



CITY OF MILWAUKEE
OFFICE OF THE CITY CLERK

Tuesday, May 02, 2017

COMMITTEE MEETING NOTICE

AD 04

KRAHN, Scott A, Agent
PPH Properties I LLC
1143 Mary Hill Circle
Hartland, WI 53029

You are requested to attend a hearing which is to be held in Room 301-B, Third Floor, City Hall on:

Monday, May 08, 2017 at 01:30 PM

Regarding: Your Class B Tavern and Public Entertainment Premises License Applications with 21+ Age Restriction Requesting Adult Entertainment, 5 Amusement Machines, Bands, Dancing by Performers, Disc Jockey, Instrumental Musicians, Jukebox, Patron Contests, and Patrons Dancing as agent for 'Properties I LLC' for "Executive Lounge" at 730 N Old World Third St.

There is a possibility that your application may be denied for one or more of the following reasons: The recommendation of the committee regarding the application shall be based on evidence presented at the hearing. Per MCO 85-2.7-4, probative evidence concerning whether or not a new license should be granted may be presented on the following subjects: whether or not the applicant meets the municipal requirements, the appropriateness of the location and premises where the licensed premises is to be located and whether use of the premises for the purposes or activities permitted by the license would tend to facilitate a public or private nuisance or create undesirable neighborhood problems such as disorderly patrons, unreasonably loud noise, litter, and excessive traffic and parking congestion.

Notice for applicants with warrants or unpaid fines: Proof of warrant satisfaction or payment of fines must be submitted at the hearing on the above date and time. Failure to comply with this requirement may result in a delay of the granting/denial of your application.

Failure to appear at this meeting may result in the denial of your license. Individual applicants must appear only in person or by an attorney. Corporate or Limited Liability applicants must appear only by the agent designated on the application or by an attorney. Partnership applicants must appear by a partner listed on the application or by an attorney.

You will be given an opportunity to speak on behalf of the application and to respond and challenge any charges or reasons given for the denial. No petitions can be accepted by the committee, unless the people who signed the petition are present at the committee hearing and willing to testify.

You may examine the application file at this office during regular business hours prior to the hearing date. Inquiries regarding this matter may be directed to the person whose signature appears below.

Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in the first floor information booth in City Hall.

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at (414) 286-2998, Fax - (414) 286-3456, TDD - (414) 286-2025.

JIM OWCZARSKI, CITY CLERK

[Handwritten signature]

BY: _____

Jessica Celella
License Division Manager

If you have questions regarding this notice, please contact the License Division at (414) 286-2238.

200 E. Wells Street, Room 105, City Hall, Milwaukee, WI 53202. www.milwaukee.gov/license
Phone: (414) 286-2238 Fax: (414) 286-3057 Email Address: License@milwaukee.gov



CITY OF MILWAUKEE
OFFICE OF THE CITY CLERK

Tuesday, May 02, 2017

COMMITTEE MEETING NOTICE

AD 04

KRAHN, Scott A, Agent
PPH Properties I LLC
1027 N 4th St
Watertown, WI 53098

You are requested to attend a hearing which is to be held in Room 301-B, Third Floor, City Hall on:

Monday, May 08, 2017 at 01:30 PM

Regarding: Your Class B Tavern and Public Entertainment Premises License Applications with 21+ Age Restriction Requesting Adult Entertainment, 5 Amusement Machines, Bands, Dancing by Performers, Disc Jockey, Instrumental Musicians, Jukebox, Patron Contests, and Patrons Dancing as agent for "PPH Properties I LLC" for "Executive Lounge" at 730 N Old World Third St.

There is a possibility that your application may be denied for one or more of the following reasons: The recommendation of the committee regarding the application shall be based on evidence presented at the hearing. Per MCO 85-2.7-4, probative evidence concerning whether or not a new license should be granted may be presented on the following subjects: whether or not the applicant meets the municipal requirements, the appropriateness of the location and premises where the licensed premises is to be located and whether use of the premises for the purposes or activities permitted by the license would tend to facilitate a public or private nuisance or create undesirable neighborhood problems such as disorderly patrons, unreasonably loud noise, litter, and excessive traffic and parking congestion. Probative evidence relating to these matters may be taken from the plan of operation submitted with the license application, if any, but shall not include the content of any music. Evidence regarding the fitness of the location of the premises to be maintained as the principal place of business, including but not limited to whether there is an overconcentration of businesses of the type for which the license is sought, whether the proposal is consistent with any pertinent neighborhood business or development plans, or the location's proximity to areas where children are typically present. The applicant's record in operating similarly licensed premises, and whether or not the applicant has been charged with or convicted of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the activity to be permitted by the license being applied for or any other factor which reasonably relates to the public health, safety or welfare may also be considered. See attached police report or correspondence.

Notice for applicants with warrants or unpaid fines: Proof of warrant satisfaction or payment of fines must be submitted at the hearing on the above date and time. Failure to comply with this requirement may result in a delay of the granting/denial of your application.

Failure to appear at this meeting may result in the denial of your license. Individual applicants must appear only in person or by an attorney. Corporate or Limited Liability applicants must appear only by the agent designated on the application or by an attorney. Partnership applicants must appear by a partner listed on the application or by an attorney. If you wish to do so and at your own expense, you may be accompanied by an attorney of your choosing to represent you at this hearing.

You will be given an opportunity to speak on behalf of the application and to respond and challenge any charges or reasons given for the denial. No petitions can be accepted by the committee, unless the people who signed the petition are present at the committee hearing and willing to testify. You may present witnesses under oath and you may also confront and cross-examine opposing witnesses under oath. If you have difficulty with the English language, you should bring an interpreter with you, at your expense, so that you can answer questions and participate in your hearing.

You may examine the application file at this office during regular business hours prior to the hearing date. Inquiries regarding this matter may be directed to the person whose signature appears below.

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JIM OWCZARSKI, CITY CLERK

BY:

Jessica Celella
License Division Manager

If you have questions regarding this notice, please contact the License Division at (414) 286-2238.

200 E. Wells Street, Room 105, City Hall, Milwaukee, WI 53202. www.milwaukee.gov/license
Phone: (414) 286-2238 Fax: (414) 286-3057 Email Address: License@milwaukee.gov

REDACTED RECORD

From: License
Sent: Tuesday, December , 2016 AM
To:
Subject: FW: Objection- Executive Lounge 730 Old World 3rd

From:
Sent: Friday, December , 2016 11:35 AM
To: License
Subject: Objection- Executive Lounge 730 Old World 3rd

Hello,

My name is _____ and I would like to formally object to the opening of an Executive Lounge next door to my apartment building. I believe opening an executive lounge that may invite people to partake in erotic dancing etc. would severely impact the neighborhood and it's reputation- with so many positive things happening around us like the new Bucks arena, it would be a shame to invite a club to this location. It also may invite more crime, or just in general people that would change the safety and health status of those who do live here. If you have any questions, you can reach me at _____

Thank you,

EE
ISION

2016 OCT 12 P 1:13

October 6, 2016

Office of the City Clerk - License Division
City Hall, Room 105
200 East Wells Street
Milwaukee WI 53202

REDACTED RECORD

Re: Objection to New Class B Tavern and Public Entertainment Premises Applications

Dear City of Milwaukee:

submitting an objection to the following license application:

License Type:	Class B Tavern and Public Entertainment Premises
Applicant:	Scott A. Krahn, Agt PPH Properties I LLC
Business Name:	Executive Lounge
Premise Address:	730 N. Old World Third St.

As required by the notice, this written objection is being filed by

- 1) Name of person objecting:
- 2) Contact information for the objector:

- 3) is opposed to an issuance of a Class B Tavern and Public Entertainment Premises license which would include the dancing by performer - adult entertainment/strippers/erotic dance.

Most of these employees park in the parking lots surrounding the building and in close proximity to the proposed licensed facility. In 2015, approximately 4,700 clients from its downtown Milwaukee Office

provides extensive services from our office location to victims of crime, including victims of domestic violence, trafficking and sexual assault. In addition, we provide services to vulnerable seniors and other persons vulnerable to crimes. Many of our clients arrive at our Milwaukee Downtown location via bus. Many of the bus routes are along Wisconsin Avenue so the clients would have to walk in front of the proposed adult entertainment facility on their way to our office. . objects to the issuance of an adult entertainment license for the following reasons:

- a) The proposed adult entertainment venue is incompatible with the operation of a professional law firm and other professional offices within the neighborhood of the proposed venue. Many of ' clients are victims of sexual assault, trafficking and domestic violence. The presence of this type of venue in close proximity to the location of our delivery of service would add additional concern to our clients.
- b) Many of our clients are unable to secure child care when they need to visit our office so they often bring along young and small children. The presence of the adult entertainment venue in this professional office area is an incompatible use and is not appropriate for areas where small children are frequently present.
- c) On Wisconsin Avenue between Plankinton Avenue and 4th Street, the Milwaukee County Transit System operates four bus stops which are extensively used by high school students during school day afternoons. Three of the four bus stops are within a half block of the proposed adult entertainment venue. Two of the four bus stops have a direct line of sight to the front of the proposed venue's building. The operation of an adult entertainment venue in close proximity to an area frequented by high school students on a daily basis is not an appropriate use within the area.
- c) The area surrounding the Grand Avenue Mall and Third Street already has many challenges in maintaining occupancy in the surrounding professional office buildings. We believe the presence of this adult venue will only harm the ability of the building owners to encourage other professionals to rent and occupy space in the buildings surrounding the proposed venue.

If you have any questions concerning the above, please do not hesitate to contact me.

Sincerely,

October 10, 2016

Office of the City Clerk – License Division
City Hall, Room 105
200 East Wells Street
Milwaukee, WI 53202

REDACTED RECORD

Sent via email to license@milwaukee.gov

RE: License Type: Class B Tavern and Public Entertainment Premises
Applicant: Scott A. Krahn, Agt, PPH Properties I LLC
Business Name: Executive Lounge
Premise Address: 730 North Old World Third Street

To Whom It May Concern:

We are writing to register our objection to the Class B Tavern and Public Entertainment Premise license application regarding the above referenced applicant and premise address. We have a greater interest in this matter.

The basis for this opposition is as follows:

1. Granting such a license will promote a greater amount of noise nuisance at all hours during the day and night, vandalism, and other disturbances, than already exist in the area.
2. Granting such a license for this location will not promote the prevention of crime, disorder and antisocial behavior in the immediate area, but will likely cause crime, disorder and antisocial behavior to increase.
3. This establishment and their Public Entertainment operations would bring down the value and amenity of the neighborhood.
4. The development and future of the Grand Avenue Mall and the Milwaukee Bucks arena, as well as the proposed further development of the Wisconsin Center and other suggested hotels nearby, all within close walking distance from the proposed premise, will be negatively impacted if this license is granted, as it will cast a negative light on the neighborhood.
5. There will be an adverse effect on the health and safety of members of the public working in, passing through, or living in the area near this premise.

For these reasons, we object to the grant of the above referenced license. Overall, it would lead to a severe negative impact to us as residents, the neighborhood, and the City of Milwaukee.

Thank you.

Koberstein, Jonathan

From: License
Sent: Friday, October 07, 2016 3:47 PM
To: Koberstein, Jonathan
Subject: FW: Objection

REDACTED RECORD

Jim Cooney
License Specialist III
City of Milwaukee, License Division
200 E Wells St #105 Milwaukee, WI 53202
414-286-2238



From:
Sent: Friday, October 07, 2016 3:45 PM
To: License
Subject: Objection

My name is _____ and I reside at _____, in Milwaukee. My email address is _____

I am writing to object to the Class B Tavern and Public Entertainment application for the Executive Lounge at 730 N Old World 3rd St.

The East Town area is enjoying an exciting revival, with excellent housing options, new restaurants and bars, and terrific plans for the Grand Avenue Mall. These developments would be seriously jeopardized with the opening of a strip club. Bordering parking lots and two dark alleys, such a club can only invite prostitution, drug use, and crime to a neighborhood that is experiencing a renewal. A strip club will do nothing to foster the kind of growth that this area needs, and presents a threat to the health, safety and welfare of the growing population here. The City of Milwaukee will not be well-served if this application is approved.

I am asking the Licensing Division of the City Clerk's office to reject this application.

Thank you

Koberstein, Jonathan

From: License
Sent: Monday, October 10, 2016 8:29 AM
To: Koberstein, Jonathan
Subject: FW: Objection to Class B Tavern and Public Entertainment Premises at 730 N Old World 3rd St.



REDACTED RECORD

Jonathan Koberstein
License Specialist III
City Clerk's Office – License Division
City Hall Rm 105
200 E Wells St
Milwaukee, WI 53202
(414)286-2238 Office

From:
Sent: Sunday, October 09, 2016 2:41 PM
To: License
Subject: Objection to Class B Tavern and Public Entertainment Premises at 730 N Old World 3rd St.

To Whom it May Concern:

My name is _____ and I am writing with regards to the application by Scott A. Krahn, Agt. PPH Properties I LLC to place the business "Executive Lounge" at 730 N Old 3rd St. Said business appears to be an adult entertainment club (more commonly known as a strip club). Given the location of this proposed business (near the Grand Ave mall and convention center) I do not believe it is in the best interests of the city to allow such an establishment to be located so near tourist destinations. Such a business would reflect poorly upon the city, and detract from the neighborhood.

You may contact me at this email address:

Thank you for listening to my concerns on this matter.

Koberstein, Jonathan

From: License
Sent: Monday, October 10, 2016 8:29 AM
To: Koberstein, Jonathan
Subject: FW: Objection of Executive Lounge at 730 N Old World 3rd St

Jonathan Koberstein
License Specialist III
City Clerk's Office – License Division
City Hall Rm 105
200 E Wells St
Milwaukee, WI 53202
(414)286-2238 Office



REDACTED RECORD

From:
Sent: Sunday, October 09, 2016 8:09 AM
To: License
Subject: Objection of Executive Lounge at 730 N Old World 3rd St

To whom it may concern,

My name is _____ and I am writing this email to object the new license application filed by Scott A. Krahn, Agt. PPH Properties LLC for a Class B Tavern and Public Entertainment Premises (Executive Lounge) at 730 N Old World 3rd St.

I am not comfortable with the applicant selecting "adult entertainment/strippers/erotic dance" as part of their license. I am highly concerned of how this business will impact the safety of this neighborhood along with my own welfare.

I strongly feel that this type of entertainment venue would attract a crowd that would have an adverse effect of myself and the public. Furthermore, I am apprehensive of how it will affect the crime rate. I have conducted research regarding this issue and a Texas Court came to the decision that "operation of sexually oriented businesses may be detrimental to the health, safety, and welfare" (https://texasattorneygeneral.gov/files/cj/20131912_htr_fin_3.pdf) – as a woman, I do not feel safe with this type of entertainment.

If you have any further questions or comments, please contact me at _____

Best,

Koberstein, Jonathan

From: License
Sent: Wednesday, October 05, 2016 8:05 AM
To: Koberstein, Jonathan
Subject: FW: 730 N Old World Third St.

Jim Cooney
License Specialist III
City of Milwaukee, License Division
200 E Wells St #105 Milwaukee, WI 53202
414-286-2238

REDACTED RECORD

-----Original Message-----

From:
Sent: Tuesday, October 04, 2016 5:51 PM
To: License
Subject: 730 N Old World Third St.

To whom it may concern,

I am opposed to the class B tavern and public entertainment premises licensure being granted to Scott A. Krahn, Agt. PPH Properties LLC "Executive Lounge." at 730 N. Old World Third St..

The opening of a strip club, makes me extremely uncomfortable for my safety. I feel that all female residents of the building will be made uncomfortable by the presence of undesirable men hanging around the building.

Additionally, with the plans to redo the Grand Avenue Mall in the near future, which is a phenomenal opportunity for the area, I believe that the granting of a license for this strip club would adversely affect the mall's reconstruction, and possibly even lead to the people spearheading the reconstruction to reevaluate their plans and look for better location. Nice malls and grocery stores are not located next to strip clubs.

Best,

MILWAUKEE POLICE DEPARTMENT LICENSING

CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS SYNOPSIS

DATE: 09/30/2016
LICENSE TYPE: BTAVN
NEW:
RENEWAL:

No. 238188
Application Date: 09/30/2016

License Location: 730 North Old World Third Street
Business Name: PPH Properties

Licensee/Applicant: Krahn, Scott
(Last Name, First Name, MI)
Date of Birth: 04/03/1964

Home Address: 1143 Mary Hill CR
City: Hartland **State:** WI **Zip Code:** 53029
Home Phone: 414-732-1100

This report is written by Police Officer Gilbert Gwinn, assigned to the License Investigation Unit, Days.

The Milwaukee Police Department's investigation regarding this application revealed the following:

1. On 06/17/2013 the Wisconsin Department of Transportation revoked Joseph Modl's driver's license for 6 months for Operating While Intoxicated. Joseph Modl is listed on the application as 38% shareholder.

