

Statz, Ronda

From: Mary Mullen [mmullen@chorus.net]
Sent: Tuesday, October 20, 2009 3:19 PM
To: Statz, Ronda
Cc: briansolomon@charter.net; Solomon, Brian
Subject: Oppose granting license for 4265 W. Beltline at this time

To: The Alcohol License Review Committee

Re: Application for Class B Beer and Alcohol License for Bernie & Tony's Back Door, LLC at 4265 W. Beltline Hy., Madison, WI 53711
Public Hearing, October 21, 2009, item **19. 16151** Public Hearing - New License

From: Mary Mullen, 4337 Milford Rd., Madison, WI 53711

At this time **I oppose granting a beer and liquor license** to Thomas Caputo for a restaurant and bar called Bernie & Tony's Back Door, LLC to be located at 4265 West Beltline Highway, in my neighborhood about 2 blocks from my home.

Why?

1. **Mr. Caputo has not yet met with either the neighborhood association** – Dunn's Marsh Neighborhood Association – **or with neighbors in general.** Although he did contact Solare O'Brien, President of the DMNA, they were not able to talk about details until after our last DMNA Neighborhood Council meeting (October 13), so basically there has been no chance for the association to discuss concerns.

2. Currently, at the behest of a neighborhood resident, Mr. Caputo has arranged to give a tour of the premises and do a question and answer session for interested people, but this **meeting takes place (on October 26, 2009) after the liquor license hearing.** The DMNA's annual meeting is scheduled for October 27, 2009, and Mr. Caputo will get a few minutes to talk about his project then and answer a few questions. This is also after the license hearing. **No license should even be considered until after these meetings** and Mr. Caputo has adjusted his plan to meet the concerns raised at these meetings. Anything else would be unfair to the Dunn's Marsh Neighborhood.

3. **The chance for disturbance of nearby residential neighbors is high.** While this property may be zoned properly for a restaurant and bar, currently it is a residential home backing up to apartments. Changing the use to a commercial use with capacity for 25 bar customers and 45 dining customers guarantees more traffic and congestion. Right now, one barely knows that this place exists as a noise, traffic, or drinking public generator, but with many customers and a bar open until 2 a.m., this could mean daily disturbances for the adjacent apartment residents and others in the vicinity. This is not to speak of tipsy drivers who may end up driving through the neighborhood during late hours of the night.

Mr. Caputo has recently cut all the bushes that used to screen his property from the apartments behind 4265, so the properties are now open to each other.

3. **Parking is a big issue in my opinion.** Mr. Caputo's application mentioned 3 parking stalls in front of garages in the left lot accessible from the Frontage Road, 20 stalls in right lot accessible from Danbury, and 10 public parking spots on Danbury.

- **I question the practicality and safety of having customers use the parking spots in front of his garages.** Does Mr. Caputo really want to block access to his garages? Would the tenant in the upstairs apartment be able to get in and out if one garage is rented to him/her? Depending on the parking configuration, people using this lot might have to back out into traffic on the Frontage Road to get out. Since there are masonry walls and the entrance is quite a bit narrower than the width of the paved area, it seems that having customers park here might endanger them and traffic on the Frontage Road.

- While the application mentions 3 stalls in the garage apron area, Mr. Caputo told me on the phone it would hold 5. **The discrepancy makes me wonder what he's really planning.**

- The current Danbury side parking lot would at maximum hold 6 cars in my estimation. The application says it will hold 20. On the phone, Mr. Caputo told me that he plans to pave over his “grassy area” to triple the size of his parking lot so that it would hold 30 cars. At the time of this conversation, I took that to mean he wants to provide space for 33 vehicles on his property. He told me also that the 10 public spots on the street was a “mistake” in his application.
 - Again, the **discrepancies make me wonder about Mr. Caputo’s clarity about his own plans.**
 - Secondly, **I would hate to see this entire lot paved over.** I assume that the two large trees might have to be cut in order to make room for extensive parking. This would greatly change the character of this area for the worse. There is a large parking lot just to the east of 4262 W. Beltline that is basically unused. **What is the possibility for his sharing this large adjacent lot**
 - **There are not 10 public parking spaces next to his property on Danbury.** There might be room for 5 at most – I haven’t actually measured the space yet – especially since he has to leave room at the corner and has a driveway into the parking lot on that side. The property just across Danbury from 4246 has parking spaces next to its building that run perpendicular to the street. I think that eliminates the west side of Danbury as parking space. If the restaurant/bar is a success, people might end up parking next to residential properties, which is never welcome. These streets don’t have curb and gutter. Customers might end up parking partly on people’s lawns.

To conclude, at the very least, the Alcohol License Review Committee should postpone any action on this license application until such time as Mr. Caputo has met with neighbors and the Dunn’s Marsh Neighborhood Association and then adjusted his plans to meet people’s concerns.

