



AGENDA OF THE PROTECTION AND POLICY COMMITTEE

MONDAY, AUGUST 14, 2023, 5:00 PM

In person at City Hall, Room 207.

Virtual attendance also available via Zoom.

A. Zoom Meeting Information.

- I. Join Zoom Meeting Online:
<https://us02web.zoom.us/j/84309142712>

Or call in by phone: +1 312 626 6799

Meeting ID: 843 0914 2712

Passcode: 488451

If you wish to speak at this public meeting or leave a comment, please fill out the online [Comment Form](#) prior to the meeting. More detailed [Zoom Instructions](#) can be found online.

B. Roll Call.

C. Approval of the Agenda.

D. Approval of Minutes.

- I. Approval of the minutes from the July 24, 2023 Protection & Policy Committee Meeting.

E. Regular Business.

- I. Consideration with possible action on a change of agent for Marcus Cinemas of Wisconsin, LLC (Marcus Cinemas Green Bay East) at 1000 Kepler Dr.
2. Consideration with possible action on an application for an available "Class B" Liquor & Class "B" Beer license for BE's Refreshments, Inc. at 850 Kepler Dr. Suite 2 with a license premises description as "Wedding Venue and Conference Center. Building has one large room with a bar and two conference rooms. We will be hosting weddings as well as business events and dinners. Alcohol will be sold and consumed in the main wedding hall,

the hallway, the conference rooms. Alcohol will be stored in the beverage cooler as well as bar area in the main wedding hall.

3. Consideration with possible action on an application for a "Class B" Liquor & Class "B" Beer license for Rockyz Taqueria LLC at 1679 Main St. with license premises described as "serve in the dining rm, stored in a separate area in a separate room," with the approval of the proper authorities. (Currently, license is granted for the 23-24 year to Rogelio Perez Jr).
4. Consideration with possible action on a reserve "Class B" Liquor license for Allegedly LLC at 2056 Main St. Suite A with a license premises description as "alcohol will be sold in the main bar area and it will be stored in our back coolers and in our coolers we have behind the bar" (Currently licensed as Allegedly LLC with a Class "B" Beer license).
5. Consideration with possible action on an application for an available "Class B" Liquor & Class "B" Beer license for Baker & Mac Arthur, Inc. at 324 N. Roosevelt St. with a license premises description as "bar, locked storage, 2 bathrooms, back (locked storage unit, basement (Previously licensed as Ramis River Run, LLC until May 24, 2023).
6. Consideration with possible on a "Class B" Liquor and Class "B" Beer license for Vic Theatre Green Bay, LLC at 217 E. Walnut Ave. with a license premises description as "second-floor conference room and theater entrance" (Filed June 30, 2023 and previously licensed as Confetti's, Inc. during the 22-23 license year)
7. Consideration with possible action on an application for a "Class B" Liquor & Class "B" Beer license for Taste of the South on Wheels LLC at 114 S. Broadway with a license premises description as "behind bar, in kitchen, in basement" (Filed June 30 and previously licensed as Green Dragon during the 22-23 license year), subject to the approval of the proper authorities.
8. Consideration with possible action on an appeal by John Rome, 1315 S. Oakland Ave, regarding reinspection fees (filed with the Law Department on 1/11/2023 and previously discussed at the January 23 Protection & Policy Committee Meeting).

F. Informational.

1. The Liquor Violation Report.
2. The Clerk Liquor Licensing Report.
3. Informational Only: The release of one 2022-2023 available "Class B" Liquor & Class "B" Beer license to the pool due non-renewal (First and Bowl).

G. Adjournment.

- 1) THIS MEETING IS RECORDED: THE VIDEO OF THIS MEETING AND MINUTES ARE AVAILABLE ONLINE AT www.greenbaywi.gov
- 2) ACCESSIBILITY: Any person wishing to attend who requires special accommodation because of a disability, should contact the City Safety Manager at 920-448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.

- 3) QUORUM: Please take notice that a majority or quorum of the Common Council will attend this Protection and Policy committee meeting and will constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) REPRESENTATION: The party requesting the communication, or their representative, should be present at this meeting.
- 5) FOR ALL LICENSING ISSUES, the Committee may convene in closed session pursuant to §19.85 (1)(b) and/or §19.85 (1)(f) Wis. Stats., for the purpose of considering information with respect to licensing for a person, including financial, social, or personal information. The Committee will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

August 14, 2023

PREPARED BY

AGENDA ITEM # E.1

Consideration with possible action on a change of agent for Marcus Cinemas of Wisconsin, LLC (Marcus Cinemas Green Bay East) at 1000 Kepler Dr.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 1000 KEPLER DR



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

August 14, 2023

PREPARED BY

AGENDA ITEM # E.2

Consideration with possible action on an application for an available "Class B" Liquor & Class "B" Beer license for BE's Refreshments, Inc. at 850 Kepler Dr. Suite 2 with a license premises description as "Wedding Venue and Conference Center. Building has one large room with a bar and two conference rooms. We will be hosting weddings as well as business events and dinners. Alcohol will be sold and consumed in the main wedding hall, the hallway, the conference rooms. Alcohol will be stored in the beverage cooler as well as bar area in the main wedding hall.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 2023-08-2 850 Kepler
2. 850 KEPLER
3. 850 KEPLER-NO MORATORIUM, NO 300 FEET
4. 850 KEPLER DRIVE-WITHDRAW OF PATIO

