

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 5b

Title:

Recommendation to approve a Proposal for a D8 Liquor License Application for Pinot's Palette Located at 3823 E Main St., St. Charles.

Presenter:

Police Chief James Keegan

Meeting: Government Operations Committee

Date: September 16, 2019

Proposed Cost: \$

Budgeted Amount: \$

Not Budgeted: **Executive Summary** *(if not budgeted please explain):*

Pinot's Palette is a painting studio specializing in the instruction of painting. Scheduled, instructor-led workshops will be facilitated in this space. The applicant would like to offer wine or beer for sale to customers to enhance their experience.

The applicant is a new business owner.

Pursuant to this item being presented at the Government Operations Committee meeting on September 16, 2019 to seek approval; it will be brought before the Liquor Control Commission at a meeting scheduled for 4:30 p.m., the same day, to process and move it forward to this Committee. This item will then continue on to the City Council meeting scheduled on October 7, 2019 for final approval.

Attachments *(please list):*

Summary, Floor Plan, Liquor License, Insurance Quote

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve a proposal for a D8 Liquor License application for Pinot's Palette located at 3823 E Main St., St. Charles.



Memo

Date: 9/11/2019

To: The Honorable Ray Rogina, Mayor-Liquor Commissioner

From: James Keegan, Chief of Police *J. Keegan*

Re: Background Investigation-Liquor Establishment/D-8 (Pinot's Palette)

The purpose of this memorandum is to document and forward to your attention the results of the background investigation conducted by members of the St. Charles Police Department concerning the above mentioned establishment.

This is a new business venture looking to capitalize on the arts and entertainment industry by offering painting classes with beer and wine sales. A detective was assigned this investigation and reviewed both the site location/floor plans and the corresponding application material. We found nothing of a derogatory nature that would preclude either the site location or the applicant from moving forward with on-site consumption.

Thank you in advance for your consideration in this matter.



Memo

Date: 09/03/19
To: Chief Keegan
From: Commander Pierce *amp*
Re: Liquor License Background, Fox River Studio Inc. (DBA Pinot's Palette).

The purpose of this memo is to outline steps taken during the background investigation for a liquor license application. This investigation was done based on the application submitted for Class D-8 for the business, Pinot's Palette. This business is to be located at 3823 E. Main Street.

Applicant:

Kumler, Amy J.



Elgin, IL 60120

Application:

The application was received on or around 08/21/19. The application appears to be complete, including a signed lease, Certificate of Insurance, a floor plan, and business plan.

Kumler holds a valid BASSET Certification which is included in the application.

Records Checks:

Kumler was fingerprinted. Responses from both the FBI and Illinois Bureau of Identification show nothing that would cause the license to be denied.

A check of St. Charles and Kane County records showed no contacts for Kumler.

Kumler advised that in the past 10 years she has lived in Wood Dale or at the listed Elgin address. Checking with both police departments no contacts were found.

A check of the Illinois Liquor Control Commission showed no current active license for Fox River Studio Inc. or for Kumler and no record of license revocation.

Service, Courage, Professionalism, Dedication



A check of TLO and I-Clear (law enforcement databases) showed the information concerning identity of Kumler to be accurate and no areas of concern were noted.

A check of the Illinois Secretary of State showed Fox River Studio Inc. to be in good standing.

INTERVIEW WITH APPLICANT:

On 08/22/19 at approximately 9:30am, I met with Amy Kumler at the police department front desk. Amy explained the premise of their business as artist led painting activities where clients are walked through a painting project by a local artist. Kumler said Pinot's Palette is a franchise business she has bought into. Kumler said this is her first location and she does not hold nor has she held a liquor license before. As part of the painting experience Pinot's Palette will offer beer and wine to the clients. Kumler advised that each public paint session can accommodate up to approximately 48 people. Kumler said the site will have a private room for corporate parties or prearranged group parties. This room will be able to hold up to 36 guests. Kumler indicated she has no liquor inventory at this time, but plan on having approximately \$4,000.00 worth of inventory when the business opens. Kumler is a U.S. citizen. Kumler has no staff hired at this time, but plans to employ approximately 15 people. The businesses hours will be Monday through Thursday 6pm to 10pm and Friday through Sunday 9am to 10pm.

SITE VISIT:

Kumler is in the final stages of selecting a general contractor for build out purposes. No construction has started on the space. Therefore no site visit was conducted.

This concludes this background investigation. Recommend approval.

CP

City of St. Charles, Illinois Liquor Control Commissioner
CITY RETAIL LIQUOR DEALER LICENSE APPLICATION

APPLICATION FEE IS NON-REFUNDABLE



Incomplete applications will not be accepted.

Completed applications may be submitted to:

Two East Main Street, St. Charles, IL 60174-1984

Date Application Received: _____ New Application Renewal Application License Class: _____

Business Name: Fox River Studio, Inc DBA Pinol's Palette

APPLICATION CHECKLIST

Check items to confirm all are attached to this application	Applicant	Office Use Only
Application Fee	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Completed Application for all questions applicable to your business.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Lease/Proof of Ownership	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Dram Shop Insurance or a letter from insurance agent with a proposed quote.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Articles of Corporation, if applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Completed B.A.S.S.E.T. (Beverage Alcohol Sellers & Servers Training) form – filled out for all employees. A copy of the B.A.S.S.E.T. certificate is only needed for each manager. It is the business establishment's responsibility to keep copies of all B.A.S.S.E.T. certificates on file for all of their employees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Site Plan for Establishment (Drawn to scale including the parking lot, patio and/or deck, outdoor seating). <i>Last two pages of lease</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Floor Plan for Establishment (Drawn to scale and must include the layout of the establishment with tables, chairs, aisles, displays, cash register, bar, and lounge area with dimensions, percentage, and square footage noted for each space). Be sure to also include all fixed objects , such as pool tables, bar stools, vending/amusement machines; as well as all exits .	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Business Plan, to include: <input type="checkbox"/> Hours of Operation <input type="checkbox"/> Copy of Menu <input type="checkbox"/> Whether or not live music will be played at this establishment <input type="checkbox"/> Will there be outdoor seating and/or outdoor designated smoking area <input type="checkbox"/> Do not include a marketing or financial plan with this business plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are any building alterations planned for this site? If not sure, please contact Building & Code Enforcement at 630.377.4406 and/or Fire Prevention Bureau at 630.377.4458 to discuss whether or not a walk-thru and/or permit are necessary for this business.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
All managers have been fingerprinted who are employed by your establishment. When new management is hired, it is imperative you contact the Mayor's office to be fingerprinted so the City's business files are appropriately updated.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

