

Christianson, Eric

From: Woulf, Mark
Sent: Wednesday, February 16, 2011 4:44 PM
To: Christianson, Eric
Subject: FW: UPDATED: South District ALRC Items for Wed night...

From: Balles, Joe
Sent: Wednesday, February 16, 2011 4:33 PM
To: Balles, Joe; Schauf, Mary
Cc: Bruer, Tim; Woulf, Mark; tbruers@sbcbglobal.net; Tucker, Matthew; Greene, Claude
Subject: UPDATED: South District ALRC Items for Wed night...

Mary,

Det Gloria Reyes and I met with Tomas Martinez Chevez m/h 04/05/62 last night who submitted the two applications for Puerto. Also present were Rovelio Cesar Gonzalez m/h 01/25/1972 and a Julio Cesar Arreoh m/h 01/19/1974. Our meeting was conducted in Spanish so Gloria translated. In short, it is their desire to use the lower level basement of this establishment for dances, private parties, etc. Earlier yesterday Gloria and I did a walk through of the lower level at Puerto and found the overall condition of the lower level to be unsafe. I spoke with Matt Tucker from Zoning and he advised me that this space has not been approved by them for use. The MFD Inspector Claude Greene also recently completed an inspection of the area as well. She wrote the following:

*"I inspected the basement area of Puerto Escondido, 2705 W. Beltline Hwy on 02/10/11. All the items that had been stored there on my previous visits had been removed and the area did not have as strong a musty odor as before. The exit lights for both exits were illuminated and the emergency lights worked. **The bathrooms in the basement were out of service and the owner told me he did not intend to use them for customers.** During the inspection I found an extension cord running along the ceiling by the east wall that was spliced together with scotch tape. I could not tell where the cord terminated, and when I questioned the owner he said it was from the previous owner and didn't know what it was for. I had him remove it."*

"I found empty beer cans and bottles of various liquor behind the bar and a working small refrigerator. There was a sound system and various colored lights set up around the room. When I asked the owner if he had held parties in the basement, he replied only family gatherings."

"I asked the owner for a diagram or blueprint of the area and a description of what he intended to do with the space, but he could not understand the request."

Claude Greene
Fire Prevention Officer
Madison Fire Dept.
(608) 261-9841

I obtained the following information from Matt Tucker at Zoning February 2, 2011:

Joe-

I spoke with building inspector James Sjolander this morning, who has intimate knowledge of the building, and specifically the basement area. He indicated that approvals will be required for the use of this space.

*The basement space had previously been used as a space for occupancy associated with the previous restaurant, but has degraded significantly over the years. Problems such as wood rot, leaks in the foundation, bathroom spaces that are damaged, etc. need to be addressed before they may occupy the space. **No application or plans have been submitted to our office to initiate a plan review/permitting and inspection process as of end of business yesterday.***

From a zoning perspective, the operator will not be able to increase the capacity of the building by adding this space. They must maintain the maximum 132 persons limit. Any increase to capacity will require the operator to address the increased parking requirement, and bring the site up to current compliance in regard to the City's off-street parking lot requirements.

Matt

Matt Tucker
Zoning Administrator
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In my meeting last night, I learned that Tomas and family signed a \$3,500 per month lease for this property last July. At the present moment, the restaurant portion of the business is failing and they need to raise money. They are currently \$5,000 behind in their rent. Apparently a female in New York owns the building, but a local women comes by the establishment to pick up the rent. All parties I met with last night were very cordial and forthcoming. They simply aspire to try and use the property for other purposes. **Unfortunately, I cannot support nor recommend ALRC approval of either application before them as I feel there is not concrete business plan in place for use of the space, but rather it is has been brought forward out of the necessity to raise cash. In short, approval of these applications will likely have significant public safety impact on the immediate area.** Of most concern to me is the lack of parking on this property (four stalls) and the need for all other parking to occur on adjacent private property where the owners have no signed agreements for such use.

Let me know if there are further questions. Alder Bruer would like all members of the ALRC to receive a copy of this...

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From: Balles, Joe
Sent: Tuesday, February 15, 2011 3:26 PM
To: Schauf, Mary
Cc: Balles, Joe
Subject: South District ALRC Items for Wed night...

Mary,

As we discussed, there are a number of items on this week's ALRC agenda pertaining to the South District. Below is a summary of my recommendations:

Items 21271 & 21278: R Place 1821 S Park Street

Applicant seeks a change of premise to increase capacity from 47 to 99.
Applicant seeks a 21 + Entertainment License

Recommendation: I have spoken to Alder Kerr about this matter, who has also spoken to City Attorney May. It is my understanding, the ALRC will be provided guidance by the City Attorney's Office to the effect that it would be within their discretion to "refer" the two above requests until the revocation process of the Class B license being undertaken by the City against the applicant has been resolved. Given our experience over the past year with this establishment, ***I cannot support an increase in capacity at this time under the current ownership.*** The current capacity of 47 is referenced in the existing Police Chief's Security Plan. South District officers have been closely monitoring this establishment for compliance with this capacity limit. We have had no significant incidents at R Place since the security plan was imposed. Increasing capacity to 99 while under the current ownership would create a higher probability of future significant incidents.

The 21 Plus Entertainment License is a mute issue since it would only be necessary if a capacity of 50 were to be approved by the ALRC. Given that a number of the past significant incidents have happened on nights when "entertainment" was also occurring, ***I would not be able to support an entertainment license at this time under the current ownership.***

Items 21352 & 21277: Puerto Escondido 2705 W Beltline Highway

Applicant seeks expansion of premise to include basement.
Applicant seeks 18 + Center for Visual & Performing Arts License

Recommendation: We have a meeting scheduled for later today w/ the applicant license holder. I did a walk through at the establishment at noon today and went down to this lower level proposed to hold the 18 year old and up dances. ***I will update you on my recommendation once I have had a chance to meet today with the Spanish speaking owner of the property.***

Item 21186: EDO Garden Japanese Restaurant 532 S Park Street

New license

Recommendation: For a number of years, EDO Garden has operated at 532 S. Park Street. The former owner of EDO has signed a commercial with his 21 year old niece and nephew who live above the restaurant and are now running the business. I met with the 21 year old neice, Ms. Jin Xiu Wu, yesterday and found her to be very responsible. It appears there have been no significant changes to restaurant operations. The previous owner did apply for, and was granted, a 21 + Entertainment License for the property. Ms. Jin Xiu Wu indicate that neither she, nor her nephew, are interested in seeking a 21 + Entertainment License. **Recommend approval.**

Footnote: The former owner of Edo has purchased a new property at 610 S Park Street will be opening the new Ichiban Restaurant this weekend. He will be applying for a 21+ Entertainment License in the future for that location. His Class B license, according to the City Clerk's Office as of yesterday, was expired as of June 30, 2010.

Let me know if you have any questions Mary.

Joe

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