

# ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk

For the license period beginning \_\_\_\_\_ 20\_\_\_\_ ;  
ending JUNE 30 2009

TO THE GOVERNING BODY of the:  Town of }  
 Village of } Madison  
 City of }

County of Dane Aldermanic Dist. No 19 (if required by ordinance)

1. The named  INDIVIDUAL  PARTNERSHIP  LIMITED LIABILITY COMPANY  
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): R & T Enterprises, L.L.C.

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

	Title	Name	Home Address	Post Office & Zip Code
President/Member	Member	Tom Volke	8250 W. Holly Rd.	Mequon WI 53097
Vice President/Member	Member	Ron Mellantine	100 Lynnwood Lane	Brookfield WI 53005
Secretary/Member				
Treasurer/Member				
Agent		Richard E. Becker	3621 Turning Leaf Dr.	Madison WI 53719
Directors/Managers				

3. Trade Name J.T. Whitney's Pub & Brewery Business Phone Number 608-274-1776  
4. Address of Premises 674 S. Whintey Way Post Office & Zip Code Madison, WI 53711

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period?  Yes  No  
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant?  Yes  No  
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business?  Yes  No  
8. (a) **Corporate/limited liability company applicants only:** Insert state Wisconsin and date \_\_\_\_\_ of registration.  
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company?  Yes  No  
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin?  Yes  No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described) See attached Floor Plan  
10. Legal description (omit if street address is given above): \_\_\_\_\_  
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
(b) If yes, under what name was license issued? \_\_\_\_\_  
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630 5) before beginning business? [phone 1-800-937-8864]  Yes  No  
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776]  Yes  No  
14. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor?  Yes  No

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license

**SUBSCRIBED AND SWORN TO BEFORE ME**

this 24<sup>th</sup> day of March, 2009

Mary I. Hinner (Mary I. Hinner)  
Clerk/Notary Public

My commission expires 06/28/2009

Dane County/WI

[Signature]  
(Officer of Corporation/Member/Manager of Limited Liability Company /Partner/Individual)

(Officer of Corporation/Member/Manager of Limited Liability Company /Partner)

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

**TO BE COMPLETED BY CLERK**

Date received and filed with municipal clerk	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	



27. What hours, if any, will food service not be available? ~~10:30 PM~~ Limited menu after 10PM  
~~10:30 PM~~ Full menu available until 10PM
28. Indicate any other product/service offered. Mugs and t-shirts and other branding items.
29. Will your establishment have a kitchen manager?  Yes No
30. Will you have a kitchen support staff?  Yes No
31. How many wait staff do you anticipate will be employed at your establishment? 2 @ wait & support staff  
 During what hours do you anticipate they will be on duty? Mon-Sat 10:30 - 1200 am  
Sun 9:30 - 1200 am
32. Do you plan to have hosts or hostesses seating customers?  Yes No
33. Do your plans call for a full-service bar?  Yes No  
 If yes, how many bar stools do you anticipate having at your bar? 35  
 How many bartenders do you anticipate you would have working at one time on a busy night? 4
34. Will there be a kitchen facility separate from the bar?  Yes No
35. Will there be a separate and specific area for eating only?  Yes No  
 If yes, what will be the seating capacity for that area? 200
36. What type of cooking equipment will you have?  Stove  Oven  Fryers  Grill  Microwave
37. Will you have a walk-in cooler and/or freezer dedicated solely to the storage of food products?  Yes No
38. What percentage of your overall payroll do you anticipate will be devoted to food operation salaries?  
40%
39. If your business plan includes an advertising budget, what percentage of your advertising budget do you anticipate will be related to food? 75%  
 What percentage of your advertising budget do you anticipate will be drink related? 25%
40. Are you currently, or do you plan to become, a member of the Madison—Dane County Tavern League or the Tavern League of Wisconsin? Yes  No
41. Are you currently, or do you plan to become, a member of the Wisconsin Restaurant Association or the National Restaurant Association? Yes  No

15. Utilizing your market research, who would you project your target market to be?

Professional People between the ages of 25 to 55 that live in the surrounding neighborhoods

16. What age range would you hope to attract to your establishment? 25-55

17. Describe how you plan to advertise/promote your business. What products will you be advertising?

Primarily Word of Mouth, Web Page, Targeted Mailings  
We will be advertising Food & Hand Crafted Ales.