OFFICIAL USE ONLY

Approved* Denied Date Approved/Denied: _____ Customer Number: _____

Signature of Mayor, Liquor Control Commissioner _____

Date Issued _____

***ISSUANCE OF THIS LICENSE IS CONTINGENT ON MEETING ALL REQUIRED BUILDING AND FIRE DEPARTMENT REQUIREMENTS.**

APPLICANT INFORMATION

A. Type of Business: Individual Partnership Corporation Other (explain):

B. Business Name: Fox River Studio, Inc. DBA Pinot's Palette

C. Business Address: 3823 E Main St St. Charles, IL 60174

D. IL Tax ID Number:	E. Business Phone: 773-612-5576	F. Business E-mail: stcharles@pinotpalette.com	G. Business Website: www.pinotpalette.com/stcharles
H. Contact Person: Amy Kumler Email: stcharles@pinotpalette.com	I. Title: President & Owner	J. Phone No.: 773-612-5576	

K. If Corporation, Corporation Name: Fox River Studio, Inc.

L. [Redacted]

A. License Class: A Package B Restaurant C Tavern D Hotel/Banquet/Arcada/Q-Center/Entertainment/Club
 Other:

B. Address applying for liquor license (exact street address): 3823 E Main St. St. Charles	C. Number of Parking Spaces: 125	D. Outside Dining s.f. [17.20.020-R]: NA	E. Holding Bar s.f. [5.08.010-F]: NA
F. Total Building s.f.: 2176	G. Total Number of Seats: 73	H. Number of Bar Seats: 0	I. Live Entertainment Area s.f. [5.08.010-H]: NA
K. Kitchen s.f.: NA	L. Cooler s.f.: 12	M. Dry Storage s.f.: 289	N. Seating Area s.f.: 1,040 & 567
O. Retail/public Area s.f.: NA	P. Service Bar s.f. [5.08.010-O]: NA		

Q. Brief Business Plan description based on type of establishment listed above:
 A painting studio specializing in the instruction of painting, commonly referred to as a "paint & sip".

MANAGER INFORMATION

Full Name, include middle initial: Amy J Kumler Title: President & Franchise Owner
 Birthdate: [Redacted] Birthplace: Chicago Driver's License#: K546-010-9711 Cell Home Phone: [Redacted]
 Home Address: [Redacted]

Full Name, include middle initial: [Redacted] Title: [Redacted]
 Birthdate: [Redacted] Birthplace: [Redacted] Driver's License#: [Redacted] Home Phone: [Redacted]
 Home Address: [Redacted]

Full Name, include middle initial: [Redacted] Title: [Redacted]
 Birthdate: [Redacted] Birthplace: [Redacted] Driver's License#: [Redacted] Home Phone: [Redacted]
 Home Address: [Redacted]

PROPOSED FLOOR PLAN/LAYOUT OF PROPERTY

Mandatory: attach to this application a floorplan or layout of the proposed facility to include the following:

CLASS B LICENSES

1. Every application for a Class B license, whether an initial application or a renewal application, shall have attached thereto a site drawing of the proposed licensed premises, drawn to scale showing the following (*check off once complete*):
 - a. The location of all rooms, segregated areas, including outdoor seating areas and the square footage thereof;
 - b. The designated use of each room or segregated area (i.e. dining room, holding bar, service bar, kitchen, restrooms, outdoor seating areas, all rooms and segregated areas, including outdoor areas where alcoholic liquor may be served or consumed and all locations where live entertainment may be provided);
 - c. The proposed seating capacity of rooms or segregated areas where the public is permitted to consume food and/or alcoholic beverages and/or live entertainment may be provided.**
2. The site drawing is subject to the approval of the Local Liquor Control Commissioner. The Local Liquor Commissioner may impose such restrictions as he deems appropriate on any license by noting the same on the approved site drawing or as provided on the face of the license.
3. A copy of the approved site drawing shall be attached to the approved license and is made a part of said license.
4. It shall be unlawful for any Class B licensee to operate and/or maintain the licensed premises in any manner inconsistent with the approved site drawing.

CLASS C LICENSES

1. Every application for a Class C license, whether an initial application or a renewal application, shall have attached thereto a site drawing of the proposed licensed premises, drawn to scale, showing the following (*check off once complete*):
 - a. The location of all rooms, segregated areas, including outdoor seating areas and the square footage thereof;
 - b. The designated use of each room or segregated area (e.g. dining room, holding bar, service bar, kitchen, restrooms, outdoor seating areas, all rooms and segregated areas, including outdoor areas, where alcoholic liquor may be served or consumed and all locations where live entertainment may be provided);
 - c. The proposed seating capacity of rooms or segregated areas where the public is permitted to consume food and/or alcoholic beverages and/or live entertainment may be provided.**
2. The site drawing is subject to the approval of the Local Liquor Commissioner. The Local Liquor Commissioner may impose such restrictions as he deems appropriate on any licensee by noting the same on the approved site drawing or as provided on the face of the license.
3. A copy of the approved site drawing shall be attached to the approved license and is made a part of said license.
4. It shall be unlawful for any Class C licensee to operate and/or maintain the licensed premises in any manner inconsistent with the approved site drawing.

****THE FIRE PREVENTION BUREAU WILL FURNISH ALL FINAL, PERMITTED OCCUPANCY NUMBERS FOR THIS LICENSE.**

CORPORATION / PREMISES QUESTIONS

1. If applicant is an individual or partnership, is each and every person a United States citizen (5.08.070-2)? Yes No
 Is any individual a naturalized citizen? Yes No
 If yes, print name(s), date(s), and place(s) of naturalization:

2. List the type of business of the applicant (5.08.070-3): A painting studio

3. Number of years of experience for the above listed type of business (5.08.070-4): 0 - New Business

4. Amount of merchandise that normally will be in inventory when in operation (5.08.070-5): \$4,000 - initial estimate

5. Location/address and description of business to be operated under this applied for license (5.08.070-6):
Pinto's Palette, 3823 E Main St, St Charles, IL 60174
A painting studio focused on painting instruction classes, accompanied by beer, wine or soft drinks.

