediately threaten the welfare of this

- B. Prosecution may present any additional evidence in this case with the right of the licensee to cross-examine.
- C. Licensee may present any defense or mitigating evidence with right of prosecution to cross-examine.
- D. Summary of case by prosecution and defense."

"The prosecution should establish that timely notice of this hearing has been provided to the licensee."

"Witnesses shall be sworn."

"Strict rules of evidence will need not be adhered to although the Commission expects to exercise control over the hearing to ensure that irrelevant or repetitive testimony does not unduly prolong the hearing."

"A court reporter is present and will take the proceedings verbatim. Staff is also present for the purpose of summarizing the proceedings."

"The Commission will submit the findings and recommendations to the Local Liquor Commissioner regarding the existence and nature of any violation."

"Upon receipt of the recommendation of the Commission, the Commissioner will render a decision and the licensee will be notified in writing."

Bed Bath & Beyond - 1548 Butterfield Road

Chairman Strelau stated that the next order of business was to conduct a disciplinary hearing for Bed Bath & Beyond of California, LLC d/b/a Bed Bath & Beyond located at 1548 Butterfield Road. She stated that the licensee has been charged with a violation of Section 3-25(a) of the Downers Grove Liquor Control Ordinance.

Chairman Strelau asked that any individual(s) representing the licensee step forward and be seated. She asked that any individual(s) giving testimony, state and spell their name for the record, indicate their affiliation with the establishment and be sworn in by the court reporter.

Attorney William O'Donaghue introduced himself as the attorney representing Bed Bath & Beyond. Attorney O'Donaghue stated that Mr. Grant Vanderholt, Regional Manager, Mr. Toni Conic, Store Manager and Mr. Carlos Gonzalez, Loss Prevention Specialist were present this evening. Mr. Vanderholt, Mr. Conic and Mr. Gonzalez were sworn in by the court reporter.

Chairman Strelau asked the prosecuting attorney to present her case.

Ms. Didier stated that the parties to this hearing before the Liquor Commission of the Village of Downers Grove by and through their attorneys, if any, hereby stipulate as follows:

1. Bed Bath & Beyond of California, LLC d/b/a Bed Bath & Beyond, 1548 Butterfield Road, Downers Grove, Illinois, is the holder of a Class P-2 Liquor License #LQ-000181, issued by the Village of

Downers Grove. That said Licensee has held a liquor license for this location from the Village of Downers Grove since October 27, 2014.

2. Notice of this hearing was served upon the Licensee by certified mail to its registered agent and by personal delivery to the manager of the licensed premises.
3. At approximately 5:25 p.m. on Tuesday, January 30, 2018, Downers Grove Police Officer Lyerly and Downers Grove Police Officer Rau observed S.D., a special agent of the Downers Grove Police Department under the age of twenty-one (21), whose date of birth is September 25, 2000 (making her 17 years old), enter Bed Bath & Beyond located at 1548 Butterfield Road, Downers Grove.
4. The special agent retrieved a bottle of LaMarca Prosecco sparkling wine from the liquor section of the store and proceeded to the checkout counter where Dawn Wenc was working as a cashier.
5. That cashier Dawn Wenc, whose date of birth is March 16, 1970, then asked the special agent for her identification.
6. That the special agent produced her valid Illinois driver's license indicating her date of birth as September 25, 2000, and reading "Under 21 until 09-25-21" on the face of the license.
7. That cashier Dawn Wenc viewed the special agent's driver's license and returned it to her.
8. That cashier Dawn Wenc rang up the sale charging the special agent \$7.55.
9. That the special agent gave the cashier Dawn Wenc a \$20.00 bill and received \$12.45 in change.
10. Officers Lyerly and Rau who witnessed the events in the foregoing paragraphs, identified themselves and advised that the delivery of an alcoholic beverage had been made to a minor.
11. That Dawn Wenc was issued a Village ordinance administrative citation for delivering alcohol to a minor in violation of Section 3-25(a) of the Downers Grove Municipal Code.
12. The Officers advised that notice of further action would be forthcoming from the Downers Grove Liquor Commission.

Ms. Didier asked that the signed stipulation be entered into the record as Village's Exhibit #1.

Chairman Strelau accepted the signed stipulation as Village Exhibit #1.

Chairman Strelau asked the licensee to present its case.

Attorney O'Donaghue prepared a packet for the Commission which included the stipulation, police report, corporate policy and training acknowledgment. He asked that the packet be entered into the record as Defendant's Exhibit #1.

Chairman Strelau accepted the packet as Defendant's Exhibit #1.

Attorney O'Donaghue advised that Bed Bath & Beyond has been in operation in Downers Grove since 1993. He stated that they have been licensed by the Village to sell liquor since October of 2014. He

stated that Bed Bath & Beyond began obtaining liquor licenses when the corporation acquired Cost Plus World Market. He stated that four stores in Illinois hold liquor licenses.

Attorney O'Donaghue stated that the Licensee has stipulated to the facts of the case and agrees with the events that occurred on January 30th.

Attorney O'Donaghue stated that Loss Prevention was immediately contacted as part of an internal investigation of the incident. He stated that corporate officers are aware of the violation, take the matter very seriously and expressed concern about the violation. He stated that they were upset about the violation and intend to do everything to ensure that this does not happen again.

Attorney O'Donaghue stated that all cashier associates go through BASSET certified training in addition to training with their corporate manual. He stated that associates are instructed to ask everyone for identification and it is expressly contained in their policy that associates are not to accept the vertical license or identification card. He stated that associates are also made aware of the compliance checks. He stated that associates are encouraged to "pass the buck" or ask for help and get a manager if they are unsure of any situation.

Attorney O'Donaghue stated that the employee failed to comply with company policy by accepting the vertical identification. He stated that Tab 3 contains their service policy and employees must sign an acknowledgment (Tab 4). He stated that the policy goes on the sign if the identification is vertical, it is a sign that the customer is under 21.

Attorney O'Donaghue stated that it is frustrating for corporate that employees do not follow policy. He stated Mr. Gonzales reviewed the video surveillance that monitored the transaction. He stated that the clerk gave no excuse for the violation and was terminated.

Mr. Vanderholdt stated that he has held the regional manager position for the past three years and oversees 40 stores in Illinois, Indiana and Iowa, four of which sell alcohol. He apologized for the violation and was frustrated about the incident.

Mr. Conic stated that he is the store manager. He stated that he was frustrated and upset about the violation. He stated that since the violation the associates have been re-trained. He stated that associates are trained during orientation and they provide continuing education for staff.

Mr. Conic advised that they plan to implement a new POS (point of sale) register system in the store in June. He stated that the new software will be more effective and a date of birth will need to be keyed in for any liquor sales.

Mr. Gonzalez advised that he is the loss prevention specialist area manager for Illinois, Indiana and Iowa Bed Bath and Beyond locations. He apologized for the violation and stated that he was contacted immediately to investigate the incident. He stated that he viewed the surveillance tape and witnessed the events. He stated that he contacted Human Resources and requested immediate termination. He stated that her failure to follow policy was evident. He stated that he reached out to Carol at the Village to discuss what to do from this point forward. He stated that they immediately retrained staff.

Mr. Gonzalez stated that when the new POS system is installed, every associate will be retrained again with the new system.

Mr. Gonzalez stated that he spoke with the employee who could not explain why the incident happened. He stated that Ms. Wenc misread the year of birth and that the sale was not intentional.

Mr. Gonzales noted that they have passed three controlled buy tests, but need to be at 100% compliance. He apologized and stated that he did not want this to ever happen again.

Chairman Strelau requested questions from the Commission.

Mr. Clary appreciated that they took the violation seriously. He stated that the Village takes the sale of liquor very seriously. He asked why only four of the forty stores in the region sell alcohol. Mr. Vanderholdt replied that liquor departments only fit in certain sized buildings and demographics is taken into consideration. He advised that they hold liquor licenses in Downers Grove, Orland Park, Schaumburg and Vernon Hills.

Mr. Clary asked if they were implementing the new POS system as a result of the violation. Mr. Vanderholdt replied no and stated that the new POS system was in the works as it needed upgrades. He stated that the new date of birth key in capability will be a benefit of the new system as well as upgrades to technology that will benefit the stores.

Ms. Pietrucha appreciated that they are taking the incident seriously and that they are following up with steps to improve training and will upgrade their system. She asked when the new POS system will be up and running. Mr. Vanderholdt replied that they hoped it would be complete by the end of July at the Downers Grove location.

Mr. Conic advised that management has stressed the importance of not selling to minors. He stated that since the incident they have held daily meetings with AM and PM shifts about liquor policy and have encouraged employees to enlist the help of management if they have any concerns about a liquor sale.

Ms. Pietrucha asked what is the percentage of liquor sales at the Downers Grove location. Mr. Vanderholt replied 3%. She asked if coupons can be used for liquor purchases. Mr. Vanderholdt replied yes.

Ms. Toerpe stated that it shows that they have done a lot since the violation and have taken the incident seriously.

Ms. Toerpe asked Mr. Conic if Ms. Wenc had any prior liquor handling experience. Mr. Conic replied no and noted that she was a stay at home mom. He stated that she did obtain a BASSET certification.

Ms. Toerpe asked if it was a challenge selling liquor among the mixed vast inventory that they sell. Mr. Conic replied that liquor items are flagged and a pop up warning comes on the screen which prompts cashiers to request identification. He stated that the new POS system will add another safeguard where they have to manually type in the date of birth to follow through with the sale.