Find a Parcel
Current Parcel: 21-7900

 **850 KEPLER DR**
(850 KEPLER DR, Suite B)
CS KEPLER LLC
3780 COPPER OAK CR GREEN BAY WI 54313

[Assessment Records](#) [Zoning and Districts](#) [Brown County Parcel Data](#) [Inspection Records](#) [Special Assessments](#) [Requests For Service](#) [Police Calls](#)

Zoning and Districts [AlderPerson](#)

Zoning and Districts

Alt Boundary Electrical Inspector: E	Industrial: I-43 Business Center	Community Development Block Grant Area: N/A
SB621 Wards: 6	Business Improvement District: N/A	Archeological: N/A
Opportunity Zone: N/A	Wellhead Zoning: N/A	Historic District: N/A
Zoning: RR (Rural Residential)	Central Business District: N/A	Liquor Moratorium Area: N/A
Conditional Use Zoning: N/A	Development Districts: N/A	Neighborhood Association: N/A
Planned Unit Development Zoning: PUD	Tax Increment Finance District: 12	

Flood

FIRM Panel: 55009C0277F	Floodway: N/A	Static Base Flood Elevation: N/A
Floodplain: N/A	LOMA: N/A	

Voting

	2021	2011
Ward	6	7
Alderperson	2	2
County Supervisor	2	2

City Service Districts

Forest District: E18	Residential Snow Route: 29B	Fire District: GN5C
Assessment District: 120	Police District: D2	Inspection Area: 4
Sanitation Route: 305 (Wednesday)		

Schools

Elementary School: McAuliffe
Middle School: Edison
High School: Preble

RE: 300'



Jon LeRoy

To  Paul Van Calster;  David Buck

Cc  Jaime Fuge

Retention Policy 7 Year Email Retention Policy (7 years)

Hiya

850 Kepler: Not within 300 feet

324 N Roosevelt: Less than 300 feet from a school, not within 300 feet of a church

1911 University: not within 300 feet

Jon LeRoy

Zoning Administrator

Senior Planner

City of Green Bay

Department of Community & Economic Development

920.448.3405

jon.leroy@greenbaywi.gov

Find a Parcel
Current Parcel: 21-7900

 **850 KEPLER DR**
(850 KEPLER DR, Suite B)
CS KEPLER LLC
3780 COPPER OAK CR GREEN BAY WI 54313

[Assessment Records](#) [Zoning and Districts](#) [Brown County Parcel Data](#) [Inspection Records](#) [Special Assessments](#) [Requests For Service](#) [Police Calls](#)

Zoning and Districts [AlderPerson](#)

Zoning and Districts

Alt Boundary Electrical Inspector: E	Industrial: I-43 Business Center	Community Development Block Grant Area: N/A
SB621 Wards: 6	Business Improvement District: N/A	Archeological: N/A
Opportunity Zone: N/A	Wellhead Zoning: N/A	Historic District: N/A
Zoning: RR (Rural Residential)	Central Business District: N/A	Liquor Moratorium Area: N/A
Conditional Use Zoning: N/A	Development Districts: N/A	Neighborhood Association: N/A
Planned Unit Development Zoning: PUD	Tax Increment Finance District: 12	

Flood

FIRM Panel: 55009C0277F	Floodway: N/A	Static Base Flood Elevation: N/A
Floodplain: N/A	LOMA: N/A	

Voting

	2021	2011
Ward	6	7
Alderperson	2	2
County Supervisor	2	2

City Service Districts

Forest District: E18	Residential Snow Route: 29B	Fire District: GN5C
Assessment District: 120	Police District: D2	Inspection Area: 4
Sanitation Route: 305 (Wednesday)		

Schools

Elementary School: McAuliffe
Middle School: Edison
High School: Preble

RE: 300'



Jon LeRoy

To  Paul Van Calster;  David Buck

Cc  Jaime Fuge

Retention Policy 7 Year Email Retention Policy (7 years)

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850 Kepler: Not within 300 feet

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jon.leroy@greenbaywi.gov



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

August 14, 2023

PREPARED BY

AGENDA ITEM # E.3

Consideration with possible action on an application for a "Class B" Liquor & Class "B" Beer license for Rockyz Taqueria LLC at 1679 Main St. with license premises described as "serve in the dining rm, stored in a separate area in a separate room," with the approval of the proper authorities. (Currently, license is granted for the 23-24 year to Rogelio Perez Jr).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 1679 MAIN ST APPLICATION
2. SIGNED STIPULATION AGREEMENT.AYRESS.1679 MAIN



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

August 14, 2023

PREPARED BY

AGENDA ITEM # E.4

Consideration with possible action on a reserve "Class B" Liquor license for Allegedly LLC at 2056 Main St. Suite A with a license premises description as "alcohol will be sold in the main bar area and it will be stored in our back coolers and in our coolers we have behind the bar" (Currently licensed as Allegedly LLC with a Class "B" Beer license).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 2023-08-02 2056 Main
2. NOT WIN 300 FEET-NO MORATORIUM-2056 MAIN

RE: 2056 Main St.