6. Is the premises owned or leased (5.08.070-6A)? Owned Leased

7. If the premises are leased, list the names and addresses of all direct owners or owners of beneficial interests in any trusts, if premises are held in trust (5.08.070-6B):

~~Name of Building Owner: PN Investments, Inc. c/o The 1919 SIX, LLC~~
~~Address of Building Owner: 1300 Rose Road, Lake Zurich IL 60017~~
~~Mailing Address of Building Owner (if different): same~~
~~Phone Number: _____ E-mail Address: _____~~

Property Sold 7/29/19

Name of Building Owner: Mertens, LLC c/o Murray Commercial
 Address of Building Owner: 473 Dunham Rd, Suite 200
 Mailing Address of Building Owner (if different): St Charles, IL 60174
 Phone Number: 630-513-0173 E-mail Address: ann@murraycommercial.com

Name of Building Owner:
 Address of Building Owner:
 Mailing Address of Building Owner (if different):
 Phone Number:
 E-mail Address:

8. Does the applicant currently operate, or operated in the past, any other establishment within the City of St. Charles that requires a liquor license? Yes No

If yes, please list the business name(s) and address(es):

9. Does applicant have any outstanding debt with the City of St. Charles, including, but not limited to, utility bills, alcohol tax, and permit fees, for any current or previous establishment owned, operated or managed by the applicant? Yes No
 If yes, please note the City of St. Charles requires all debt to be paid in full before consideration of a new or renewed liquor license is issued.

10. Are any improvements planned for the building and/or site that will require a building permit? Yes No
 If yes, has a building permit been applied for? Yes No *Arete Design Studio (architect) will be applying for permits in early to mid August 2019*
 If yes, date building permit was applied for with Building & Code Enforcement:

11. Has applicant applied for a similar or other license on the premises other than the one for which this license is sought (5.08.070-7)? Yes No
 If yes, what was the disposition of the application? Explain as necessary:

12. Has applicant (and all persons listed on page 1 of this application) ever been convicted of a felony under any Federal or State law, or convicted of a misdemeanor opposed to decency or morality (5.08.070-8)? Yes No
 Is applicant (and all persons listed on page 1 of this application) disqualified from receiving a liquor license by reason of any matter contained in Illinois State law and/or City of St. Charles Municipal Ordinances? Yes No

13. List previous liquor licenses issued by any State Government or any subdivision thereof (5.08.070-9). Use additional paper if necessary. *NA*
 Government Unit:
 Date: Location, City/State:
 Special Explanations:
 Government Unit:
 Date: Location, City/State:
 Special Explanations:

14. Have any liquor licenses possessed ever been revoked (5.08.070-9)? Yes No
 If yes, list all reasons on a separate, signed letter accompanying this application.
 Has any director, officer, shareholder, or any of your managers, ever been denied liquor license from any jurisdiction?
 Yes No
 If yes, proceed to Question 15. If more space is needed, please attach a separate sheet of paper with the information.

Applied for 8/14/19

15. **Complete ONLY if yes was answered to the questions above (14):** *NA*

Name: _____ Name of Business: _____

Position with the Business: _____

Date(s) of Denial: _____

Reason(s) for Denial of License: _____

16. **Date of Incorporation (Illinois Corporations) (5.08.070-10):** *February 13, 2019*

Date qualified under Illinois Business Corporation Act to transact business in Illinois (Foreign Corporation):
February 13, 2019

17. **Has the applicant and all designated managers read and do they all understand and agree not to violate any liquor laws of the United States, the State of Illinois, and any of the ordinances of the City of St. Charles in conducting business(5.08.070-11)?**
 Yes **No**

Have you, or in the case of a corporation, the local manager, or in the case of a partnership any of the partners, ever been convicted of any violation of any law pertaining to alcoholic liquor? **Yes** **No**

Have you, or in the case of a corporation the local manager, or in the case of a partnership any of the partners, ever been convicted of a felony? **Yes** **No**

Have you ever been convicted of a gambling offense? **Yes** **No** (If a partnership or corporation, include all partners and the local manager(s).)

Will you and all your employees refuse to serve or sell alcoholic liquor to an intoxicated person or to a minor?
 Yes **No**

18. **Mandatory: All individual owners, partners, officers, directors, and/or persons holding directly or beneficially more than five (5) percent in interest of the stock of owners by interest listed on page 1 of this application must be fingerprinted by the City of St. Charles Police Department (5.08.070-A12).**

Has this been done? **Yes** **No**

If yes, date(s): *7/29/19*

19. **Mandatory: Has the applicant attached proof of Dram Shop Insurance to this application or already furnished it to the City of St. Charles (5.08.060)?** **Yes** **No**

If already furnished, date of delivery: _____

NOTE: Insurance must be issued from May 1, 20XX – April 30, 20XX in accordance with City code 5.08.060. Request a prorated rate from your insurance company if you are applying for a new license during this timeframe.

20. **Mandatory:** Is the premises within 100 feet of any real property of any church; school; hospital; home for the aged or indigent persons; home for veterans, their wives/husbands, or children; and/or any military or naval station (5.08.230)?
 Yes No

COMMENTS/ADDITIONAL INFORMATION

**APPLICATION FOR LATE NIGHT PERMIT
SUPPLEMENTAL TO LIQUOR LICENSE FOR CLASS B/C**

To: St. Charles Liquor Control Commission

Date:

I now possess or have applied for a liquor license Class

Applicant's Name:

Name of Business:

Business Address:

Business Phone:

SUPPLEMENTAL PERMIT APPLIED FOR

Payment of Late Night Permit fee is required at the time the permit is issued.

1:00 a.m. Late Night Permit – fee of \$800.00

2:00 a.m. Late Night Permit – fee of \$2,300.00

NOTE: Other permits that may be available upon request include:

- Class E – Special Event License (1 to 3-day event @ \$100.00 per day)
- Outdoor Dining Permit (Contact Community & Economic Development @ 630.377.4443)

SIGNATURES


Applicant Signature

8/19/19
Date

B.A.S.S.E.T. TRAINING

Please list employees required to have B.A.S.S.E.T training on this page – include all managers, assistant managers, bartenders, and clerks who are permitted to make alcoholic liquor sales. Include copies of certificates for managers only and mark Manager if applicable. Add another page, if needed.