Date:10/28/2016
Officer: Thomas Kline

City of Milwaukee Police Department
90-5-1.5 Crime Prevention Survey
Tavern Inspection

Name of Premise: Executive Lounge
Address: 730 N. Old World 3rd Street
Phone: 414 732 1100

Owner:
Owner address:
City State Zip:
Owner Phone:
Owner email:

Licensee/Agent: Krehn, Scott A
Home Address: 1143 Mary Hill Cir.
City State Zip: Hartland, WI 53029
Phone: 414 732 1100
Email:

Preferred contact: Agent

Location currently open: YES NO

Projected open date: 01/15/2016

Day's open: S M T W Th F SA ALL

Hours of Operation: Sun: 4pm-2am 24 hours Y N
Mon: 10am-2am
Tue: 10am-2am
Wed: 10am-2am
Thu: 10am-2am
Fri: 10am-2:30am
Sat: 10am-2:30am

Premise Type: Tavern/Bar
Restaurant
Other:

Licenses currently held:

- Alcohol: Yes No Class: #:
Tobacco: Yes No #:
Food: Yes No #:
Other: Yes No Type: #:
Other: Yes No Type: #:

Exterior Survey:

1. Is the area around the location clean? Yes No
2. What surrounds the location? (Check all the apply)
 - a. Park
 - b. School
 - c. Youth Center
 - d. Church
 - e. Tavern(s) If so, how many
 - f. Residential
 - g. Other businesses
 - h. Other:
3. Can you see from the outside of the location into the interior Yes No
4. Can you see the employees inside of the location from the outside Yes No
5. Are exterior windows free of signage Yes No
6. Street parking Yes No
7. Is there a parking lot Yes No
8. Is the parking lot clean? Yes No
9. Is the parking lot well lit? Yes No
10. Valet Parking Yes No
 - a. Will this lot have a guard? Yes No
 - b. Will this lot have cameras? Yes No
11. Are there areas where a person could conceal themselves Yes No
12. Is there exterior lighting? Yes No. Does it appears to be adequate Yes No
13. Exterior Payphone? Yes No
14. Are there No Loitering Signs posted? Yes No
15. Are there exterior security cameras Yes No How Many: 6-8
16. Are the address numbers prominently displayed and easy to see Yes No

Camera Survey:

17. Does this location have security cameras? Yes No
18. Are they in working order? Yes No
19. What format are the cameras?
 - a. Color Yes No
 - b. Digital Yes No
 - c. VCR Yes No
 - d. Recorded Yes No
20. How long is footage stored for later viewing: 30 days
21. Are there exterior cameras Yes No How many: 6-8
22. Are there interior cameras Yes No How many: 24

23. Do all employees know how to retrieve recorded digital images/footage? Yes No
24. Cameras located in parking lot Yes No How many

Interior Survey:

25. What is the planned/posted capacity 216
26. What is the minimum number of employees that will be on premise 10-12
27. Is the storeowner willing to be a standing complainant regarding loitering? Yes No
a. If yes have them fill out the standing complaint form and give them two of the commercial signs Yes No
28. Is the interior of the location neat and clean? Yes No
29. Does an interior camera face the entrance/exit? Yes No
30. Are emergency and non-emergency numbers posted near the phone? Yes No
31. Does the owner know how to contact their police district directly? Yes No
a. Did you provide a district contact guide to the owner? Yes No

Security

32. How many security personnel are going to be employed: 15-20
33. How will they be deployed: Interior 8-10 Exterior 2-4
34. What days will they be deployed Mon Tue Wed Thu Fri Sat Sun
35. Will the security be managed by business or contracted
36. Will they be armed Yes No
37. What type of security measures will be used:
 Wanding/metal detector
 ID Scanner
 Dress Code
 Cover Charge
 Age restriction
 Other
38. When at capacity, how will the overflow crowd be managed? line outside
39. Will a guard monitor the overflow crowd at all times? Yes No

ADDITIONAL COMMENTS/RECOMMENDATIONS:

Renovation \$200,000.00

MILWAUKEE POLICE DEPARTMENT
LICENSE INVESTIGATION UNIT

CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS
SYNOPSIS

DATE: 09/02/2015

LICENSE TYPE: BTAVN

NEW:

RENEWAL: X

No. 217161

Application Date: 09/01/2015

Expiration Date:

License Location: 730 N Old World Third Street

Aldermanic District:

Business Name: Boardroom Entertainment

Licensee/Applicant: SMITH, Robert F

(Last Name, First Name, MI)

Date of Birth: 12/06/1968

Home Address: 212 E Mineral St

City: Milwaukee

State: WI

Zip Code: 53204

Home Phone: (414) 649-9999

This report is written by Police Officer Gilbert Gwinn, assigned to the License Investigation Unit, Days.

The Milwaukee Police Department's investigation regarding this application revealed the following:

1. On 10/24/2004 at 2:15 AM the applicant was cited for Disorderly Premises Prohibited at 906 S Barclay St. No further information.

Charge : Disorderly Premises Prohibited

Finding : Guilty, Municipal Court

Sentence : Fined \$354.00

Date : 12/14/2004

Case : 04126492

2. On 06/13/08 at 11:24 pm, Milwaukee police observed a large crowd at Club Rain waiting to enter the club. Police spoke to a security guard who stated there was going to be problems because of the long line of patrons waiting to enter the club. Police observed about 70 patrons around the block waiting to enter the club. Police made several attempts to disperse the crowd with patrons becoming angry. One subject became unruly and was taken into custody. Due to the amount of people and the crowd becoming unruly, more squads were requested. Officers later spoke to Patsy Smith who stated they couldn't allow any more patrons in due to capacity. Citations were issued to Robert Smith, the licensee, for Disorderly Premises and Licensing-Change in Entertainment. A meeting was suggested to Smith to discuss recent incidents before something serious occurred. On 06/25/08 Smith went to District # 2 to discuss the concerns of Club Rain with district officers. Robert Smith was unable to attend however did contact officers later that day.

Charge: Change in Entertainment Notice Required
Disorderly Premises
Finding: Guilty
Dismissed w/o prejudice
Sentence: Fined \$100.00
Date: 10/03/08
Case: 08081739
08081738

3. On 09/17/2004 the applicant was cited in the city of Milwaukee for B & Z Violations at 906 South Barclay Street.

Charge: B & Z Violations
Finding: Guilty
Sentence: \$220.00 fine
Date: 07/05/2005
Case: 04125787

4. On 09/18/2007 the applicant was cited in the city of Milwaukee for Building Code Violations at 212 East Mineral Street.

Charge: Building Code Violations
Finding: Guilty
Sentence: \$300.00 fine
Date: 10/08/2009
Case: 09018901

5. On 08/15/2008 the applicant was cited in the city of Milwaukee for Building Code Violations at 906 South Barclay Street.

Charge: Building Code Violations
Finding: Guilty
Sentence: \$580.00 fine
Date: 07/21/2009
Case: 09008677

6. On 11/22/2008 at 12:40am Milwaukee Police were dispatched to a fight at 906 South Barclay Street (Rain Night Club). Investigation revealed a fight had occurred between patrons inside the bar. The applicant was on scene at the time this incident occurred and was issued three citations:

Charge 1: Presence of Minor at Licensed Premises (two counts)
2: Disorderly Premises Prohibited
Finding 1: Guilty
2&3 Dismissed without prejudice
Sentence : \$250.00 fine
Date : 08/31/2009
Case 08153636/08153638/08153637

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7. On 03/03/12 at 1:00 am, Milwaukee police conducted a License Premise Check at 730 N Old World Third Street. Investigation found numerous underage patrons inside the bar who were trying to leave the establishment. Officers confirmed 72 underage patrons and who were not with any parent or guardian. Police spoke with Robert F Smith, the licensee, who had no explanation for the large number of underage patrons inside his tavern. A total of 60 citations were issued for Possession/Consumption of Alcohol 17-20, 10 citations for Presence of Underage/Minor, 5 for Misrepresenting Age, and 4 for Obstructing Issuance of Citation. Police were on scene for 3 hours and had to ask the bar staff several times to stop serving while police were investigating.
8. On 03/16/12 at 4:30 pm, members from District one and the License Investigation Unit met with Robert Smith and his attorney, Vincent Bobot in regards to large amounts of patrons who were underage and found inside 730 N OWT Street, Boardroom. An investigation found that 72 citations were issued one night with many of the ID's from out of state. Mr. Smith stated he was embarrassed by this incident and provided suggestions of improvements that included using an ID scanner, changing cameras and using a height measurement to check against ID information. Mr. Smith also provided a typed security measure plan and a suggestion was made that Smith should required a Wisconsin state ID, as most students need to change their addresses to a local one in order to vote. Police personnel provided other suggestions to Smith and advised him that if problems persist, uncover surveillance would be conducted.

=====

9. On 11/24/12 at 1:36 am, Milwaukee police were dispatched to 730 N. Old World Third Street for an Underage Persons complaint. Upon arrival, officers were posted at the entry door and the rear door to ensure that no one would exit from the rear door. Investigation found eight patrons who were underage and also found that the bar's license had not been posted, only an invoice. No licensed manager was on scene. All underage patrons were cited and released.

=====

10. On 03/03/2012 the applicant was cited at 730 North Old World Third Street in the city of Milwaukee for Presence of Minor at Licensed Premises.

Charge: Presence of Minor at Licensed Premises
Finding: Guilty
Sentence: \$1000.00 fine
Date: 07/16/2012
Case: 12046417

=====

11. On 01/14/2015 Milwaukee police conducted a licensed premise check at 730 North Old World Third Street (Boardroom Entertainment). Several violations were observed and discussed with the applicant. These included not having the certificate of occupancy or food dealers license posted, and not having an ID scanner at the location. The applicant told the officers he was in the process of changing the listed agent for the business but would not elaborate.

12. On 01/21/2015 at 10:42pm, Milwaukee police conducted a licensed premise check at 730 North Old World Third Street (Boardroom Entertainment). Officers observed several young ladies inside the business that identified themselves as independent contractors that danced at the bar, but received only tips as compensation. Some of the dancers wore see through garments, thong underwear and "pasties". The applicant, Robert Smith, along with Radomir Buzdum and Timothy Miller were on scene. Buzdum told officers he had been informed by his attorney that the dancing was allowed because the dancers were independent contractors and not employees of the business. The applicant stated the women were wearing clothing similar to other women that attend clubs in Milwaukee. Miller stated he was asked by Radomir Buzdum to help at this location. Miller is a general manager at TNT Gentleman's club in Watertown.

13. On 01/22/2015 at 10:53pm, Milwaukee police conducted a licensed premise check at 730 North Old World Third Street (Boardroom Entertainment). Upon entering officers observed a female dancing on a stage wearing a dress with horizontal slits on both sides. The dancer had her dress pulled below her breasts which were covered with pasties. Upon observing the police the dancer pulled her dress up. Officers also observed several other young ladies inside the business that identified themselves as dancers at the bar. These dancers were observed wearing various articles of underwear and bras and/or "pasties". Officers located a room off the kitchen that was being used by the dancers as a dressing room, which was equipped with lockers. The applicant, Robert Smith along with Radomir Buzdum and Timothy Miller, were on scene. All three received citations for violations observed on 01/22/2015 as well as citations for violations observed the previous night (01/21/2015). On 01/23/2015, at 1:50am, Milwaukee police conducted follow up at 730 North Old World Third Street (Rusty's). The follow-up was regarding a female who had provided false identification during an interview. The subject had initially identified herself as Quiana Monre, but later told officers her real name was Azaria Wilder. During this encounter, officers observed a young lady dancing on a stage near the entrance wearing only underwear and high heels. The dancer had her breast exposed without pasties. The dancer got off the stage and ran to the back of the location.

As to the applicant:

Charge 1: Public Entertainment Premises License Required
2: Public Entertainment Premises License required (violation date 01/21/2015)
Finding 1: Not guilty
2: Not guilty
Sentence :
Date : 08/24/2015
Case : 15007754
: 15007755

As to Radomir Buzdum:

Charge 1: Public Entertainment Premises License Required
2: Public Entertainment Premises License required (violation date 01/21/2015)
Finding 1: Dismissed without prejudice
2: Dismissed without prejudice
Sentence :
Date : 06/04/2015
Case 1: 15007744
2: 15007745

As to Timothy Miller:

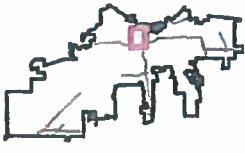
Charge	1:	Public Entertainment Premises License Required
	2:	Public Entertainment Premises License required (violation date 01/21/2015)
Finding	1:	Dismissed without prejudice
	2:	Dismissed without prejudice
Sentence	:	
Date	:	06/04/2015
Case	1:	15007751
	2:	15007750

14. On 01/24/2015 Milwaukee police conducted a licensed premise check at 730 North Old World Third Street (Boardroom Entertainment). Officers observed that the stage with a vertical pole that had been in the southwest corner of the business, had been removed. No dancing was observed. Two females were observed wearing bikini type outfits with the rest of the females dressed in normal casual clothing.
15. On 01/24/2015 Milwaukee police conducted a licensed premise check at 730 North Old World Third Street (Boardroom Entertainment). During this check, several people admitted to officers that they smoked in the basement of the business. All females inside the business were wearing "club" type clothing (skirts, shorts, cropped shirts and bikini tops).
16. On 01/25/2015 a Milwaukee police officer filed a PA33 regarding a conversation he had with Radomir Buzdum on 01/21/2015. During this conversation, Buzdum told the officer that he has dealt with other municipalities regarding licensed premises throughout the state. Buzdum stated that he has sued other communities over the adult entertainment license and every time he and the city have compromised or reached a settlement. He explained that he would sue for a large sum of money and ask for full nudity. In an effort to resolve the lawsuit, the municipality would counter with a requirement of bikini tops and bottoms and ultimately they would settle for "pasties" on top and thongs on the bottom. Buzdum said it was a revolving cycle and this was just the way he would have to play it.
17. On 04/19/2015 Milwaukee police responded to 730 North Old World Third Street (Rusty's Old 50) for a loud music complaint. Officers observed approximately 10 patrons inside the business which appeared to operating as a normal tavern.

Previous premise

Alcohol License Concentration for 730 N Old World Third St

City of Milwaukee, Wisconsin



- Legend -

- City limits
- Parcels
- Freeways
- Freeways
- Exit ramps
- Entry ramps
- Ramps
- Major streets
- Streets
- Waterways
- Alcohol licenses
 - Class A intoxicating liquor
 - Class A fermented malt beverage
 - Class A liquor and malt
 - Class B fermented malt beverage
 - Class B tavern
 - Class C wine retailer

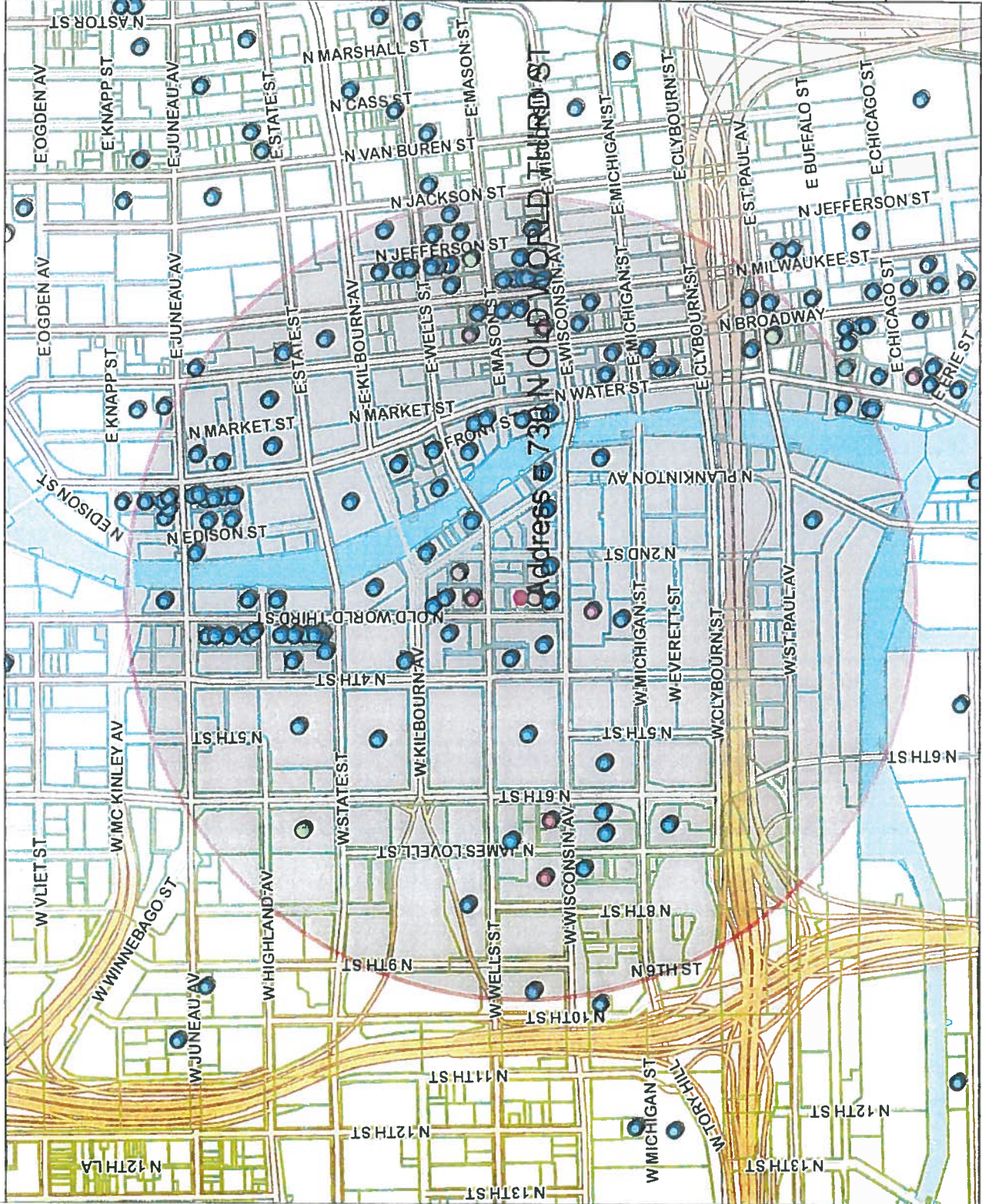


- Notes -

Licensed Alcohol Establishments Within a .5 Mile Radius Centered on 730 N Old World Third St on 10/04/2016



