

**2009 DRAFTING REQUEST**

**Bill**

Received: **12/15/2009**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Spencer Black (608) 266-7521**

By/Representing: **Terri Zimmerman**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Beverages**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Black@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Additional above quota retail liquor licenses for village in Dane County

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			Local
/1	agary 12/16/2009	bkraft 12/16/2009	rschluet 12/16/2009	_____	sbasford 12/16/2009		Local
/2	agary 01/08/2010	bkraft 01/08/2010	phenry 01/11/2010	_____	sbasford 01/11/2010	mbarman 01/11/2010	Local

FE Sent For: "1/2" @intro. 1/22/10

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FE Sent For:

1/2 bjk'8

1/11ph  
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/?	agary	/ 1 bjk 12/16		_____	_____	_____	Local

FE Sent For:

<END>

**Gary, Aaron**

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**From:** Zimmerman, Terri  
**Sent:** Tuesday, December 15, 2009 9:01 AM  
**To:** Gary, Aaron  
**Subject:** Request for legislation

Aaron,

Rep. Black would like a bill drafted based on our constituent's letter below.

Terri Zimmerman  
Rep. Black's office  
26-7521

---

**From:** Karl Frantz [mailto:kfrantz@shorewood-hills.org]  
**Sent:** Monday, December 07, 2009 2:14 PM  
**To:** Rep.Black; Sen.Risser  
**Cc:** Curt Witynski  
**Subject:** Request for legislation

Dear Honorable Senator Risser and Honorable Representative Black,  
This message is to respectfully request your assistance by sponsoring legislation this session that would enable to the Village of Shorewood Hills to secure three additional Class B liquor licenses.(on premises consumption) We are currently restricted to four licenses all of which are now issued. The Board was recently placed in the uncomfortable position of having to decide whether to issue our one available license that would allow a closed Pizza Hut to reopen as a Laredo's restaurant or hold it for a pending project that would increase our tax base by \$12- 14 M. by redeveloping the Danford Plaza into a four story mixed use development with underground parking and LEED certification. In the meantime, I testified at a legislative public hearing that would exempt the quota for establishments that serve 50% or more in food to alcohol sales. It does not appear right now that legislation is going anywhere very quickly.

After the hearing, a representative from the Tavern League approached me and said that although they were opposed to that legislation, they sympathized with our situation and would support special legislation giving us some additional licenses. This recently occurred in Middleton and Monona.

It is ironic that the south side of University Avenue in Madison could be lined with establishments serving alcohol, while on the north side in the Village we are restricted. Our circumstances are just different, being a small village that serves a large metropolitan area in terms of retail and shopping. The population quota just does not make sense in our situation.

The village is not interested in becoming a strip of bars, but additional licenses would allow us to promote more mixed use dense redevelopment on University Avenue and increased tax base. I have attached my note to the board when they tabled the liquor license for the Laredo's. At the next meeting, the board granted the license with the hope that we could get some additional licenses through legislation. I have also included some draft language. Your help is appreciated. Please contact me with any questions.

12/16/2009

**Consider Class B combination liquor license for Laredo's located at 4000 University Avenue**

The Village has four liquor licenses for on premises consumption. Three of them are issued. Those issued being Blackhawk Country Club, Sai Bi Thong, and Noodles. The license issued to Pizza Hut was surrendered when it closed. The Board has broad discretion regarding the issuance of these licenses and they are of value especially as they relate to further development and diversification of restaurants in the village. Should the village wish to hold on to this license it can deny the application. The denial must be in writing. I am not suggesting we deny just making sure the option is open to you.

The following and other written reasoning can be utilized to the degree you wish:

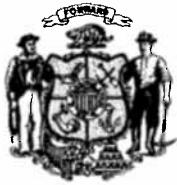
*The Village Board of the Village of Shorewood Hills hereby denies application for a Class B combination liquor license for Laredo's to be located at 4000 University Avenue. Denial is based in part due to the Village being restricted to four liquor licenses, three of which have been already issued. The one remaining license provides the Village an important economic development tool to increase its tax base and to attract mixed use projects that include restaurants that require a liquor license. A major goal of the village, articulated in both of its adopted neighborhood plans for Doctor's Park and Pyare Square are mixed use redevelopments to include housing, retail and office. Redevelopment proposals for mixed use development often contain a restaurant component and the Village has entertained proposed projects that include restaurant /pub components that require a liquor license. These projects have the potential of increasing the Villages assessed value by as much as \$14,000,000. In the interest of preserving the ability of the village to substantially increase its tax base, and promote mixed use redevelopment the application is denied.*