Name: Amy (First) Kumber (Last) Johanna (Middle) X Manager
Home Street Address: [Redacted]
City, State, Zip: Elgin, IL 60120
Date of Course: 7/22/19 Place Course was Taken: Online
Birthdate: [Redacted] Certificate Granted: 7/22/2019 Expiration: 7/22/2022

Name: (First) (Last) (Middle) Manager
Home Street Address:
City, State, Zip:
Date of Course: Place Course was Taken:
Birthdate: Certificate Granted: Expiration:

Name: (First) (Last) (Middle) Manager
Home Street Address:
City, State, Zip:
Date of Course: Place Course was Taken:
Birthdate: Certificate Granted: Expiration:

Name: (First) (Last) (Middle) Manager
Home Street Address:
City, State, Zip:
Date of Course: Place Course was Taken:
Birthdate: Certificate Granted: Expiration:

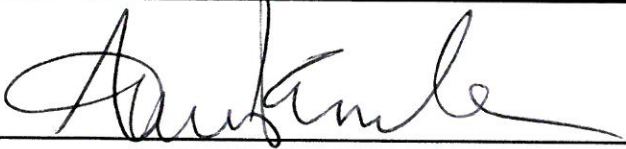
NEW MANAGEMENT REQUIREMENTS

Whenever a new manager comes on board, the City must be notified and that person must be fingerprinted.

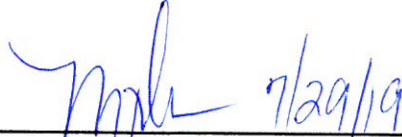
It is the business establishment's responsibility to keep copies of all B.A.S.S.E.T. certificates on file for their employees.

Business Name:

SIGNATURES



Applicant's Signature



Notary & Date

Seal:



Liquor Commissioner hereby directs City Clerk to issue permit indicated above.

Liquor Commissioner's Signature

Date

ADDENDUM TO RETAIL LIQUOR LICENSE APPLICATION**To be completed by the City of St. Charles Police Department**

Date:	Name of Applicant:
Name of Business:	
Address of Business:	Ward Number:

To Liquor Control Commissioner, City of St. Charles, Illinois

Pursuant to the provision of the City of St. Charles Municipal Code, Chapter 5.08, Alcoholic Beverages, the following guide shall be in effect for the investigation of an applicant for a Retail Dealer's Liquor License:

1.	Date on which applicant will begin selling retail alcoholic liquors at this location:
2.	Is the location within 100 feet of any church; school; hospital; home for the aged or indigent persons; home for veterans, their wives/husbands or children; or any military or naval station? <input type="checkbox"/> Yes <input type="checkbox"/> No
3.	If the answer to question 2 is yes, answer the following: Is applicant's place of business a hotel offering restaurant service, a regularly organized club, a restaurant, a food shop, or other place where the sale of alcoholic liquors is not the principal business? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, answer a, b and c: a. State the kind of such business: b. Give date on which applicant began the kind of business named at this location: c. Has the kind of business designated been established at this location for such purpose prior to February 1, 1934, and carried on continuously since such time by either the applicant or any other person? <input type="checkbox"/> Yes <input type="checkbox"/> No
4.	If premises for which an alcoholic liquor license is herein applied for are within 100 feet of a church, have such premises been licensed for the sale of alcoholic liquor at retail prior to the establishment of such church? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, have the premises been continuously operated and licensed for the sale of alcoholic liquor at retail since the original alcoholic liquor license was issued therefore? <input type="checkbox"/> Yes <input type="checkbox"/> No
5.	Is the place for which the alcoholic liquor license is sought a dwelling house, flat, or apartment used for residential purposes? <input type="checkbox"/> Yes <input type="checkbox"/> No
6.	Is there any access leading from premises to any other portion of the same building or structure used for dwelling or lodging purposes and which is permitted to be used or kept accessible for use by the public? (Connection between premises and such other portion of building or structure as is used only by the applicant, his/her family and personal guests not prohibited.) <input type="checkbox"/> Yes <input type="checkbox"/> No
7.	If applicant conducts or will conduct in the same place any other class of business in addition to that of City Retailer of Alcoholic Liquor, state the kind and nature of such business: <input type="checkbox"/> Yes <input type="checkbox"/> No

8.	Are all rooms where liquor will be sold for consumption on the premises continuously lighted during business hours by natural light or artificial white light so that all parts of the interior shall be clearly visible? <input type="checkbox"/> Yes <input type="checkbox"/> No
9.	Are premises located in any building belonging to or under the control of the State of Illinois or any other political subdivision thereof, such as county, city, etc.? <input type="checkbox"/> Yes <input type="checkbox"/> No
10.	Are the premises for which license is herein applied for a store or place of business where the majority of customers are minors of school age or where the principal business transacted consists of school books, school supplies, food or drinks for such minors? <input type="checkbox"/> Yes <input type="checkbox"/> No
11.	It is required by the City of St. Charles that all employees undergo BASSET training. Provide a copy of the certificate of training completion for each manager. All certificates for managers have been submitted: <input type="checkbox"/> Yes <input type="checkbox"/> No
12.	From your observation and investigation, has applicant—to the best of your knowledge—truthfully answered all questions? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, state exceptions:
13.	Have all persons named in this application been fingerprinted? <input type="checkbox"/> Yes <input type="checkbox"/> No Fingerprinted by: _____ Date: _____
14.	Other necessary data:

**SIGNATURES
ENDORSEMENTS AND APPROVALS**

INVESTIGATING OFFICER

_____	_____
Investigating Officer Signature	Badge Number & Rank

ENDORSEMENT OF THE CHIEF OF POLICE

Recommend Issuing Liquor License: Yes No


_____	_____
Signature Of Chief of Police	Date

8.	Are all rooms where liquor will be sold for consumption on the premises continuously lighted during business hours by natural light or artificial white light so that all parts of the interior shall be clearly visible? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
9.	Are premises located in any building belonging to or under the control of the State of Illinois or any other political subdivision thereof, such as county, city, etc.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
10.	Are the premises for which license is herein applied for a store or place of business where the majority of customers are minors of school age or where the principal business transacted consists of school books, school supplies, food or drinks for such minors? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
11.	It is required by the City of St. Charles that all employees undergo BASSET training. Provide a copy of the certificate of training completion for each manager. All certificates for managers have been submitted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
12.	From your observation and investigation, has applicant—to the best of your knowledge—truthfully answered all questions? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, state exceptions:
13.	Have all persons named in this application been fingerprinted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Fingerprinted by: <u>SCPD</u> Date: <u>Aug 2019</u>
14.	Other necessary data:


SIGNATURES

ENDORSEMENTS AND APPROVALS

INVESTIGATING OFFICER

	<u>323</u> <u>Deputy Chief</u>
Investigating Officer Signature	Badge Number & Rank

ENDORSEMENT OF THE CHIEF OF POLICE

Recommend Issuing Liquor License: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>9-11-19</u>
	Date
Signature Of Chief of Police	Date

FW: Liquor Liability Quote

From: Pinot's Palette - St. Charles (stcharles@pinotpalette.com)

To: jdkumler@yahoo.com

Date: Monday, August 19, 2019, 10:08 AM CDT

Love to Paint, Drink and Have Fun?