Department of Administration - ITMD



Map Scale: 1: 11,258

Disclaimer
10/4/2016

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Map Milwaukee Property Information



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P.O. Box 2965
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1000 North Water Street
Suite 1700
Milwaukee, WI 53202-3197

Telephone: 414-298-1000
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Toll Free: 800-553-6215
reinhartlaw.com

April 17, 2017

Deborah C. Tomczyk, Esq.
Direct Dial: 414-298-8331
dtomczyk@reinhartlaw.com

SENT BY EMAIL AND MESSENGER

The Honorable Anthony Zielinski, Chair
Licenses Committee
Common Council of the City of Milwaukee
200 East Wells Street, Room 205
Milwaukee, WI 53202

Dear Alderman Zielinski:

Re: Objection to Licenses at 730 North
Old World Third Street

On behalf of the Board of Business Improvement District No. 21 ("BID 21"), we submit this letter and its enclosures for inclusion in the official record for the application of Joseph Modl, Radomir Busdum, Scott Krahn and PPH Properties I, LLC (collectively, "PPH") for licenses to operate a gentlemen's club with exotic dancing and liquor sales at 730 North Old World Third Street (the "Premises"). As you know, BID 21 adamantly opposes licenses for a gentlemen's club at the Premises--as it has five times in the past. The reasons for our opposition are set forth below.

1. The Council has denied new or renewed licenses for these same operators (or some subset of them) for the same type of operation at this same Premises five times over the past five years.

- On July 24, 2012, the Council *denied* a similar application from Six Star Holdings, LLC whose members included Jon Ferraro, Joe Modl, Craig Ploetz and Scott Krahn.
- On November 26, 2013, the Council *denied* a similar application to Six Star.
- On January 6, 2015, the Council's Licenses Committee *held* a renewal application from Boardroom Entertainment MKE, LLC whose members included Dusanska Buzdum, Radomir Buzdum and Boro Buzdum.
- On October 13, 2015, the Council *denied* the renewal application and new application for addition of adult entertainment filed by the Buzdum group.

The Honorable Anthony Zielinski, Chair
Licenses Committee
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April 17, 2017

- On January 19, 2016, the Council again *denied* the application of Mookie Exotic, LLC whose members were the Buzdums.

The records for denial of those applications were clear. Denial was based on neighborhood testimony and the testimony of the applicants themselves.

To quote Alderman Bauman, "There is an inherent conflict between trying to generate retail and commercial with a gentlemen's club...just look at the economics of it. They are somewhat different markets. They are looking for different things by their very definition. And you're not going to put an American Girl's store next to a gentlemen's club [in Chicago] on Michigan Avenue, for example. They are conflicting markets." See *Six Star Holdings, LLC v. City of Milwaukee*, 932 F. Supp. 2d 941, 944 (Wis. 2013) enclosed as Tab A.

The Police Report before the Committee today confirms the presence of Radomir Buzdum on the Premises on January 21, 2015 and January 22, 2015 when illegal strip club operations were conducted in violation of the Council-approved plan of operation. The applicants' intent was clear, "Buzdum stated that he has sued other communities over the adult entertainment license and every time he and the city have compromised or reached a settlement agreement...that was just the way he would have to play it."

Now, the Committee and the Council are playing right into the hands of these applicants.

2. From the applicants' perspective, the only things that have changed are the lawsuits they have brought against the City and the City's willingness to strike a "deal". (See the BizTimes' article enclosed as Tab B.) But, the settlement agreements proposed to end these lawsuits are a terrible deal for the City--and fatally flawed.

- There has been no consideration of alternate locations for this establishment that could have lesser adverse secondary effects. These applicants are extorting, for money, what they want, where they want it.
- There is no reasonable regulation of this business. To the contrary, the City agrees "not to enact legislation that substantially burdens the operation of such a Gentlemen's Club for a period of six (6) years..." including:
 - no regulation that designates a minimum room size in which erotic

The Honorable Anthony Zielinski, Chair
Licenses Committee
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April 17, 2017

- dancers are required to perform;
- no requirements for any distance that erotic dancers must remain from patrons while performing;
- no requirement that erotic dancers must perform only on a stage; and
- no regulation that prohibits any touching...

This amounts to the City illegally contracting away its governmental powers--to give free reign to these applicants to operate.

- While the settlement agreements contemplate that these applicants will not seek additional licenses for new gentlemen's clubs at other locations, these applicants have not adhered to written agreements in the past, and we should not expect them to do so now.
- These settlement agreements do nothing to limit strip club applications from others in the future. To the contrary, these settlement agreements set a precedent that the City will issue licenses--if applicants file lawsuits.
- These settlement agreements also fail to balance the \$1 million damage claim that the City seeks to save against the millions of dollars in investment and in ANNUAL tax revenue that is in jeopardy if these licenses are granted.

3. From the neighborhood's perspective, what has changed since the five times that the Council denied similar applications is that this establishment will have even greater adverse secondary effects today.

4. Additional bad acts of the applicants and their partners have come to light.

- The June 22, 2016 GM Today article enclosed as Tab C reports that the Buzdums are \$36,000 in arrears in property taxes at their Germantown establishment jeopardizing liquor licenses there.
- The August 22, 2016 Journal Sentinel article enclosed as Tab D reports that co-litigant Jon Ferraro was indicted in a case targeting the Russian mob and involving money laundering and cocaine dealing.

5. But, while the applicants have shown themselves unworthy stewards of much-coveted licenses, their opponents have reinvested in and revitalized the area.

The Honorable Anthony Zielinski, Chair
Licenses Committee
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- A critical mass of residential development has occurred such that the immediate area has become, in essence, a residential neighborhood housing thousands of residents.
 - Grand Wisconsin Apartments, Library Hill, Boston Store Lofts and Majestic Lofts were neighbors to the Premises when the Council squashed the last five licensing attempts.
 - Over the last two years, MKE Lofts, the Buckler and the Wisconsin Tower Condominiums have opened and filled with occupants--after multi-million dollar reinvestments in the area.
- Springhill Suites and Hampton Inn & Suites have joined the Fairfield Inn, the Courtyard Marriott, the Milwaukee Hilton and the Hyatt Regency as nearly-next-door hotels.
- In February of 2017, the Council approved a tax increment financing package for the Grand Theatre and Boston Store improvements.
- The Milwaukee Symphony is in the middle of a nearly hundred million dollar fundraising campaign to relocate to the Grand Theatre.
- BID 21 and key partners are facilitating multi-million-dollar art displays on Wisconsin Avenue including Sculpture Milwaukee, utility box restoration and an on-the-avenue lighting project.

The case against these applicants and this establishment at this Premises is stronger than it has ever been. And, the City's willingness to strike a "deal" with these applicants, over the adamant objections of those living, working and investing in the area, is inexplicable.

Not only do we object to the substance of this deal, we also object to the procedures that have brought it about.

- Despite the well documented interest of BID 21 and the numerous parties who have objected in the past, we received no notice of today's hearing.
- This hearing was scheduled (just as the January 5, 2016 hearing was) on the day after a holiday--and with full knowledge that City Hall was closed for a preceding three-day weekend.

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April 17, 2017

- As we documented in correspondence to the City Attorney enclosed as Tab E, this application was not posted as required by City Code section 90-5-5-a-2-c as of April 13, 2017.
- Two Council Committees held two closed door meetings on this matter, one working day and three working days respectively, prior to today's hearing without articulating the specific nature of the business as required by 66 Wis. Op. Atty Gen. 93, 98 (1977). See the enclosed Tab F.

In summary, if the City follows through with these settlement agreements, it will be abdicating its governmental authority. Worse yet, the City is entering into a "deal" that does not achieve the supposed objectives--it does not protect the City against future lawsuits, attorneys fees or damages claims. In fact, the "deal" invites a whole host of new lawsuits.

We urge you, in the strongest possible terms, to deny the licenses to the PPH for a gentlemen's club at the Premises.

Yours very truly,


Deborah C. Tomczyk

- cc Honorable Mayor Tom Barrett (by email and messenger)
 Honorable Members of the Milwaukee Common Council (by email and messenger)
 ✓ Office of the City Clerk – License Division Jim Owczarski (by email and messenger)
 Office of the City Attorney (Adam Stephens and LaKeisha Butler) (by email and messenger)

932 F.Supp.2d 941
United States District Court,
E.D. Wisconsin.

SIX STAR HOLDINGS, LLC
and Ferol, LLC, Plaintiffs,
v.
CITY OF MILWAUKEE, Defendant.

Case No. 10-C-0893.

|
March 18, 2013.

Synopsis

Background: Applicants for tavern and tavern amusement licenses seeking to build adult erotic dance entertainment clubs brought action against city alleging violations of the First Amendment's protection of speech. City moved to dismiss.

Holdings: The District Court, Lynn Adelman, J., held that:

- [1] denial of tavern licenses was not a prior restraint;
- [2] tavern licensing ordinances did not confer unbridled discretion on city lawmakers; and
- [3] city's placing theatre license application on hold for six months violated the First Amendment.

Motion granted in part and denied in part.

Attorneys and Law Firms

*943 Jeff Scott Olson, Jeff Scott Olson Law Firm SC, Madison, WI, for Plaintiffs.

Adam B. Stephens, Stuart Mukamal, Milwaukee City Attorney's Office, Milwaukee, WI, for Defendant.

DECISION AND ORDER

LYNN ADELMAN, District Judge.

Since 2009, plaintiffs Six Star Holdings, LLC and Ferol, LLC have sought to open night clubs featuring erotic dance entertainment in the downtown area of the City of Milwaukee. In order to both serve liquor and present erotic dancing, *944 the plaintiffs had to obtain two licenses under the Milwaukee Code of Ordinances: a tavern license and a "tavern amusement" license. In August 2010, each plaintiff applied for both licenses, and the City denied their applications. A year later, in September 2011, plaintiff Six Star decided to open a night club that featured erotic dance entertainment but did not serve alcohol. Six Star thought that to open such a "dry" gentlemen's club, it needed to be licensed to operate a theater. It therefore applied for a theater license. However, the City never acted on that application. Instead, a few months after Six Star applied for a theater license, the City repealed the chapter of the Code of Ordinances that provided for issuance of theater licenses. At the same time, the City also repealed the ordinance governing tavern-amusement licenses as well as a related ordinance governing "public entertainment clubs." The City replaced these ordinances with new ordinances governing "public entertainment premises."

In the present lawsuit, which arises under 42 U.S.C. § 1983, the plaintiffs allege that the former ordinances governing tavern amusement, theaters, and public entertainment clubs violated the First Amendment. They also allege that the tavern, tavern-amusement, and theater ordinances were unconstitutionally applied to them. The plaintiffs do not seek any injunctive or other form of prospective relief, and they do not bring any claims involving the newly enacted ordinance governing public entertainment premises. Instead, they seek only damages for the time period in which the repealed ordinances (and the tavern ordinance, which is still in force) prevented them from offering erotic dance entertainment in the City. Before me now are the parties' motions for summary judgment.

I. BACKGROUND

The plaintiffs are managed by John Ferraro, who is the manager of three existing erotic dance establishments in Wisconsin, each named Silk Exotic Gentlemen's Club. One of these establishments is located in the City of Milwaukee, although not in the downtown area. In 2009, Ferraro formed Ferol and leased premises located on Pittsburgh Avenue in downtown Milwaukee, intending

to open a new erotic dance establishment, named Satin. Because Satin would have offered both liquor and erotic entertainment, Ferol needed to obtain both a tavern license and a tavern-amusement license. Ferol applied for both licenses in July 2009. Once the applications were filed, the alderman for the district in which Satin was to be located informed his constituents of Ferol's proposal. Many in the neighborhood voiced opposition to the proposal, and Ferol's lawyer advised it that, based on the amount of public opposition, the applications were sure to be denied. Under the Code of Ordinances, when a license application is denied, the applicant is disqualified from applying for the same license for the same premises for one year. See Milwaukee Code of Ordinances § 85-13-4-a. After considering the advice of its lawyer, Ferol decided to withdraw its applications rather than risk having the applications denied and being prohibited from reapplying for one year.

In August 2010, Ferraro decided to reapply for tavern and tavern-amusement licenses for Satin. He also decided to attempt to open a third erotic dance establishment in the City of Milwaukee and formed Six Star for the purpose of operating that establishment, which would have been named Silk East. Six Star proceeded to execute a lease for a location on Old World Third Street in downtown Milwaukee and to apply for the necessary tavern and tavern-amusement licenses.

*945 Soon after Ferol and Six Star filed their applications, community members expressed opposition to the proposals. However, rather than withdraw their applications, both Ferol and Six Star decided to proceed to a hearing before the Licenses Committee of the Milwaukee Common Council, which was held on September 20, 2010. During the hearing, the Committee heard testimony from members of the communities surrounding each proposed establishment. The plaintiffs had lawyers present and were permitted to cross-examine the community members who testified in opposition to the applications. The plaintiffs were also permitted to present their own witnesses in support of their applications.

The Committee heard Six Star's applications first. Sixteen witnesses testified in opposition to its proposal for the Old World Third location. Ten of those witnesses represented commercial interests in the neighborhood, such as existing retail stores, hotels, and business associations. They almost uniformly opposed using the location as an erotic

dance establishment on the ground that such a use would have been inconsistent with a development plan that had been adopted for the neighborhood. The business representatives testified that the goal of the development plan was to attract more retail establishments to the neighborhood, such as clothing stores and other shops, and that the presence of a gentlemen's club would deter retailers from moving in. Most of the remaining witnesses were residents of the neighborhood, including individuals who lived in apartments above the proposed location. Those witnesses expressed concern about the noise that the proposed establishment would generate, about the safety of the neighborhood given the kind of clientele adult establishments are known to attract, and about the effect of the establishment on property values. Some of the residents also noted that the area was already oversaturated with bars and night clubs. One resident, Francisco Camacho, indicated that he found erotic dancing offensive. He testified that he opposed both Six Star's and Ferol's proposals on the ground that erotic dancing perverts the community and is against the teachings of Islam.

Alderman Bauman, the alderman for the district, testified in opposition to Six Star's applications. He mostly emphasized the concerns of the business community and their efforts to turn the area into one focused on shopping and retail. As he explained:

There is an inherent conflict between trying to generate retail and commercial with a gentlemen's club. Forget the morality issue, forget the propriety of it all, just look at the economics of it. They are somewhat different markets. They are looking for different things by their very definition. And you're not going to put an American Girl's store next to a gentlemen's club on Chicago Avenue and Michigan Avenue, for example. They are conflicting markets.

You've heard from the downtown. The City of Milwaukee has invested, I believe it's \$50,000 with a match from the downtown stakeholders of another \$50,000 for a \$100,000 fund to attempt to catalyze downtown retail investment. Again, we're working at cross purposes. If we allow clubs that will retard that retail development, our investments are making no sense.

Continuation of Licenses Committee Hearing Tr., Sept. 20, 2010 at 12-13, ECF No. 61-2.

Once all testimony had been taken, the Committee discussed Six Star's applications. Alderman Hamilton moved to recommend that the Common Council deny the applications on the ground that granting the licenses would be contrary to the *946 health, safety and welfare of the neighborhood. He explained that his motion was based on the inconsistency between an erotic dance establishment and the kind of retail environment that the neighborhood was trying to create, and also on the residents' "resounding opposition" to the proposal. *See id.* at 19–20. The Committee voted to recommend that the Common Council deny Six Star's applications. The vote was unanimous.