18. Are you operating under a lease or franchise agreement? Yes (attach a copy)  No

19. Owner of building where establishment is located: J. Herzog & Sons, Inc

Address of Owner: 1720 S. Bellaire St., Ste 1209, Denver, CO 80222 Phone Number 303-757-8811

20. Private organizations (clubs): Do your membership policies contain any requirement of "Invidious" (likely to give offense) discrimination in regard to race, creed, color, or national origin? Yes  No

21. List the Directors of your Corporation/LLC

Tom Volke 8250 W. Holly Rd, Mequon, WI 53097  
Name Address

Ron Mellantime 100 Lynnwood Lane Brookfield, WI 53005  
Name Address

Name Address

22. List the Stockholders of your Corporation/LLC

Name Address % of Ownership

Name Address % of Ownership

Name Address % of Ownership

23. What type of establishment are you? (Check all that apply) Tavern  Nightclub  Restaurant

Other Please Explain Brewpub

24. What type of food will you be serving, if any? American Pub Fare

Breakfast  Lunch  Dinner   
Sunday only

25. Please submit a sample menu with your application, if possible. What might eventually be included on your operational menu when you open? Appetizers Salads Soups Sandwiches Entrees

Desserts Pizza Full Dinners

26. During what hours of your operation do you plan to serve food? 11 am to 10 pm Mon.  
through Sat Sun 9 am to 10 pm Limited menu after 70pm

42. What is your estimated capacity? 410 Occupancy Limit Established per State Building Code.
43. Pursuant to Chapter 23 of the Madison General Ordinances, all restaurants and taverns serving alcohol beverages shall substantiate their gross receipts for food and alcohol beverage sales broken down by percentage. For new establishments, the percentage will be an estimate.

Gross Receipts from Alcoholic Beverages	35 %
Gross Receipts from Food and Non-Alcoholic Beverages	65 %
Gross Receipts from Other	5 %
<b>Total Gross Receipts</b>	<b>100%</b>

44. Do you have written records to document the percentages shown? Yes  No   
 You may be required to submit documentation verifying the percentages you've indicated.

**Read carefully before signing:** Under penalty provided by law, the applicant states that the above information has been truthfully completed to the best of the knowledge of the signer. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted will not be assigned to another. Any lack of access to any portion of a licensed premise during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Subscribed and Sworn to before me:

this 24<sup>th</sup> day of March, 2009

  
 (Officer of Corporation/Member of LLC/Partner/Individual)

Mary J. Hinner Mary J. Hinner  
 (Clerk/Notary Public)

My commission expires 06/28/2009

Waukegan County, WI

8. J.T. Whitney's Pub & Brewery is a full service restaurant with an attached brewery. We will be serving lunch and dinner seven days a week. J.T. Whitney's will also be serving breakfast on Sunday morning. Our hours of operation for customer service will be from 11 am to 2 pm Monday through Saturday and 9 am to 2 pm Sundays. The brewery will be in operation when necessary to produce the beer required for sale at the Pub and a limited amount of distribution. Distribution will be in the form of Growlers, and Kegs.

10. J.T. Whitney's Pub & Brewery is a stand alone building located at 674 South Whitney Way, Madison, WI within the Westgate Shopping Mall. The building is 10960 square feet. The max capacity of the Brewpub is 410 people per the building code. The bar area seats approximately 40 people. The shelving behind the bar is the primary area that alcohol is stored. There is a limited amount along the rail of the bar that is out of reach of customers. Any excess is stored in a small 2<sup>nd</sup> story storage room in locked cabinets. The main dining area seats approximately 200 people and consists of booths along the walls and tables and chairs in the middle area. The banquet room seats approximately 60 people and consists of tables and chairs. Around the bar area a bar tables and booths along the east wall by the Brewery.

12. J.T. Whitney's is within the Westgate Shopping Mall, west side of Whitney Way, and we share parking with the other tenants. There is a 40 car parking lot located in the front, north side, of J.T. Whitney's that is separated by dividers. There is also parking along the west side of the building. There is a main thrufare on the west side of the building. There are dividers on the west side of the thrufare that separate it from the shared parking area of the mall. There are numerous lights throughout the parking lot. The mall has a private security company to monitor the parking lot. We do escort individual customers to there cars if they request us to. Male employees will also escort female employees to there cars after dark.