Mr. Conic noted that they will have training on the new POS system. He stated that they will hold quarterly meetings to cover all carding requirements.

Ms. Toerpe asked if the POS system will have the scanning technology. Mr. Vanderholdt replied no. He stated that technology is not completely reliable. He stated that with keying in, they will be instructed to look at the individual and compare the person in front of them to the identification.

Ms. Toerpe was concerned that if associates by-pass the system or key in the wrong dated. Mr. Vanderholdt replied that there is no 100% fool proof way to enter an identification.

Ms. Toerpe asked if Bed Bath & Beyond had any other violations. Attorney O'Donaghue replied that a Schaumburg associate sold a six-pack to a minor two years ago and they received a \$500 fine for the violation.

Mr. Krusenoski noted that the under 21 identification is more obvious as it is vertical in nature and there is no math to be done - if it is vertical, then employees should know not to take it.

Mr. Krusenoski asked Mr. Conic how long the daily meetings last. Mr. Conic replied about ½ hour. Mr. Krusenoski asked how much time is spent on liquor related topics. Mr. Conic replied 3-5 minutes. Mr. Krusenoski stated that it seems that employees are working in a culture that does not emphasize the importance of liquor services. He stated that they have to work hard to establish good conduct. Mr. Conic stated he was baffled why the employee defied policy. He stated that they have an open forum with employees and the meetings are interactive. He stated that the associates are encouraged to ask questions and come up with solutions and answer questions that come up during the meetings themselves.

Mr. Krusenoski expressed his concern that the Village comes in this one time and a sale is made to a minor. He was concerned as to what occurs the other 364 days a year when the Village is not testing.

Chairman Strelau stated that although Bed Bath & Beyond has a 75% success rate passing the control buys, there are licensees in the Village who have held their licenses for many years without a violation. She stated that they have to be intentionally diligent with regard to liquor sales. She stated that in addition to the new system installation and detailed manuals, management needs to set a tone and tenor stressing the importance of proper liquor sales and stress to employees that they will be held accountable for violations. She was pleased that they brought along evidence of their concern, but noted that employees need to feel that liquor sales are important to the boss and must pay incredible attention to detail. She noted their frustration in that they are the victim of their employees but management must do its due diligence. She wished them luck with the new system.

Ms. Didier summarized by stating that Bed Bath & Beyond of California, LLC d/b/a Bed Bath & Beyond located at 1548 Butterfield Road, has stipulated to a violation of Section 3-25(a) of the Downers Grove Liquor Control Ordinance which prohibits the sale of alcohol to a minor. She recommended that the licensee be found guilty of a violation.

Chairman Strelau asked Attorney O'Donaghue if he had any final comments for the record. Attorney O'Donaghue replied when considering a penalty that they would prefer a fine in lieu of a suspension.

Upon hearing the evidence presented in this case, Chairman Strelau requested a motion as to whether the licensee be found guilty or not guilty of a violation of Section 3-25(a) of the Downers Grove Municipal Code.

MR. KRUSENOSKI MOVED TO FIND BED BATH & BEYOND OF CALIFORNIA. LLC D/B/A BED BATH & BEYOND GUILTY OF VIOLATING SECTION 3-25(A) OF THE DOWNERS GROVE LIQUOR CONTROL ORDINANCE. MR. CLARY SECONDED.

VOTE:

Aye: Mr. Krusenoski, Mr. Clary, Ms. Pietrucha, Ms. Toerpe, Chairman Strelau

Nay: None

Abstain: None

MOTION CARRIED: 5:0:0

The Motion carried.

V. APPLICATION FOR LIQUOR LICENSE

Chairman Strelau made the following statements:

"The first order of business is to conduct a public hearing for a liquor license application. For the benefit of all present, I would like to state that this Commission does not determine the granting or denial of the issuance of any license. We may at the end of each hearing, make a finding or recommendation with respect to the application. If necessary, the Commission may adjourn a hearing to a later date in order to have benefit of further information."

"At the conclusion of the hearing, the Commission will summarize its findings and determine any recommendations it wishes to make to the Liquor Commissioner."

"The Liquor Commissioner, who is the Mayor of Downers Grove, will, pursuant to Section 3-12 of the Ordinance, render decisions regarding issuance of available liquor licenses within 60 days."

"Hearings by this Commission are held according to the following format: 1) reading of information pertinent to the application, 2) comments from the applicant, 3) discussion by the Commission, 4) comments from staff, 5) comments from the public, and 6) motion and finding by the Commission."

Outback Steakhouse - 2970 Finley Road

Chairman Strelau stated that the next order of business was an application hearing for Outback Steakhouse of Florida, LLC d/b/a Outback Steakhouse located at 2970 Finley Road. She stated that the applicant was seeking a Class "R-1", full alcohol, on-premise consumption liquor license.

Chairman Strelau asked that any individual(s) representing the applicant step forward and be seated. She asked that any individual(s) giving testimony, state and spell their name for the record, indicate their affiliation with the establishment and be sworn in by the court reporter.

Gregory Dose and Heather Rodriguez were sworn in by the court reporter. Mr. Dose introduced himself as the attorney representing Outback. Ms. Rodriguez introduced herself as the liquor manager of Outback. Mr. Irons was introduced as the Regional Manager.

Chairman Strelau asked the applicant to present its case.

Ms. Rodriguez stated that Outback Steakhouse is a full service restaurant featuring steaks, ribs and chicken. She stated that they are seeking a liquor license for their full service bar. Attorney Dose added Outback was relocated from Villa Park to Downers Grove as the lease in the former location had expired.

Ms. Toerpe asked Ms. Rodriguez about her liquor handling experience. Ms. Rodriguez stated that she has worked for Outback Steakhouse for over 21 years. She stated that her experience started there as being employed as a server. She stated that she then served as manager and was promoted to partner manager 13 years ago. She stated that she has worked in the restaurant industry for a total of 26 years.

Ms. Toerpe asked Ms. Rodriguez if she had ever experienced a violation over the course of her employment. Ms. Rodriguez replied yes. She stated that she was the manager of the Outback in Villa Park when a violation occurred there in 2012. She noted that they were shopped by the State and that the employee never asked for identification. She stated that the employee was immediately terminated, no questions asked.

Ms. Rodriguez stated that mandatory certification of employees is done every three years. She stated servers with outdated certification are immediately removed from the floor. She stated that upon hire employees go through Outback's comprehensive six hour computer training module. She stated that 1 ½ hours is devoted solely to liquor training. She stated that as a refresher, employees go through the corporate training once a year.

Ms. Rodriguez advised that staff holds "alley rallies" which are daily pre-shift meetings where they discuss issues and liquor policies. She stated that they also have a communication board that has liquor information about the year, date of birth for how old someone has to be to drink liquor.

Ms. Toerpe asked if they will accept the vertical id. Ms. Rodriguez replied no. She stated that they have a zero tolerance policy for serving minors.

Mr. Krusenowski stated that it was advantageous for them to hear the previous disciplinary. He stated that in addition to policy and training modules they need to work on a culture that stresses the importance of proper liquor service. He stated that they must be strict in addition to employees following their policies.

Ms. Pietrucha was pleased with Ms. Rodriguez's experience. Ms. Pietrucha asked if Ms. Rodriguez if they encounter underage people trying to purchase liquor. Ms. Rodriguez replied no. She stated that employees are encouraged to seek a manager's help if there is ever a questions about someone's age or

identification. She stated the employees are encouraged to get assistance from a manager if they get an out of state identification or if they are unsure about serving a patron.

Ms. Pietrucha asked how Downers Grove differs most from Villa Park. Ms. Rodriguez replied that Downers Grove has very strict rules which she intends to communicate to her staff. She stated that she oversees employee training and will keep proper liquor service at the forefront of their minds.

Ms. Pietrucha asked Ms. Rodriguez how often she is present at the restaurant. Ms. Rodriguez replied that she works the mid-day shift 5 days a week and is there typically 55-65 hours per week. She added that the mid-day shift covers both the lunch and dinner rush.

Mr. Clary welcomed Outback to Downers Grove. He stated it was beneficial for them to hear the disciplinary hearing and how serious the Village is about liquor service. He had no questions.

Chairman Strelau stated that the Commission could not encourage them enough the importance setting the proper tone with regard to the importance of proper liquor service. She stated that the tone and tenor set by management is what matters most in addition to proper training.

Mr. Krusenowski asked when the restaurant will open. Ms. Rodriguez replied the soft opening is March 16th with opening to the general public on March 19th.

Chairman Strelau asked staff for recommendations or comments pertinent to this application. Ms. Kuchynka replied that issuance of the license is contingent upon receipt of satisfactory background checks and the annual fee.

Chairman Strelau asked for comments from the public. There were none.

Hearing the testimony given in this case, Chairman Strelau asked for a recommendation from the Commission concerning its finding of "qualified" or "not qualified" with respect to the applicant with regard to their Class "R-1" liquor license application.

MR. CLARY MOVED TO OUTBACK STEAKHOUSE OF FLORIDA, LLC D/B/A OUTBACK STEAKHOUSE #1417 LOCATED AT 2970 FINLEY ROAD QUALIFIED FOR A CLASS "R-1", FULL ALCOHOL, ON-PREMISE CONSUMPTION LIQUOR LICENSE. MS. TOERPE SECONDED.