Jon LeRoy

To Jaime Fuge; David Buck

Retention Policy 7 Year Email Retention Policy (7 years)

You replied to this message on 8/11/2023 9:36 AM.

Hi Jaime

That location is not within 300 feet of a church, school, or hospital.

Jon LeRoy

Zoning Administrator

Senior Planner

City of Green Bay

Department of Community & Economic Development

920.448.3405

jon.leroy@greenbaywi.gov

Find a Parcel

Current Parcel: 21-1361-3-6

2056 MAIN ST

C&H ENTERPRISES LLC

C/O MATTHEW R OLSON; C & H ENTERPRISES LLC 3472 AMBER LN GREEN BAY WI 54311

[Assessment Records](#)

[Zoning and Districts](#)

[Brown County Parcel Data](#)

[Inspection Records](#)

[Special Assessments](#)

[Requests For Service](#)

[Police Calls](#)

Zoning and Districts

[AlderPerson](#)

Zoning and Districts

Alt Boundary Electrical Inspector: E	Industrial: N/A	Community Development Block Grant Area: CDBG
SB621 Wards: 10	Business Improvement District: N/A	Archeological: N/A
Opportunity Zone: N/A	Wellhead Zoning: N/A	Historic District: N/A
Zoning: C2 (Highway Commercial)	Central Business District: N/A	Liquor Moratorium Area: N/A
Conditional Use Zoning: CUSE	Development Districts: N/A	Neighborhood Association: Imperial Pride
Planned Unit Development Zoning: N/A	Tax Increment Finance District: N/A	

Flood

FIRM Panel: 55009C0276F	Floodway: N/A	Static Base Flood Elevation: N/A
Floodplain: N/A	LOMA: N/A	

Voting

	2021	2011
Ward	10	12
Aldersperson	3	3
County Supervisor	5	5

City Service Districts

Forest District: E10	Residential Snow Route: 15B	Fire District: GN5B
Assessment District: 140	Police District: D1	Inspection Area: 4
Sanitation Route: 405 (Thursday)		

Schools

Elementary School: Eisenhower
Middle School: Edison
High School: Preble



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

August 14, 2023

PREPARED BY

AGENDA ITEM # E.5

Consideration with possible action on an application for an available "Class B" Liquor & Class "B" Beer license for Baker & Mac Arthur, Inc. at 324 N. Roosevelt St. with a license premises description as "bar, locked storage, 2 bathrooms, back (locked storage unit, basement (Previously licensed as Ramis River Run, LLC until May 24, 2023)).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 2023-08-02 324 N Roosevelt
2. SIGNED CLASS B LICENSE STIPULATION.STROJNYM.378-324 n ROOSEVELT
3. 300 FEET OF SCHOOL, MORATORIUM
4. olde main moratorium 10-23-07

Current Parcel: 14-338

324 N ROOSEVELT ST

(322 N ROOSEVELT ST)
A & J INVESTMENT PROPERTIES LLC
1111 CORMIER RD GREEN BAY WI 54304

[Assessment Records](#)

[Zoning and Districts](#)

[Brown County Parcel Data](#)

[Inspection Records](#)

[Special Assessments](#)

[Requests For Service](#)

[Police Calls](#)

Zoning and Districts

[AlderPerson](#)

Zoning and Districts

Alt Boundary Electrical Inspector: E	Industrial: N/A	Community Development Block Grant Area: CDBG
SB621 Wards: 25	Business Improvement District: Olde Main Street	Archeological: N/A
Opportunity Zone: N/A	Wellhead Zoning: N/A	Historic District: N/A
Zoning: C1 (General Commercial)	Central Business District: N/A	Liquor Moratorium Area: OLDE MAIN STREET
Conditional Use Zoning: N/A	Development Districts: N/A	Neighborhood Association: Joannes Park
Planned Unit Development Zoning: PUD	Tax Increment Finance District: 11	

Flood

FIRM Panel: 55009C0188F	Floodway: N/A	Static Base Flood Elevation: N/A
Floodplain: N/A	LOMA: N/A	

Voting

	2021	2011
Ward	25	27
Alderpersion	7	7
County Supervisor	4	6

City Service Districts

Forest District: E4	Residential Snow Route: 3A	Fire District: GN2A
Assessment District: 150	Police District: C1	Inspection Area: 3
Sanitation Route: 109 (Monday)		

Schools

Elementary School: Howe
Middle School: Washington

RE: 300'



Jon LeRoy

To  Paul Van Calster;  David Buck

Cc  Jaime Fuge

Retention Policy 7 Year Email Retention Policy (7 years)

Hiya

850 Kepler: Not within 300 feet

324 N Roosevelt: Less than 300 feet from a school, not within 300 feet of a church

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RESOLUTION LIMITING THE NUMBER
OF LICENSED ESTABLISHMENTS IN THE
OLDE MAIN STREET BUSINESS IMPROVEMENT DISTRICT

October 23, 2007

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, the Common Council is concerned with the present high concentration of Class "B" liquor license establishments in the Olde Main Street Business Improvement District, which can impair the public peace, safety, welfare, and order in this area; and

WHEREAS, pursuant to the powers reserved under Ch. 125 Wis. Stats., the Common Council wishes to limit the number of Class "B" Beer and Class "B" Combination Liquor Licenses, issued to establishments in and around the area of the Olde Main Street Business Improvement District; and

WHEREAS, it is the intent of this resolution to allow present Class "B" liquor license establishments to sell, maintain, renew or transfer their licenses within such area.