Turning to Ferol's applications, the Committee heard testimony from eleven witnesses who opposed the proposal. The witnesses included representatives of the business community and residents of the neighborhood. Both the residents and the business representatives stated that the proposal was inconsistent with a development plan that had been adopted for the area. As one witness explained, the development plan called for a mix of residential and retail uses, including so-called "mixed" uses in which retail or commercial establishments occupied the first floor of a building and residential units occupied the upper floors. *See Continuation of Licenses Committee Hearing Tr.*, Sept. 20, 2010 at 22–25, ECI No. 62–1. The plan specified that the commercial uses in the neighborhood would be "boutique-scaled," which meant that they would be small-scale businesses such as boutique retailers and design showrooms. *Id.* at 22–23. The witness explained that the proposal for Satin involved a large facility (20,000 square feet and up to 1,000 to 1,200 patrons per day) that was significantly out-of-scale with this focus on boutique uses. The witness further explained that there was not enough parking in the area to support a facility of that size. Other witnesses echoed this concern about adequate parking. Still other witnesses expressed concern about the effect of the proposal on residential property values and on neighborhood safety, and about potential noise and traffic issues.

Alderman Witkowiak, the alderman for the district, also testified in opposition to Ferol's applications. He mostly reiterated the concerns expressed by the community members who testified in opposition to Ferol's applications. He explained that the proposal was too large and out-of-scale for the neighborhood, that there would

be inadequate parking space to support the proposal, that the proposal was inconsistent with the development plan for the area, and that some residents were concerned about safety and property values.

Once all testimony had been taken, the Committee discussed Ferol's applications. This time, Alderman Kovacs moved to recommend that the Common Council deny them. He cited the overwhelming objections by the residents and businesses in the neighborhood and potential parking and traffic problems. The Committee unanimously voted to recommend that the Common Council deny Ferol's applications.

The next day, September 21, 2010, the Common Council voted to accept the Licensing Committee's recommendations on Six Star's and Ferol's applications for tavern and tavern-amusement licenses.

Approximately one year later, Six Star decided that it would attempt to operate the Old World Third location as a "dry" gentlemen's club—i.e., a night club that featured erotic dance entertainment but that did not serve alcohol. Six Star thought that it needed a theater license under Chapter 83 of the Code of Ordinances to operate such an establishment, and on September 14, 2011, it applied for such a license. Pursuant to its usual practice, the City Clerk's office notified the alderman for the district that the application had been filed. That was Alderman Bauman, and he instructed the City Clerk to "hold" Six Star's application. Because of this hold, Six Star's application was not set for a hearing before the Licenses Committee, and no action was ever taken on *947 the application before the City repealed Chapter 83.

II. DISCUSSION

A. Claims Involving Tavern and Tavern-Amusement Licenses

The plaintiffs' primary claims are that the tavern-amusement ordinance, which, before March 1, 2012, appeared in Chapter 90 of the Milwaukee Code of Ordinances,¹ was unconstitutional on its face and unconstitutionally applied to them. However, the tavern-amusement ordinance did not, by itself, prevent either plaintiff from operating taverns that featured erotic dance entertainment. Rather, the plaintiffs needed both tavern licenses and tavern-amusement licenses to open

the kind of nightclubs they planned to open.² The City considered the plaintiffs' applications for both of these kinds of licenses together at the same hearing and denied them both for the same reasons. *See* Licenses Committee Hearing Tr., Sept. 20, 2010, at 2, ECF No. 59-1; Continuation of Licenses Committee Hearing Tr., Sept. 20, 2010, at 3, ECF No. 62-1. The plaintiffs have not argued that the tavern-licensing ordinance was unconstitutional on its face and have not clearly developed any argument showing that it was unconstitutionally applied to them. Yet, unless plaintiffs could show that the tavern-licensing ordinance was either unconstitutional on its face or unconstitutionally applied to them, they would not be entitled to damages even if the tavern-amusement ordinance were invalidated. Nonetheless, the arguments that plaintiffs make against the tavern-amusement ordinance to a certain extent imply that the City applied the tavern-licensing ordinance unconstitutionally, and the City does not argue that it is entitled to summary judgment on the ground that the plaintiffs have not brought a proper challenge to the tavern-licensing ordinance. Thus, I consider plaintiffs to be challenging the tavern-amusement ordinance both on its face and as-applied, and the tavern-licensing ordinance as-applied.

Turning to these challenges, the plaintiffs' first argument is that the City imposed a "prior restraint" on speech without complying with the strict procedural requirements governing prior restraints. *See, e.g., FW/PBS, Inc. v. City of Dallas*, 493 U.S. 215, 110 S.Ct. 596, 107 L.Ed.2d 603 (1990); *City of Lakewood v. Plain Dealer Publ'g Co.*, 486 U.S. 750, 108 S.Ct. 2138, 100 L.Ed.2d 771 (1988); *Freedman v. Maryland*, 380 U.S. 51, 85 S.Ct. 734, 13 L.Ed.2d 649 (1965). However, the Seventh Circuit rejected that very argument in *Blue Canary Corp. v. City of Milwaukee*, 251 F.3d 1121 (7th Cir.2001). There, the Seventh Circuit considered a challenge to a City of Milwaukee tavern-licensing decision that was in all material respects the same as the challenge the plaintiffs bring in the present case—a challenge involving the City's denial of a tavern license and an appropriate tavern-amusement license for a tavern that wanted to present erotic entertainment.³ The court framed *948 the question presented as whether the City was permitted to take into account, in deciding whether to grant the licenses, "the character of the entertainment that the plaintiff served with its drinks." *Id.* at 1123. The plaintiff had argued that, in answering that question,

the court should treat the City's licensing requirements as prior restraints. However, the court rejected that argument and evaluated the City's requirements under the standards applicable to time, place, or manner restrictions. *Id.* Accordingly, in the present case, I must treat the City's licensing requirements as time, place, or manner restrictions rather than as prior restraints.⁴ *See also Schultz v. City of Cumberland*, 228 F.3d 831, 851 (7th Cir.2000) ("Licensing, though functioning as a prior restraint, is constitutionally legitimate when it complies with the standard for time, place or manner requirements.").

[1] *Blue Canary* also establishes that a city's decision to deny tavern licenses on the basis of the "character" of the applicant's proposed entertainment is, in general, a permissible regulation of the time, place, or manner of expressive activity. As the court explained, a city is permitted to consider the secondary effects of the entertainment, such as noise, safety, parking and traffic problems, and the general incompatibility of the entertainment with the normal activity of the neighborhood, when making licensing decisions. *See* 251 F.3d at 1123-25. In the present case, the transcript of the licensing hearing indicates that the City denied the plaintiffs' license applications for reasons having to do with these secondary effects rather than with disapproval of the content of the proposed expressive activity. The primary reason for denying the licenses for Silk East was that its presence in the neighborhood would have deterred the kind of retailers the community was trying to attract. As the alderman for the district testified, a retailer like American Girl® is unlikely to open a shop next to a gentlemen's club. This was a permissible basis for denying the licenses. *See id.* at 1124 ("Countless cases allow municipalities to zone strip joints, adult book stores, and like erotic sites out of residential and the classier commercial areas of the city or town. Establishments that purvey erotica, live or pictorial, tend to be tawdry, to be offensive to many people, and to attract a dubious, sometimes a disorderly, clientele. Liquor and sex are an explosive combination, so strip joints that sell liquor are particularly unwelcome in respectable neighborhoods."). Likewise, the decisions to deny the licenses for Satin were based on its incompatibility with the neighborhood—the community members testified that the proposal was out-of-scale and that it would present parking, traffic, and safety issues. Again, a decision based on such secondary effects rather than on disagreement with the content of the

expressive message qualifies as a permissible time, place, or manner regulation.⁵

*949 The plaintiffs argue that the City's decisions cannot be upheld under a secondary-effects rationale because the City did not produce formal studies or other credible evidence supporting its conclusion that erotic entertainment generates secondary effects. See Reply Br. at 5–8, ECF No. 75. However, the cases on which plaintiffs rely for the proposition that a city must produce evidence concerning secondary effects involved ordinances that, by their terms, expressly regulated erotic entertainment. See *City of Los Angeles v. Alameda Books*, 535 U.S. 425, 122 S.Ct. 1728, 152 L.Ed.2d 670 (2002), *Annex Books, Inc. v. City of Indianapolis*, 581 F.3d 460 (7th Cir.2009), *R.V.S., L.L.C. v. City of Rockford*, 361 F.3d 402, 411 (7th Cir.2004). In the present case, neither the tavern-licensing ordinance nor the tavern-amusement ordinance purported to regulate erotic activity specifically. Rather, those ordinances were designed to deal with the direct effects of taverns and the secondary effects of all forms of tavern entertainment. See Milwaukee Code of Ordinances § 90–35–1 (stating that City had found that tavern entertainment “can be a source of noise, litter, large and unruly congregations of people, and traffic and parking congestion that adversely affects the health, safety and welfare of the people of the city of Milwaukee”). No authority of which I am aware holds that a city must rely on formal studies before it may conclude that tavern entertainment has the potential to produce secondary effects such as noise, parking, and traffic problems, or the potential to conflict with the normal activity of a neighborhood. That conclusion would seem to be obvious, just as it is obvious that rallies held in a public park have the potential to generate excessive noise and other secondary effects. See *Thomas v. Chicago Park District*, 227 F.3d 921, 924 (7th Cir.2000). Moreover, at the licensing hearing, the City did take evidence, in the form of testimony from those in the neighborhood, before concluding that the plaintiffs' proposals would in fact generate undesirable secondary effects. *Blue Canary* establishes that neighborhood testimony is appropriate evidence concerning the secondary effects of a proposed form of tavern entertainment. 251 F.3d at 1124–25. Thus, before the City denied the plaintiffs' license applications, it did consider appropriate evidence concerning secondary effects, and so the City's decisions were not inconsistent with *Alameda Books* and related cases.

[2] The plaintiffs also argue that the City cannot satisfy the prong of the time, place, or manner test requiring the government to leave open reasonable alternative avenues of communication. See *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41, 47, 106 S.Ct. 925, 89 L.Ed.2d 29 (1986).⁶ Although the plaintiffs initially argue that the City cannot show that it left open reasonable alternative avenues for all forms of tavern entertainment—including musical performances, stand-up comedy, dancing, karaoke, and other forms of tavern entertainment—their focus is on the lack of alternative avenues for erotic entertainment.⁷ Plaintiffs argue that, to carry its burden as to reasonable alternatives, the City must point to parcels of property *950 where erotic entertainment was permitted as a matter of right rather than at the discretion of the City's licensing authorities. However, neither the Supreme Court nor the Seventh Circuit has held that a time, place, or manner restriction leaves open reasonable alternative avenues of communication only if it permits certain forms of expression as a matter of right in designated areas. Thus, the City's burden is not to point to sites where erotic dancing was permitted without a license. Rather, to satisfy the reasonable-alternatives requirement, the City must show that it did not exercise its licensing authority in a way that resulted in an unreasonable restriction on erotic expression.

To that end, the City has offered evidence as to the number of taverns allowed to present erotic dance entertainment in the City of Milwaukee between 2006 and 2010. There were fifteen taverns that presented erotic entertainment on a regular basis in 2006, fourteen in 2007, ten in 2008, twelve in 2009, and eleven in 2010. Each year, a few other taverns offered erotic entertainment on a part-time or occasional basis. (In 2010, for example, five taverns offered occasional erotic entertainment.) The plaintiffs contend that these numbers are insufficient for a city with a population close to 600,000. However, no evidence in the record indicates that any person who wanted to view erotic dance entertainment in the City of Milwaukee between 2006 and 2010 found it unreasonably difficult to do so.

[3] [4] The plaintiffs contend that even if the number of erotic dance establishments in Milwaukee was sufficient to meet the needs of consumers of such entertainment, a time, place, or manner restriction must also allow those who wish to present such entertainment a reasonable opportunity to present it. That general proposition is true.

See *North Avenue Novelties, Inc. v. City of Chicago*, 88 F.3d 441, 444 (7th Cir.1996) (noting that, when examining availability of reasonable alternatives, “it is necessary to focus both on the ability of producers as a group to provide sexually explicit expression, as well as on the ability of the public as a whole to receive it”). However, the evidence in the record does not show that the licensing requirements left purveyors of erotic entertainment with no reasonable opportunities to operate in the City. True, the licensing ordinance prevented the plaintiffs from opening erotic dance establishments at their chosen locations, but the plaintiffs have not shown that they could not have found alternative locations in the City. Of course, because of the licensing requirements, the plaintiffs could not have known for sure whether they would have been permitted to offer erotic dance entertainment at any specific alternative location unless they actually applied for a license for that location and received a decision on the application, but the plaintiffs have offered no evidence suggesting that they even considered alternative sites, such as sites that were not located in the downtown area.⁸ Moreover, the plaintiffs have offered no evidence from other would-be purveyors of erotic entertainment indicating that the City’s licensing requirements prevented them from offering *951 erotic entertainment within the city limits. To be sure, the plaintiffs point out that a fair number of applications for new erotic taverns were either denied or withdrawn between 2006 and 2010, but no context is given for those denials and withdrawals (other than those involving the plaintiffs’ applications). For example, I have not been told where the proposed taverns would have been located, whether the proposed licensees made reasonable efforts to find alternative locations, or whether the proposed licensees were qualified to hold tavern licenses in the first place. Thus, based on the present record, which includes the fact that a number of taverns featuring erotic dance entertainment operated within the city limits during the time period relevant to this suit—including one operated by the manager of the plaintiffs—I conclude that the City left open reasonable alternative avenues for presenting and consuming erotic dance entertainment.

[5] [6] The plaintiffs also contend that the tavern and tavern-amusement ordinances granted City officials “unbridled discretion” to determine whether to grant or deny such licenses. “Unbridled discretion” is a phrase that derives from prior-restraint cases involving censorship, see *Southworth v. Bd. of Regents*, 307 F.3d 566, 575–78 (7th

Cir.2002) (discussing history of unbridled discretion), but it has been applied in cases in which the prior restraint is analyzed as a time, place, or manner restriction, see *Thomas v. Chicago Park Dist.*, 534 U.S. 316, 323, 122 S.Ct. 775, 151 L.Ed.2d 783 (2002). However, in either kind of case, the concern behind the unbridled-discretion standard is censorship—a risk that the licensing authority will use its unduly broad discretion to favor or disfavor speech based on content. *Id.* The standard is usually applied in circumstances where the law at issue either explicitly involves censorship, such as the law governing the Maryland board of censors at issue in *Freedman v. Maryland*, 380 U.S. 51, 85 S.Ct. 734, 13 L.Ed.2d 649 (1965), or when the law at issue presents a significant censorship risk, such as when a single person is granted power over a newspaper’s ability to sell papers, see *City of Lakewood v. Plain Dealer Pub’g Co.*, 486 U.S. 750, 108 S.Ct. 2138, 100 L.Ed.2d 771 (1988), or a single person is granted power to decide whether a group will be allowed to hold a rally in a public park, see *Thomas*, 534 U.S. at 323–24, 122 S.Ct. 775.

[7] In the present case, the tavern and tavern-amusement licensing requirements did not explicitly involve censorship, and they did not present a significant censorship risk. As discussed, the purpose of the licensing requirements was not censorship but to ensure that a proposed form of tavern entertainment was basically compatible with the neighborhood in which it planned to locate. Moreover, it is difficult to envision a realistic scenario in which the Licenses Committee could have used its licensing power to favor or disfavor specific forms of expressive tavern entertainment. As the Seventh Circuit recognized in *Blue Canary*, the City of Milwaukee is a major city rather than a small town with a homogenous population that is likely to find certain forms of tavern expression offensive and to want to ban them from the City. 251 F.3d at 1124. Thus, there was never any realistic chance that the Licenses Committee would have used its licensing authority to facilitate a campaign to ban rock music, erotic dancing, or any other form of entertainment from the City’s taverns. It is also important to take note of the procedural elements of the licensing ordinances, which required the Licenses Committee to hold a public hearing and make its recommendation to the Common Council in writing. See Milwaukee Code of Ordinances § 90–35–4–c; Stip. Facts ¶¶ 25–40, ECF No. 44. If the City’s residents had found a particular form of tavern entertainment offensive and opposed *952 a license

application for that reason, and the Licenses Committee had recommended denial of the application for the same reason, those events would have been out in the open and could have been remedied through an as-applied challenge. This is in contrast to unbridled-discretion cases like *City of Lakewood*, in which the decisionmaker could have rendered an as-applied challenge ineffective by denying a license without holding a hearing or identifying the evidence on which he or she relied. 486 U.S. at 769, 108 S.Ct. 2138. Thus, in the present case, the tavern and tavern-amusement ordinances were not invalid on the ground that they vested decisionmakers with unbridled discretion.