VOTE:	Aye:	Mr. Clary, Ms. Toerpe, Ms. Pietrucha, Mr. Krusenowski, Chairman Strelau
	Nay:	None
	Abstain:	None

MOTION CARRIED: 5:0:0

Motion carried.

VI. OLD BUSINESS

Chairman Strelau asked if there was any discussion, update from staff or comments from the Commission regarding any old business.

Ms. Kuchynka discussed the month end reports. She stated that the Village Council adopted an ordinance amending the theater license classification to serve alcohol during regularly scheduled movies.

VII. NEW BUSINESS

Chairman Strelau asked if there was any discussion, update from staff or comments from the Commission regarding any new business.

Ms. Kuchynka stated that there will be an April Liquor Commission meeting as she has an application on file and a code change to discuss under new business.

VIII. COMMENTS FROM THE PUBLIC

There were none.

IX. ADJOURNMENT

Concluding business for the evening, Chairman Strelau called for a motion to adjourn.

Mr. Clary moved to adjourn the March 1, 2018 meeting. The meeting was adjourned by acclamation at 7:43 p.m.



VILLAGE OF DOWNERS GROVE
REPORT FOR THE LIQUOR COMMISSION
APRIL 5, 2018 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
Licensee: Shree Maha, Inc. D/B/A: Maple Food & Liquor Address: 2263-2265 Maple Avenue	Application for Class P-1 liquor license	Carol Kuchynka Liaison to the Liquor Commission

REQUEST

The applicant is requesting a Class P-1 liquor license for Maple Food & Liquor located at 2263-2265 Maple Avenue.

NOTICE

The request has been filed in conformance with applicable procedural and public hearing requirements.

GENERAL INFORMATION

Officer(s): Kamlesh Shah, President

Stockholder(s): Kamlesh Shah 100%

Manager: Mr. Kamlesh Shah

Licensee: Shree Maha, Inc. d/b/a Maple Food & Liquor
2263-2265 Maple Avenue
Downers Grove, IL 60515

PROPERTY INFORMATION

EXISTING LAND USE: Commercial
PROPERTY SIZE: (3,600 square feet)

ANALYSIS

Submittals

This report is based on the following documents, which are on file with the Legal Department:

1. Application for Liquor License
2. Lease
3. Liquor Handling Manual
4. Floor Plan

Project Description

The applicant is requesting a Class P-1 liquor license for the operation of a convenience store located at 2263-2265 Maple Avenue.

Compliance with the liquor ordinance

The establishment is defined as:

Convenience Store. A place kept, used, maintained, advertised or held out to the public as a place in which the sale of food, beverages, medications, household products, cosmetic items and reading materials are provided. No more than twenty-five percent (25%) of the retail sale square footage area shall be devoted to the sale of alcoholic liquor and tobacco products.

License conditions

"P-1" Packaged liquor licenses shall authorize the retail sale on the premises specified, which shall not include premises of less than three thousand six hundred (3,600) square feet, of alcoholic liquor in packages with the seals unbroken, only, and not for consumption on the premises, except that tastings shall be permitted on such premises in accordance with State law. Such licenses shall be only authorized in locations where the sale of packaged liquor is the primary business and/or in locations where the primary business is that of a grocery store or convenience store as defined herein.

Public Safety Requirements

Fire Prevention and Community Development Department will need to conduct a walkthrough of the facility and building permits required. A Certificate of Occupancy for remodeling has been applied for and is pending. Health Department approval is required.

Factors Affecting Finding or Recommendation

Certificate of Occupancy, insurance, annual fee, satisfactory background checks and employee certifications.

Recommendation

Based upon testimony presented at the April 5, 2018 application hearing, if said application is consistent with the Liquor Code and meets the criteria of the classification, staff requests the following:

A recommendation from the Commission concerning its finding of "qualified" or "not qualified" with regard to their Class P-1 liquor license application, along with any conditions and/or restrictions with respect to this applicant.



www.downers.us

March 20, 2018

**COMMUNITY RESPONSE
CENTER**

630.434.CALL (2255)

CIVIC CENTER

801 Burlington Avenue

Downers Grove

Illinois 60515-4782

630.434.5500

TDD 630.434.5511

FAX 630.434.5571

FIRE DEPARTMENT

ADMINISTRATION

5420 Main Street

Downers Grove

Illinois 60515-4834

630.434.5980

FAX 630.434.5998

POLICE DEPARTMENT

825 Burlington Avenue

Downers Grove

Illinois 60515-4783

630.434.5600

FAX 630.434.5690

PUBLIC WORKS

DEPARTMENT

5101 Walnut Avenue

Downers Grove

Illinois 60515-4046

630.434.5460

FAX 630.434.5495

Mr. Kamlesh Shah
Shree Maha, Inc.
18W015 73rd Street
Darien, IL 60561

*RE: Application for Class P-1 Liquor License
Maple Food & Liquor
2263-2265 Maple Avenue, Downers Grove, IL 60515*

Dear Mr. Shah:

The Liquor Commission of the Village of Downers Grove will meet on Thursday, April 5, 2018, at 6:30 p.m. in the Village Hall Council Chambers to consider applications for liquor licenses. A public hearing will be held on your application as a part of this meeting.

I encourage you to attend this public hearing at which time you will have an opportunity to comment in support of your application. In addition, the Liquor Commission will be particularly interested in examining your liquor handling manual and in hearing about your floor plan and training procedures as they relate to the sale of alcoholic beverages.

You may withdraw your application at any time prior to the public hearing.

If you have any questions, please contact me at (630) 434-5542.

Very truly yours,



Carol Kuchynka
Liaison to the Liquor Commission

VILLAGE OF DOWNERS GROVE

a:\Maple Food & Liquor\app-hrg-nts



VILLAGE OF DOWNERS GROVE, ILLINOIS APPLICATION FOR LIQUOR LICENSE

Date: 10/25/17

Application is hereby made to the Local Liquor Commissioner of the Village of Downers Grove for issuance of a Class P.1 liquor license, pursuant to the ordinances of the Village and laws of the State of Illinois. In support of said application the following is submitted:

1. GENERAL INFORMATION

1.1 Applicant:

Name: ~~Kamlesh Shah~~ Shree Maha Inc. Phone: 630-379-6260
Address: 2263-2265 Maple Ave, Downers Grove IL 60515

1.2 Status:

- Individual(s) or Sole Proprietorship
- Corporation
- Limited Liability Corporation
- Partnership
- Club
- Other (explain) _____

1.3 Liquor Manager:

Name: Kamlesh Shah Phone: [REDACTED]
Address: [REDACTED]
Driver's License No. [REDACTED] Social Sec. No. [REDACTED]
Date of Birth 63 Place of Birth India

2. PREMISES

Doing Business As Maple Food and Liquor Phone: 630-379-6260
Address: 2263-2265 Maple Ave, Downers Grove IL

2.2 Does Applicant beneficially own the premises for which a license is sought? Yes No

a. If yes, Applicant must attach proof of ownership. (i.e. title policy)

b. If Applicant is not the beneficial owner of the premises, does Applicant have a lease thereon for the full period for which the license is to be issued? Yes No - If yes:

i. A copy of lease must be attached; and,

ii. Identify the owner or rental agent for the property:

Name: Affiliated Realty and Management Phone: 847-439-0400
Address: 1720 W. Algonquin Rd Suite 200

2.3 Are the premises located within one hundred feet of any church, school, hospital, home for aged or indigent persons or for veterans, their spouses or children or any military or naval stations. Yes No

2.4 State the anticipated date of occupancy. 11/1/17

3. CORPORATION

This section must be completed by authorized agent of any corporate Applicant. If Applicant is a partnership, skip section 3 and go to section 4. If Applicant is neither a corporation nor a partnership, skip sections 3 and 4 and go to section 5.

- 3.1 Applicant was incorporated under the laws of the State of IL on the 10 day of October, A.D., 2017.
- 3.2 If Applicant was not incorporated under the laws of the State of Illinois, is Applicant a foreign corporation qualified under the "Business Corporation Act of 1983" to transact business in the State of Illinois? Yes No
- 3.3 Registered Agent:
Name: Kamlesh Shah Phone: 
Address: 
- 3.4 Corporate Applicants must complete and attach DG LIQ-FORM 2/OFFICERS and DG LIQ-FORM 3/SHAREHOLDERS.

4. PARTNERSHIP/LIMITED LIABILITY CORPORATION

This section must be completed by authorized agent of any partnership or limited liability corporation Applicant. If Applicant is not a partnership or limited liability corporation, skip to Section 5.

- 4.1 Applicant was formed under the laws of the State of _____ on the _____ day of _____, A.D., _____.
- 4.2 Is Applicant a limited partnership pursuant to the Illinois Revised Uniform Limited Partnership Act? Yes No
- 4.3 If Applicant was not formed under the laws of the State of Illinois, is Applicant a foreign partnership qualified under the Illinois Uniform Partnership Act or the Illinois Uniform Limited Partnership Act, as now or hereafter amended, to transact business in the State of Illinois? Yes No
- 4.4 Registered Agent: Not Applicable _____
Name: _____ Phone: _____
Address: _____
- 4.5 General Partner: Not Applicable _____ (Note: if there is more than one general partner, include that general partner who is to be primarily responsible for operation of the licensed premises.)
Name: _____ Phone: _____
Address: _____
- 4.6 Managing Partner: Not Applicable _____ (Note: if there is more than one managing partner, include that managing partner who is to be primarily responsible for operation of the licensed premises.)
Name: _____ Phone: _____
Address: _____
- 4.7 Partnership Applicants must complete and attach DG LIQ-FORM 3/SHAREHOLDERS and DG LIQ-FORM 4/ PARTNERSHIP/LIMITED LIABILITY CORPORATION.

