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May 15, 2002

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**VIA MESSENGER**

Members of the  
Utilities & Licenses Committee  
City of Milwaukee - Common Council  
Room 205 - City Hall  
200 East Wells Street  
Milwaukee, WI 53202

Re: Jewel Food Stores, Inc./Application to the City of Milwaukee for a Class "A"  
Liquor License for 709 East Capitol Drive

Dear Committee Members:

As you know, this firm represents Jewel Food Stores, Inc. in the matter referenced above. I am writing to share with you two maps and to update you on the company's response to the complaints made at the April 8, 2002 public hearing about litter at the store.

The opposition to the application which surfaced at the last minute made three principle objections at the public hearing. They argued that there is an undue concentration of licensed establishments in the vicinity of the proposed licensed premises. I believe that the enclosed "concentration map" shows that there is no concentration issue.

The opponents also asserted that granting the license would have an impact on the quality of life of area residents. The second enclosed map is part of the City of Milwaukee Land Use Map for the area which we downloaded from the City's website. As you will see, there is a significant distance between the Jewel-Osco store and the nearest single-family residence.\* In addition, a number of industrial and commercial uses are located in the two-

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\*None of the opponents who testified at the April 8, 2002 hearing live in the apartment buildings on North Humboldt Boulevard between East Vienna Street and East Capitol Drive.

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block area between the store and the nearest single-family residences. Thus, operations at the licensed premises should have no impact on area residents.

Finally, the one objection that has some merit, but which is unrelated to the suitability of the applicant or the location, was the presence of litter in the landscaped area located around the perimeter of the Jewel-Osco store property. Immediately after the hearing, Barbra Nunziato and I contacted Tim Lynch who is in charge of all of the Jewel-Osco stores in the Milwaukee area. Mr. Lynch was very concerned about the litter complaints and personally directed store management to do a better job in the future. In addition, Mr. Lynch wrote Alderman Michael D'Amato directly expressing his personal commitment to deal with the litter issue. This is not to say that you will never see litter in the landscaped area along East Capitol Drive. We cannot stop people from littering. But it does mean that a renewed effort is and will be made to pick up the litter in a more timely manner.

Jewel-Osco has demonstrated its commitment to being a good neighbor and a positive force in the City of Milwaukee. Despite all of its efforts, there are still a number of residents in the Riverwest area who do not like the company. Most, if not all, of this ill-will can be traced to the controversial "Humboldt Yards" store. I believe that the opposition to the application for the Jewel-Osco store at 709 East Capitol Drive is based upon these hard feelings and not the facts.

The facts establish that the application for the Jewel-Osco store at 709 East Capitol strongly deserves a favorable vote. Concentration is not an issue. The licensed premises will be located in a commercial area that is separated by both distance and buildings from the nearest single-family residences. Finally, Jewel-Osco voluntarily negotiated a covenant with the Riverwest Neighborhood Association reducing the size of the premises and limiting the products that will be offered for sale.

I am sending a copy of this letter and the enclosures to Linda Elmer with the request that they be added to the record.

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Thank you for your consideration in this matter.

Very truly yours,

FRIEBERT, FINERTY & ST. JOHN, S.C.



S. Todd Farris

STF/sjf

Enclosures

cc: Alderman Michael D'Amato (w/Encs.) - Via Messenger  
Ms. Linda Elmer (w/Encs.) - Via Messenger

**LICENSED ALCOHOL BEVERAGE ESTABLISHMENTS LOCATED  
WITHIN ONE-SQUARE-MILE AREA OF 709 E. CAPITOL DR.  
APRIL 1, 2002**

License Summary:

ALQML - Class "A" Liquor & Malt - 2 licenses  
BTAVN - Class "B" Tavern - 5 licenses