JOIN THE CLUB!

Cheers,

Amy Kumler

Franchise Owner



3823 E. Main Street

St. Charles, IL 60174

P: 773.612.5576

StCharles@PinotsPalette.com

From: Abby Greeno <Abby_Greeno@ajg.com>
Sent: Friday, August 16, 2019 10:59 AM
To: Pinot's Palette - St. Charles <stcharles@pinotpalette.com>
Subject: Liquor Liability Quote

Amy,

I have attached the Liquor Liability quote that has been worked up based on a 1 year term. Page 2 has all the coverage combinations, but Pinots Pallet will require you to carry the \$1mil/\$2mil option for \$1660 (total is \$2,019 will all taxes and fees). Per our discussion this morning, the carrier is not able to write a short-term policy the first year to renew 5/1/2020. However, they would be willing to write a longer term policy to renew 5/1/2021 instead. Please check with the city of St. Charles and advise if this would be acceptable. If not, I can see if there is another carrier that would be willing to write the short-term first year policy.

Please let me know if you have any questions!

Sincerely,

Abby Greeno | Inside Sales Executive

Small Business



Gallagher

Insurance | Risk Management | Consulting

Direct: 515.309.6210 | Fax: 515.457.8964

Abby_Greeno@ajg.com | www.ajg.com

Communications concerning this matter, including this email and any attachments, may have been provided for purposes of insurance/risk management consulting. Opinions and advice provided by Gallagher are not intended to be, and should not be construed as, legal advice.

A licensed Gallagher representative must provide the appropriate insurance carrier with written instructions in order to bind insurance coverage. Therefore, client instructions via email are not sufficient to bind coverage unless and until you have received explicit written confirmation from an authorized Gallagher representative.



58255358_Fox Studio Westchester Quote.pdf
7.4MB

Westchester

A Chubb Company

Westchester Specialty Insurance Services, Inc.

AMWINS ACCESS INSURANCE SERVICES LLC

Dear Cedric Brinson:

Please advise your client that Westchester Specialty Insurance Services, Inc. is offering this non-admitted quote as a representative of its affiliated surplus lines insurance company, Illinois Union Insurance Company.

Westchester Specialty Insurance Services, Inc. is not acting on behalf of your client and does not seek placements in other surplus lines markets.

Any applicable state taxes, fees and surcharges for surplus lines policies, as well as the performing of due diligence, filing of affidavits and other state broker reporting, are your responsibility as the surplus lines broker.

Sincerely,


David F. Roberts

Westchester Specialty Insurance Services, Inc.

3 Country View Road

Malvern, PA 19355

Surplus Lines License #24194



Westchester's Claims Service proves exceptional. Advisen Industry Claims Satisfaction Survey ranks Chubb as most preferred insurer for Property, Management, and Professional Liability Claims Handling. Only carrier to be ranked number one in more than one category.

CLICK HERE

Quote Number: LL172446Q2019

Date: 08-15-2019

Account: Fox River Studio
 Pinot's Palette

To: AMWINS ACCESS INSURANCE SERVICES LLC (Z03327)

Attn: Cedric Brinson

From: ,

Liquor Liability	
LIMIT of LIABILITY OPTIONS	PREMIUM
\$1,000,000/\$2,000,000	\$1,660
\$1,000,000/\$1,000,000	\$1,611
\$500,000/\$1,000,000	\$1,439
\$500,000/\$500,000	\$1,397
\$300,000/\$600,000	\$1,208
\$300,000/\$300,000	\$1,173
\$100,000/\$200,000	\$806

Term	12 months	Additional Fees:	\$
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FOR POLICIES EFFECTIVE JULY 21, 2011 AND SUBSEQUENT, WE REQUIRE THE PRODUCER TO PROVIDE THE "HOME STATE" AS DEFINED IN THE NONADMITTED AND REINSURANCE REFORM ACT OF 2010 (NRA) IF IT IS DIFFERENT THAN THE STATE IN THE INSURED'S PRINCIPAL ADDRESS LISTED ON THIS QUOTE UPON THE BINDING OF THIS PLACEMENT.

Coverage Forms

Form Number	Edition	Title
ILP001	0104	OFAC
ALL42490b	0716	U.S. FOREIGN ACCOUNT TAX COMPLIANCE ACT ("FATCA")
CG0033	1207	LIQUOR LIABILITY COVERAGE FORM
IL0017	1198	COMMON POLICY CONDITIONS
LD5S23j	0314	SIGNATURES
ALL20887	1006	CHUBB PRODUCER COMPENSATION PRACTICES & POLICIES
ALL21101	1106	TRADE OR ECONOMIC SANCTIONS ENDORSEMENT
WSG084	0511	ILLINOIS UNION INSURANCE COMPANY NOTICE
ALL39844	0213	ACE GROUP COMPANIES US PRIVACY NOTICE
CG2170	0115	CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM
IL0021	0908	NUCLEAR ENERGY LIABILITY EXCLUSION ENDORSEMENT
LD43271	0614	EXPANDED DEFINITION OF BODILY INJURY
LD43397	0614	EXPANDED DEFINITION OF EMPLOYEE ENDORSEMENT
LD43399	0614	SEPARATION OF INSURED'S AMENDATORY ENDORSEMENT
LD43402	0614	LIMITATION OF COVERAGE TO INSURED PREMISES ENDORSEMENT
LD43403	0215	PUNITIVE DAMAGES EXCLUSION
LD43421	0614	AMENDMENT OF PREMIUM AUDIT CONDITIONS ENDORSEMENT
LD43425	0614	DEFINITION OF "RECEIPTS"
LD43426	0614	AMENDMENT OF WHO IS AN INSURED ENDORSEMENT - NEWLY ACQUIRED OR NEWLY FORMED ORGANIZATIONS EXCLUDED
LD43428	0614	FIREARMS EXCLUSION
LD43430	0614	ADDITIONAL INSURED ENDORSEMENT - LIQUOR LICENSE HOLDER
LD43432	0614	MINIMUM EARNED PREMIUM ENDORSEMENT
LD43786	0814	WARRANTY ENDORSEMENT - EXCLUSION OF COVERAGE FOR BREACH OF