5. SOLE PROPRIETORSHIP Skip to Section 6.

NOTE: Pursuant to 235 ILCS 5/6-2 (1) Sole proprietor must be resident of the Village in which the premises covered by the license is located. Pursuant to 235 ILCS 5/6-2 (3) Sole proprietor must be a citizen of the United States.

6. QUALIFICATIONS (This section to be completed by all applicants.)

6.1 Has any liquor license issued to the applicant, the liquor manager, or any person or entity listed on DG LIQ-FORM 2/OFFICERS, DG LIQ-FORM 3/SHAREHOLDERS, or DG LIQ-FORM 4/ PARTNERSHIP/LIMITED LIABILITY CORPORATION ever been fined, revoked or suspended?

No

___ Yes
If yes, identify the following: (Attach additional information as desired or as space limitations on this form require)

- a. Jurisdiction revoking or suspending license: _____
- b. Date of revocation or suspension: _____
- c. Reason given by revoking jurisdiction for revocation or suspension: _____

- d. Additional explanatory information, if desired: _____

6.2 Has Applicant, the liquor manager, or any person or entity listed on DG LIQ-FORM 2/OFFICERS, DG LIQ-FORM 3/SHAREHOLDERS or DG LIQ-FORM 4/ PARTNERSHIP/LIMITED LIABILITY CORPORATION, ever been convicted of violating any Federal or State law concerning the manufacture, possession or sale of alcoholic liquor, or forfeited their bond for failure to appear in court to answer charges for any such violation?

No

___ Yes
If yes, identify the following: (Attach additional information as desired or as space limitations on this form require)

- a. Jurisdiction revoking or suspending license: _____
- b. Date of revocation or suspension: _____
- c. Reason given by revoking jurisdiction for revocation or suspension: _____

- d. Additional explanatory information, if desired: _____

6.3 Has Applicant, the liquor manager, or any person or entity listed on DG LIQ-FORM 2/OFFICERS, DG LIQ-FORM 3/SHAREHOLDERS or DG LIQ-FORM 4/ PARTNERSHIP/LIMITED LIABILITY CORPORATION, ever been convicted of a felony under Federal or State law?

No

___ Yes
If yes, identify the following: (Attach additional information as desired or as space limitations on this form require)

- a. Jurisdiction revoking or suspending license: _____
- b. Date of revocation or suspension: _____
- c. Reason given by revoking jurisdiction for revocation or suspension: _____

- d. Additional explanatory information, if desired: _____

6.4 Is Applicant the beneficial owner of the business to be operated?

Yes No

6.5 Has Applicant, the liquor manager, or any person or entity listed on DG LIQ-FORM 2/OFFICERS, DG LIQ-FORM 3/SHAREHOLDERS or DG LIQ-FORM 4/ PARTNERSHIP/LIMITED LIABILITY CORPORATION, been convicted of a gambling offense in violation of Sections 28-1(a)(3) through (a)(10), or Section 28-3, of the Illinois Criminal Code (ILL. REV. STAT., ch. 38), as heretofore or hereafter amended.

No

Yes

If yes, identify the following: (Attach additional information as desired or as space limitations on this form require)

- a. Jurisdiction revoking or suspending license: _____
- b. Date of revocation or suspension: _____
- c. Reason given by revoking jurisdiction for revocation or suspension: _____

- d. Additional explanatory information, if desired: _____

6.6 Has Applicant, the liquor manager, or any person or entity listed on DG LIQ-FORM 2/OFFICERS, DG LIQ-FORM 3/SHAREHOLDERS or DG LIQ-FORM 4/ PARTNERSHIP/LIMITED LIABILITY CORPORATION, been issued a federal wagering stamp by the federal government for the current tax period? Yes No If yes, provide details:

6.7 Has a federal wagering stamp has been issued by the federal government for the current tax period for the premises for which a license is sought? Yes No If yes, provide details:

6.8 Is applicant a citizen of the United States?

Yes No Not Applicable - Applicant is a corporation or partnership

6.9 Is applicant a resident of Downers Grove?

Yes No Not Applicable - Applicant is a corporation or partnership

7. SUBMITTALS

7.1 In addition to this application form the following are submitted as applicable:

- DG LIQ-FORM 1/Liquor Manager
- DG LIQ-FORM 2/Officers & Directors (for each Officer/Director, a Background Check Waiver form must be submitted)
- DG LIQ-FORM 3/Stockholders (for each Stockholder, a Background Check Waiver form must be submitted)
- ~~DG LIQ-FORM 4/Partnership/Limited Liability Corporation (for each Partner, a Background Check Waiver form must be submitted)~~
- DG LIQ-FORM 5/Declaration
- ~~DG LIQ-FORM 6/Outdoor Sales Application (If applicable)~~
- DG LIQ-FORM 7/Certifications
- Articles of Incorporation (If applicable)
- ~~Proof of ownership of premises (i.e. title report)~~
- Lease-If premises not beneficially owned by Applicant (for the full period for which the license is to be issued)
- Floor Plan, as required for any premises to be licensed for sale of alcoholic liquor for consumption on the premises, drawn to scale, and with sufficient detail to depict types of seating, location of bars and other design features.
- Employee liquor handling training manual
- Application fee
- Certificate of Insurance
- Menu (If applicable)
- Reduced Menu -after regular menu hours (If applicable)

7.2 Applicant understands and agrees that additional information and material may be required during the processing of this application related to applicant's qualifications, the information provided herein, including attachments, and the class of license involved. Applicant agrees to provide such additional information and material and that failure to do so may delay the processing of this application or result in its denial.

7.3 In the event Applicant is made aware that any information or document submitted as part of this application process is inaccurate or incomplete, Applicant agrees to immediately notify the Village and provide appropriate corrections. Applicant understands and agrees to provide such additional information and material, and that failure to do so may delay the processing of this application or result in its denial.

THE UNDERSIGNED, BEING DULY SWORN, DOES STATE AS FOLLOWS:

- A. THAT THE UNDERSIGNED IS EMPOWERED TO PREPARE AND SIGN THIS APPLICATION ON BEHALF OF THE APPLICANT.
- B. THAT THE UNDERSIGNED HAS REVIEWED THIS APPLICATION, AND ALL ATTACHMENTS AND SUBMITTALS, AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND ACCURATE.

APPLICANT:

Shree Maha Inc

Name of Corporation/Partnership/LLC/Sole Proprietorship

BY: SHAH KAMLESH

Print Name

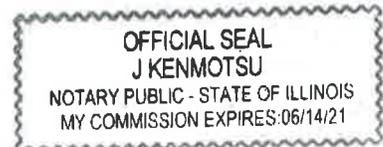
[Signature]

Sign Name

TITLE: Owner

Subscribed and sworn to before me this 7 day of February, 2018.

[Signature]
Notary Public





VILLAGE OF DOWNERS GROVE, ILLINOIS LIQUOR MANAGER APPLICATION

1. Name of Liquor License Applicant/Holder: Shree Maha Inc. Kamlesh Shah
 Doing Business As: SHREE Maha Inc. Maple Food and Liquor.
 Address: 2263-2265 Maple Ave, Downers Grove IL 60515.
 Phone: (630) 379-6260 Liquor License Number: _____

2. Manager: Kamlesh H SHAH Phone: [REDACTED]
 (First) (Middle) (Last)
 Residence Address: [REDACTED]
 (Street Address) (City) (State) (Zip)

If less than one year, previous residence: _____

Citizenship: USA If naturalized, date/place of naturalization: _____

Date of Birth: [REDACTED] 63 Place of Birth: India

Social Security #: [REDACTED] Driver's License # and State: [REDACTED] IL

Number of hours per week of employment (35 minimum) 50

3. **Liquor Handling Experience**
 Name and address (city, state) of any other liquor establishment in which you have been employed, position held and dates of employment experience:

BK corner store 5441 N East River Rd, Chicago IL
BE Convent 15 N Woodbury St South Elgin IL

I certify I have never been convicted of a felony, misdemeanor or licensing ordinance violation.

SIGNATURE OF MANAGER [Signature] Date 3-20-18

Return to: Liaison to the Liquor Commission
 VILLAGE OF DOWNERS GROVE
 801 Burlington Avenue
 Downers Grove, IL 60515



VILLAGE OF DOWNERS GROVE, ILLINOIS
LIQUOR LICENSE APPLICATION
CORPORATE OFFICERS AND DIRECTORS

Applicant: ~~Kamlesh Shah~~ Shree Maha Inc.

The following is a listing of all officers and directors of the Applicant corporation: (Note: include the persons full name, address and corporate title; use additional pages if necessary)

Applicant: ~~Kamlesh Shah~~ Shree Maha Inc.

By: Kamlesh Shah

Corporate Title: Owner

Date: 10-25-17

Name: Kamlesh Shah

Address: [Redacted]

Social Sec. # [Redacted] Driver's License # [Redacted] Date of Birth: [Redacted] 63

Corporate Title: Owner

Name and address of any other liquor establishment in which you have held an ownership interest or have operated. Please include the name of the entity issuing the liquor license for the establishment, the liquor license number, the date the license was issued and its date of expiration.

