

Members of the Planning Commission-

My name is Benjamin Altschul. I was born and raised in Madison, Wisconsin. I am the proprietor of The Tip Top Tavern.

I am here today as a member of our community and as a representative of my business.

I would like to thank the planning commission for the opportunity to participate in a constructive conversation and process regarding the well-being of our neighborhood.

I would like to express my serious concern over the situation at hand with regards to the Tip Top Tavern Patio.

The transgression on May 1st was unfortunate and was in violation of the terms of our conditional use permit. I sincerely apologize to the commission and to the community for not having all patrons off the patio by the agreed upon 10pm curfew. In response I have implemented training and changes to our operation to ensure the patio is cleared by 10pm. This has effectively resulted in zero complaints since the May 1st incident.

The Tip Top Tavern has functioned as a neighborhood tavern at the corner of North St and Commercial Ave. for nearly 100 years. The Tip Top is a cornerstone in our community. Over the past 100 years the Tip Top has experienced many phases. Most recently, under the previous ownership, the Tip Top Tavern was a dangerous element in the Eken Park neighborhood. The Madison police would verify this claim. Abe Burns, our neighbor in the adjacent property, has lived in his home on North St. for over 50 years. In Mr. Burns written statement attached, he describes the regular activity that took place in the Tip Top Tavern parking lot 3 years ago as violent, disturbing and scary. In Abe's words, "He felt unsafe".

I took ownership of the Tip Top Tavern in April of 2013 with the mission to build "the best serving establishment for the neighborhood". I am grateful to say that today, the Tip Top is succeeding. We have become a neighborhood gathering place. A family place. The Tip Top Tavern has become a vibrant reflection of our community.

Where two and a half years ago the Tip Top was a dangerous and unsafe site, today it is a place where neighbors and families meet in safe environment.

Where two and a half years ago Tip Top Tap Inc. had zero employees on payroll, we are now sustainably employing 40 members of the immediate community.

Where two and a half years ago Tip Top Tap Inc. owed thousands in back taxes, today we are paid in full and providing a healthy tax base to the city.

A critical element to the success of the Tip Top Tavern is our patio space. The patio is beautiful, safe, clean and respectful. As demonstrated by the many letters of support, the neighborhood loves it. Now, where cars once revved engines and fights took place, family and neighbors come together and enjoy the sun and twilight. We even planted a red maple tree as a symbol of health, growth and community.

Here today, the Tip Top Tavern Patio is being challenged by a single member of our community. The neighbor who filed the complaint expressed a desire to see the patio space disintegrated. At the previous plan commission meeting this neighbor described the commercial, mixed-use activity taking place as a nuisance. She stated on record a concern for her property value.

I respect and recognize our neighbor's perspective. We are neighbors, we share this community and we will not be divided.

However, I seriously disagree with the proposal of reducing the function and capacity of the Tip Top Tavern patio. Furthermore, I challenge the notion that the Tip Top has negatively affected property values. I have expert real estate analysis to dispute this claim.

With all due respect, I greatly fear the potential effects that would result from the recommendations set forth by Matt Tucker and the sole complaining neighbor. The consequences of such changes could be devastating not only to the Tip Top Tavern, but to the progress of the community at large.

Over 60% of our patrons choose to enjoy the summer weather on our patio. The neighborhood comes together on our patio in a respectful and community enriching way, everyday. The area is now safe. The Tip Top is once again serving the community.

It is important for the record to state that the complaint was raised by a home owner who purchased a home knowing there would be a 100 year-old bar with a patio located near her property in an up and coming neighborhood.

Also, Dexter's bar, located 2 blocks south of the Tip Top on North St., operates a volleyball court patio and is adjacent to a residential property. Dexter's operates their patio until 10pm. The neighborhood greatly enjoys mixed-use commercial patio spaces.

I am ready and willing to work with the neighborhood on an ongoing basis to create the best possible outcome for our community. However, I am terrified by the drastic measures being proposed today.

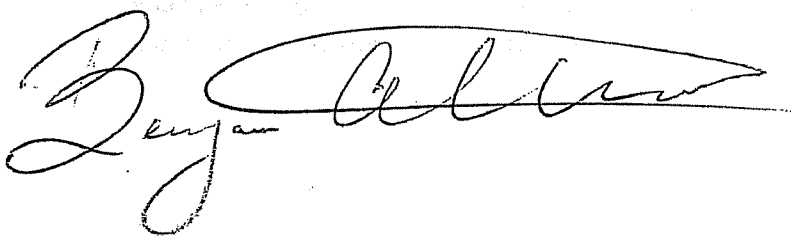
With that said, I ask the plan commission to forgive our May 1st transgression, recognize our sincerity, and understand the severity of the decision at hand.

Attached are letters of support from fellow neighbors and the Eken Park Neighborhood Association.

I thank the plan commission and the community for the ongoing support of the Tip Top Tavern as a positive contributing business in our city.

Respectfully,

Benjamin Altschul

A handwritten signature in black ink, appearing to read "Benjamin Altschul". The signature is written in a cursive style with a large, sweeping initial "B" and a long, horizontal flourish extending to the right.

EPNA has no objection to plans to expand seating capacity at the Tip Top

Inbox x

Jun 5

 Art Hackett <arthackett@yahoo.com>
to Larry, Eken, me

At its meeting of June 4, 2015, the Eken Park Neighborhood Association (EPNA) approved a motion stating that it does not object to expanding the seating area of the Tip Top Tavern into the area formerly used as a barber shop with the understanding that the expansion will be as described by owner Benjamin Altschul at the meeting. The key points are that the capacity would be 99 persons and there would be no separate entrance to the new seating area.

There were discussions regarding whether there were parking problems or noise problems related to the existing facility and those present at the meeting who live closest to the Tip Top felt that there were no significant issues.

- Written by Art Hackett
Eken Park Neighborhood Association
President

To Whom, It May Concern,

My name is Abe Burns.

I have lived at 613 North St
for 50 years. Over that time
I seen a lot of changes.

With regard to the Tip Top,
under the previous ownership the
parking lot of the Tip Top was
a place of drugs, violence, sex and overall
nuisance. There were cars that would
rev engines and fights that would
break out nearly every night. I
did not feel safe at that time.

Since the Tip Top has re-opened under new ownership and the Patio was built in the parking lot, things have greatly improved. Disturbances are very rare. The noise levels are lower w/ a patio than w/ the old parking lot. I now feel safe. I don't notice smoke like I did when the parking lot didn't have a patio, because now the site is regulated responsibly by the Tip Top staff.

As the neighbor who shares
a full property line with
the Tip Top I fully support
the way they are conducting business
and the patio as a part of
that.

ale DW

7-26-15