		ENUMERATED WARRANTIES – ONE OR FEWER PRIOR CLAIMS OR INCIDENTS
TRIA11C	0115	DISCLOSURE PURSUANT TO TERRORISM RISK INSURANCE ACT
XS2X35d	0116	SERVICE OF SUIT ENDORSEMENT – ILLINOIS
SL24684	0812	ILLINOIS SURPLUS LINES NOTIFICATION
SL37994	0812	ILLINOIS DOMESTIC SURPLUS LINES INSURER NOTICE

Location of all Premise(s)

1. 3823 E Main St, St Charles, IL 60174-2424

	Classification	Class Code	Exposure	Rate	Premium
1	Bars or Restaurants with Alcohol Sales	LIQ01	\$68,000 (Receipts)	2.4405	\$1,660
1	Additional Insured - Liquor License Holder (LD-43430)	LIQ34	1	0	\$0

Prior to Bind Requirements

Terms are subject to receipt and favorable review of the following information. Please note that we will not be able to issue coverage until we satisfy all of the below prior to binding:

You have selected 'Unknown' in response to some underwriting questions. These questions must be completed prior to issuance.

Are patrons under the legal drinking age permitted on the premises after 11 PM (except banquets)?	Yes	No
Does the applicant offer beer pong, drinking games, "all you can drink" specials or offers of unlimited alcoholic beverages?	Yes	No
Is beer sold for less than \$2.00 and/or wine or liquor for less than \$3.00?	Yes	No
Are drink specials featured after 10 PM?	Yes	No
Is any BYOB (other than banquets), bottle service or setups featured?	Yes	No
Does applicant have a valid liquor license?	Yes	No
Does risk feature adult entertainment, such as exotic dancing?	Yes	No

Underwriting Notes

Warranted Policy Conditions

Terms are subject to the following warranted conditions based on the risk specific information provided on the application. Please note that coverage terms may be altered if any of the following conditions are not satisfied.

- The insured has had no more than one liquor liability claim or incident likely to give rise to a liquor liability claim within five years prior to the date the application for this insurance is signed (excluding a liquor liability claim closed without payment because insured found not legally liable).
- The insured has had no more than two fines or citations for violation of law or ordinance related to the sale or service of alcohol at a scheduled location within five years prior to the date the application for this insurance is signed.
- Neither the insured nor any principal with a controlling interest in the insured has filed for bankruptcy (either liquidation or reorganization) within 12 months prior to the date the application for this insurance is signed.
- A Commercial General Liability Insurance Policy is maintained with limits of insurance equal to or greater than the Liquor Liability limits of this policy.
- A valid, active liquor license, if required by ordinance or law, is maintained prior to the insured selling, serving or distributing alcohol.
- Enforced written policies and procedures are maintained that prohibit the consumption of alcohol by any person during employment or service at the scheduled location. This includes "employees", "temporary workers", "leased workers", entertainers or performers of any kind, club members (if providing a service), or any other person providing any service at the scheduled location.
- Enforced written policies and procedures are maintained providing that only the insured and its authorized employees or members are permitted to serve alcohol. In the alternative, the insured warrants that persons serving alcohol who are not the insured's authorized employees or members are insured under separate policy of liquor liability insurance with limits equal to or greater than the limits of this policy.

Payment Plan

Producer Bill

Thirty days from inception the net payment will be due to the Insurer from the Agency

We are pleased to offer the attached indication; which will remain **valid for 60 days**. Please note this quote represents annual premiums.

If between the date of this Indication and the Effective Date of the policy there is a significant adverse change in the condition of this Applicant, or an occurrence of an event, or other circumstances which could substantially change the underwriting evaluation of the Applicant, then, at the Insurer's option, this quotation may be withdrawn by written notice thereof to Applicant. The Insurer also reserves the right to modify the final terms and conditions upon review of the completed application and any other information requested by the underwriter herein. If such material change in the risk is discovered after binding, the insurance coverage will be void ab initio ("from the beginning").

Thank you for considering Westchester Binding - Micro as your market of choice. We look forward to working with you.

Sincerely,

EXHIBIT "A"

LEGAL DESCRIPTION OF SHOPPING CENTER

Parcel 1: Lot 1 in Plat of Resubdivision, East Gate Commons First Resubdivision, Recorded in the offices of the Recorder of Deeds, Kane County on December 31, 2003 as Document No. 2003K222677, in Kane County, Illinois.

Parcel 2: Non-Exclusive Easement for ingress, egress and parking and utilities for the benefit of Parcel 1 as described and created by Operation and Easement Agreement Recorded November 6, 2001 as Document K2001K116517 as Amended.

Permanent Index Number: 09-25-426-026

Commonly known as: 3821-3843 East Main Street, St. Charles, Illinois 60174

JH
AK

EXHIBIT "B"