NOW, THEREFORE, BE IT RESOLVED:

1. Limitation Area. Any property within the following-described area:

All of Lots 154 through 162, Lots 169 through 191, Lots 193 through 231, Lots 262 through 294, Lots 301 through 322, Lot 402, Lots 420 through 422, Lots 435 through 438, Plat of Navarino. Also, all of the Certified Survey Map recorded in Volume 7, Page 287, being part of Lot 205, Plat of Navarino. Also, all of the Certified Survey Map recorded in Volume 12, Page 197, Brown County Records, being part of Lot 180, Plat of Navarino. Also, all of the Certified Survey Map recorded in Volume 25, Page 180, Brown County Records, being part of Lots 169 and 170, Plat of Navarino. Also, all of Lots 1 through 5, Subdivision of Lots 192, 434, and the north 2 feet of Plat of Navarino. Also, all of Lots 68 through 152 and the tract of land described in Volume 145, Page 405, Brown County Records, Whitney's Addition to Navarino. Also, all of Lots 1 through 8, Lots 99 through 105, Lots 108 through 114, Lots 143 through 150, Plat of Oak Grove. Also, that part of Private Claim 2, east side of Fox River, lying within the area formerly known as Lots 295 through 300, Plat of Navarino. Also, that part of the Plat of Navarino, Whitney's Addition to the Plat of Navarino and the Plat of Oak Grove as described in Jacket 4589, Image 26, being part of the former Chicago, Milwaukee, St. Paul and Pacific Railroad Company so called alley track and Cedar Street Spur. Also, that part of any vacated street or alley right-of-way

adjacent to the lands described above located in said Plat of Navarino, Subdivision of Lots 192, 434, and the north 2 feet of Plat of Navarino, Whitney's Addition to Navarino, and Private Claim 2, east side of Fox River. All located in the City of Green Bay, Brown County, Wisconsin. Excepting the south 130 feet of said Lot 402, Plat of Navarino. Also, excepting the south 125 feet of the east 46 feet of said Lot 422, Plat of Navarino (see attached map).

2. Prohibition. The Common Council shall not authorize the issuance of any new or transfer Class "B" Beer License or Class "B" Combination Liquor License within the limitation area, except restaurants, as defined in paragraph 4 hereof.

3. Exceptions.

- a. This subsection shall not prohibit the renewal of a Class "B" Beer or Class "B" Combination Liquor License for an existing premises in the limitation area.

- b. This subsection shall not prohibit the issuance of a Class "B" Beer or Class "B" Combination Liquor License for a previously licensed premises provided that such application is made within 60 days of any of the following:

- i. Surrender by the prior licensee of the license issued for that premises; or
- ii. Termination of the prior licensee's lease for the premises; or
- iii. Revocation of the prior license, for cause.

If application under this subsection is sought after 60 days, the owner of the previously licensed premises may apply to the Protection and Welfare Committee for an extension of the application time on the basis that application of the moratorium would have a substantial adverse effect on the owner's ability to use or enjoy the property. The party requesting the extension must demonstrate this effect by clear, satisfactory and convincing evidence.

- c. All applications and renewals shall be subject to review as provided by Ch. 125, Wis. Stats.

4. Prohibition Not to Apply to Restaurants.

- a. This resolution shall not prohibit the issuance of a Class "B" Beer or Class "B" Combination Liquor License to the operator of a restaurant, where the principal business conducted is that of a restaurant, as defined in Ch. 125, Wis. Stats. If the premises are operated under a Class "B" Beer or Class "B" Combination Liquor License, the principal business conducted is presumed to be the sale of alcohol beverages, but the presumption may be rebutted by competent evidence.
- b. A restaurant licensee operating within the limitation area which fails to maintain a principal business of operating a restaurant at any time later than 60 days after the granting of a Class "B" Beer or Class "B" Combination Liquor License shall be in violation of this subsection and its Class "B" Beer or Class "B" Combination Liquor License shall be subject to revocation.
- c. "Principal business" means the primary activity as determined by analyzing the amount of capital, labor, time, attention and floor space devoted to each business activity, and by analyzing the sources of net income and gross income. The name, appearance and advertisement of the entity may also be taken into consideration in determining "principal business."