BK Corner Store 5441 N East River Rd, Chicago IL

RC Convent 15 N Woodbury St South Elgin IL

(Attach completed Background Check Waiver)

Name: _____

Address: _____

Social Sec. # _____ Driver's License # _____ Date of Birth: _____

Corporate Title: _____

Name and address of any other liquor establishment in which you have held an ownership interest or have operated. Please include the name of the entity issuing the liquor license for the establishment, the liquor license number, the date the license was issued and its date of expiration.

(Attach completed Background Check Waiver)

Name: _____

Address: _____

Social Sec. # _____ Driver's License # _____ Date of Birth: _____

Corporate Title: _____

Name and address of any other liquor establishment in which you have held an ownership interest or have operated. Please include the name of the entity issuing the liquor license for the establishment, the liquor license number, the date the license was issued and its date of expiration.

(Attach completed Background Check Waiver)



VILLAGE OF DOWNERS GROVE, ILLINOIS
LIQUOR LICENSE APPLICATION
CORPORATE STOCKHOLDER

Applicant: ~~KAMLESH SHAH~~ Shree Maha Inc.

The following is a listing of all shareholders owning in the aggregate more than five (5%) of the outstanding shares of any class of capital stock of the Applicant Corporation as of the date of application. This listing also identifies any shareholders owning twenty percent (20%) or more of the outstanding shares of any class of capital stock of the Applicant Corporation. (use additional pages if necessary)

Applicant: ~~KAMLESH SHAH~~ Shree Maha Inc.

By: Kamlesh Shah

Corporate Title: Owner

Date: 2/6/18

Name: Kamlesh Shah

Address: [REDACTED]

Social Sec. # [REDACTED] Driver's License # [REDACTED] Date of Birth: [REDACTED] 63

Percent of Stock Ownership: 100%

Name and address of any other liquor establishment in which you have held an ownership interest or have operated. Please include the name of the entity issuing the liquor license for the establishment, the liquor license number, the date the license was issued and its date of expiration.

(Attach completed Background Check Waiver)

Name: _____

Address: _____

Social Sec. # _____ Driver's License # _____ Date of Birth: _____

Percent of Stock Ownership: _____

Name and address of any other liquor establishment in which you have held an ownership interest or have operated. Please include the name of the entity issuing the liquor license for the establishment, the liquor license number, the date the license was issued and its date of expiration.

(Attach completed Background Check Waiver)

Name: _____

Address: _____

Social Sec. # _____ Driver's License # _____ Date of Birth: _____

Percent of Stock Ownership: _____

Name and address of any other liquor establishment in which you have held an ownership interest or have operated. Please include the name of the entity issuing the liquor license for the establishment, the liquor license number, the date the license was issued and its date of expiration.

(Attach completed Background Check Waiver)



VILLAGE OF DOWNERS GROVE, ILLINOIS BUSINESS ACTIVITY DECLARATION

1. Name of Liquor License Applicant/Holder: KAMLESH SHAH Shree Maha Inc.
 Doing Business As: ~~Shree Maha Inc.~~ Maple Food and Liquor
 Address: 2263-2265 Maple Ave, Downers Grove IL 60515
 Phone: 630-379-6260
 License Class: P.1

2. Main or Principal Business to be conducted by the Applicant on the premises stated above:
Conv. Store

wherein the following of the business is devoted to the sale/service of:

- 50 % Food
- 30 % Alcohol
- 10 % Non-alcoholic beverages
- 10 % Other - List:

Tobacco, Tobacco Products, General merchandise, medicine, Chargers,

THE UNDERSIGNED, BEING DULY SWORN, DOES STATE AS FOLLOWS:

- A. THAT THE UNDERSIGNED IS EMPOWERED TO PREPARE AND SIGN THIS APPLICATION ON BEHALF OF THE APPLICANT.
- B. THAT THE UNDERSIGNED HAS REVIEWED THIS DECLARATION AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND ACCURATE.

APPLICANT:
SHREE MAHA Inc.

Name of Corporation/Partnership/LLC/Sole Proprietorship

BY: Kamlesh Shah

NAME: Kamlesh Shah

TITLE: Owner

Subscribed and sworn to before me this 25 day of February, 2018

J. Kantas
 Notary Public





VILLAGE OF DOWNERS GROVE, ILLINOIS CERTIFIED EMPLOYEE DECLARATION

I, Kamlesh Shah, DO HEREBY CERTIFY THAT I am the
Print Name
Owner of Shree Maha Inc. and I DO
Corporate title/Position Corporation

HEREBY FURTHER CERTIFY THAT the attached document is a true, correct and complete
list of current employees who serve, sell or distribute alcoholic liquor of Maple Food and Liquor
d/b/a
located at 2263-2265 maple Ave, Downers Grove, Illinois.
Business Address

I DO HEREBY FURTHER CERTIFY THAT the attached copies of training certificates are true,
correct and valid copies of the training certifications for each of the employees.

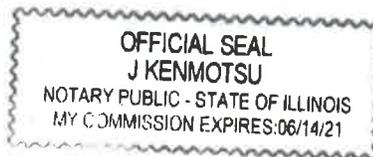
Date: 10-25-19
2-7-18

[Signature]
Signature

Subscribed and sworn to before me this 7 day of February, 2018.

[Signature]
Notary Public

Attachments:
Employee list
Certifications





Illinois BASSET Training

This card certifies that:

KAMLESH SHAH

has completed the

On-Premise BASSET Alcohol Certification


Kamlesh Shah

3/28/2018

Exp. Date

ILLINOIS LIQUOR CONTROL COMMISSION
100 W. Randolph Street, Suite 7-801 - Chicago, IL 60601
**BEVERAGE ALCOHOL SELLERS AND SERVERS
EDUCATION AND TRAINING [BASSET] CARD**
Date of Certification: 10/12/2017 Expires: 10/12/2020
Trainer's IL Liquor License Number: 5A-0081954
RESHMA K SHAH

****Card is not transferrable - OFF-PREMISE ONLY****

COMMERCIAL LEASE

CONCESSION GRANTED

THIS INDENTURE OF LEASE, the "Lease", is entered into at Mt. Prospect, Illinois 60056, with an effective date of December 21, 2017, the "Effective Date", by and between AFFILIATED REALTY AND MANAGEMENT COMPANY, an Illinois corporation, as manager and designated agent, as "Agent", for Code 132, LLC, an Illinois limited liability company, as "LANDLORD", and Shree Maha Inc., an Illinois corporation, as "TENANT", doing business as Maple Food and Liquor, and jointly and severally guaranteed by Kamlesh H. Shah and Reshma K. Shah, as "Guarantor(s)".

The term "LANDLORD" as used in this Lease includes LANDLORD's beneficiaries (if any), contractors, subcontractors, directors, members and managers, agents and employees, or such of the foregoing as the context logically allows. The term "TENANT" as used in this Lease includes TENANT'S contractors, subcontractors, subtenants, licensees, concessionaires and their respective directors, shareholders, partners, agents and employees, or such of the foregoing as the context logically allows.

1. BASIC LEASE DEFINITIONS, RIDERS and EXHIBITS: The following sets forth basic data hereinafter referred to in this Lease and, where appropriate, constitutes definitions of the terms hereinafter listed:

(a) PREMISES: 2263-2265 Maple Avenue, Downers Grove, IL 60515

(b) SHOPPING CENTER: Maple Plaza 2241-2311 Maple Avenue in the Village/City of Downers Grove, in the County of DuPage State of Illinois (Use of the term "Shopping Center" in this Lease includes the Premises.)

(c) Approximate RENTABLE AREA OF THE PREMISES: three thousand six hundred square feet (3,600 s.f.)

"RENTABLE AREA OF THE PREMISES" shall mean: (1) with respect to each single tenancy floor of the Premises, all floor space within the Premises measured from the exterior finish of the outer building glass or building exterior walls, and from the center line of all demising walls, including all public corridors, public toilets, janitors' closets, telephone closets and electrical closets and all columns and projections necessary to the building in which the Premises is located (the "BUILDING"); or (2) with respect to each multiple tenancy floor, all floor space within the Premises measured from the exterior finish of the outer Building glass or Building exterior walls to the center line of all demising walls, plus the proportionate share attributable to the Premises of all public corridors, public toilets, janitors' closets, telephone closets and electrical closets and columns and projections of the Building which are located on the same floor of the Building as the Premises, whether within or outside the Premises.

(d) TENANT'S PROPORTIONATE SHARE of the Shopping Center based on total rentable area in the Shopping Center of (31,203) square feet. eleven point fifty four (11.54%). TENANT'S Proportionate Share of the Shopping Center at any time shall be the proportion that the Rentable Area of the Premises bears to the total rentable area of the buildings which from time to time constitute the Shopping Center.

(e) HOME ADDRESS OF TENANT AND GUARANTOR(S) (if any):

(f) TENANT'S TRADE NAME: Maple Food and Liquor

(g) LEASE TERM: 5 years and 5 months plus two, 5-year options to renew (Refer to Rider 1)

(h) COMMENCEMENT DATE: First (1st) day of the month following approval of Tenant's Liquor License Permit from the Village of Downers Grove, Illinois and following completion of Landlord's Work. (Refer to Rider 1)

(i) EXPIRATION DATE: the date which is, or such other date as is sixty five (65) months after the last day of the month preceding the month in which the Commencement Date falls.