[8] [9] The plaintiffs also argue that the tavern and tavern-amusement ordinances do not satisfy *United States v. O'Brien*, 391 U.S. 367, 88 S.Ct. 1673, 20 L.Ed.2d 672 (1968). In that case, the Supreme Court held that a content-neutral regulation that has an incidental effect on expression satisfies the First Amendment if it meets a four-pronged test: “[1] if it is within the constitutional power of the Government; [2] if it furthers an important or substantial governmental interest; [3] if the governmental interest is unrelated to the suppression of free expression; and [4] if the incidental restriction on alleged First Amendment freedoms is no greater than is essential to the furtherance of that interest.” *Id.* at 377, 88 S.Ct. 1673. Plaintiffs argue that the tavern and tavern-amusement ordinances did not satisfy the first prong of the *O'Brien* test—that the ordinances be “within the constitutional power of the Government”—and they give two reasons in support of this argument: (1) the ordinances were contrary to Chapter 125 of the Wisconsin Statutes, which relates to alcoholic beverages, and (2) the ordinances were de facto zoning regulations that were not passed pursuant to the state-law procedures that apply to zoning regulations. In making these arguments, the plaintiffs assume that *O'Brien's* first prong allows a court to examine whether a municipality complied with state law when passing the regulation at issue. However, I can find no authority that supports this assumption. *O'Brien's* first prong is rarely discussed, but there is no indication that it was meant to “constitutionalize” matters of state law.⁹ Rather, when courts apply *O'Brien's* first prong to a municipal regulation, they ask only whether the regulation at issue is of a kind that is within the “general police powers” of a municipality. See *Ben's Bar, Inc. v. Vill. of Somerset*, 316 F.3d 702, 722–23 (7th Cir.2003). In the present case, there is no question that regulating the locations of taverns

and the time, place and manner of tavern entertainment is within the general police powers of a municipality. *Id.* at 722 (holding that a municipality’s “regulation of alcohol sales and consumption in ‘inappropriate locations’ is clearly within its general police powers”); *Blue Canary*, 251 F.3d at 1124. To the extent plaintiffs believe that the City failed to comply with state law when passing the specific ordinances at issue, they may have a claim against the City under state law. However, in the present case, the plaintiffs have brought *953 no state-law claims and proceed only under 42 U.S.C. § 1983. See Fourth Amended and Supplemental Complaint ¶ 101, ECF No. 36. Thus, these matters of state law are not subject to review in this case.

[10] Finally, Six Star argues that the City’s decision to deny its license applications was “discriminatory” because the City ultimately granted tavern and tavern-amusement licenses for the Old World Third premises to another applicant, Robert Smith. Six Star contends that the only difference between its proposal and Smith’s proposal was that Smith did not propose to offer erotic entertainment. That appears to be true, but as discussed, the City was allowed to base its decision on “the character of the entertainment” that Six Star intended to present and whether such entertainment was compatible with the normal activity of the neighborhood. *Blue Canary*, 251 F.3d at 1123. Here, the decision to permit Smith’s tavern but exclude Six Star’s gentlemen’s club is explainable by the fact that the presence of an ordinary tavern in the neighborhood would not have deterred respectable retailers from moving in, whereas the presence of a gentlemen’s club would have. Thus, the City’s having granted tavern and tavern-amusement licenses for the Old World Third premises to a different applicant does not show that the decision to deny Six Star’s applications for the same licenses was based on impermissible factors.

Accordingly, the City’s motion for summary judgment on plaintiffs’ claims involving the tavern and tavern-amusement ordinances will be granted.

B. Theater Ordinance

Former § 83–1–2 of the Milwaukee Code of Ordinances stated that “[n]o person, firm or corporation ... shall keep, maintain, conduct or operate for gain or profit, any theater or moving picture house in the city without first obtaining a license therefore.” Section 83–1–1–b defined “theater” as “any edifice, or parts thereof,

used for the purposes of dramatic or operatic or other exhibitions, plays or performances for admission to which remuneration or any other consideration is paid, charged or received.” Section 83-1-5-b stated that an application for a theater license “shall be granted when the following requirements are met: the building, structure or premises for which the license is sought must conform in all respects to the provisions of this section and to the law of this state and the ordinances of the city applying to such buildings, structures, or premises.”

In September 2011, Six Star applied for a license to operate the Old World Third location as a theater called the Outer Limits Gentlemen's Club. The theater would have offered erotic dance entertainment but no alcohol. It is undisputed that, pursuant to a “hold” placed on Six Star's application by Alderman Bauman, no decision was ever made on Six Star's application. The theater ordinance was repealed effective March 1, 2012.

[11] The plaintiffs claim that former Chapter 83 was unconstitutional on its face and was unconstitutionally applied to Six Star. I begin with Six Star's as-applied challenge, which hinges on the fact that the City dragged its heels and never reached any decision on the licensing application before repealing the theater ordinance.¹⁰ Numerous cases recognize that a licensing or permitting scheme that touches upon expression violates the First *954 Amendment when it allows the government to unreasonably delay or postpone a decision on whether to grant or deny a license. *See, e.g., City of Lakewood*, 486 U.S. at 771, 108 S.Ct. 2138; *Freedman*, 380 U.S. at 57-58, 85 S.Ct. 734; *Vodak v. City of Chicago*, 639 F.3d 738, 749 (7th Cir.2011); *Thomas*, 227 F.3d at 927-28. Here, the theater ordinance was a regulation governing the time, place, or manner of expressive activity—namely, “dramatic or operatic or other exhibitions, plays or performances,” § 83-1-1-b. Thus, to defeat Six Star's as-applied challenge, the City must offer a legitimate explanation for its failure to render a prompt decision on Six Star's application to engage in such expressive activity at the Old World Third location.

The City's primary argument is that Six Star applied for the wrong kind of license. It contends that, in September 2011, the license required for offering erotic dance entertainment in an establishment that does not serve alcohol was the public entertainment club license required by Milwaukee Code of Ordinances § 108-5-1-a

(2010). However, even if that were true, it would not have justified the City's failure to render a decision on Six Star's application. If the City believed that Six Star had applied for the wrong license, it should have denied the application on that ground. Then, if Six Star thought it had applied for the correct license, it could have challenged the City's decision in an appropriate legal action.

In any event, the facts in the record do not establish that Six Star applied for the wrong type of license. The public entertainment club ordinance required any person who wanted to offer “public entertainment” to obtain an appropriate license or permit. Milwaukee Code of Ordinances § 108-5-1-a (2010). “Public entertainment” was defined as “any entertainment of any nature or description to which the public generally may gain admission, whether with or without the payment of a fee.” *Id.* § 108-3-3. This definition included plays and other forms of entertainment that fell within the scope of the theater ordinance. However, one did not need both a theater license and a public entertainment club license to offer the kind of entertainment that fell within the scope of the theater ordinance. This was so because the public entertainment club ordinance stated that the holder of a theater license did not need to obtain a public entertainment club license. *Id.* § 108-5-2-c. Moreover, nothing in either ordinance indicated that an establishment that wanted to offer erotic dance entertainment could not have operated under a theater license instead of a public entertainment club license.¹¹ The repealed ordinances allowed Six Star to choose which type of license it wanted, and it chose to apply for a theater license. Accordingly, the City could not have denied Six Star's application for a theater license on the ground that Six Star should have applied for a public entertainment club license instead.¹²

*955 Accordingly, because the City has offered no legitimate explanation for its failure to render a prompt decision on Six Star's application for a theater license, plaintiffs' motion for summary judgment on the issue of whether the theater ordinance was unconstitutionally applied to it will be granted. This result eliminates the need to address Six Star's facial challenge to the repealed ordinance.

[12] [13] There is still the matter of Ferol's facial challenge to the theater ordinance. Ferol never applied for a license under Chapter 83. However, Ferol contends

that because the theater ordinance was a prior restraint, it has standing to challenge the ordinance and to obtain damages. As a general matter, it is true that a plaintiff can bring a facial challenge to an allegedly unconstitutional licensing regulation without applying for a license. See *City of Lakewood*, 486 U.S. at 755–56, 108 S.Ct. 2138. However, in the present case, the ordinance has been repealed, and Ferol's Article III standing depends on its having sustained damages as a result of Chapter 83's existence. Yet, the summary-judgment record contains no affidavit or other evidence indicating that Ferol had concrete plans to open a dry gentlemen's club (as opposed to a tavern) at the Pittsburgh Avenue location or any other location in the City of Milwaukee during the time that Chapter 83 was in force. Thus, I do not see how Ferol could have been damaged by the mere existence of Chapter 83, and so I am not satisfied that Ferol has standing to challenge Chapter 83 on its face. See *Summers v. Earth Island Inst.*, 555 U.S. 488, 499, 129 S.Ct. 1142, 173 L.Ed.2d 1 (2009) (“it is well established that the court has an independent obligation to assure that standing exists, regardless of whether it is challenged by any of the parties”). Therefore, I will not adjudicate Ferol's facial challenge to Chapter 83 on the merits at this time. However, should Ferol believe that it can establish Article III standing, it may submit appropriate affidavits to that effect and I will reconsider this ruling.

C. Public Entertainment Club Ordinance

The remaining claims are the plaintiffs' facial challenges to the former public entertainment club ordinance, which appeared in Chapter 108 of the Milwaukee Code of Ordinances. As already discussed in the context of plaintiffs' claims involving the theater ordinance, Chapter 108 provided that no person could offer any form of public entertainment without obtaining either a public entertainment club license or a theater license. Having ruled that Six Star is entitled to damages in connection with its as-applied challenge to the theater ordinance, I do not need to separately consider Six Star's facial challenge to the public entertainment club ordinance, as both claims involve the same pool of damages—namely, damages attributable to Six Star's inability to offer erotic dance entertainment without also serving alcohol at the Old World Third location. Moreover,

because the record contains no affidavits or other evidence indicating that Ferol had any concrete plans to offer erotic dance entertainment without also serving alcohol at the Pittsburgh Avenue location or any other location during the time that the public entertainment club license was in force, I am not satisfied that Ferol has Article III standing to bring a facial challenge to the public entertainment club ordinance. See *Summers*, 555 U.S. at 499, 129 S.Ct. 1142. Accordingly, I do not need *956 to reach the merits of plaintiffs' facial challenges to Chapter 108 at this time. Again, if Ferol believes that it can establish Article III standing, it may submit appropriate affidavits and I will reconsider this ruling.

III. CONCLUSION

For the reasons stated, **IT IS ORDERED** that plaintiffs' motion for summary judgment is **GRANTED IN PART** and **DENIED IN PART**, and that defendant's motion for summary judgment is **GRANTED IN PART** and **DENIED IN PART**. Summary judgment is granted to the City on plaintiffs' claims involving the tavern and tavern-amusement ordinances. Summary judgment is granted to Six Star on the issue of the City's liability for damages relating to Six Star's inability to offer erotic dance entertainment without also serving alcohol at the Old World Third location. I do not reach the merits of Ferol's claims involving the theater ordinance and the public entertainment club ordinance. If Ferol believes that it can prove that it suffered damages that are traceable to those ordinances, then it may attempt to do so during further proceedings.

IT IS FURTHER ORDERED that the parties' motions to file briefs that exceed the page limitations [ECF Nos. 48 & 54] are **GRANTED**.

FINALLY, IT IS ORDERED that an in-person status conference will be held on **April 11, 2013 at 10:30 a.m.** to discuss further proceedings.

All Citations

932 F.Supp.2d 941

Footnotes

- 1 Before March 1, 2012, sections 90–33, 90–34, and 90–35 of the Milwaukee Code of Ordinances pertained to tavern-amusement licenses. When I use the term “tavern-amusement ordinance,” I am referring to those former sections of the Ordinances.
- 2 Various provisions in Chapter 90 of the Code of Ordinances pertain to tavern licensing. Section 90–5 specifies the criteria for obtaining such a license, and when I use terms like “tavern-licensing ordinance” or “tavern ordinance,” I am referring to that section.
- 3 In *Blue Canary*, the tavern sought renewal of its existing tavern license rather than a new license. However, for present purposes, there is no material difference between renewal of an existing license and denial of an application for a new license.
- 4 The plaintiffs contend that *Blue Canary* was wrongly decided. See Opening Br. at 31 n. 4. However, as plaintiffs acknowledge, I am bound by Seventh Circuit precedent.
- 5 Although the vast majority of the testimony at the hearing focused on secondary effects, at least one community member's objection to Silk East and Salin was based, in part, on his moral objection to erotic entertainment. See Licenses Committee Hearing Tr., Sept. 20, 2010 at 5–7, ECF No. 59–1 (testimony of Francisco Camacho). However, objections like Mr. Camacho's were few and far between, and the record of the hearing does not indicate that the Licenses Committee gave those objections any weight. To be sure, the aldermen said that their decisions were based on the “overwhelming” or “resounding” neighborhood opposition to the proposed establishments, and they did not disclaim statements like Mr. Camacho's, but given that the vast majority of the opposition was based on secondary effects, I cannot conclude that the content-based objections played a causal role in the City's decision. I also note that, in *Blue Canary*, at least some of the public opposition to the renewal of the plaintiff's liquor license was based on “moral disapproval of the entertainment,” 251 F.3d at 1122, yet the court found no constitutional violation in the City's decision not to renew the license.
- 6 Under the usual formulation of the test, time, place, or manner restrictions are constitutional if they are content-neutral, narrowly tailored to serve a substantial governmental interest, and do not unreasonably limit alternative avenues of communication. See, e.g., *Ward v. Rock Against Racism*, 491 U.S. 781, 791, 109 S.Ct. 2746, 105 L.Ed.2d 661 (1989); *City of Renton*, 475 U.S. at 46–47, 106 S.Ct. 925.
- 7 To the extent that plaintiffs actually mean to argue that the City did not leave open reasonable alternative avenues for tavern entertainment in general, it is sufficient to note that there is nothing in the record to suggest that there was a shortage of tavern entertainment in the City of Milwaukee during the period of time for which plaintiffs seek damages.
- 8 The plaintiffs have not argued that they have a right to offer erotic dance entertainment in the downtown area, as opposed to other areas within the city limits. Moreover, as I have already noted, “[c]ountless cases allow municipalities to zone strip joints, adult book stores, and like erotic sites out of residential and the classier commercial areas of the city or town.” *Blue Canary*, 251 F.3d at 1124.
- 9 Plaintiffs cite various cases in which courts reviewed municipal ordinances for compliance with state laws, but in none of those cases did the court purport to be applying the *O'Brien* test. Instead, it appears that the courts were adjudicating state-law claims. See, e.g., *Ravenna Road Mgmt. v. City of Twinsburg*, 450 F.Supp.2d 782, 785–86 (N.D. Ohio 2006); *Northshor Experience, Inc. v. City of Duluth*, 442 F.Supp.2d 713, 718–19 (D. Minn. 2006); *Fifth Column v. Vill. of Valley View*, 100 F.Supp.2d 493, 507 (N.D. Ohio 1998); *S. Entm't Co. of Florida v. City of Boynton Beach*, 736 F.Supp. 1094, 1101–02 (S.D. Fla. 1990); *City of Ann Arbor v. Danish News Co.*, 139 Mich.App. 218, 361 N.W.2d 772, 774–76 (1984).
- 10 The City argues that Six Star's claim against Chapter 83 is moot because that ordinance has been repealed. However, Six Star seeks damages for the period in which Chapter 83 prevented it from operating the Outer Limits Gentleman's Club as a theater, and so its claim is not moot. See *Buckhannon Bd. and Care Home, Inc. v. W. Va. Dep't of Health and Human Res.*, 532 U.S. 598, 608–09, 121 S.Ct. 1835, 149 L.Ed.2d 855 (2001).
- 11 The City points out that, in 2010, the only establishments that held theater licenses under Chapter 83 were “traditional, commonly-defined theaters featuring fixed seating facing a permanent stage offering dramatic performances, plays and the like.” See Pl's Resp. to City's PFOF ¶ 6, ECF No. 72. However, that fact is irrelevant, since there was nothing in Chapter 83 that required an establishment to conform to this description in order to obtain a theater license.
- 12 The City also points out that, at the time Six Star applied for a theater license, Robert Smith was already operating his tavern at the Old World Third location. However, the City does not explain why that mattered. See City's Response Br. at 48–49, ECF No. 55. Apparently, Six Star had an agreement with Smith under which Smith would vacate the premises if Six Star had been able to obtain a license to operate as either a tavern or a theater. Nothing in Chapter 83 suggests that the City needed to know this in order to process Six Star's application for a theater license.