Adopted 10/23/07

Approved 10/24/07

Mayor

Clerk

bc

Attachment - Map



Old Main Street Business Improvement District



BID Boundary



Map produced by the
Green Bay/Brown County Planning Department
Printed: November 17, 1998



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

August 14, 2023

PREPARED BY

AGENDA ITEM # E.6

Consideration with possible on a "Class B" Liquor and Class "B" Beer license for Vic Theatre Green Bay, LLC at 217 E. Walnut Ave. with a license premises description as "second-floor conference room and theater entrance" (Filed June 30, 2023 and previously licensed as Confetti's, Inc. during the 22-23 license year)

BACKGROUND

- Location is in Downtown Moratorium Area. The previous licensee surrendered their license VIC Theatre Green Bay, LLC.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. ORG APP
2. Downtown Moratorium 2-16-98
3. STIPULATION AGREEMENT.CARLSONC217 e walnut
4. 217 e walnut

RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN AND AROUND
THE 200 BLOCK OF NORTH WASHINGTON STREET

Green Bay, Wisconsin
February 16, 1998

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, the Common Council of the City of Green Bay is concerned with the present high concentration of licensed establishments in and around the area of the 200 block of North Washington Street. The high concentration of these establishments in this area has impaired the public peace, safety, welfare, and order; and

WHEREAS, there are currently seven establishments which hold a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License. The names and addresses of said establishments are:

Candlestick Lounge	119 North Adams St.
C Street	312 Cherry St.
Confetti's Club	217 East Walnut St.
Oasis	201 North Washington St.
Brewbaker's Pub	209 North Washington St.
Sowerby's Public House	217 North Washington St.
Maloney's Pub	219-221-223-225 North Washington St.

WHEREAS, pursuant to the powers reserved under Ch. 125 Wis. Stats., the Common Council wishes to limit the number of Class "B" Fermented Malt Beverage and Class "B" Combination Liquor Licenses, issued to establishments in and around the area of the 200 block of North Washington Street; and

WHEREAS, it is the intent of this resolution to allow present Class "B" Fermented Malt Beverage and Class "B" Combination Liquor Licenses to sell, maintain, renew or transfer their licenses within such area.

NOW, THEREFORE, BE IT RESOLVED:

1. Limitation Area. Any property within the following-described area:
 - a. North Boundary: The center line of Pine Street;
 - b. East Boundary: The center line of Monroe Avenue;
 - c. South Boundary. The center line of East Walnut Street.
 - d. West Boundary: The east shore of the Fox River.

RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN AND AROUND
THE 200 BLOCK OF NORTH WASHINGTON STREET

Page 2

2. Prohibition. The Common Council shall not authorize the issuance of any new or transfer Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License within the limitation area, except restaurants, as defined in paragraph 4 hereof.

3. Exceptions.

- a. This subsection shall not prohibit the renewal of a Class "B" Fermented Malt Beverage or Class "B" Combination License for an existing premises in the limitation area.
- b. This subsection shall not prohibit the issuance of a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License for a previously licensed premises provided that such application is made within 60 days of any of the following:
- i. Surrender by the prior licensee of the license issued for that premises; or
 - ii. Termination of the prior licensee's lease for the premises; or
 - iii. Revocation of the prior license, for cause.

If application under this subsection is sought after 60 days, the owner of the previously licensed premises may apply to the Protection and Welfare Committee for an extension of the application time on the basis that application of the moratorium would have a substantial adverse effect on the owner's ability to use or enjoy the property. The party requesting the extension must demonstrate this effect by clear, satisfactory and convincing evidence.

- c. All applications and renewals shall be subject to review as provided by Ch. 125, Wis. Stats.

19a

RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN AND AROUND
THE 200 BLOCK OF NORTH WASHINGTON STREET
Page 3

4. Prohibition Not to Apply to Restaurants.

- a. This resolution shall not prohibit the issuance of a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License to the operator of a restaurant, where the principal business conducted is that of a restaurant, as defined in Ch. 125, Wis. Stats. If the premises are operated under a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License, the principal business conducted is presumed to be the sale of alcohol beverages, but the presumption may be rebutted by competent evidence.
- b. A restaurant licensee operating within the limitation area which fails to maintain a principal business of operating a restaurant at any time later than 60 days after the granting of a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License shall be in violation of this subsection and its Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License shall be subject to revocation.
- c. "Principal business" means the primary activity as determined by analyzing the amount of capital, labor, time, attention and floor space devoted to each business activity, and by analyzing the sources of net income and gross income. The name, appearance and advertisement of the entity may also be taken into consideration in determining "principal business."

Adopted _____

Approved _____

Mayor

Clerk

LMS:bc

196.
—

Find a Parcel

Current Parcel: 12-121

217 E WALNUT ST

(217-221 E WALNUT ST, 221 E WALNUT ST)

VIC THEATRE GREEN BAY LLC

130 E WALNUT ST, #607 GREEN BAY WI 54301

Assessment Records

Zoning and Districts

Brown County Parcel Data

Inspection Records

Special Assessments

Requests For Service

Police Calls

Zoning and Districts

AlderPerson

Zoning and Districts		
Alt Boundary Electrical Inspector: E	Industrial: N/A	Community Development Block Grant Area: CDBG
SB621 Wards: 33	Business Improvement District: Downtown Green Bay, Inc.	Archeological: N/A
Opportunity Zone: N/A	Wellhead Zoning: N/A	Historic District: Downtown
Zoning: D2 (Downtown Two)	Central Business District: CBD	Liquor Moratorium Area: WASHINGTON ST
Conditional Use Zoning: N/A	Development Districts: N/A	Neighborhood Association: Downtown
Planned Unit Development Zoning: PUD	Tax Increment Finance District: 5	

Flood		
FIRM Panel: 55009C0169F	Floodway: N/A	Static Base Flood Elevation: N/A
Floodplain: N/A	LOMA: N/A	



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

August 14, 2023

PREPARED BY

AGENDA ITEM # E.7

Consideration with possible action on an application for a "Class B" Liquor & Class "B" Beer license for Taste of the South on Wheels LLC at 114 S. Broadway with a license premises description as "behind bar, in kitchen, in basement" (Filed June 30 and previously licensed as Green Dragon during the 22-23 license year), subject to the approval of the proper authorities.