(j) FIXED MINIMUM RENT:

per month from the 1st through the 12th month of this Lease
 per month from the 13th through the 24th month of this Lease
 per month from the 25th through the 36th month of this Lease
 per month from the 37th through the 48th month of this Lease
 per month from the 49th through the 60th month of this Lease
 per month from the 61st through the 65th month of this Lease

*Subject to Consumer Price Index adjustments, whichever is greater (Refer to Rider 1)

(k) INITIAL ESTIMATED INSURANCE AND COMMON AREA MAINTENANCE RENT ("Insurance and CAM Rent") and REAL ESTATE TAX PAYMENTS ("Tax Rent"), subject to adjustment in accordance with Section 4:

one thousand eight hundred forty dollars (\$1,840.00) per month. TENANT'S Proportionate Share of Tax and Insurance and CAM Rent as of the date LANDLORD executes this Lease is eleven point fifty four (11.54%).

(l) PERCENTAGE RENT RATE: n/a (— %) of Gross Sales per Lease Year, as further detailed in Rider 4, if attached.

(m) PERMITTED USE OF PREMISES ("TENANT'S BUSINESS"): Retail convenience store selling packaged liquor, beer, wine, tobacco products and lottery for consumption off the Premises and Shopping Center, and for no other purpose. (Refer to Rider 1)

(n) SECURITY DEPOSIT:

All rent shall be made payable to Affiliated Realty and Management Company, 1720 West Algonquin Road, Suite 200, Mt. Prospect, Illinois 60056, (847) 439-0400, Fax (847) 439-0431, as Agent for the LANDLORD, or as otherwise designated by LANDLORD.

(p) ENUMERATION OF EXHIBITS: This Lease is subject to the provisions of all riders and exhibits attached hereto, all of which riders and exhibits are made a part hereof by this reference. In the event of a conflict between the provisions of any rider and the printed portion of this Lease, the provisions of the rider shall prevail. The riders and exhibits described below are attached to and incorporated into this Lease by this reference.

- RIDER 1 - Additional Terms
- RIDER 2 - Environmental Liability
- RIDER 3 - Guaranty
- RIDER 4 - Percentage Rent
- EXHIBIT A - Rules and Regulations
- EXHIBIT B - Sign Criteria
- EXHIBIT C - Demising Wall Diagram

Landlord waives the Fixed Minimum Rent as detailed on Rider 1. Landlord has granted this rent concession: (i) to help offset tenant leasehold improvement costs, or (ii) for other considerations. Such rent concession shall be deemed null and void upon an Event of Default by Tenant.

Maple Food And Liquor Employee Handbook For Liquor Sales

**2263-65 Maple Ave,
Downers Grove IL, 60515**

**Hours of Operation
M-TH: 5am to 1am
Fri:5am to 2am
Saturday: 8am to 2am
Sunday:9am to 1am**

Training

- 1. All Employees will be required to be basset certified.**
- 2. All Employees will be trained on all forms of IDs we accept.**
- 3. All Employees will be trained on how to key in birthday viewed from DL**

Store Policies

- 1. All Liquor sales will require any 1 of the following 3 forms of ID's:**
 - IL Drivers Licenses**
 - All State Issued Driver Licenses**
 - Passports**
- 2. No sales will be permitted without cashier entering birthday in POS system.**
- 3. No one allowed in walk-in cooler under the age of 21**
- 4. Walk-in cooler walk-in door will be locked prior to 8am.**
- 5. Walk-in cooler doors that contain liquor will be locked prior to 8am**
- 6. Card everyone who looks under the age of 30. Clear signage at check out will indicate that.**

Store Signage

- 1. There will be heavy signage throughout the store. Indicating WE CARD HARD.**
- 2. Signage will remain above Walk-In cooler entrance indicating: NO ONE BEYOND THIS POINT UNDER 21**
- 3. Wine Section will have sign that also indicates: NO ONE BEYOND THIS POINT UNDER 21**

HARD LIQUOR SALES

- 1. All hard liquor will be behind the counter**
- 2. Prior to grabbing any hard liquor of the shelf insure customer has any 1 of the 3 forms of id's we accept.**

KEG SALES

- 1. All employees will be showed the ledger we record all information for kegs sales. Ledgers will be kept by month and will be filed away at end of the month.**

2. The Keg Tag Registration program for the state requires the following for keg purchases:

- **All Keg will be marked with a sticker from the city of downers grove**
 - **Date of Purchase**
 - **Name of Purchaser**
 - **Address of Purchaser**
 - **Telephone of Purchaser**
 - **ID Used for Purchase**
 - **Date Of Birth**

All keg sales will be done with a 2 employee system unless member of ownership. This ensure on time of delivery we can make all the safety check. Both employees will be required to match all information in the ledger and will sign in the ledger.

Employee

- Has reviewed full manual and understands the handling of Liquor sales
- Has completed there Basset Training and has been certified.
- Employee understand that if he/she sales to a minor he/she is subject to fines & penalties and are subject to immediate termination.
- Employee understands the times and knows the allowable sale hours.
- Employee is aware of the only 3 types of ids we accept for alcohol sales
- Employee understands the process for Keg sales
- Employee has also read the city's liquor guidelines brochure attached to the handbook.

X _____
Employee

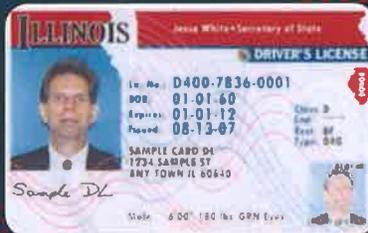
x _____
Owner

ILLINOIS

NEW DRIVER'S LICENSE/ID CARD DESIGN



Under 21 Driver's License



Driver's License



Under 21 ID Card



ID Card



Under 21 Commercial Driver's License



Commercial Driver's License (CDL)



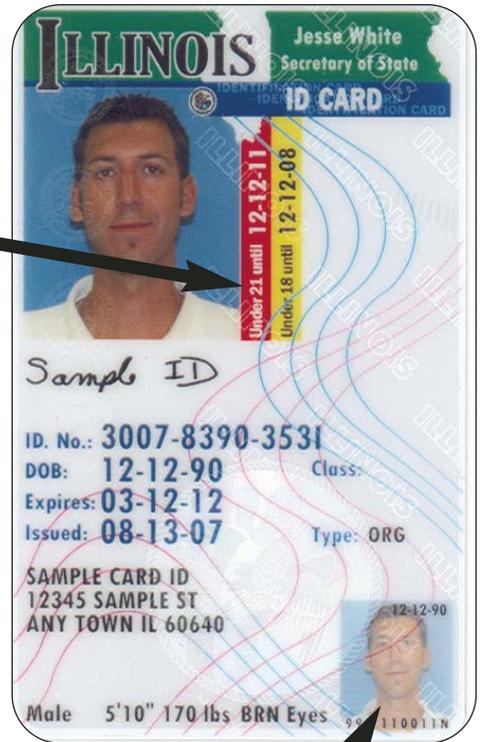
Under 21 Temporary Visitor Driver's License (TVDL)



Temporary Visitor Driver's License (TVDL)

Illinois Secretary of State Jesse White

Driver's License/ID Card Security Features



Driver's License Features

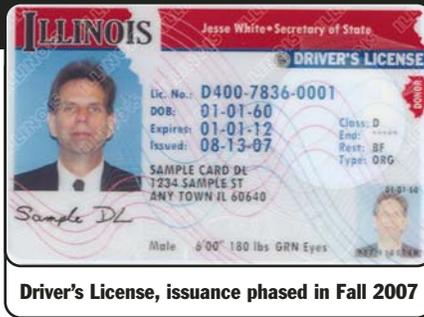
- Card type indicator
 Red — Driver's License and CDL
 Green — ID Card
 Purple — TVDL
- Guilloche pattern in background
- Date of birth in two locations
- Ghost image of photo
- Organ/Tissue Donor indicator
- UV, hologram, microtext and more

Additional Features — Under 21 Driver's License

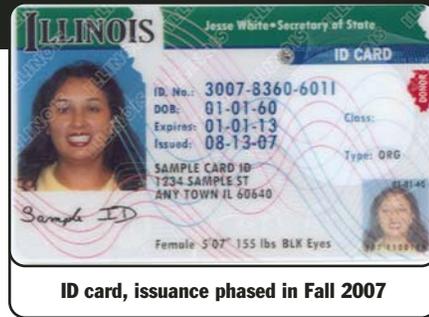
- All security features listed above
- Under 21/18 dates
- Vertical design

Valid Over 21 Driver's Licenses/ID Cards

NEW to be phased in Fall 2007



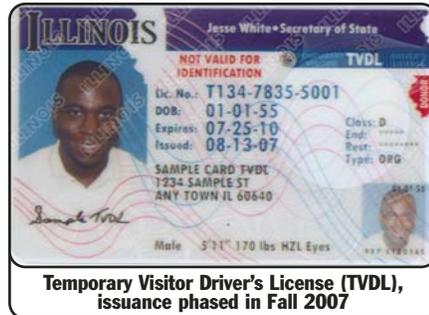
Driver's License, issuance phased in Fall 2007



