

AMENDING RESOLUTION 2022-023 TO EXTEND THE DEADLINE FOR THE ISSUANCE OF A PACKAGE LIQUOR LICENSE WITH SUPPLEMENTAL DRIVE-THROUGH LICENSURE FOR BLUE RIDGE LLC – 1221, LOCATED AT 1221 W. LINCOLN HIGHWAY, DEKALB, ILLINOIS.

WHEREAS, the City of DeKalb (the “City”) is a home rule unit of local government and may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, on October 12, 2020, the City’s corporate authorities adopted Resolution 2020-112 (the “Resolution”), which authorized a bar liquor license with supplemental licensure for video gaming (the “License”) to Haymaker Enterprises, Inc. (the “Licensee”) for the premises located at 1221 W. Lincoln Highway, DeKalb, Illinois (the “Property”); and

WHEREAS, the Resolution provided in pertinent part that: (1) Licensee had 18 months from the adoption of the Resolution to obtain the License; and (2) Licensee may change its corporate name prior to the issuance of the License; and

WHEREAS, on February 28, 2022, the City’s corporate authorities adopted Resolution 2022-023, which extended the deadline to obtain the License by approximately one (1) year; and

WHEREAS, Licensee requested to extend the deadline to obtain the License for approximately one (1) year to March 12, 2024; and

WHEREAS, the City’s corporate authorities find that it is in the City’s best interests for the protection of the public health, morals and welfare to amend the Resolution pursuant to the provisions of this resolution; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DEKALB, ILLINOIS:

SECTION 1: The City’s corporate authorities adopt an amendment to Resolution 2022-023, “Authorizing a Package Liquor License with Supplemental Drive-Through Licensure for Blue Ridge LLC - 1221, 1221 W. Lincoln Highway, DeKalb, Illinois”, to state as follows:

* * *

SECTION 1: A liquor license, Package, with supplemental license for a drive-through, shall be issued for Blue Ridge LLC – 1221 (“Licensee”), 1221 W. Lincoln Highway, DeKalb, Illinois (the “Property”), subject to the following terms and conditions:

1. After issuance, the license shall be subject to all provisions of the City’s Municipal Code, including those provisions pertaining to the term of an initial issuance of liquor license, renewal of liquor license, and similar provisions, unless specifically waived herein.
2. The Licensee shall be required to obtain the Liquor Commissioner’s approval of a Business Plan and Premises Plan which provide for the orderly conduct of the Licensee. Said Plans shall be subject to approval by the Liquor Commissioner with the advice and recommendation of the Chief of Police and must be approved prior to commencement of operations on the Property. The City Council expressly authorizes the Liquor Commissioner to approve additional regulations of the uses of the Property in the Business Plan and Premises Plan, either as initially approved or as later amended by the Liquor

Commissioner.

3. The License shall be conditioned upon the following conditions precedent to its final issuance:
 - a. The Licensee shall be required to obtain all required zoning approvals and special use permits including, but not limited to, submitting a final plat and a final development plan with architectural elevations, an engineering plan, a photometric plan and a landscape plan to be approved by the City Council by June 1, 2023;
 - b. The Licensee shall be required to obtain and maintain at all times a fire life safety license for the licensed premises;
 - c. The Licensee shall be required to: obtain all required building permits for interior and exterior modifications by June 1, 2023; complete all modifications in accordance with approved plans; obtain a temporary occupancy permit by December 1, 2023, and obtain an acceptable final inspection of the licensed premises by City staff;
 - d. The Licensee shall be required to obtain the Liquor Commissioner's approval of its business plan, premises plan and security plan with the recommendation of the Chief of Police;
 - e. The Licensee shall be required to adhere to the occupancy limit, once established; and
 - f. The Licensee shall operate the Property in accordance with all applicable codes and ordinances and shall collect and remit all taxes required under applicable federal, state or local laws.
4. The License shall be deemed to permanently include the following restrictions:
 - a. The property shall otherwise comply with all applicable City Code, ordinances, resolutions, rules and regulations.
 - b. The property shall comply with applicable Unified Development Ordinance requirements and parking restrictions.
 - c. The License authorizes the construction of one (1) drive-through window for the sale of alcoholic beverages as a supplemental license to the Package liquor license.
 - d. The drive-through shall require the following security measures:
 - (i) Proximity alert for vehicles in the drive-through.
 - (ii) Video surveillance cameras with a recording system showing view of:
 - a) license plates for vehicles in the drive-through; b) transaction area; c) driver of vehicle; d) rear seat area of vehicle; e) rear of car; f) interior of package liquor store (including entryway); and, g) common area and parking lot. Licensee shall grant the City of DeKalb Police Department access to view camera footage at any time during normal business hours upon request, and if available, will provide the Police Department

with remote access to be able to view camera footage through a secure online portal.

- (iii) Alarm with panic button.
- (iv) Bullet-resistant surround at drive-through window.
- (v) Compliance with all requirements of the City Code pertaining to drive-through use in liquor sales.

5. The Licensee shall have a period up to and including March 12, 2024, during which this license shall be available for issuance, unless earlier terminated or revoked by the City Council through adoption of a resolution superseding this action.
6. At any time prior to issuance of the license, the Licensee may change the corporate name of the licensee to be listed on the liquor license (provided that ownership remains with the Licensee or its owners), it being acknowledged that the Licensee intends to form a new corporate entity (under common ownership) to own and operate the licensed premises.


City staff are authorized and directed to issue a license upon satisfaction of the conditions precedent to issuance, and to thereafter enforce the terms of licensure included herein. Pending completion of those items, a conditional license shall issue. Said conditional license may be utilized to obtain any required federal or state licensure and may be relied upon by any superior governmental body.

* * *

SECTION 2: This resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 13th day of March 2023 and approved by me as Mayor on the same day. Passed by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None.




COHEN BARNES, Mayor

ATTEST:


Ruth A. Scott, Executive Assistant

From: [Jeff Dobie](#)
To: [Olson, Dan](#)
Subject: Fwd: 1221 W Lincoln Hwy
Date: Friday, February 17, 2023 1:28:35 PM

[**NOTICE:** This message originated outside of the City Of DeKalb mail system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Thank you

Sent from my iPhone

Begin forwarded message:

From: Jeff Dobie <Jeff.fattys@gmail.com>
Date: February 17, 2023 at 12:39:47 PM CST
To: jwr1959 <jwr1959@aol.com>
Subject: **Fwd: 1221 W Lincoln Hwy**

To whom it may concern,

Blue Ridge LLC would like to formally request a one year extension for the 1221 Lincoln Hwy Project licensing . Our current construction timeline has us breaking ground the end of February, 2023. Completion of the project is set for early fall 2023. A one year extension should leave a comfortable window for completion and operation of the facility. The extension should include all gaming and liquor licensing, as well as the drive thru approval.

Thank you ,
Jeff Dobie
Blue Ridge LLC
1312 W Lincoln Hwy.
DeKalb, IL 60115

PARKING REQUIRED

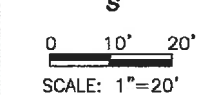
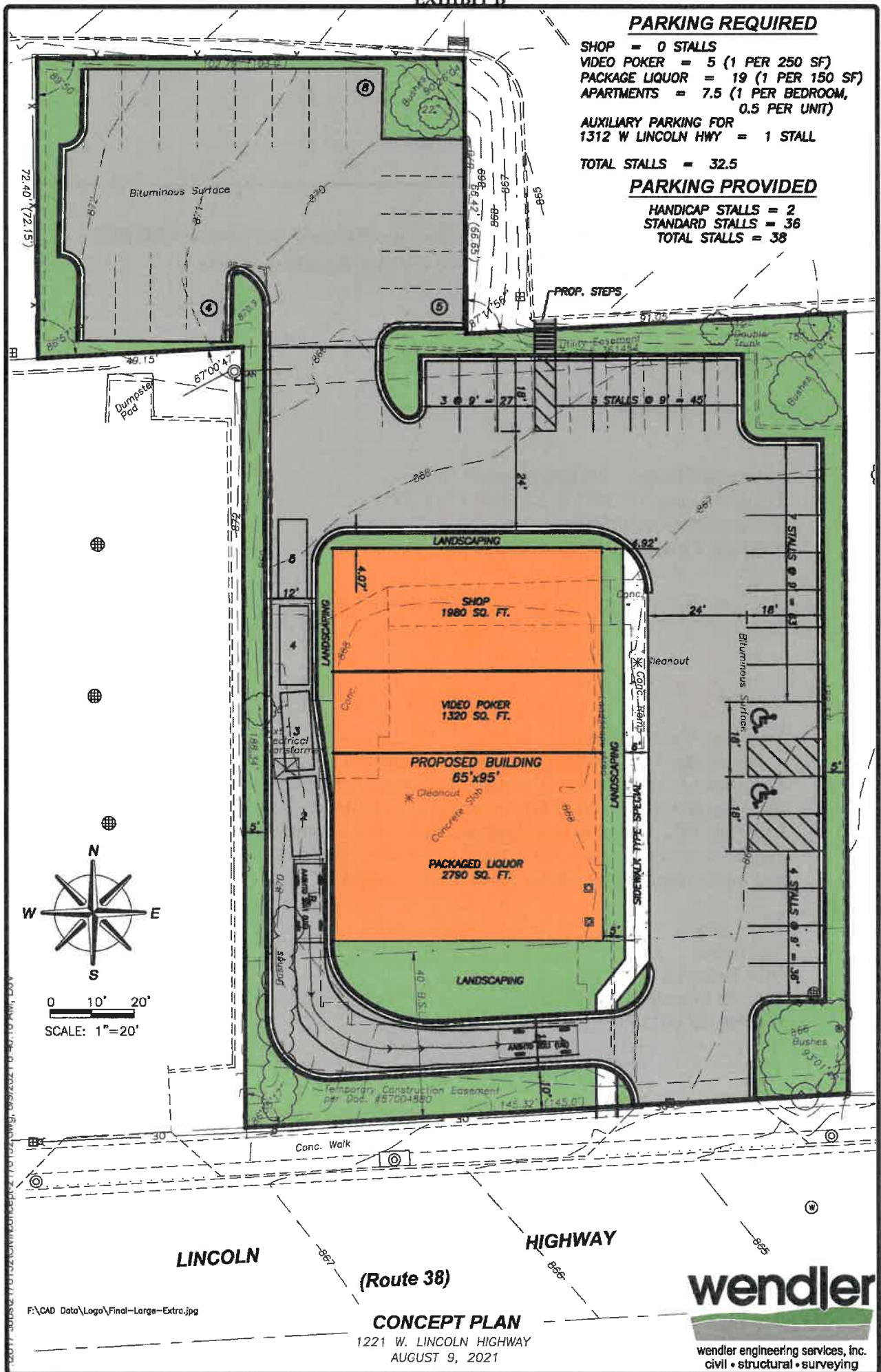
SHOP = 0 STALLS
 VIDEO POKER = 5 (1 PER 250 SF)
 PACKAGE LIQUOR = 19 (1 PER 150 SF)
 APARTMENTS = 7.5 (1 PER BEDROOM,
 0.5 PER UNIT)

AUXILIARY PARKING FOR
 1312 W LINCOLN HWY = 1 STALL

TOTAL STALLS = 32.5

PARKING PROVIDED

HANDICAP STALLS = 2
 STANDARD STALLS = 36
 TOTAL STALLS = 38



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1315

1311

1321

1307

1231

SUBJECT SITE

1209

1205

W LINCOLN HWY

1212

1291

1213

311

302

309

302

Fatty's liquor, video gaming and apartments Complex Lincoln Highway, DeKalb

Project timeline

- 2019- start of the process
- 2020-March **Coved hit**, requested a permit extension
- 2020-April Dobie family took a hit with their major source of income- Fatty's Restaurant & Bar
- 2021-March Business still slow, trying to recoup to previous income levels, **RISK. Coved** requested a permit extension
- 2021-August 16th **SITE PLAN finalizing - public hearing-Planning and Zoning**
- 2021-To date. --supply chain disruptions and shortages--inflation. **RISK.**
- 2022-March still supply shortages, but interest rates are escalating fast along with inflation **RISK. Coved** requested a permit extension
- 2023-February Dobie family major source of **income is ONLY up to 75% Pre Coved-** Fatty's Restaurant & Bar
- 2023-Today requesting a permit extension

Project benefit to the City and Community

- Re-develops a long blighted property for the past 20+ years
- Drive-thru liquor store to serve the west of town
- Adds the only locally owned Video Poker Café in Dekalb
- Small warehouse space to expand Fatty's Restaurant Catering
- Video Poker Cafés account for 60% of income to the city
- Money from this Video Poker Café stays in town ---- the Corporate cafés do not

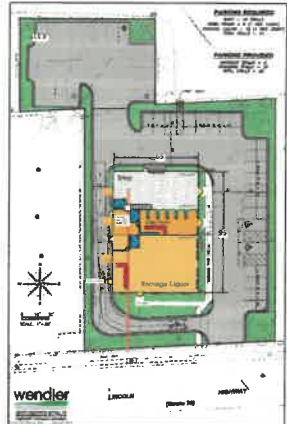
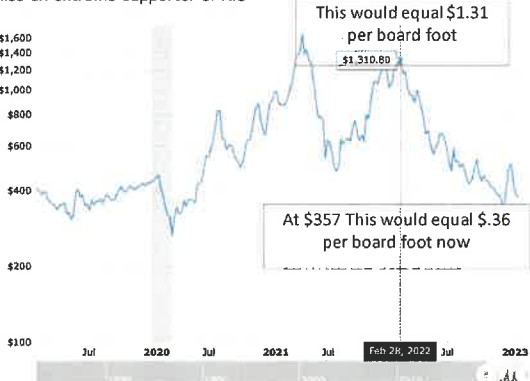
Financial benefit to the City and Community

- **\$27,000** • Increased property taxes per year
- **\$14,000** • Increased Liquor taxes per year
- **\$22,000** • Increased Video Poker Café taxes per year
- **\$63,000** Total estimated new income for the City of Dekalb & taxing bodies

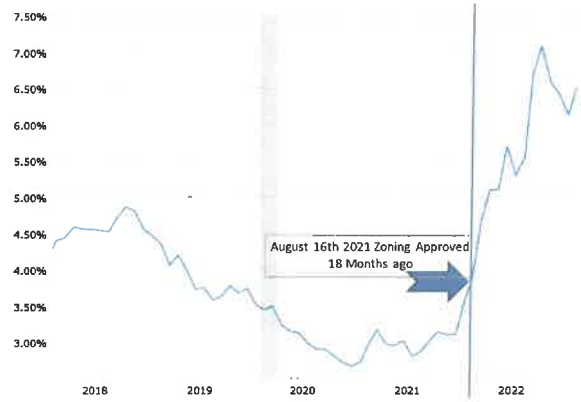
Jeff & Marissa Doble family supports Dekalb & NIU Community

- The Doble's have supported many non-for profits over the years
- Strong supporter of schools and coached Kids.
- They have never received any TIF money or City funding
- They have never asked for property tax abatements
- Also an extreme supporter of NIU

DeKalb		Years total	
Month	2021/2022	Count	Share
DeKalb 2021 - January 2023 24 MONTHS			
Category: Establishment		VOT	City Per year
DeKalb	Cameron Club LLC	6	\$ 99,316 \$ 45,658
DeKalb	SPARK Gaming, LLC	6	\$ 77,016 \$ 38,508
DeKalb	Sheby's - DeKalb, LLC	6	\$ 70,528 \$ 35,264
DeKalb	Egghead Enterprises LLC	6	\$ 58,774 \$ 29,387
DeKalb	Freedom USA Inc.	6	\$ 55,148 \$ 27,574
DeKalb	SLUZE 36, LLC	6	\$ 49,869 \$ 24,931
DeKalb	TEACUP LLC	6	\$ 44,074 \$ 22,037
DeKalb	CFS GAMING, LLC	6	\$ 9,988 \$ 4,994
DeKalb	Lapabozza of DeKalb, LLC	6	\$ 5,973 \$ 2,986
DeKalb	Indy's 33K, Inc.	4	\$ 4,683 \$ 2,341
			59% \$237,881
DeKalb 2021 - January 2023 24 MONTHS			
DeKalb	C.L. Quick Stop of Behldeers, Inc.	6	\$ 73,240 \$ 36,620
DeKalb	Sullivan's Tavern, INC	6	\$ 51,342 \$ 25,671
DeKalb	C.L. Quick Stop of Behldeers, Inc.	6	\$ 41,898 \$ 20,998
DeKalb	Knowlton & Drury, Inc.	6	\$ 33,244 \$ 16,622
DeKalb	Island Gas Lounge, Inc.	6	\$ 23,498 \$ 11,749
DeKalb	MT Heat, L.L.C.	6	\$ 22,786 \$ 11,398
DeKalb	De Kalb Loyal Order of Moose	6	\$ 18,099 \$ 9,049
DeKalb	DeKalb American Legion	5	\$ 13,908 \$ 6,953
DeKalb	Mark Thomson	5	\$ 13,522 \$ 6,761
DeKalb	Playmaker Entertainment, Inc.	4	\$ 13,043 \$ 6,521
DeKalb	DEKALB LODGE ORDER OF ELKS	5	\$ 11,783 \$ 5,891
DeKalb	DE KALB COLUMBUS CLUB, INC.	5	\$ 5,922 \$ 2,961
DeKalb	Twin Taverns & Chocourt (Liquor), Inc.	5	\$ 3,491 \$ 1,745
			41% \$162,341
			\$ 400,226 \$ 200,113



Material cost of lumber is measured in per 1000 board feet



Interest Rates

Loan A	\$2,250,000	Loan A	\$2,250,000
0% Down	\$0	0% Down	\$0
Principal	\$2,250,000	Principal	\$2,250,000
Annual interest	3.25%	Annual interest ra	7.25%
Term (years)	20	Term (years)	20
Periods (per ye	12	Periods (per year)	12
Start loan date	3/31/21	Start date	12/31/23
Monthly Payme	\$12,762	Monthly Payment	\$17,783

Difference/Month
(\$5,022)
Total/Year