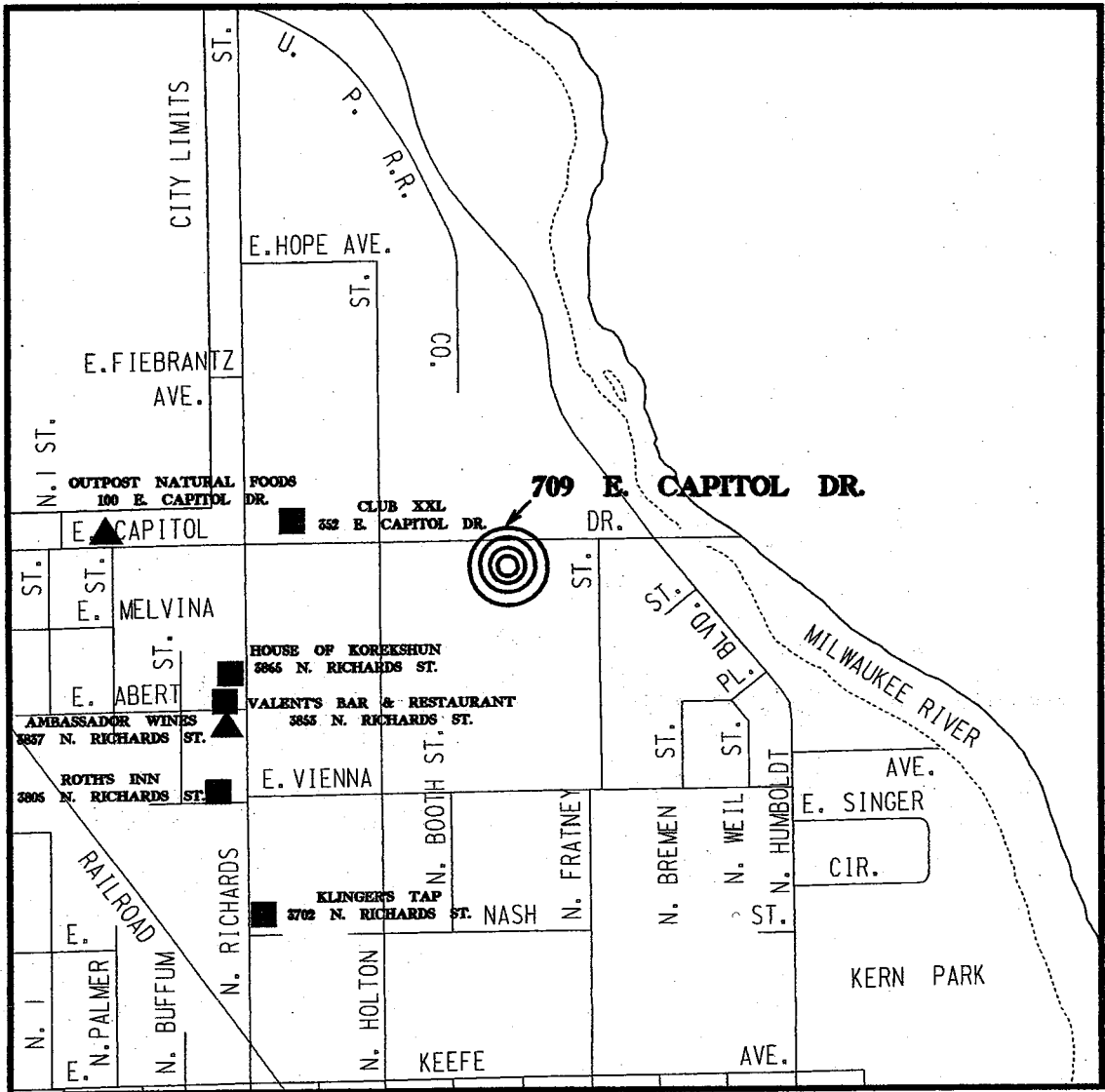
TOTAL: 7 licenses

<u>Premises Address</u>	<u>Establishment Name</u>	<u>Lic. Type</u>	<u>Exp. Date</u>
100 E CAPITOL	DR OUTPOST NATURAL FOODS	ALQML	20020525
333 E KEEFE	AV LACEY LOVE	BTAVN	20020922
3702 N RICHARDS	ST KLINGER'S TAP	BTAVN	20020630
3805 N RICHARDS	ST ROTH'S INN	BTAVN	20030301
3837 N RICHARDS	ST AMBASSADOR WINES	ALQML	20020630
3853 N RICHARDS	ST VALENT'S BAR & RESTAURANT	BTAVN	20020630
3865 N RICHARDS	ST HOUSE OF KOREKSHUN	BTAVN	20020630

**RECEIVED**  
FRIEBERT, FINERTY  
ST. JOHN S.C.

MAY 9 2002

# LICENSED ALCOHOL BEVERAGE ESTABLISHMENTS WITHIN ONE-SQUARE-MILE AREA CENTERED ON 709 E. CAPITOL DR, APRIL 1, 2002



ALCOHOL BEVERAGE LICENSE SUMMARY	
▲	CLASS "A" LIQUOR & MALT - 2 LICENSES
■	CLASS "B" TAVERN - 5 LICENSES
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TOTAL:	- 7 LICENSES