ID card, issuance phased in Fall 2007

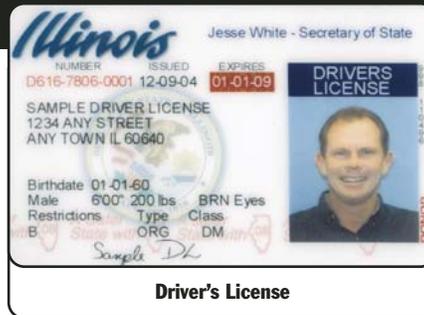


CDL, issuance phased in Fall 2007

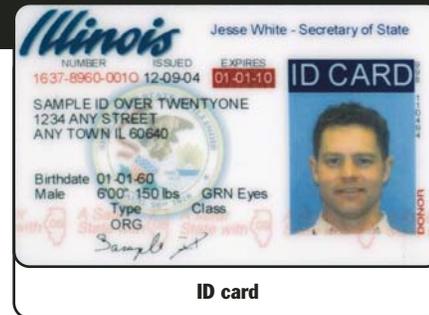


Temporary Visitor Driver's License (TVDL), issuance phased in Fall 2007

OLD to be phased out upon individual expiration dates



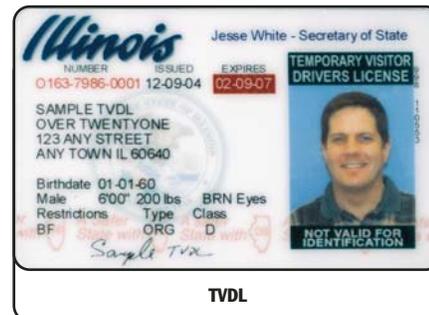
Driver's License



ID card



CDL



TVDL

Valid Under 21 Driver's Licenses/ID Cards

NEW to be phased in Fall 2007



ILLINOIS Jesse White Secretary of State
DRIVER'S LICENSE

Under 21 until 12-12-11
Under 18 until 12-12-08

Sample DL

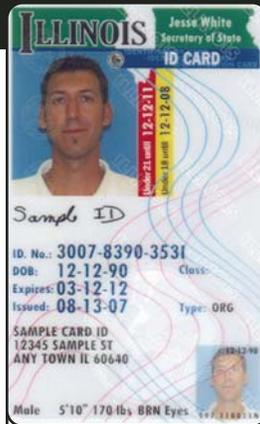
Lic. No. D400-7839-0953
DOB: 12-12-90
Expires: 03-12-12
Issued: 08-13-07

Class: D
End: N
Rest: B
Type: ORG

SAMPLE CARD DL
1234 SAMPLE ST
ANY TOWN IL 60640

Female 5'05" 125 lbs BRN Eyes

Under 21 Driver's License, issuance phased in Fall 2007



ILLINOIS Jesse White Secretary of State
ID CARD

Under 21 until 12-12-11
Under 18 until 12-12-08

Sample ID

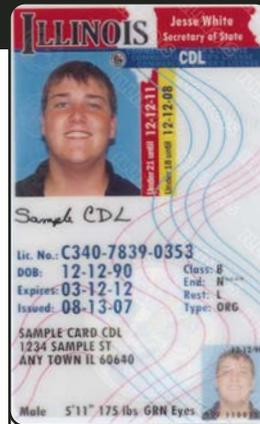
ID. No. 3007-8390-3531
DOB: 12-12-90
Expires: 03-12-12
Issued: 08-13-07

Class:
Type: ORG

SAMPLE CARD ID
12345 SAMPLE ST
ANY TOWN IL 60640

Male 5'10" 170 lbs BRN Eyes

Under 21 ID card, issuance phased in Fall 2007



ILLINOIS Jesse White Secretary of State
CDL

Under 21 until 12-12-11
Under 18 until 12-12-08

Sample CDL

Lic. No. C340-7839-0353
DOB: 12-12-90
Expires: 03-12-12
Issued: 08-13-07

Class: B
End: N
Rest: L
Type: ORG

SAMPLE CARD CDL
1234 SAMPLE ST
ANY TOWN IL 60640

Male 5'11" 175 lbs GRN Eyes

Under 21 CDL, issuance phased in Fall 2007



ILLINOIS Jesse White Secretary of State
TVDL

Under 21 until 12-12-11
Under 18 until 12-12-08

Sample TVDL

Lic. No. T134-7839-0953
DOB: 12-12-90
Expires: 02-02-09
Issued: 08-13-07

Class: D
End: N
Rest: B
Type: ORG

SAMPLE CARD TVDL
1234 SAMPLE ST
ANY TOWN IL 60640

Female 5'07" 120 lbs BLUE Eyes

Under 21 TVDL, issuance phased in Fall 2007

OLD to be phased out upon individual expiration dates



Illinois Jesse White Secretary of State
DRIVERS LICENSE

Under 21 until 01-01-07
Under 18 until 01-01-04

Sample DL

No: U536-7848-6001
Issued: 12-09-04
Expires: 04-01-07

Class: D
Restrictions: *****
Male
BLUE Eyes
5'00"
120 lbs

Birthdate 01-01-86

SAMPLE DL
UNDER TWENTYONE
1234 ANY STREET
ANY TOWN IL 60640

Under 21 Driver's License, Issuance began 1/1/05



Illinois Jesse White Secretary of State
ID CARD

Under 21 until 01-01-07
Under 18 until 01-01-04

Sample ID

No: 5367-8986-601U
Issued: 12-09-04
Expires: 04-01-07

Class:
Restrictions: *****
Female
BLUE Eyes
5'05"
115 lbs

Birthdate 01-01-86

SAMPLE ID
UNDER TWENTYONE
1234 ANY STREET
ANY TOWN IL 60640

Under 21 ID Card, Issuance began 1/1/05



Illinois Jesse White Secretary of State
CDL

Under 21 until 01-01-07
Under 18 until 01-01-04

Sample CDL

No: U536-7838-6601
Issued: 12-09-04
Expires: 04-01-07

Class: B
Restrictions: B
Endorsements: X***
Female
GRN Eyes
5'08"
120 lbs

Birthdate 01-01-86

SAMPLE CDL
UNDER TWENTYONE
1234 ANY STREET
ANY TOWN IL 60640

Under 21 CDL, Issuance began 1/1/05



Illinois Jesse White Secretary of State
TEMPORARY VISITOR DRIVERS LICENSE

Under 21 until 01-01-07
Under 18 until 01-01-04

Sample TVDL

No: U536-7988-6601
Issued: 12-10-04
Expires: 02-09-07

Class: D
Restrictions: BF
Female
BRN Eyes
6'00"
200 lbs

Birthdate 01-01-86

SAMPLE TVDL
UNDER TWENTYONE
123 ANY STREET
ANY TOWN IL 60640

Under 21 TVDL, Issuance began 1/1/05



Illinois Jesse White - Secretary of State

NUMBER ISSUED EXPIRES
S514-4758-6601 12-13-04 04-01-07

Under 21 until 01-01-07
Under 18 until 01-01-04

JANE Q SAMPLE
1234 ANY STREET
HOME TOWN IL 60060

Birthdate 01-01-86
Male 5'00" 120 lbs GRN Eyes
Restrictions Type Class Endor
B ORG B X***

Jane Q Sample

Under 21 Driver's License Style, 12/30/02-12/31/04

Features on Back of Driver's License/ID Card



Features on Back of Driver's License and ID Cards

- Existing medical information areas relocated
- Existing 2D and 1D barcodes relocated
- New 1D barcode for internal materials tracking
- Web Site address — www.cyberdriveillinois.com
- New text on ID cards (Not for driving purposes)
- Organ Donor signature area no longer needed due to new Organ/Tissue Donor Registry (witnesses or family consent no longer necessary)

Features of the new driver's license

- 1) Larger photo along with smaller version of the same image.
- 2) To deter counterfeiting, design includes patterns and images, including 3) portrait of Lincoln and state seal.
- 4) Laser perforation in shape of Illinois, viewable when held up to light.
- 5) On back, person's photo and birth date viewable under ultraviolet light.



How the new license will be issued

You'll no longer walk out of a Secretary of State's office with a new license. Here's how the new process will work.

- A) To renew your license, go to the local Secretary of State office, take required tests and have a photo taken.
- B) You'll be issued a paper copy of your new license and your old license will be returned to you with a hole punched in it. You'll use the two IDs until the new license arrives, even for air travel.
- C) Your information will be sent to a central unit in Illinois, where background checks will be run and the new license created.
- D) The new license should be mailed to you within 15 business days.