SITE PLAN

Fox River Studio, Inc - #3823

EASTGATE
COMMONS - ST
CHARLES

DELINEATE

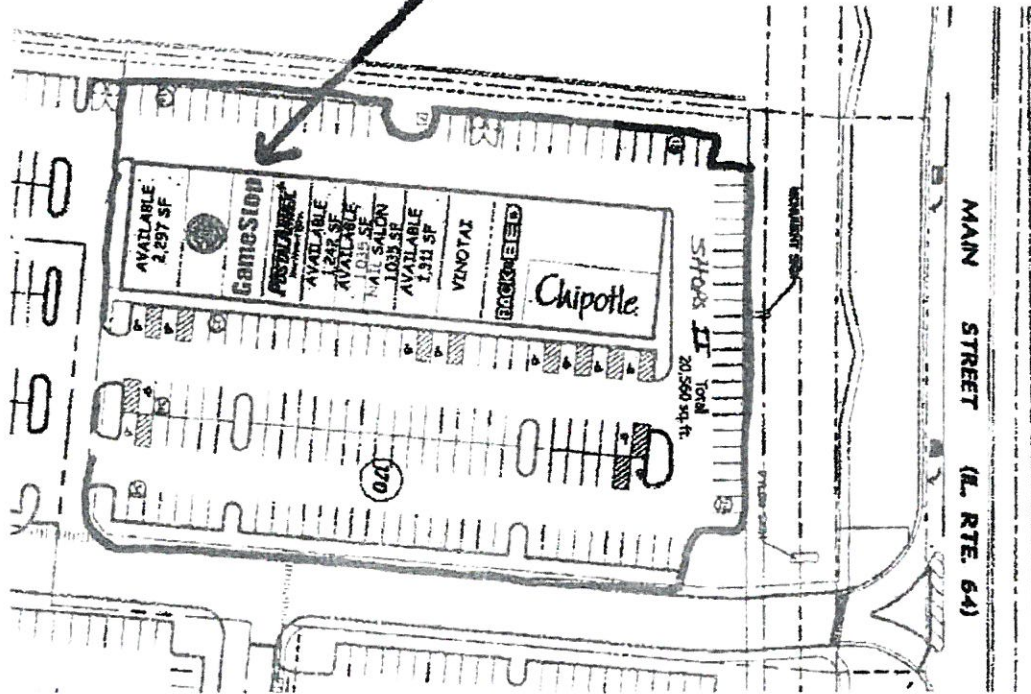
TARGET

SHOPS

OUTLOTS

TA
AK

THE SHOPPING CENTER

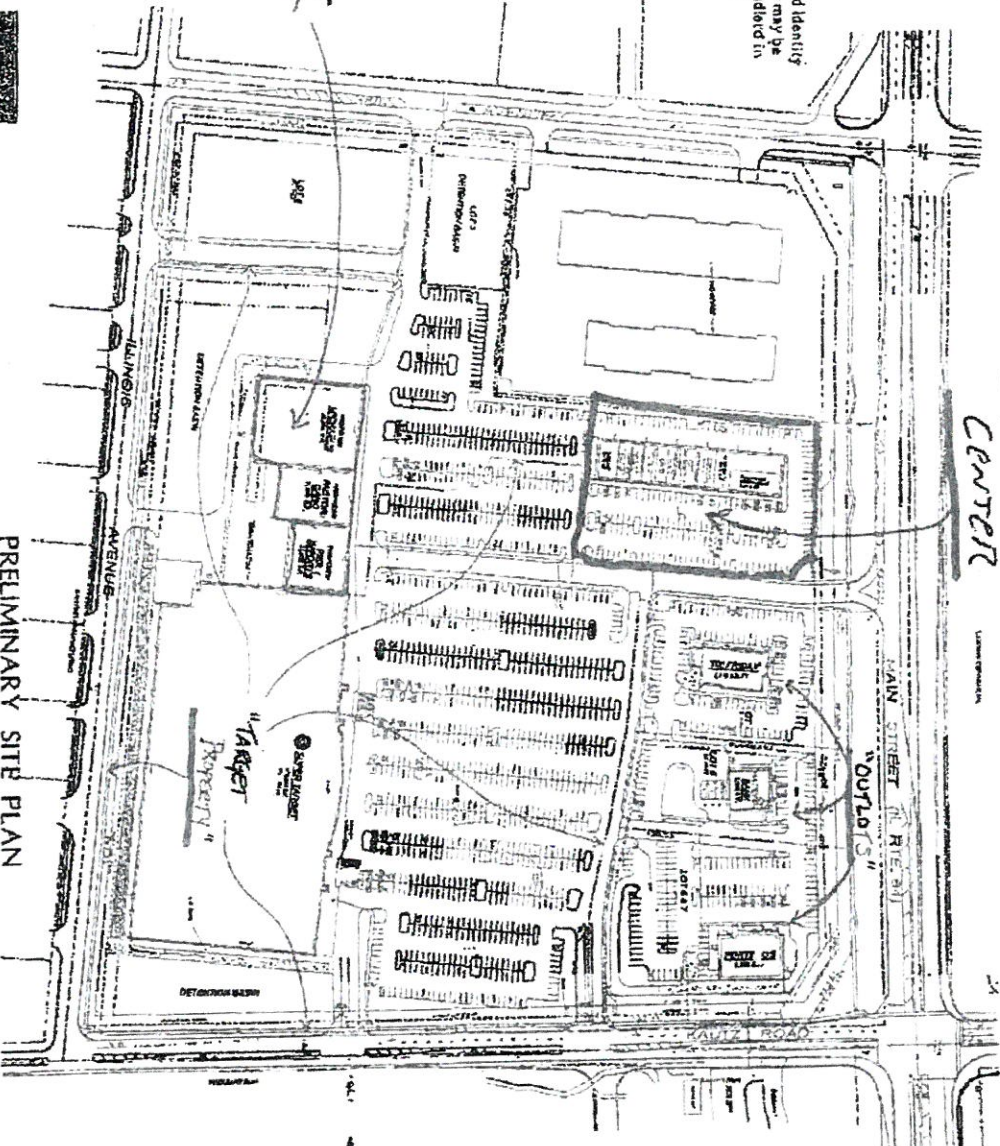


TA
AK

The location and identity of other tenants may be changed by Landlord in Landlord's sole Discretion.

Shopping Center

Shops

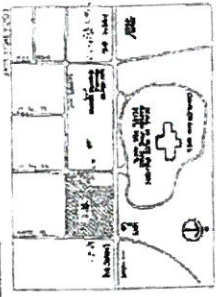


PRELIMINARY SITE PLAN

EAST GATE COMMONS
5100 MAIN STREET AND KAUFMANN ROAD
31, CHICAGO, ILLINOIS

DALAN DEVELOPMENT CORP.
CHICAGO, ILLINOIS

SITE DATA:	
TOTAL SITE AREA	1,427,126 SF
TOTAL BLDG AREA	432,768 SQFTS
LOT 1	1,120,000 SF
LOT 2	1,120,000 SF
LOT 3	1,120,000 SF
LOT 4	1,120,000 SF
LOT 5	1,120,000 SF
LOT 6	1,120,000 SF
LOT 7	1,120,000 SF
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LOT 299	1,120,000 SF
LOT 300	1,120,000 SF



EXH

DATE	BY	NO.
08/08/08	001	001



Handwritten initials/signature

Certificate of Completion



AMY KUMLER

Has diligently and with merit completed the
On-Premise BASSET Alcohol Certification on 7/22/2019

from the American Safety Council.