BACKGROUND

- Location is in the Broadway Moratorium area (last two licensees were restaurants).

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 114 S BROADWAY ORG APP
2. stipulation agreement .ROBINSONDA.558 114 S BROADWAY
3. BROADWAY MORATORIUM
4. Broadway Moratoruim 9-16-97

Find a Parcel
Current Parcel: 3-105

 **112 S BROADWAY**
(112-114 S BROADWAY, 114 S BROADWAY)
BOSLEY PROPERTIES LLC
3323 LARGO RIDGE RD GREEN BAY WI 54311

[Assessment Records](#) [Zoning and Districts](#) [Brown County Parcel Data](#) [Inspection Records](#) [Special Assessments](#) [Requests For Service](#) [Police Cal](#)

[Zoning and Districts](#) [AlderPerson](#)

Zoning and Districts

Alt Boundary Electrical Inspector: W	Industrial: N/A	Community Development Block Grant Area: CDBG
SB621 Wards: 34	Business Improvement District: On Broadway, Inc	Archeological: N/A
Opportunity Zone: YES	Wellhead Zoning: N/A	Historic District: Broadway-Walnut
Zoning: D1 (Downtown One)	Central Business District: CBD	Liquor Moratorium Area: BROADWAY
Conditional Use Zoning: N/A	Development Districts: N/A	Neighborhood Association: Seymour Park
Planned Unit Development Zoning: PUD	Tax Increment Finance District: 5	

Flood

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RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN THE BROADWAY AREA

Green Bay, Wisconsin
September 16, 1997

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, the Common Council of the City of Green Bay is concerned with the redevelopment of the Broadway area and the present high concentration of licensed establishments in the Broadway area. The high concentration of these establishments in this area has impaired the public peace, safety, welfare, and order; and

WHEREAS, there are currently 34 establishments which hold a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License. The names and addresses of said establishments are:

Lenny's Tap	431 North Broadway
333 Bar	333 North Broadway
Blazing Saddles	331 North Broadway
The Cannery	319 North Broadway
King's X	313 North Broadway
Titletown Brewing	200 Dousman Street
Carol's Ritz Lounge	119 Dousman Street
Nom's Thai Orchid	240 North Broadway
Central Bar	231 North Broadway
Broadway Cafe	128 North Broadway
Rev's Brass Rail	109 North Broadway
West Pitcher Show	100 South Broadway
Maria's Mexican Family Restaurant	106 South Broadway
Ginny's Heart of Broadway	112 South Broadway
Connie's	128 South Broadway
Country Club Bar & Grill	201 South Broadway
Kar's Place	226 South Broadway
Alamo	301 South Broadway
Nepalese Lounge	515 South Broadway
Blue Side	709 South Broadway
Shnicker's	813 South Broadway
Bourbon Street	821 South Broadway
Sass	840 South Broadway
The Lion's Den	1100 South Broadway
Carol's 9 th Street Tap	316 Ninth Street
The Camelot	1301 South Broadway
Manci's Tuxedo Lounge	1313 South Broadway
Good Times	1332 South Broadway
The Packer Stadium Lounge	1342 South Broadway
Terminal Bar	1423 South Broadway

RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN THE BROADWAY AREA
Page 2

Hammer Inn
Thirsty's
Loch's Bar
Cropsey's Bar

1208 State Street
1234 State Street
1238 State Street
1336 State Street

WHEREAS, pursuant to the powers reserved under Ch. 125, Wis. Stats., the Common Council wishes to decrease the number of Class "B" Fermented Malt Beverage and Class "B" Combination Liquor Licenses issued to establishments in the Broadway area; and

WHEREAS, it is the intent of this resolution to allow the present Class "B" Fermented Malt Beverage and Class "B" Combination Liquor Licenses to maintain and renew their establishments in accordance with Ch. 125, Wis. Stats.; and

WHEREAS, it is the intent of this Resolution to effectuate a decrease in the number of Class "B" Fermented Malt Beverage and Class "B" Combination Liquor licensed establishments in the limitation area whenever an establishment goes out of business and does not renew its license;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Limitation Area. The area to which the terms and conditions of this section apply is that area on Broadway or business fronting either side of Broadway and those areas east of Broadway to the Fox River, within the city of Green Bay, Brown County, Wisconsin.
2. Prohibition. The Common Council shall not authorize the issuance of any new or transfer of any existing Class "B" Fermented Malt Beverage or Class "B" Combination Liquor Licenses within the limitation area, except restaurants as defined in paragraph 4 hereof.
3. Exceptions.
 - a. This subsection shall not prohibit the renewal of a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License for an existing premises in the limitation area.

RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN THE BROADWAY AREA
Page 3

- b. This subsection shall not prohibit the issuance of a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License for a previously licensed premises provided that such application is made within 60 days of any of the following:
 - i. Surrender by the prior licensee of the license issued for that premises; or
 - ii. Sale of the premises by the prior licensee; or
 - iii. Termination of the prior licensee's lease for the premises; or
 - iv. Revocation of the prior license, for cause.

If application under this subsection is sought after 60 days, the owner of the previously licensed premises may apply to the Protection and Welfare Committee for an extension of the application time on the basis that application of the moratorium would have a substantial adverse effect on the owner's ability to use or enjoy the property. The party requesting the extension must demonstrate this effect by clear, satisfactory and convincing evidence.

- c. All applications and renewals shall be subject to review as provided by Ch. 125, Wis. Stats.

4. Prohibition Not to Apply to Restaurants.

- a. This resolution shall not prohibit the issuance of a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License to the operator of a restaurant, where the principal business conducted is that of a restaurant, as defined in Ch. 125, Wis. Stats. If the premises are operated under a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License, the principal business conducted is presumed to be the sale of alcohol beverages, but the presumption may be rebutted by competent evidence.

RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN THE BROADWAY AREA
Page 4

- b. A restaurant licensee operating within the limitation area which fails to maintain a principal business of operating a restaurant at any time later than 60 days after the granting of a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License shall be in violation of this subsection and its Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License shall be subject to revocation.
- c. "Principal business" means the primary activity as determined by analyzing the amount of capital, labor, time, attention and floor space devoted to each business activity, and by analyzing the sources of net income and gross income. The name, appearance and advertisement of the entity may also be taken into consideration in determining "principal business."

Adopted 9/14/97

Approved 9/17/97

13/ David H. August
Mayor

13/ David H. August
Clerk

LMS:bc



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

August 14, 2023

PREPARED BY

AGENDA ITEM # E.8

Consideration with possible action on an appeal by John Rome, 1315 S. Oakland Ave, regarding reinspection fees (filed with the Law Department on 1/11/2023 and previously discussed at the January 23 Protection & Policy Committee Meeting).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. sharpscans@greenbaywi.gov_20230116_141828
2. P&P Notice 7.19.2023
3. 2023-07-19 T. MEVES STATEMENT REGARDING ROME CASE

Jaime Fuge

From: Jaime Fuge
Sent: Wednesday, July 19, 2023 5:00 PM
To: johntoosweet@aol.com
Subject: Protection & Policy Committee Meeting

Dear Mr. Rome,

We just spoke on the phone today regarding the Committee Meeting Monday, July 24, at 5 p.m.

As a recap, you may recall filing an appeal with the City of Green Bay earlier this year for inspection fees. Your appeal was heard by the Protection & Policy Committee and January 23, 2023, and was held until May to give you time to complete the required work. Inspections staff was recently at your property and notified the Committee that the work has not been completed. The Protection & Policy Committee will review your appeal and the actions to date at its next meeting on Monday, July 24 at 5 p.m. in Room 207 of City Hall (100 N. Jefferson St). Your attendance is encouraged, as you will be given an opportunity to speak regarding your appeal.

Thank you,
Jaime Fuge
Green Bay Deputy Clerk

From: Tim Meves <Tim.Meves@greenbaywi.gov>
Sent: Thursday, July 6, 2023 8:33 AM
To: William Paape <William.Paape@greenbaywi.gov>
Subject: FW: 1315 S Oakland Av, July 6, 2023, 8:25 A.M.

Front façade appears to be close to being done, work begun on right side. Rear, left side, and roof repairs not completed.

From: Tim Meves <Tim.Meves@greenbaywi.gov>
Sent: Thursday, July 6, 2023 8:27 AM
To: Tim Meves <Tim.Meves@greenbaywi.gov>
Subject: 1315 S Oakland Av, July 6, 2023, 8:25 A.M.









Tim Meves
Housing/Zoning Inspector

City of Green Bay
Department of Community and Economic Development
[100 N Jefferson St, Rm 608](#)
Green Bay, WI 54301

timme@greenbaywi.gov

(p) [\(920\) 448-3331](tel:(920)448-3331)

(f) [\(920\) 448-3117](tel:(920)448-3117)

(w) www.greenbaywi.gov



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

August 14, 2023

PREPARED BY

AGENDA ITEM # F.1

The Liquor Violation Report.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 23LiqVio
2. Report August 14 2023