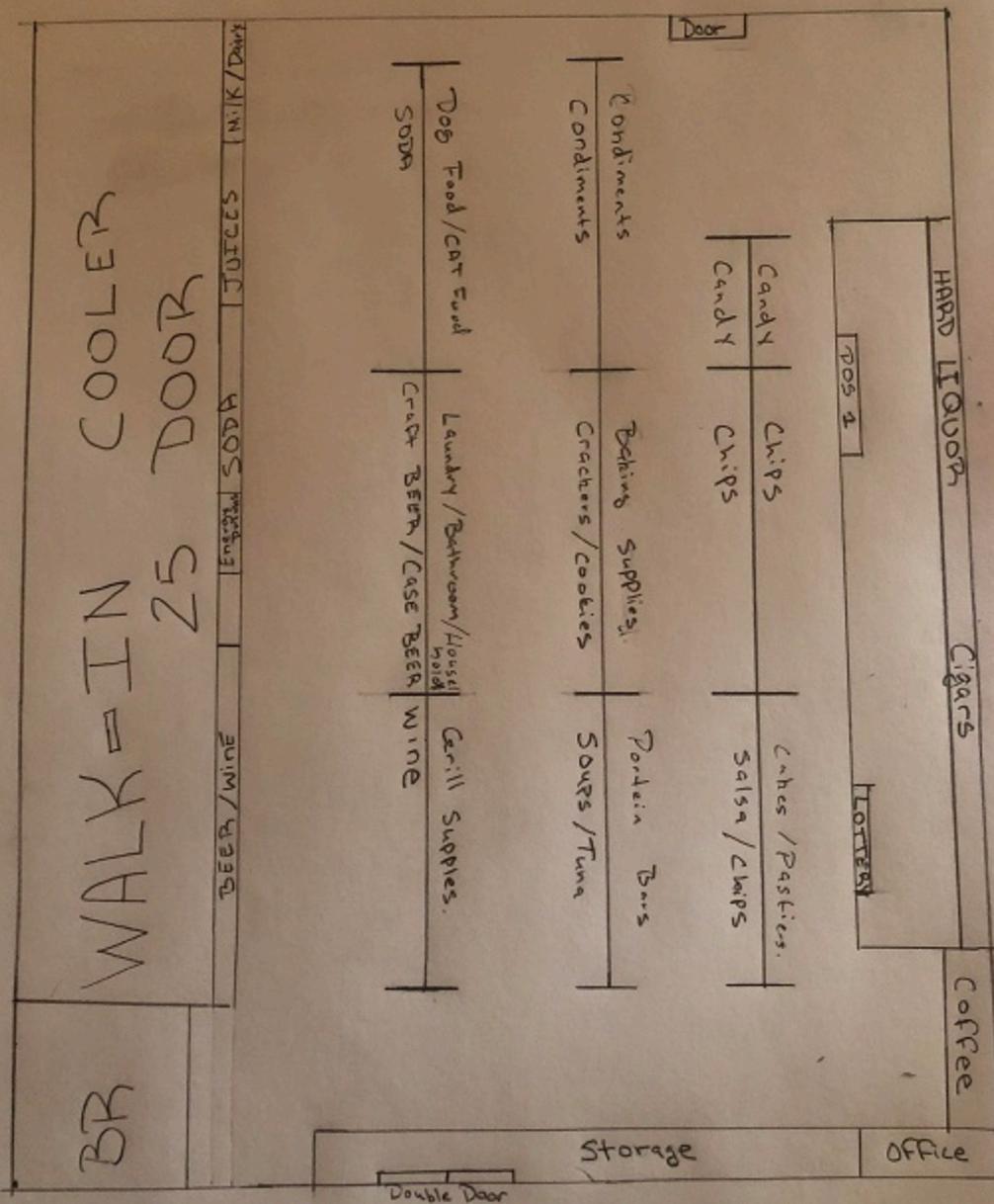


Example of a temporary license.

Source: Illinois Secretary of State

MAPLE FOOD AND LIQUOR

3,600 SF



Door

HARD LIQUOR

CIGARS

COFFEE

POS 1

LOTTERY

Storage

Double Door

MILK/DAIRY

JUICES

SODA

BEER/WINE/BEER

WINE

Dog Food/CAT Food

SODA

Laundry/Bathroom/Household SODA

CRACK BEER / CASE BEER

Grill Supplies.

WINE

Condiments

Baking Supplies, Crackers/Cookies

Portein Bars, Sours/Tuna

Candy

Chips

Cakes/Pastries, Salsa/Chips

WALK-IN COOLER

WALK-IN 25 DOOR

WALK-IN

BR

V New Business

Orange Brew

License Classification Amendment



www.downers.us

March 28, 2018

**COMMUNITY RESPONSE
CENTER**

630.434.CALL (2255)

CIVIC CENTER

801 Burlington Avenue

Downers Grove

Illinois 60515-4782

630.434.5500

TDD 630.434.5511

FAX 630.434.5571

FIRE DEPARTMENT

ADMINISTRATION

5420 Main Street

Downers Grove

Illinois 60515-4834

630.434.5980

FAX 630.434.5998

POLICE DEPARTMENT

825 Burlington Avenue

Downers Grove

Illinois 60515-4783

630.434.5600

FAX 630.434.5690

PUBLIC WORKS

DEPARTMENT

5101 Walnut Avenue

Downers Grove

Illinois 60515-4046

630.434.5460

FAX 630.434.5495

Mr. Eric Schmidt
Orange Brew, LLC
47 Timberline Drive
Lemont, IL 60439

*RE: Request for Amendment to an existing Liquor License Classification
Orange Brew
1027 Curtiss, Downers Grove, IL 60515*

Dear Mr. Schmidt:

The Liquor Commission of the Village of Downers Grove will meet on Thursday, April 5, 2018, at 6:30 p.m. in the Village Hall Council Chambers to consider your request for an amendment to an existing license classification. A public hearing will be held on your request as a part of this meeting.

I encourage you to attend this public hearing at which time you will have an opportunity to comment in support of your request. You may withdraw your request at any time prior to the public hearing.

If you have any questions, please contact me at (630) 434-5542.

Very truly yours,



Carol Kuchynka
Liaison to the Liquor Commission

VILLAGE OF DOWNERS GROVE

a\Orange Brew\liq-hrg.nts-reguest class amd

ORDINANCE NO. _____

AN ORDINANCE

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by shading/underline; deletions by ~~strikeout~~):

Section 1. That Section 3.3 is hereby amended to read as follows:

3.3 Definitions.

For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

* * *

Wine/Beer Boutique. A place kept, used, maintained, advertised or held out to the public as a place where the retail sale of wine and beer, tastings and education seminars/classes are conducted on a regular basis and on-site consumption of wine and beer is allowed.

* * *

Section 2. That Section 3.13 is hereby amended to read as follows:

3.13 Classification of licenses.

Such licenses shall be, and are hereby, divided into the following classes:

* * *

Class "WB" Wine/Beer Boutique Licenses

"WB-1" Wine/Beer Boutique licenses shall authorize the retail sale of beer and wine in original packages and for consumption of wine or beer on the premises. Tastings, classes or seminars shall be permitted on such premises in accordance with State law. Such licenses shall be only authorized in locations where the sale of wine and/or beer is the primary business.

The sale of wine and beer shall be permitted for consumption on the premises subject to the following conditions:

a. The premises shall not exceed three thousand six hundred (3,600) square feet.

b. ~~The seating/serving area for customers ordering wine or beer within the premises shall be limited to forty percent (40%) of the gross retail square footage, but shall not exceed seven hundred fifty (750) square feet.~~

~~_____~~ e. Such facilities shall ~~include an area in which preparation of food is provided and food is provide~~ provide food to be served on the premises, including hot or cold sandwiches, appetizers, tapas or other similar foods.

~~_____~~ d. It is intended that the service of wine or beer is merely an adjunct to the sale of beer and wine in original packages. (Ord. No. 244, § 6; Ord. No. 279, § 1; Ord. No. 356, § 1; Ord. No. 634, § 1; Ord. No. 635, § 1; Ord. No. 1059, § 1; Ord. No. 1200, § 1; Ord. No. 1465, § 1; Ord. No. 1741, §§ 15 to 17; Ord. No. 2246, § 1; Ord. No. 2388, § 7; Ord. No. 2541, § 6; Ord. No. 2735, § 1; Ord. No. 2945, § 1; Ord. No. 2996, § 1; Ord. No. 3050, § 1; Ord. No. 3164, § 2.)

* * *

Section 3. That Section 3.15. is hereby amended to read as follows:

Boutique - B/W

3.15. Limitation on number of licenses.

The number of licenses in each classification as defined in Section 3-13 which it shall be lawful to issue shall be limited so that the licenses in force and effect at any time shall not exceed the following numbers:

License Classification	Amount of licenses not to Exceed
"AS" (Arts & Crafts Studio)	2
"B-1" (Brew Pub)	1
"BF" (Brewing Facility)	2
"BYO" (Bring Your Own - beer/wine)	4
"C-1" (Club, private)	6
"E" (Entertainment/Restaurant - full)	2
"G" (Golf Course)	1
"H-1" (Hotel)	Unlimited
"K-1" (Catering - full)	4
"K-2" (Catering - Park District - beer/wine)	1
"O" (Outdoor)	Unlimited
"P-1" (Packaged-full)	20
"P-2" (Packaged -beer/wine)	15
"P-O" (Packaged - full off premise and on premise consumption - Grocery Store)	3
"REC-1" (Recreational Facility - full)	3
"REC-2" (Recreational Facility - beer/wine)	3
"R-1" (Restaurant - full)	Unlimited
"R-2" (Restaurant - beer/wine)	Unlimited
"RF" (Retirement Facility - full)	Unlimited
"S-1" (Special Event)	Unlimited
"S-2" (Special Event)	Unlimited
"T" (Theater)	1
"W-1" (Wine/ Beer Boutique)	24

(Ord. No. 244, § 4a; Ord. No. 284, § 1; Ord. No. 356, § 2; Ord. No. 1059, § 1; Ord. No. 1200, § 1; Ord. No. 1395, § 1; Ord. No. 1465, § 2; Ord. No. 1741, § 21; Ord. No. 2246, § 2; Ord. No. 2541, § 8; Ord. No. 2735, § 1; Ord. No. 2861, § 3; Ord. No. 3050, § 3.)

Section 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk