

Village Manager _____ Date _____



MEMORANDUM

TO: Scott Niehaus, Village Manager

FROM: Keith T. Giagnorio
Local Liquor Control Commissioner
Village President

DATE: May 6, 2024

SUBJECT: **Request for a Class “A/B-IV” Liquor License
Empire Yorktown, LLC d/b/a Empire Burgers and Brew
94 Yorktown Shopping Center**

The Village has received a request for a Class “A/B-IV” liquor license from Empire Yorktown LLC d/b/a Empire Burgers and Brew, located at 94 Yorktown Shopping Center, for the January 1 - June 30, 2024, license term.

Empire Burgers and Brew is a full-service restaurant and bar with live entertainment and an all-season retractable dome style roof-top dining experience. The owner currently has four restaurants in downtown Naperville with full menus and bars: Empire Burgers and Brew (7 years) – 48 W. Chicago Ave., Fiamme - 19 N. Washington, Hizemans - 218 S. Washington St., Bev’s - 245 S. Washington Street.

With the second-floor rooftop dining, the owners wish to serve all beverages in glass bottles or glassware. Pursuant to Village Code, Title XI, Chapter 112, Section 112.24(E), If the outdoor seating and service area on the licensed premises, as referenced in subsection (B) above, is other than on the ground floor of the licensed premises (i.e., on a rooftop or on an open air balcony or porch on a second or higher floor), it shall be unlawful to serve any beverages, including alcoholic beverages, in glass bottles or glassware, within the outdoor seating and service area.

Attached is an ordinance that will go on the May 16, 2024 Consent Agenda, amending Title XI, Chapter 112, Section 112.24(E) in regard to Outdoor Seating and Service Areas on prohibiting the use and service of glass bottles or beverages in glassware, if the outdoor seating/service area is situated within 10 feet (10') of the property line of the premises or of a public right-of-way.

Attached is an ordinance increasing the Class “A/B-IV” liquor license category by one and issuing a liquor license to Empire Yorktown, LLC d/b/a Empire Burgers and Brew, located at 94 Yorktown Shopping Center.

Staff is requesting a waiver of first reading, May 16, 2024, in order to reflect the current number of licenses in the “A/B-IV” liquor license category.

If you have any questions, please feel free to contact me.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE XI, CHAPTER 112, SECTION 112.13 OF THE
LOMBARD VILLAGE CODE IN REGARD TO THE NUMBER OF
CLASS “A/B-IV” LIQUOR LICENSES**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code is amended by revising the language therein, relative to the Class “A/B-IV” liquor license category, to read in its entirety as follows:

“A/B-IV” – 2”

This increase in the number of Class “A/B-IV” liquor licenses reflects the issuance of a new Class “A/B-IV” liquor license to Empire Yorktown, LLC, d/b/a Empire Burgers and Brew, located at 94 Yorktown Shopping Center, Lombard, Illinois.

SECTION 2: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as provided by law.

Passed on first reading this _____ day of _____, 2024.

First reading waived by action of the Board of Trustees this 16th day of May 2024.

Passed on second reading this 16th day of May 2024, pursuant to a roll call vote as follows.

AYES: Trustee LaVaque, Puccio, Honig, Militello and Bachner

NAYS: None

ABSENT: Trustee Dudek

APPROVED by me this 16th day of May 2024.

Keith Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk

Published by me in pamphlet form this 17th day of May 2024.

Elizabeth Brezinski, Village Clerk