Six Star Holdings, LLC v. City of Milwaukee, 932 F.Supp.2d 941 (2013)

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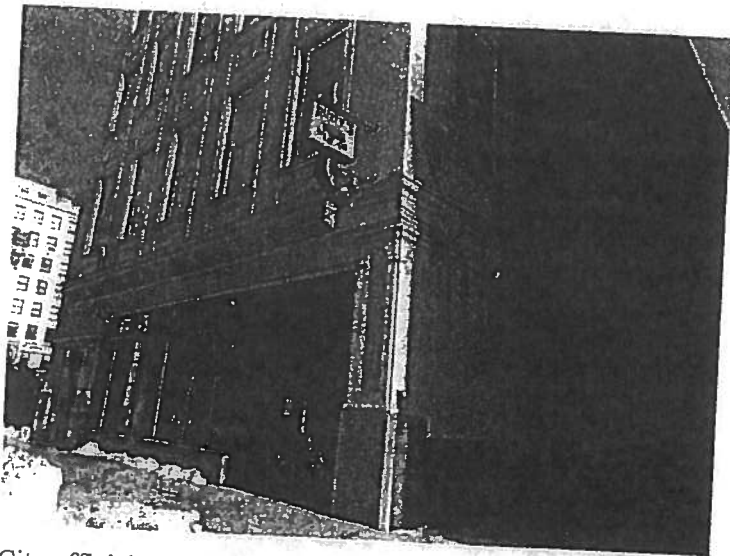
City officials working on deal to allow strip club on Old World Third

Would end pending lawsuits

by Corrinne Hess

April 12, 2017, 2:37 PM

City of Milwaukee officials are working on a deal with three groups who have been attempting to open a strip club downtown for several years that would allow them to do so, in exchange for them dropping their lawsuits totaling more than \$1 million.



City officials are working on an agreement that would allow a strip club at 730 N. Old World Third

Three unsigned agreements prepared by the Milwaukee City Attorney's office and obtained by BizTimes would release the city of claims filed by Roaring 20s Management LLC, Six Star Holdings, LLC and Boardroom Entertainment MKE, LLC.

In exchange for the groups dropping their lawsuits, the city would hold a hearing this month on a license application for a strip club and agrees to “not enact legislation that substantially burdens the operation of such a gentleman’s club for a period of six years.”

The location of the club will be 730 N. Old World Third St., according to the documents.

Three attempts were previously made to open a strip club at this location, which was previously Rusty’s Old 50 and before that, The Velvet Room.

In January 2016, **people spoke at a city meeting for more than an hour** opposing a strip club at this site because of its proximity to the Shops of Grand Avenue and the revitalization efforts happening in the Westtown neighborhood.

All three entities working with the city have attempted to open strip clubs downtown either at this location, or at 770-772 N. Milwaukee St. in the past, and have been denied a license.

The city has already been ordered to pay Six Star Holdings, which includes Silk Exotic strip club owners, **nearly \$1 million** for denying those club owners a hearing on a theater license several years ago, violating the group’s due process rights.

Other lawsuits have since been filed by Six Star and Boardroom Entertainment MKE, LLC., which includes Dusanka and Boro Buzdum. If signed, the agreements settles the claims and prevents the three groups from suing in the future

“The city does not admit any liability to the plaintiffs for any of the claims asserted in the case, and the concessions made under this agreement shall not be construed as an admission of any such liability,” the agreement states.

What it does not do; however, is prevent any other outside group from suing the city of Milwaukee if they are denied a strip club license.

In September 2015, Milwaukee Alderman Tony Zielinski wanted to **introduce legislation** that would create designated neighborhoods for adult entertainment in the city, which he believed would stop future lawsuits. Those zoning changes never came to fruition.

The agreement currently pending between the strip club owners and the city attorney’s office would keep such zoning changes from happening. It also does not keep the city from being sued by another operator in the future if they are denied a license, according to a source at City Hall.

The agreement is subject to approval by the Milwaukee Common Council. On Tuesday, the Judiciary and Legislation Committee met in closed session to discuss the matter. The Steering and Rules Committee will meet in closed session Thursday to review it.

Aldermen Ashanti Hamilton and James Bohl are leading the charge to get the legislation passed, according to a City Hall source. Bohl said he could not comment at this time and referred all questions to Assistant City Attorney La Keisha Butler who did not return phone calls.

Hamilton and Alderman Michael Murphy, who chairs the Judiciary and Legislation Committee, did not return emails seeking comment.

Attorneys for Silk and the Buzdum family did not return emails.



News TimeOut LifeStyle Local News Market Place

Bar owner, village look to settle back tax issue

By LINDA MCALPINE Daily News

June 22, 2016

A compromise is in the works regarding back taxes owed to the village of Germantown on the building Buzdum's Pub and Grill. The process may allow its operator, Radomir Buzdum, to renew his liquor license

The property at W188 N10515 Maple Road, which is in receivership, was owned by Buzdum's brother, Doro Buzdum, and is more than \$36,000 in arrears in property taxes. Radomir Buzdum has been leasing the building from his brother and is listed as the operator of the pub and grill. The liquor license necessary for that business is also in his name.

When it came time to renew his liquor license, which expires at the end of this month, village officials told Radomir Buzdum that unless something is done about the back taxes, he will be denied

In 2014, the village adopted an ordinance that bars the issuing of any license or permit to anyone who is six months or more past due in property taxes.

Village Clerk Barbara Goeckner said Tuesday that at Monday night's Village Board meeting, William Stewart, the attorney representing Radomir Buzdum, proposed that his client pay \$10,000 toward the arrearage and then, instead of paying the \$1,800 each month on his lease, he would pay that amount directly to the village until the taxes are paid. In exchange, his license would be renewed for another year

"The Village Board made a counter-proposal in which half of the \$36,000 is to be paid by the end of this week with the remainder to be paid over the next six months," Goeckner said.

If Buzdum were to miss a payment, he would automatically lose his liquor license, Goeckner said

Stewart said he would have to consult his client about the village's counteroffer.

The back taxes issue has dogged Radomir Buzdum for the past several years and put his liquor license in jeopardy several times before

In 2014, shortly after the village ordinance about licenses and back taxes went into effect, it was noted that the Buzdum property was \$50,000 in arrears. Radomir Buzdum told the Board at that time he was the victim of a "Catch-22" situation, that he had been making all his lease payments and that is not responsible for the property taxes.

His license was renewed that year but in 2015 Radomir Buzdum was back before the Board for the same issue. He made a payment toward the taxes and only at the last minute was the license renewed

Facing the same situation this year, the Board earlier this month gave Radomir Buzdum two weeks to pay the taxes owed or once again risk losing his license

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Milwaukee strip club owner indicted in California

John Diedrich and Mary Spicuzza, Milwaukee Published 5:05 a.m. CT Aug. 22, 2016 | Updated 10:07 p.m. CT Aug. 25, 2016

Silk Exotic owner Jon Ferraro indicted in a sprawling racketeering case that targeted the Russian mob operating in the U.S.



(Photo: Mark Hoffman / Milwaukee Journal Sentinel)

Jon Ferraro, the strip club owner who recently received a nearly \$1 million legal settlement from city taxpayers (/news/milwaukee/city-officials-approve-nearly-1-million-silk-exotic-settlement-b09762427z1-387016011.html) in his ongoing battle to open a club in downtown Milwaukee, was indicted last year in a sprawling racketeering case targeting the Russian mob, the Milwaukee Journal Sentinel has learned.

Ferraro was indicted in federal court in California with seven other men, several in the strip club business, as part of a case involving money laundering and cocaine dealing that stretched from coast to coast and grew to a dozen defendants. So far, six people have been convicted in the case and two sentenced. Charges against the others are pending.

Details about the California case, which was dubbed "Russian Laundry," became public more than a year ago. Ferraro's role in the scheme has not been disclosed.

The charges against Ferraro, who owns Silk Exotic strip clubs in Milwaukee, Middleton and Juneau, were revealed in a sealed cellphone tracking warrant that became public in federal court in Milwaukee and was obtained by the Journal Sentinel.

Officials stunned by strip club owner's indictment
(<http://www.jsonline.com/story/news/investigations/2016/08/22/officials-stunned-strip-club-owners-indictment/89102902/>)

When documents in the racketeering case were unsealed (https://www.fbi.gov/contact-us/field-offices/sanfrancisco/news/press-releases/gold-club-owner-among-those-indicted-for-using-business-to-operate-elaborate-money-laundering-scheme) in San Francisco in March of last year, names of seven of the eight men charged were listed on the indictment. Ferraro was not among them. The name of one defendant had been removed and was referred to only as "under seal."

It is unusual for the identity of someone who has been indicted to be shielded for so long. The Journal Sentinel could not verify the defendant listed as "under seal" is Ferraro or determine why his name does not appear on the docket in the California case.

Legal experts say the fact Ferraro's name has not been publicly disclosed could indicate a couple of things: In some cases, the defendant may be a fugitive, but that does not appear to be case with Ferraro. Or he could be cooperating with federal law enforcement.

In such cases, charges against the person who is helping agents may be dropped or the person may be convicted of a lesser charge.



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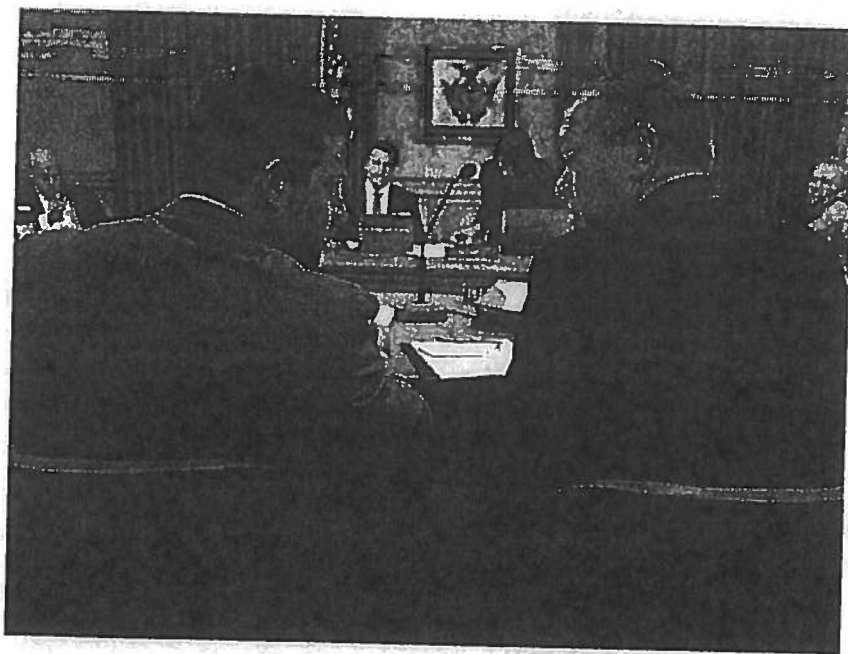
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Federal prosecutors in San Francisco and Milwaukee declined to comment, as did the FBI.

Ferraro did not return several calls for comment. Michael Hart, a Milwaukee defense attorney, acknowledged that he has been retained by Ferraro but declined to elaborate.

"I couldn't tell you why I represent him," Hart said. "But I represent him."



Jon Ferraro confers with his attorney at a city hearing on his request to locate a strip club in downtown Milwaukee. (Photo: Mark Hoffman / Milwaukee Journal Sentinel)

If Ferraro is convicted of a crime, that could affect his ability to apply for a new liquor license or keep the licenses he has at his clubs.

City officials can require people with liquor licenses who have been convicted of crimes to go before the Common Council and explain why they should be able to keep them. And those applying for liquor licenses are subject to criminal background checks.

In his lawsuit against the City of Milwaukee, Ferraro successfully argued the ordinances used to reject Silk's license applications were unconstitutionally vague, and the court agreed. The jury awarded a company led by Ferraro \$435,500 in damages.



Silk Exotic Milwaukee Gentlemen's Club at 11400 W. Silver Spring Road in Milwaukee. (Photo: Michael Sears / Milwaukee Journal Sentinel)

The city appealed. After Ferraro won again at a federal appeals court, city officials agreed last month to approve ([/news/milwaukee/city-officials-approve-nearly-1-million-silk-exotic-settlement-b99762427z1-387016011.html](http://news/milwaukee/city-officials-approve-nearly-1-million-silk-exotic-settlement-b99762427z1-387016011.html)) a nearly \$970,000 payment from taxpayers. That amount included damages and interest as well as Ferraro's attorney's fees and expenses.

While Ferraro won the lawsuit, he still hasn't received approval to open a strip club downtown as the city continues to deny his requests. Ferraro has a second pending lawsuit in federal court and has said he will continue to fight for a downtown location.

Case involves money laundering

Ferraro, 40, was charged as part of a 132-count indictment handed down Feb. 24, 2015, by a federal grand jury in San Francisco, according to the cellphone tracking warrant, which was filed two weeks later in Milwaukee.

(http://graphics.jsonline.com/jsi_news/graphics/2016/MJSFERRARO21G.jpg)

Graphic: Cellphone tracking warrant names Milwaukee strip club owner

(http://graphics.jsonline.com/jsi_news/graphics/2016/MJSFERRARO21G.jpg)

The indictment named "Jonathan Ferraro and eight other individuals for violations of ... racketeering conspiracy ... money laundering conspiracy and related offenses," according to the warrant.

The warrant indicated nine individuals were indicted but one defendant in the case was a company, which is not unusual in a racketeering case. The warrant does not say how many counts Ferraro was charged with — or which crimes.

In March 2015, the FBI applied for and got permission from a federal magistrate judge to track Ferraro's cellphone so they could arrest him at the same time as others in the investigation. The FBI said it needed to track Ferraro through his phone because he was frequently on the move, traveling to different U.S. cities.

The warrant also noted that Ferraro owns several businesses — the Silk strip clubs plus a comedy club, a bar and restaurant, all on the city's northwest side — and he is often at these businesses late at night.

In September 2013, Ferraro began talking to an undercover federal agent posing as a business owner wanting to launder money. They exchanged three dozen text messages and phone calls over the next 18 months, according to the warrant.

Cellphone tracking warrant names Milwaukee strip club owner

Jon Ferraro, the strip club owner who recently received a nearly \$1 million legal settlement from city taxpayers in his ongoing battle to open a club in downtown Milwaukee, was indicted last year in a sprawling racketeering case targeting the Russian mob. The text below is from a cellphone tracking warrant obtained by the Milwaukee Journal Sentinel.

3. On February 24, 2015, a federal grand jury sitting in the Northern District of California returned a sealed 132-count Indictment against Jonathan Ferraro and eight other individuals for violations of Title 18, United States Code, Section 1962(d) (Racketeering Conspiracy), Title 18, United States Code, Section 1956(h) (Money Laundering Conspiracy), and related offenses (Case No. 15-CR-126 (N.D. Cal.)). Ferraro is the subject of a sealed arrest warrant issued on February 24, 2015. Ferraro is the only Wisconsin resident that is named in the

sealed indictment. Wisconsin law enforcement agents have been working collaboratively with law enforcement in South Carolina, Nevada, California, and Pennsylvania in an effort to conduct a joint takedown of the nine defendants on or about March 18, 2015. There is probable cause to believe that the location information described in Attachment B will assist law enforcement in arresting Ferraro, who is a "person to be arrested" within the meaning of Federal Rule of Criminal Procedure 41(c)(4).

Source: Federal cellphone tracking warrant

Journal Sentinel

The Journal Sentinel reviewed the documents last month after they became public. When a reporter contacted federal prosecutors and law enforcement about the case, the warrant was re-sealed. It is no longer publicly available.

Investigation targets mob

The racketeering investigation initially targeted eastern European mobsters operating in the United States, according to court documents.

It began in 2009 with a tip about money laundering, where criminals flush cash from illegal transactions through legitimate businesses to avoid detection.

According to the court documents:

The FBI received information that a man was engaged in money laundering. An undercover FBI agent posing as someone trying to hide cash from bankruptcy court began providing money to be laundered. The investigation soon shifted from California to South Carolina, where a former professional tennis player, Vladimir Handl, who was an investor in a business known as Club Heat in Myrtle Beach, became involved.

Handl agreed to launder money for the undercover agent through an herbal medical business, taking a percentage for himself. Handl and a partner then asked the undercover FBI agent if he had other money to launder and agreed to sell drugs with him. "Pineapple" became their code word for cocaine.

Michael Rose, who owned a company running Gold Club strip clubs across the country, entered the scheme, telling the undercover agent he could launder cash through his clubs. The federal agent funneled \$2.3 million in supposed drug cash through Rose's clubs.

In September 2013, Rose proposed to launder additional money through a new club he was opening in Las Vegas.

Court records do not say who Rose was working with on the Las Vegas club, but other records gathered by the Journal Sentinel indicate it was Ferraro.

Milwaukee strip club owner indicted in California

Page 5 of 5

He and Rose were named in a tavern and liquor license application for a Gold Club in Las Vegas, which was approved

(<http://www.clarkcountynv.gov/business-license/lg/Documents/May%202014%20to%20May%2031%202014%20L%20G%20Admin%20Decisions.pdf>) in 2014 by officials in Nevada's Clark County.

Ferraro chronicled plans to open the Las Vegas club on his [Instagram](https://www.instagram.com/jonferraro/) (<https://www.instagram.com/jonferraro/>) and [Twitter](https://twitter.com/jonferraro) (<https://twitter.com/jonferraro>) accounts. The Vegas location later closed. It's unclear why.