13. Richard E. Becker will be the General Manager/Brewmaster. He has been with J.T. Whitney's Pub & Brewery since shortly after opening in November 1995. He has managed the Brewery the entire time and has been the Assistant Manager of the Pub for the last year. Josh Pyrne, the Kitchen Manager, who is very familiar with accounting principle and knowledgeable in the operation of QuickBooks, will assist Richard. He has managed the kitchen with 12 employees for the last 2 years. Josh also manages the Banquet and Catering portion of the business. Josh will be setting J.T. Whitney's Pub & Brewery up on QuickBooks for greater control of all aspects of the business including

payroll, accounts receivable, and accounts payable. Chris Phillips will be the Assistant Manager. He has been with J.I. Whitney's for the past 8 years and is currently the Bar Manager. Chris will be in charge of personnel hiring and scheduling for both the 20 wait and support staff and the 10 bartenders. He will also be responsible for managing the various special events, such as bands, and customer appreciation programs, such as our Mug Club. J.I. Whitney's will also have a Wait Staff supervisor who will be responsible for assisting the Wait Staff in understanding their tasks. All of the above mentioned managers are responsible for the training of personnel on a continuous basis. Understanding of our products, which include not only our menu but also our hand crafted ales, and services will be imperative for our success. We need to be better than the other brewpubs in the area in order to retain our current customer base, but to increase our market share.

# Appointment of New Liquor/Beer Agent

## To be completed by Corporate Officer or Member of LLC

I, THOMAS C. VOLKE, officer/member for R & T ENTERPRISES LLC  
 (Corporation/LLC), doing business as L. T. WHITNEY'S, authorize and appoint  
RICHARD BECKER (Name) as the liquor/beer agent for the premise  
 located at 674 S. WHITNEY WAY

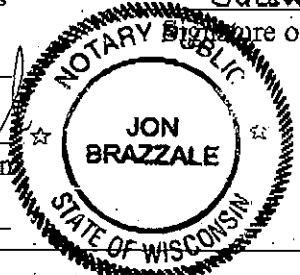
Subscribed and sworn to before me this

24<sup>th</sup> Day of March, 20 09

*Thomas C. Volke*  
Signature of Officer/Member

Jon Brazzale  
Notary Public, Dane County, Wisconsin

My Commission Expires 8/7/11



## To be completed by appointed Liquor/Beer Agent

I, \_\_\_\_\_, appointed liquor/beer agent for  
 \_\_\_\_\_ (name of Corporation or LLC), being first duly sworn  
 say I have vested in me, by properly authorized and executed written delegation, full authority  
 and control of the premise described in the license of such corporation or limited liability  
 company, and I am involved in the actual conduct of the business as an employee, or have a  
 direct financial interest in the business of the licensee, therein relating to the intoxicating  
 liquor/fermented malt beverage. The interest I have in the business is \_\_\_\_\_ %.

Subscribed and sworn to before me this

\_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Signature of Agent

\_\_\_\_\_  
Notary Public, Dane County, Wisconsin

My Commission Expires \_\_\_\_\_

**The appointed Liquor/Beer Agent must complete the other side of this form.**



# Appointment of New Liquor/Beer Agent

## To be completed by Corporate Officer or Member of LLC

I, \_\_\_\_\_, officer/member for \_\_\_\_\_  
(Corporation/LLC), doing business as \_\_\_\_\_, authorize and appoint  
\_\_\_\_\_ (Name) as the liquor/beer agent for the premise  
located at \_\_\_\_\_.

Subscribed and sworn to before me this \_\_\_\_\_

\_\_\_\_\_  
Signature of Officer/Member

\_\_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public, Dane County, Wisconsin

My Commission Expires \_\_\_\_\_

## To be completed by appointed Liquor/Beer Agent

I, Richard E. Becker, appointed **liquor/beer agent** for  
R+T Enterprises, L.L.C. (name of Corporation or LLC), being first duly sworn  
say I have vested in me, by properly authorized and executed written delegation, full authority  
and control of the premise described in the license of such corporation or limited liability  
company, and I am involved in the actual conduct of the business as an employee, or have a  
direct financial interest in the business of the licensee, therein relating to the intoxicating  
liquor/fermented malt beverage. The interest I have in the business is 0 %.