Mary Mullen
 4337 Milford Rd.
 Madison, WI 53711
 608-298-0843

Statz, Ronda

From: Renee [renaek@charter.net]
Sent: Tuesday, October 20, 2009 3:21 PM
To: Statz, Ronda
Subject: NO restuarant/bar @ 4265 W Beltline Hwy

Tomorrow evening, Oct 21, 2009, the alcohol license review committee will consider granting a liquor license to Bernie & Tony's Back Door LLC, located on the corner of Danbury and W Beltline Hwy. The application estimates capacity of this 21+entertainment restaurant/bar at 150, though the community invitation issued by owner Tom Caputo lists different numbers. There are numerous reasons why this is not good for our neighborhood and this application should be **denied**.

NO DISCUSSION WITH NEIGHBORS scheduled before this committee meeting

Our neighborhood association has just been informed of meetings with Tom Caputo on Monday Oct 26 and Oct 27. This is too late as the alcohol license committee will have already made their decision. His actions do not indicate an interest in doing what is best for the neighborhood and the families who live here.

NO PARKING

There is very little parking on that tiny lot, certainly not enough for that many vehicles. The spillover of vehicles will affect the surrounding residential area adversely.

RESIDENTIAL AREA

The "back door" of this address borders apartment buildings and a quiet residential area. There is not enough room for an "outdoor cafe" without disturbing neighborhood residents, including children.

TOO MUCH TRAFFIC

Our quiet residential area is bordered by Seminole Hwy, and Danbury represents a main access in and out of our neighborhood. Residents here do not need nor want all the additional cars, noise, potential for crime, and alcohol use

CHILDCARE and PRESCHOOL nearby

Within a very short distance North on W Beltline Hwy, there is a childcare facility and a Montessori preschool. We do not need our children exposed to this "adult" environment.

We love our quiet residential neighborhood. Please help us keep it that way and deny the alcohol license application for Bernie and Tony's Back Door LLC.

NO Restaurant/Bar at Danbury & W Frontage Road.

Sincerely,
Renee Kittell
4202 Windflower Way
Madison, WI 53711
608-276-8057

Statz, Ronda

From: Brian Solomon [briansolomon@charter.net]
Sent: Tuesday, October 20, 2009 11:28 PM
To: 'Mary Mullen'; 'Co. Sup. Carousel Bayrd'; 'Co. Sup. Matt Veldran'; 'Rep. Therese Berceau'; Ahnaray.Bizjak@city.fitchburg.wi.us; andrew.potts@city.fitchburg.wi.us; carol.poole@city.fitchburg.wi.us; 'Fitchburg Mayor'; rick.eilertson@city.fitchburg.wi.us; 'Scott Endl'; 'Renee'; mmullen@chorus.net; sgrant@bussvc.wisc.edu; lannia@namiwisconsin.org; tomcaputo@um.att.com; 'Chris Ogden'; 'Florenzo Cribbs'
Cc: 'Brian Solomon'; Solomon, Brian; Statz, Ronda; Schumacher, Michael
Subject: Piano Bar / Italian Restaurant Proposal / 4265-7 West Beltline --- REFERRAL AT ALRC
Importance: High

Greetings Tom, DMNA Neighbors, and Interested Parties: As most of you now know, Tom Caputo (cc'd on this email) is planning to open a piano bar and restaurant on the above referenced property. Tom, the chief concerns that I have heard thus far are:

- Availability of parking
- Inability of neighbors, thus far, to have met with you
- Impact on residential area, school, ped safety, children, etc
- Traffic impacts

I spoke with Tom several weeks ago about this application and encouraged him to get on the neighborhood association agenda. Because Tom and neighbors have been unable to meet, I have requested that this item be **REFERRED AT TOMORROW NIGHT'S ALRC MEETING**. So there is **NO NEED FOR TOM OR ANY NEIGHBORS TO APPEAR AT THE ALRC PUBLIC HEARING TOMORROW NIGHT**. This item will NOT be discussed. This item will appear on an upcoming agenda, which will give Tom and neighbors time to meet and, ideally, reach some agreements.

As indicated in previous emails, there are two upcoming opportunities to hear Tom discuss his plans:

- (1) Monday, October 26, 6:30 PM. 4265 W. Beltline Hwy (corner of Danbury and the Frontage Road). This meeting / tour is being led by Tom.
- (2) Tuesday, October 27, 6:45 PM. Prairie Unitarian, 2010 Whenona Drive (corner of Whenona and Crawford). This is the DMNA Annual Meeting. Tom will have 5 minutes to present to the neighborhood association.

I think this is an exciting project and I encourage neighbors to attend the above meetings with an open mind. However, there are some very legitimate concerns about the project that I am hoping Tom can address. Hopefully, the two above meetings puts us on a path toward a project that can move toward ALRC and, ultimately, Council approval with neighborhood support.

If anyone has questions, please email or call me (608.446.1362) and let me know. Otherwise, hope to see you Monday or Tuesday (I will try to be at both, but am not positive about that). Again, there is **NO NEED TO APPEAR AT THE ALRC PUBLIC HEARING TOMORROW NIGHT**. This item **WILL** be referred.

Thanks all, Brian