Rose and Handl are the two defendants who have been sentenced in the racketeering case. Handl received 44 months in prison and Rose received 40 months. Handl is appealing. Rose is not. He is scheduled to report to federal prison next month.

Read or Share this story: <http://on.jsonl.in/2bf57YG>

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Carol M. Wirkkula

From: Deborah C. Tomczyk
Sent: Thursday, April 13, 2017 2:12 PM
To: 'labutl@milwaukee.gov'
Subject: FW: 730 North Old World Third Street no public posting
Attachments: IMG_0091.JPG; IMG_0092.JPG

Sorry, I had a typo in your email address...

-----Original Message-----


From: Deborah C. Tomczyk
Sent: Thursday, April 13, 2017 1:55 PM
To: 'lbutle@milwaukee.gov'; astephens@milwaukee.gov; 'glangl@milwaukee.gov'; jowcza@milwaukee.gov
Cc: Beth Weirick (bweirick@milwaukeedowntown.com)
Subject: 730 North Old World Third Street no public posting

Notice of Monday's hearing is not posted at 730 North Old Word Third Street. See the attached photos. This insufficiency has failed to provide interested parties sufficient notice of Monday's hearing and seems to violate the City Code provision below.

a-2-c. Certification shall not be made within 10 days following written and signed and sworn assurance to the city clerk by the applicant that notice of the application, on a form prescribed by the city clerk and approved by the licensing committee, has been conspicuously posted on the outside of the premises at applicant's expense providing notice to members of the public that an application has been made and that objections to the application may be filed with the city clerk, and that a survey form may be submitted electronically, through the city Internet site, by phone or in writing. The written and signed assurance shall include a statement of applicant's intent to maintain the posting, or replace any missing posting, until the date scheduled for hearing by the licensing committee.

Thank you for your immediate attention to this matter.

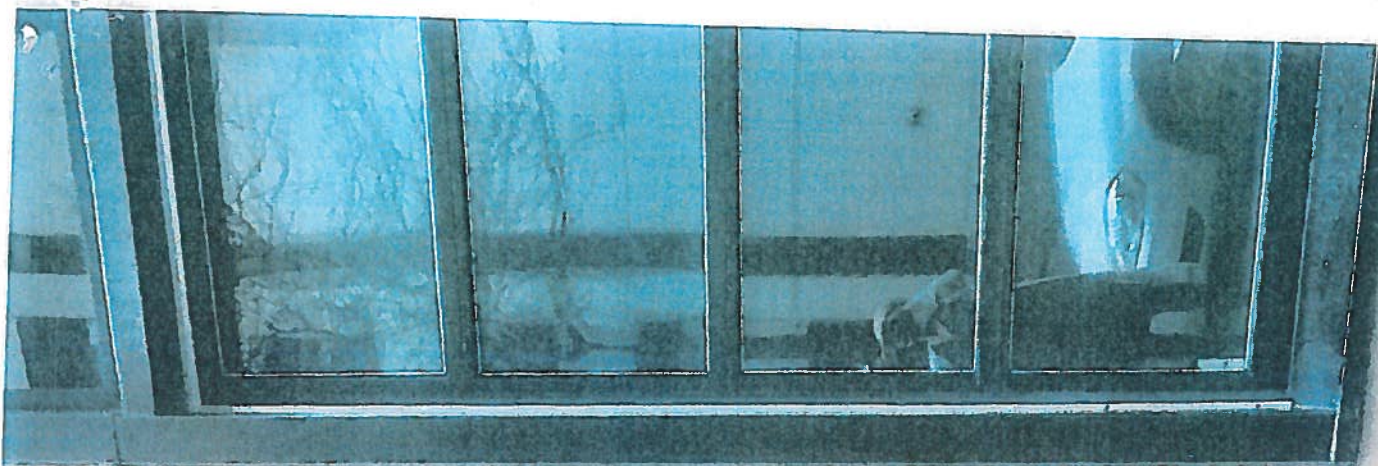
Deborah C. Tomczyk
Reinhart Boerner Van Deuren s.c.
1000 North Water Street, Suite 1700
Milwaukee, WI 53202
dtomczyk@reinhartlaw.com
reinhartlaw.com
Office: 414-298-8331
Cell: 414-530-0211



Fax: 414-298-8097



021





City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Agenda

STEERING & RULES COMMITTEE

ALD. ASHANTI HAMILTON, CHAIR

Ald. Milele A. Coggs, Vice-Chair

*Ald. Michael J. Murphy, Ald. T. Anthony Zielinski, Ald. Russell
W. Stamper, II, Ald. James A. Bohl, Jr., Ald. Mark A. Borkowski,
and Ald. Robert G. Donovan*

Staff Assistant, Linda Elmer, 286-2231; Fax: 286-3456,

elmer@milwaukee.gov

Legislative Liaison, Ted Medhin, 286-8681,

Thursday, April 13, 2017

1:00 PM

City Hall, Room 301-B

SPECIAL

The Steering and Rules Committee may convene into closed session at 1:00 P.M. on Thursday, April 13, 2017 in Room 301-B, City Hall, 200 E. Wells St., Milwaukee, Wisconsin, pursuant to s. 19.85(1)(g), Wis. Stats., for the purpose of conferring with the City Attorney who will render oral or written advice with respect to litigation in which the city is or is likely to become involved.

In the event that Common Council members who are not members of this committee attend this meeting, this meeting may also simultaneously constitute a meeting of the Common Council or any of the following committees: Community and Economic Development, Finance and Personnel, Judiciary and Legislation, Licenses, Public Safety, Public Works, Zoning, Neighborhoods & Development, and/or Steering and Rules. Whether a simultaneous meeting is occurring depends on whether the presence of one or more of the Common Council member results in a quorum of the Common Council or any of the above committees, and, if there is a quorum of another committee, whether any agenda items listed above involve matters within that committee's realm of authority. In the event that a simultaneous meeting is occurring, no action other than information gathering will be taken at the simultaneous meeting.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For assistance contact the Legislative Services ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

Parking for persons attending City Hall meetings is available at reduced rates (5 hour limit) at the Milwaukee Center (southwest corner of E. Kilbourn Ave. and N. Water St.) Parking tickets must be validated in the first floor Information Booth in City Hall.

Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code are required to register with the City Clerk's License Division. Lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at <http://city.milwaukee.gov/Lobbying>.



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Agenda

JUDICIARY & LEGISLATION COMMITTEE

ALD. MICHAEL J. MURPHY, CHAIR
Ald. Cavalier Johnson, Vice-Chair
Ald. Robert J. Bauman, Ald. Mark A. Borkowski, and Jose G. Perez
Staff Assistant, Joanna Polanco, 286-2366
Fax: 286-3456, jpolan@milwaukee.gov
Legislative Liaison, Jeffrey Osterman, 286-2262, joster@milwaukee.gov

Tuesday, April 11, 2017

1:30 PM

Room 301-B, City Hall

Special

1. The Judiciary and Legislation Committee may convene into closed session on Tuesday, April 11, 2017 in Room 301-B, City Hall, 200 E. Wells St., Milwaukee, Wisconsin, pursuant to s. 19.85(1)(g), Wis. Stats., for the purpose of conferring with the City Attorney who will render oral or written advice with respect to litigation in which the city is or is likely to become involved and then will go into open session for the regular agenda.

In the event that Common Council members who are not members of this committee attend this meeting, this meeting may also simultaneously constitute a meeting of the Common Council or any of the following committees: Community and Economic Development, Finance and Personnel, Judiciary and Legislation, Licenses, Public Safety, Public Works, Zoning, Neighborhoods & Development, and/or Steering and Rules. Whether a simultaneous meeting is occurring depends on whether the presence of one or more of the Common Council member results in a quorum of the Common Council or any of the above committees, and, if there is a quorum of another committee, whether any agenda items listed above involve matters within that committee's realm of authority. In the event that a simultaneous meeting is occurring, no action other than information gathering will be taken at the simultaneous meeting.

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NEWAUKEE



Monday, April 17, 2017

To Whom It May Concern:

As the CEO and Co-Founder of NEWaukee, a social architecture firm located in Milwaukee's Westtown, as well as a board member of WAM DC, LLC and Westtown Association, I oppose the newest application for the strip club on Old World Third Street.

NEWaukee hosts programming regularly in and around the proposed location for this establishment. This programming includes the Night Market, which brings thousands of families down to the area in an attempt to revitalize this critical area of our downtown. We believe that the addition of the strip club will deter this type of positive momentum for the emerging neighborhood.

In addition, NEWaukee serves on the development team for the Grand Avenue Mall. The concepts for the redevelopment include housing, offices and an urban marketplace, all of which aims to reinvigorate Westtown and do not support the addition of a strip club in such close proximity to the project.

Finally, our offices are located in the same area and our staff is comprised of 80% young female employees. We believe the positioning of this establishment so near to our offices will increase issues with our staff safety.

Please consider the denial of this application.

Thank you,

A handwritten signature in blue ink, appearing to read 'Angela Damiani'.

Angela Damiani
CEO & Co-Founder
NEWaukee
161 W. Wisconsin Avenue #16
Milwaukee, WI 53203



Since 1968

ADMINISTRATIVE OFFICE
230 West Wells Street, Room 800, Milwaukee, Wisconsin 53203
www.legalaction.org | tel 414-278-7777 | fax 414-278-7156

CITY OF MILWAUKEE
LICENSE DIVISION

2017 APR 17 A 10:50

April 13, 2017

Office of the City Clerk - License Division
City Hall, Room 105
200 East Wells Street
Milwaukee WI 53202

Re: Objection to New Class B Tavern and Public Entertainment Premises Application
Licensing Committee Hearing Scheduled for April 17, 2017 at 1:30 p.m.

Dear City of Milwaukee:

Legal Action of Wisconsin is submitting an objection to the following license application:

License Type: Class B Tavern and Public Entertainment Premises
Applicant: Scott A. Krahn, Agt. PPH Properties I LLC
Business Name: Executive Lounge
Premise Address: 730 N. Old World Third St.

As required by the notice, this written objection is being filed by

- 1) Name of person objecting: Legal Action of Wisconsin, Inc.
- 2) Contact information for the objector: Mr. Michael J. Maher
Chief Financial Officer
Legal Action of Wisconsin, Inc.
230 West Wells Street, Room 800
Milwaukee WI 53203
Telephone: 414-278-7777
- 3) Legal Action of Wisconsin is opposed to an issuance of a Class B Tavern and Public Entertainment Premises license which would include the dancing by performer - adult entertainment/strippers/erotic dance. Legal Action is a not-for-profit law firm. Legal Action leases 13,000 square feet of professional office space in the Century Building located at Third Street and Wells. We have been in this location for over 35 years. Our offices are located a half-block north of the proposed facility. We employ approximately 60 persons, many of whom are female. Most of these employees park in the parking lots surrounding the building and in close proximity to the proposed licensed facility. In 2016, Legal Action served approximately 4,300 clients from its downtown Milwaukee Office.

Legal Action provides extensive services from our office location to victims of crime, including victims of domestic violence, trafficking and sexual assault. In addition, we provide services to vulnerable seniors and other persons vulnerable to crimes. Many of our clients arrive at our Milwaukee Downtown location via bus. Many of the bus routes are along Wisconsin Avenue so the clients would have to walk in front of the proposed adult entertainment facility on their way to our office. Legal Action objects to the issuance of an adult entertainment license for the following reasons:

- a) The proposed adult entertainment venue is incompatible with the operation of a professional law firm and other professional offices within the neighborhood of the proposed venue. Many of Legal Action's clients are victims of sexual assault, trafficking and domestic violence. The presence of this type of venue in close proximity to the location of our delivery of service would add additional concern to our clients.
- b) Many of our clients are unable to secure child care when they need to visit our office so they often bring along young and small children. The presence of the adult entertainment venue in this professional office area is an incompatible use and is not appropriate for areas where small children are frequently present.
- c) On Wisconsin Avenue between Plankinton Avenue and 4th Street, the Milwaukee County Transit System operates four bus stops which are extensively used by high school students during school day afternoons. Three of the four bus stops are within a half block of the proposed adult entertainment venue. Two of the four bus stops have a direct line of sight to the front of the proposed venue's building. The operation of an adult entertainment venue in close proximity to an area frequented by high school students on a daily basis is not an appropriate use within the area.
- d) The area surrounding the Grand Avenue Mall and Third Street already has many challenges in maintaining occupancy in the surrounding professional office buildings. We believe the presence of this adult venue will only harm the ability of the building owners to encourage other professionals to rent and occupy space in the buildings surrounding the proposed venue. The proposed venue will hurt property values in the area.
- e) In the next year, four floors of the Century Building where Legal Action's offices are located at 230 West Wells St. are scheduled to be redeveloped into apartments. The upper floors of the Germania Building at 2nd St. and Wells St. have recently been redeveloped and are being leased out as apartments. The Marriott Springhill Suites has opened at 4th Street and Wells St. There is increasing residential housing units within close proximity to the proposed adult venue.

City of Milwaukee
Page 2
April 13, 2017

These new units are in addition to the existing residential housing and hotel units within a half block of the proposed venue. The Apartments at the Grand Wisconsin are at 720 N. Old World 3rd Street. The Majestic Loft Apartments are at 231 W. Wisconsin Avenue. The Fairfield Inn & Suites is at 710 N. Old World 3rd St. The operation of an adult entertainment venue in such close proximity to residential housing and hotel units is not an appropriate. Some of these residential units are very likely to house children would be living right next door or down the block from the proposed adult venue.

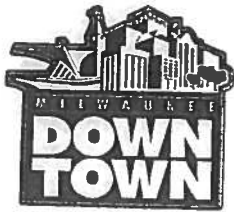
I plan to attend the public hearing on April 17, 2017 concerning this proposed license application.

If you have any questions concerning the above, please do not hesitate to contact me.

Sincerely,



Michael J. Maher
Chief Financial Officer



MILWAUKEE DOWNTOWN

Business Improvement District #21 600 East Wells Street Milwaukee, Wisconsin 53202
414.220.4700 fax 414.220.4710 www.milwaukeedowntown.com

SENT BY E-MAIL AND MESSENGER

April 13, 2017

The Honorable Anthony Zielinski, Chair
Licenses Committee
Common Council of the City of Milwaukee
200 East Wells Street, Room 205
Milwaukee, WI 53202

Dear Alderman Zielinski:

Re: Objection to Licenses at 730 North
Old World Third Street

For the sixth time in five years, the Board of Business Improvement District No. 21 ("BID 21") again objects to and opposes the application of Joseph Modl, Radomir Busdum, Scott Krahn and PPH Properties I, LLC (collectively, "PPH") for licenses to operate a gentlemen's club with exotic dancing and liquor sales at 730 North Old World Third Street (the "Premises").

As an initial matter, we were surprised to learn that the City Clerk is characterizing this as a new application and that previous objections are not being considered. The previous objections--and previous illegal operations by this same management team--are critical in considering this application.

The consequence of the City Clerk's determination is that interested parties like us were not notified of Monday's hearing--so we are struggling to organize hearing attendance with limited lead time.

Our objections to a gentlemen's club at this location, and in particular, to these operators, is well founded.

- The applicants' interest in the premises arises from the same lease at issue in previous failed applications (a November 2014 Commercial Lease Agreement).
- Two of the individuals named as operators in this application testified as operators at the September 2015 hearing.

CEO

ELIZABETH A. WEIRICK

BOARD OF DIRECTORS

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KURT THOMAS
MGIC

SCOTT WELSH
Inland Companies/Colliers—Wisconsin

Ex—Officio Member

PAUL UPCHURCH
VISIT Milwaukee

Emeritus

GARY P. GRUNAU
Grucon group, Inc.



The Honorable Anthony Zielinski, Chair
Licenses Committee

Page 2

April 13, 2017

- The police report included with this application cites that one operator, Radomir Buzdum, was "on the scene" at the Premises on 1/21/15 and 1/22/15 when the illegal operation of the premises that was the basis for the Licenses Committee's denial of a previous application occurred.

In other words, the questionable track record of this management team remains relevant.

The case against licensing this location is stronger than ever. This type of establishment at this location runs directly counter to the investment being made and the revitalization being achieved Downtown.

A gentlemen's club remains *in direct conflict* with the Downtown Area Comprehensive Plan Update adopted by the City Common Council and with BID 21's own Downtown Milwaukee Streetfront Retail Strategy and, in particular, its Merchandise Mix Plan. Downtown offices have long been the greatest concentration of jobs and tax base in the City.

But, 2017 is uniquely the wrong time for this type of establishment at this location. This year, the Bucks arena and Grand Avenue are making unprecedented investments just across the street. Apartments and hotels have recently opened nearby. And, new owners at Grand Avenue, the Grand Theatre and in countless nearby locations are on the cusp of significant reinvestment. The 24 articles in the attachment labelled "West Wisconsin Avenue in the News" highlight new investments in the area proposed in the last year--many of which may be in jeopardy if the City approves these licenses.