Subscribed and sworn to before me this \_\_\_\_\_

Richard E. Becker  
Signature of Agent

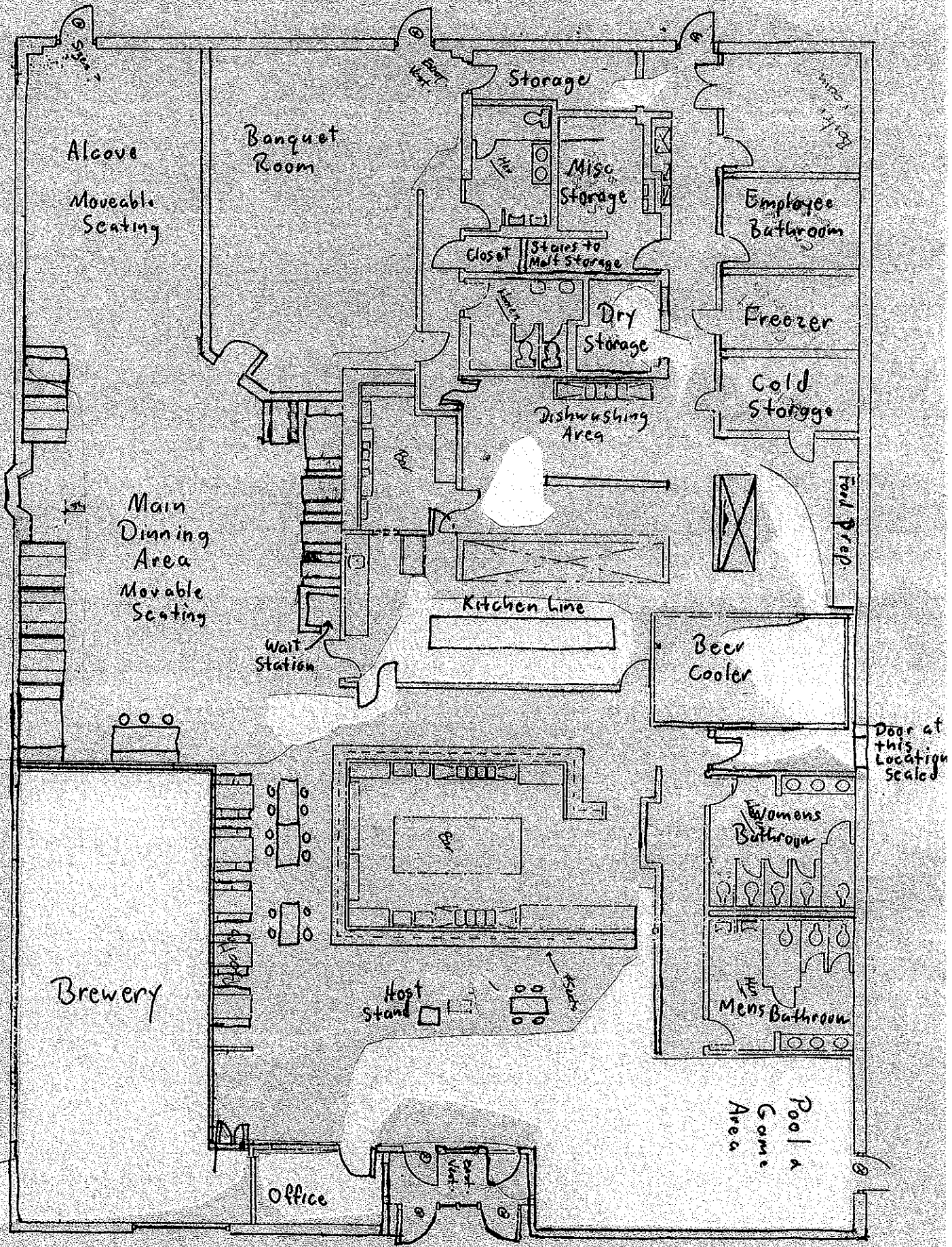
24<sup>th</sup> Day of March, 20 09

Mary J. Hinner Mary J. Hinner

Notary Public, Dane County, Wisconsin

My Commission Expires 06/24/2009 Dane County, WI

**The appointed Liquor/Beer Agent must complete the other side of this form.**




**Transfer of Ownership**  
(letter to surrender previous license)

*To be filed with the City Clerk at the time a new application is submitted  
for a change of ownership for any liquor and/or beer establishment.*

The Class B license for the premise located at  
Class of License  
674 S. Whitney Way, Madison, WI 53711 will be relinquished upon the  
Street Address  
approval of the application and the issuance of the same type of license for the same  
premises to RFT Enterprises, LLC  
License Applicant

There have been no convictions for violations during the current license year, nor are  
there any pending violations against the present licensee except as follows:

NONE

  
\_\_\_\_\_  
Signature of Present License Holder

3/24/09  
\_\_\_\_\_  
Date