**The cites may be off a bit.**

**SECTION 2318i.** 125.51 (4) (w) 3. of the statutes is created to read:

125.51 (4) (w) 3. Notwithstanding pars. (am) to (d) and s. 125.185 (5), a Village located in Dane County having a population as shown in the 2000 federal decennial census of at least 1,644 but not more than 1,700 may issue three "Class B" license in addition to the number of licenses determined for the Villages quota under pars. (b) to

Karl Frantz  
Village Administrator  
Village of Shorewood Hills  
810 Shorewood Blvd.  
Madison, WI 53705- 2115  
608.267.2680  
FAX 608.266.5929



State of Wisconsin  
2009 - 2010 LEGISLATURE

in  
12/16

LRB-3993/1

ARG:.....

lbjk

2009 BILL

SA  
X-ref  
PF

1 AN ACT <sup>gen.</sup> ...; **relating to:** allowing a village in Dane County meeting specified  
2 criteria to exceed its retail liquor license quota by issuing three additional retail  
3 licenses.

***Analysis by the Legislative Reference Bureau***

Current law prohibits a person from selling alcohol beverages at retail unless the seller possesses a license or permit authorizing the sale. A "Class B" license authorizes the retail sale of intoxicating liquor for consumption on the retail premises and, subject to various restrictions, the retail sale of intoxicating liquor in original packages for consumption off the retail premises. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. This quota is generally determined by a formula based on the number of licenses previously issued by the municipality and the municipality's population. Current law also provides a limited number of quota exceptions.

This bill allows a village located in Dane County having a specified population to issue three "Class B" licenses in addition to the "Class B" licenses authorized under the village's quota.

For further information see the **local** fiscal estimate, which will be printed as an appendix to this bill.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***





## Gary, Aaron

---

**From:** Zimmerman, Terri  
**Sent:** Friday, January 08, 2010 1:57 PM  
**To:** Gary, Aaron  
**Subject:** Submitted: LRB 09-3993/1 Topic: Additional above quota retail liquor licenses for village in Dane County?body=

Aaron,

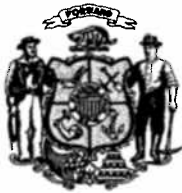
Would you please make this change to LRB3993/1. Thank you.

Terri Zimmerman  
Rep. Black's office  
266-7521

I just double checked our 2000 census number and it is 1732. Good thing I double checked! Someone here gave me a bad number previously. Sorry. I also checked all other Dane County village populations and if we make the number at least 1,700 and not more than 1750 it is limited to Shorewood Hills. Then we should be good.

Karl Franz  
Shorewood Hills

**From:** Zimmerman, Terri [<mailto:Terri.Zimmerman@legis.wisconsin.gov>]  
**Sent:** Wednesday, January 06, 2010 4:11 PM  
**To:** Karl Frantz



State of Wisconsin  
2009 - 2010 LEGISLATURE

soon

LRB-3993/2  
ARG:hjk:rs

in 1/8

stays

RMR

2009 BILL

SA

regen.

1 AN ACT *to create* 125.51 (4) (w) 5. of the statutes; **relating to:** allowing a village  
2 in Dane County meeting specified criteria to exceed its retail liquor license  
3 quota by issuing three additional retail licenses.

***Analysis by the Legislative Reference Bureau***

Current law prohibits a person from selling alcohol beverages at retail unless the seller possesses a license or permit authorizing the sale. A "Class B" license authorizes the retail sale of intoxicating liquor for consumption on the retail premises and, subject to various restrictions, the retail sale of intoxicating liquor in original packages for consumption off the retail premises. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. This quota is generally determined by a formula based on the number of licenses previously issued by the municipality and the municipality's population. Current law also provides a limited number of quota exceptions.

This bill allows a village located in Dane County having a specified population to issue three "Class B" licenses in addition to the "Class B" licenses authorized under the village's quota.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***



**Barman, Mike**

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**From:** Zimmerman, Terri  
**Sent:** Monday, January 11, 2010 12:11 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-3993/2 Topic: Additional above quota retail liquor licenses for village in Dane County

Please Jacket LRB 09-3993/2 for the ASSEMBLY.