2023 LIQUOR VIOLATIONS

Subject's Name	Tavern Name And Address	Date/Type Violation	Status of Case
Sukhjot (NMI) Singh 23-211395 2321139553401	Dousman Express 606 Dousman Street	Bartending without an Operator's License	Court Date: 5/4/23; Dismissed without Prejudice
Upinderjit (NMI) Singh 23-211395 W2023-534-012	Dousman Express 606 Dousman Street	No Licensed Operator on the Premises (Owner)	Issued Written Warning
Marco A. Vargas 23-211037 2321103772801	Dino Shell 1828 S Ashland Avenue	Bartending without an Operator's License	Court Date: 5/2/23; 5/3/23 Guilty by Default, \$187
Marco A. Vargas 23-211037 2321103772802	Dino Shell 1828 S Ashland Avenue	Sale of Alcohol to Underage Person(s)	Court Date: 5/2/23; Guilty by Default, \$502
Juan Perez Maldonado 23-210493 W2023-557-023	Taqueria Maldonado's 1706 Main Street	Violation of Stipulation/Agreement	Issued Written Warning
Fatehajeet (NMI) Singh 23-214991 2321499153401	Marathon Gas Station 610 E. Walnut St.	No Licensed Operator on the Premises (Owner)	Court Date: 05/24/23; Guilty by Default, \$187
Fatehajeet (NMI) Singh 23-214991 2321499153402	Marathon Gas Station 610 E. Walnut St.	Violation of Stipulation/Agreement	Court Date: 05/24/23; Guilty by Default, \$691
Shanta P. Jackson 23-214991 W2023-534-014	Marathon Gas Station 610 E. Walnut St.	Bartending without an Operator's License	Issued Written Warning
Keishia K. King 23-214991 W2023-534-013	Marathon Gas Station 610 E. Walnut St.	Bartending without an Operator's License	Issued Written Warning

CITY OF GREEN BAY POLICE DEPARTMENT

TO: PROTECTION AND POLICY COMMITTEE

FROM: COMMUNITY POLICING

DATE: August 14, 2023

From July 24, 2023 to August 14, 2023, there have been no liquor violations, no DA referrals, no ordinance violations and no property referrals.

Sincerely,

**LT. STEVE MAHONEY & LT. ERIN BLOCH
DISTRICT POLICING**

sp



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

August 14, 2023

PREPARED BY

AGENDA ITEM # F.2

The Clerk Liquor Licensing Report.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 8.9.2023 CLERK'S OFFICE LIQUOR LICENSING REPORT

**Licenses Granted By Common Council, but not yet
Issued as of (8/9/2023):**

License Type	Company Name	Trade Name	Address	Type	Approver
Class A Beer & Class A Liquor	DOLGENCORP, LLC	DOLLAR GENERAL STORE #21045	1641 MAIN ST	Liquor License	Inspections Renewal
Class A Beer & Class A Liquor	FAMILY DOLLAR STORES OF WI	FAMILY DOLLAR	550 N MILITARY AV	Liquor License	Inspections, New License approved 6.6.23
Class A Beer & Class A Liquor	FAMILY DOLLAR STORES OF WI LLC	FAMILY DOLLAR	1285 MAIN ST	Liquor License	Inspections, New License approved 6.6.2023
Class B Liquor-Reserve & Class B Beer	LEGACY GREEN BAY, LLC	THE LEGACY HOTEL	1004 BRETT FAVRE PASS	Liquor License	Inspections, granted waiver to open Oct. 2023
Class B Beer & Class B Liquor	MADRID TAPAS AND WINE BAR LLC	MADRID TAPAS	225 E WALNUT ST	Liquor License	Inspections, Renewal
Class "B" Beer & "Class B" Liquor	Jalisco Mexican Restaurant LLC	Jalisco Mexican Restaurant	2850 Humboldt Rd	Liquor License	Inspections, Payment Granted 8/1/2023
Class "B" Beer & "Class B" Liquor	At the Tracks, LLC	At the Tracks/Coalyard Coffee & Donuts	709 S. Broadway	Liquor Licenses	Inspections, Payment Granted 8/1/2023
Class B Beer& Class B Liquor	ROGELIO PEREZ JR	ROCKY'S TAQUERIA	1679 MAIN ST	Liquor License	Inspections, New and Renewal Approved on 5/16/2023)-surrendered to Rockyz Taqueria LLC

Summary of Licenses Granted and Issued for Available Liquor Licenses:

The City of Green Bay has a quota of 172 available “Class B Liquor” and Class “B” Beer licenses under state law.

The Clerk’s Office cannot take any more applications for available liquor licenses at this time.

The City granted 4 license that has not yet been issued (see page 1).

The City will release 1 available liquor license into the pool. The City can take start taking applications for the available liquor license Wednesday, August 23, 2023, at 7:30 a.m. (start of business day).

The City of Green Bay may only take the number of applications to number of licenses available. Applications are considered to those who apply with fully completed application and first in time.

Liquor License Checklist:

<https://greenbaywi.gov/264/Liquor-Sales---New-Establishments>)

Summary of Licenses Granted and Issued for Reserve Liquor Licenses:

The City of Green Bay has a quota of 32 Class B Combination Liquor and Beer Reserve licenses under state law.

The City of Green Bay has 2 Class B Combination Liquor and Beer Reserve issued.

The City of Green Bay has 1 Class B Combination Liquor and Beer Reserve that has been granted, but not yet been issued.

A Reserve liquor license in the City of Green Bay costs \$10,000 (one-time non-refundable issuance fee) plus the license fee prorated. The license shall not be transferred or surrendered.



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

August 14, 2023

PREPARED BY

AGENDA ITEM # F.3

Informational Only: The release of one 2022-2023 available "Class B" Liquor & Class "B" Beer license to the pool due non-renewal (First and Bowl).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None