Jeff Pairan



Illinois BASSET Training

This card certifies that:

AMY KUMLER

has completed the

On-Premise BASSET Alcohol Certification



Jeff Poirier

8/21/2019

Exp. Date.

BUSINESS PLAN

Fox River Studio, Inc. d/b/a Pinot's Palette St. Charles

Amy Kumler, Owner

Created on August 1, 2019

1. EXECUTIVE SUMMARY

1.1 Product

A painting studio specializing in the instruction of painting, commonly referred to as a "paint & sip" studio. Beverages will be available for sale, including wine and beer. Food may be brought in for onsite consumption; no food will be sold.

The normal studio hours of operations will be 10:00 AM until 10:00 PM Wednesday through Sunday, closed Mondays and Tuesdays. Classes will be offered Wednesday, Thursday and Friday in the evening hours and Saturday and Sunday throughout the day and evening hours. The studio will be open for private parties and events during normal studio hours. Open studio time will be made available on Wednesday, Thursday and Friday as needed.

1.2 Customers

The primary target is women, ages 25-45, with a household income greater than \$100,000. Secondary targets are younger dating couples, ages 21-35, who are looking for a different type of date-night experience and children, ages 6-15, for family painting events and/or private birthday parties. Tertiary targets are corporations for team building events.

1.3 What Drives Us

My main goal is to build a successful paint & sip studio. Success is defined by the following:

- Revenue sales that generate a healthy profit margin.
- Each guest should feel like they had a positive experience, every time.
- Environment should be fun and energetic, supportive and collaborative.
- Support and give back to the community through fund raising and donations.

2. COMPANY DESCRIPTION

2.1 Mission Statement

My mission statement is to provide a top notch experience for each and every guest, regardless of their skill level, so that they want to return and share the experience with their family and friends.

2.2 Principal Members

Amy Kumler serves as the President of Fox River Studio, Inc. and Franchise Owner/Operator for the DBA Pinot's Palette St. Charles. Jeff Kumler is a trustee on the board of directors for Fox River Studio, Inc. No other staff have been hired to date.

2.3 Legal Structure

Fox River Studio, Inc. is the corporation that is Doing Business As Pinot's Palette in St. Charles, IL.

3. MARKET RESEARCH

3.1 Industry

The paint and wine franchise industry is a niche of the entertainment franchise category. It offers consumers a fun night out that combines drinking with guided painting – or in some cases, other arts and crafts.

3.2 Customers

The Pinot's Palette customer is primarily women, ages 25-55, who have some disposable income to spend on entertainment.

3.3 Competitors

The paint and sip business model competes with other “girls’ night out” establishments, including wine bars and live entertainment venues, as well as date night options such as dinner and a movie. Other competitors include pottery studios and companies that offer instructional, create-your-own-product concepts, like gourmet meal preparation.

3.4 Competitive Advantage

Often the price point for a "night out" is higher than the price of a painting class. The brick & mortar studio (versus mobile studios) provides a consistent experience each and every time. This is true for the guests who frequent the same studio or those that like to try different Pinot's Palette studios. The fun atmosphere, the tables & z-stools, and the lighting will create a premium experience each and every time.

3.5 Regulations

The most important regulations are those surrounding the sale of alcoholic beverages for onpremise consumption. A local and state liquor license is required, which requires BASSET training and certification for all employees who sell and serve alcohol and Dram Shop insurance.

4. PRODUCT/SERVICE LINE

4.1 Product or Service

The primary service is guided painting with acrylic paints on canvas. Alternative options for canvas are wood pallets, wine glasses, wine bottles, tea trays, and glass jars. Chunky throw blanket classes are also available. All of these products are available as 2 or 3 hour class sessions with a guided instructor. The option also exists to paint "open studio" style, which means there is no instructor, but the guest is provided step-by-step instructions to complete a variety of painting options.

A bar serving soft drinks, beer and wine will be available for an additional charge. The bar does not have a seating area, neither inside nor outside of the studio. All alcoholic beverages must be consumed on-premise, during normal business hours, while the class or event is in progress. No food will be sold, however, guests may bring food in with them. The studio will not be responsible for catering or ordering food for guests.

The artist instructors will manage a sound system with streaming music as background noise while classes or events are in session. No live music will be played.

4.2 Pricing Structure

The price for a standard 2 hour class on 10X20 canvas is \$35, includes all necessary supplies. A more complicated painting that requires a 3 hour class on 10X20 canvas is \$45. Upgrades to a wood pallet are available for an additional \$15. A 2 hour class on 8X8 or 10X10 canvas is \$25. A two hour class for a wine glass or a wine bottle are \$15 (each). And a 3 hour chunky blanket class is \$70. Painting It Forward funding raising events are \$65, with a portion of the charge going to the charity.

4.3 Product/Service Life Cycle

All listed products have completed development and are available for sale now. The franchise headquarters continuously works on new product innovation to roll out to the franchises. Franchise owner/operators may also submit ideas for headquarter's consideration.

The franchise headquarters manages a library of over 9,000 original paintings that are used by all franchise locations. The librarian is responsible for keeping a master of all paintings, reviewing and refreshing the paintings that are available, and maintaining all intellectual property of each painting. Artists may submit an original work to be added to the library. If a new painting is accepted and made available, all franchise locations must pay a commission fee to the originating artist.

4.4 Intellectual Property Rights

The franchise headquarters owns the intellectual property rights.

4.5 Research & Development

The franchise headquarters owns the research and development process.

5. MARKETING & SALES

5.1 Growth Strategy

The key to growth for a Pinot's Palette franchise is community involvement and networking. Word of mouth is the best form of marketing. I will use a variety of marketing tools, especially for the grand opening. Social media is extremely effective with my target customer and will be a large part of my ongoing marketing efforts. The key to growth is repeat business and corporate team building events to drive awareness.

5.2 Communication

Social media will be a large portion of the communication plan. Newsletters via email will drive repeat sales.

5.3 Prospects

The primary sales function will be driven via Pinot's Palette online reservations and payment system using credit cards. Parties and events will require a more hands-on approach, but will still be driven through credit cards. Onpremise sales of wood pallet upgrades, Pinot's Palette merchandise and all bar sales will be handled by the studio manager as cash or credit card transactions.