Our organization, together with other partners such as WAM DC, LLC and numerous private stakeholders, is leading the charge to revitalize Wisconsin Avenue. We have named *2017: The Year of Wisconsin Avenue*. (See the enclosed press release.) We and others are facilitating millions of dollars in investment in public art and public spaces through Sculpture Milwaukee, utility box restoration and the public lighting project.

The Honorable Anthony Zielinski, Chair
Licenses Committee
Page 3
April 13, 2017

Any serious consideration of these licenses is a slap in our faces.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Beth Weirick". The signature is written in dark ink and is positioned above the printed name.

Elizabeth Ann Weirick, CEO

- cc Honorable Mayor Tom Barrett (by email and messenger)
- Honorable Members of the Milwaukee Common Council (by email and messenger)
- ✓ Office of the City Clerk – License Division (by email and messenger)

36024221



Milwaukee Downtown, Business Improvement District #21
600 E. Wells Street • Milwaukee, WI 53202 • 414.220.4700 • www.milwaukeedowntown.com

FOR IMMEDIATE RELEASE

Contact: Beth Weirick
Milwaukee Downtown, BID #21
414.220.4700
Rachel Farina
Ellingsen Brady Advertising
414.224.9424

Milwaukee Downtown, BID #21 declares 2017 the Year of Wisconsin Avenue

MILWAUKEE, Wis. (April 13, 2017) – Since 2014, 16 flagship properties along Wisconsin Avenue have announced plans for new construction, reinvestment or repurposing. Coupled with a series of public art projects, Wisconsin Avenue has been reestablished as downtown Milwaukee’s premier business address. Along the avenue, more than \$194 million has been invested in public and private projects since 2005, while more than \$783 million awaits in proposed and under-construction projects.

Aside from brick and mortar investments along the avenue, Milwaukee Downtown, BID #21 cites several public art projects, which will further growth and development. Among the projects that will be unveiled along Wisconsin Avenue this summer are Sculpture Milwaukee, a world-class public art installation featuring 22 sculptures; mural installations on 10 utility boxes; a West Wisconsin Avenue audio walking tour; and a new lighting installation. Meanwhile, a rerouted Milwaukee Trolley Loop, the under-construction Milwaukee Streetcar and proposed Bus Rapid Transit will strengthen connectivity of Wisconsin Avenue and the central business district to outlying neighborhoods.

“Given the unprecedented momentum occurring along the corridor, we are declaring 2017 the Year of Wisconsin Avenue,” said Beth Weirick, CEO of Milwaukee Downtown, BID #21. “The projects and programs planned for the summer will increase pedestrian engagement and create a unique identity for Milwaukee’s vibrant main street.”

Amid the celebration of wins for the avenue, Milwaukee Downtown, BID #21 is also leading the charge on future uses for Wisconsin Avenue – what business plans best complement the existing mix and what items are left unchecked on the City’s 2010 Downtown Master Plan. Later this summer, Milwaukee Downtown, BID #21 will reengage the Responsible Hospitality Institute (RHI) – a private, nonprofit organization that assists businesses and communities in creating safe, vibrant and economically prosperous places to socialize. RHI will assist Milwaukee Downtown, BID #21 in conducting a hospitality zone assessment to manage downtown’s rapid growth and create an environment where businesses, residents and attractions can coexist. The last assessment was conducted in 2011 and resulted in several recommendations that were implemented, including the creation of the Downtown Neighbors Association and Code RED.

“Downtown Milwaukee’s nighttime economy is critical,” said Matt Dorner, economic development director of Milwaukee Downtown, BID #21. “We know that sociable economies add to the tax base, create jobs, attract the creative class, and retain talent, but we have a duty to grow our economy responsibly. Managing our growth and appropriating uses for complementary catalytic areas will keep us on the upward trajectory.”

BID #21 declares 2017 Year of Wisconsin Avenue/ADD ONE

In the City of Milwaukee's 2010 Downtown Master Plan, four themes were identified for the Wisconsin Avenue Strategy – a centric focus, placemaking, improved connections, and increased density/intensity. Approaches to these themes included creating a street hierarchy system; recognizing the role of civic design, iconic buildings and public art; and being more environmentally conscious. In addition, the plan called for more aggressive retail storefront improvements, especially between 4th and Milwaukee streets; redevelopment of the vacant lot at 4th Street with hotel, residential or large-scale retail uses; and retail or entertainment occupying the base of any future development.

“With more than \$194 million invested since 2005, and more than \$783 million in proposed and under-construction projects, this recent surge in investment clinches 2017 as the Year of Wisconsin Avenue,” said Dorner. “It’s a strong selling point. Our focus should now be planning for contiguous retail in existing street-level space and continuing to create residential density by providing housing options at a variety of price points. And all that starts with making appropriate land use decisions.”

In addition to public art projects, Milwaukee Downtown, BID #21 cites the following sampling of game changers for Wisconsin Avenue. Please note this is not a full and complete list.

Transactions to Note:

- Boston Store building sold to Chicago investor for \$25 million in April 2017.
- Assessed at more than \$28.3 million, The Blue at 310 W. Wisconsin Avenue is currently for sale, opening up the potential for a hotel or apartment conversion, or a value add office investment.
- Common Council approves TID package for Grand Theatre and Boston Store improvements in February 2017.
- Boston Store 10-year renewal of its corporate office lease on West Wisconsin Avenue in January 2017.
- Shops of Grand Avenue owners purchased the upper floors of the Matthews Building in December 2016.
- Fairfield Inn & Suites purchased by Chicago investor in October 2016.

Catalytic Projects Since 2005

- **Completed:**
 - Dental Associates/Iron Block Building – \$9 million in completed renovations
 - Chase Tower at Water and Wisconsin – \$5 million in completed renovations to the parking garage
 - Riverside Theater – \$750,000 in completed renovations
 - 411 East Wisconsin Center – \$17.5 million in completed renovations
 - MKE Lofts – \$23.5 million in completed renovations
 - Hampton Inn & Suites – \$7 million in completed renovations
 - Marriott Hotel – \$54 million in completed renovations
 - Wisconsin Avenue Bridge – \$12.5 million in completed renovations
 - Wisconsin Avenue Streetscaping – \$11 million in completed renovations
 - Grand Wisconsin Apartments – \$23 million in completed renovations
 - Majestic Lofts – \$16.8 million in completed renovations
 - Wisconsin Tower Condominiums – \$14 million in completed renovations
- **Under Construction:**
 - Northwestern Mutual Tower and Commons – \$450 million under construction
 - Two-Fifty East – \$8.5 million under construction
- **Proposed:**
 - The Shops of Grand Avenue – TBD
 - 100 East – TBD
 - First Financial Centre – TBD
 - Wisconsin Building – TBD
 - Gas Light Building – TBD
 - Fairfield Inn – TBD
 - 4th & Wisconsin RFP – Marcus' eMbarKE, and Nexus from Jackson Street Holdings and Arrival Partners – TBD
 - Warner Grand Theatre for the Milwaukee Symphony Orchestra – proposed \$80 million investment
 - Wisconsin Center Expansion – proposed \$200 million expansion/renovation
 - Bus Rapid Transit – proposed \$45 million investment

###

ABOUT MILWAUKEE DOWNTOWN

Milwaukee Downtown, BID #21 is an organization established in 1998 to support the interests of the downtown Milwaukee business community. Created through private sector leadership, Milwaukee Downtown is a management district organization that oversees 150 square blocks representing approximately 400+ property owners in the center of downtown Milwaukee.

17 - THE YEAR OF WISCONSIN AVENUE



Figure Milwaukee Locations
Mural Locations



West Wisconsin Avenue in the News
2016 - 2017

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Grand Avenue owners call MSO move to Wisconsin Avenue crucial for mall's renovation

Jan 11, 2011 12:00pm CST

The Milwaukee Symphony Orchestra's plan to move across the street from The Shops of Grand Avenue is the most important, influential and helpful thing to support the mall's redevelopment, said its part owner Tony Janowicz.

The MSO plans an almost \$40 million renovation and expansion of the Walnut Grand Theatre on West Wisconsin Avenue in downtown Milwaukee. The symphony would make the long vacant Grand Theatre its main performance hall, with a capacity of 1,750 people.

The Grand Avenue owners' support for the MSO project shows how the activity on West Wisconsin Avenue ties together. The MSO project would greatly increase activity around the Grand Avenue mall on performance nights, and the mall's owners say they need people to achieve their redevelopment plan.

Although officially announced in December, the MSO project has been percolating for a long time. Janowicz said the Grand Avenue ownership group was aware of the MSO's plans in 2010 before they bought the mall in December of that year.

The symphony's impending move is why the lease for the Grand Avenue's Applebee's restaurant was not renewed last year, Janowicz said.

They wanted come a few years of an extension and we felt like that was probably not the right circumstance to look across at a far east new symphony development," Janowicz said.

The former Applebee's space at Wisconsin Avenue and North Old World Third Street will be renovated into a new sit-down restaurant with more outdoor seating, or could be incorporated into plans for a food hall in the Grand Avenue's first floor.

The owners of the Grand Avenue have been talking with the MSO over potential collaboration, including using the mall's parking structure to serve patrons visiting the Grand Theatre.

Construction on the Grand Avenue mall and the theater could start this year. The work on the Grand Avenue mall will also demolish its upper-level food court to clear room for new office space and relocate the entrance next to the Applebee's at Wisconsin Avenue and Old World Third Street.

The MSO's pathway to reaching a fundraising goal of \$70 million, which includes money for the theater project, The City of Milwaukee this month is considering up to \$1.25 million in spending to support the MSO project.

The spending plan gained unanimous endorsement Tuesday from the city's Zoning, Neighborhoods and Development Committee, and could get a final approval from the Common Council in early February.

The city money would pay for restoration of the building's exterior. It also would rebuild Second Street to let the MSO move the Grand Theatre's eastern wall 30 feet to the east. An additional need to make the stage big enough to hold the symphony and its chorus.

The money would come through a Milwaukee tax incremental financing district. That district would pay off the spending using property taxes collected on the Grand Avenue and surrounding buildings.

The TIF plan also includes an incentive for The Bon-Ton Stores Inc. that also would help the Grand Avenue mall redevelopment.

Bon-Ton would receive \$19 million from the city in exchange for a guarantee to keep its downtown headquarters and department store in a building connected to the Grand Avenue at North Fourth Street and West Wisconsin Avenue. As part of the deal, the company pledges to keep 100 workers in downtown Milwaukee.

After the city Bon-Ton incentive was announced in early January, Janowicz said Bon-Ton employees who would be next door every day would help the Grand Avenue's redevelopment.

"The element of the project geared toward the remaining retail focus requires people," Janowicz said at the time. "It requires residents. It requires downtown workforce to make this a reality."

Sean Ryan
 Reporter

412 East Wisconsin Avenue
 Milwaukee Business Journal



SCOTT PADILLAS
 The Grand Theatre's main entrance on West Wisconsin Avenue is shown here. The Shops of Grand Avenue



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Grand Avenue's transformation to start this year; food hall concept in works

POSTED 5:37 PM JANUARY 21, 2017 BY KATE DELONG

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MILWAUKEE – Some big changes are in store at the Shops of Grand Avenue in downtown Milwaukee in 2017.

The food court is set to move to the mall's first floor – making way for contractors to start building office space.



Shops of Grand Avenue

Work will also start on a new entrance and plaza at the mall's W. Wisconsin Avenue entrance at Old World Third Street

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From the Milwaukee Business Journal
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Grand Avenue owners buy top floors of neighboring building, plan rehab to support new offices

By Sean Ryan, Reporter

The owners of The Shops of Grand Avenue in Milwaukee bought the top floors of the neighboring Matthews Building as part of their larger plan to restructure parts of the high-rise office building. The Matthews Building stands on West Wisconsin Avenue at North Milwaukee. The adjacent building connects with the Grand Avenue and follows its path already being taken by the shops owners and formerly housed an office store.

The first floor space will be renovated into a new office lobby and for a future use of Grand Avenue mall owner Aspire Group. The lobby will serve both offices in the upper floors of the Matthews Building and up to 120,000 square feet of office space planned in the upper levels of the Grand Avenue mall's Western Arcade.

"It enables us to pursue and deliver the zone of the office leads we have right now," Janowicz said. "It is to enable loading of the rest of the Matthews Building use."

Construction work to build out the lobby and do a historic restoration of the Matthews Building will begin in 2017, Janowicz said. He said the new owners are seeking historic tax credits to help finance that project.

The Grand Avenue owners group bought the Matthews Building's upper levels from an off-state of Milwaukee based Viper LLC for \$1.6 million, according to state records.

The records also indicated they bought each floor of the Matthews Building, which have about 40,000 square feet of office space. About half of that space is empty, Janowicz said.

The Grand Avenue owners group plans for the mall include renovating its third floor food court and adding its retail space into offices. That project means taking out the elevators and escalators in the mall's Western Arcade. The elevators in the Matthews Building and its lobby will become the new way to access those upper floors of the mall, Janowicz said.

The mall's first floor would become a retail arcade with restaurants and storefronts.

The Matthews Building will benefit from the conversion, Janowicz said. The building's office space is accessible only through a small door located to the right of the Grand Avenue main entrance. That tucked away entrance has hampered leasing of the building, he said.

"The Matthews Building doesn't really have an identity because it doesn't have a noticeable entrance," Janowicz said.

Current tenants of the Matthews Building include Viper, United Performing Arts Fund, Terris Advancing Values in Education, and the Mendota Valley Partners Inc.

Sean Ryan
Reporter
Milwaukee Business Journal



FILE PHOTO
The Matthews Building is located just west of the Grand Avenue main entrance into the Western Arcade.

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City Panel Okays Big Westown Upgrades
 Rendering Grand Theatre for MCO, new San Ten contract, major street upgrades.

By Graham Kimer - Feb 1st 2017 11:01 am

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Rendering of renovated Grand Warner Theatre.

Westown and Wisconsin Ave. may see a number of public and private infrastructure projects including redevelopment and expansion of the historic Grand Theatre and several major street projects.

On Tuesday, the Common Council committee on Zoning, Neighborhoods & Development adopted a new amendment to Tax Incremental District (TID) 37 increasing expenditures in the district by about \$7.8 million, contingent on adoption by the full council.

Historic Grand Theatre and Milwaukee Symphony

As the Milwaukee Symphony Orchestra continues to pursue a home in the old Grand Warner Theatre, a proposal for redevelopment has come before the board requesting a \$750,000 Facade Grant from the TID expenditures to move a wall, with frontage on N. 2nd St., 30 feet east into the street. Traffic would be narrowed to two lanes to accommodate the change.

For the Grand to be the orchestra's home music hall, the wall must be moved. With a current stage depth of 15 feet, the orchestra wouldn't fit in the theater as it sits.

Options to purchase the theater and the land beneath it have been secured by WAM DC, the non-profit economic development group working to revive Wisconsin Ave. The building on the corner of N. 2nd St. and W. Wisconsin Ave. which currently houses a sushi restaurant, has also been purchased and will be developed as an addition to the theater.



This wall will be moved 39 feet into N. 2nd St. Photo by Brian Jacobson.

The main reconstruction and facade easement would be part of a larger development of the 1,750 theater, financed in part by federal and state historic tax credits that ensure historic building standards are met.

"This is a symbiotic relationship between the theater and the orchestra," said Mark Niehaus, president and executive director of the Milwaukee Symphony Orchestra.

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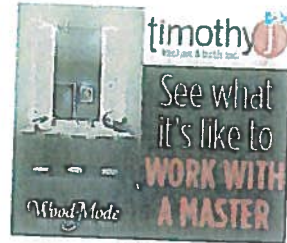
Milwaukee money for Bon-Ton, MSO Grand Theatre renovation approved

STORY BY KATE DELONG

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MILWAUKEE — City of Milwaukee leaders are moving forward with plans to help keep the Bon-Ton headquarters on Wisconsin Avenue and help the Milwaukee Symphony Orchestra open a new performance hall.



The Milwaukee Common Council approved a \$7.9 million spending package on Tuesday, February 7th.

It includes \$1.9 million for Bon-Ton in exchange for keeping 750 jobs in its offices on Wisconsin Avenue.

In addition to that, the package has more than \$3 million to support the MSO's restoration of the Warner Grand Theatre.

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Downtown Boston Store building, include offices and apartments, sold for \$25 million

Tom Daykin and Joe Teschler, Milwaukee Journal Sentinel

Updated 5:41 a.m. on 4/7 April 7, 2017



(Daily Journal Sentinel file photo)

f 30 t 10 in 10

A downtown Milwaukee building which includes Boston Store and corporate offices for that department store chain's owner, has been sold for \$25 million.

The building, 331 W. Wisconsin Ave., was sold to Chicago-based North Wells Capital, the investment management affiliate of Urban Innovations Ltd., the firm said in a statement.

The 428,632 square-foot mixed-use building features Boston Store on its first two levels and the corporate offices of Bon-Ton Stores Inc. and Boston Lofts apartments on the nine-story building's upper floors.

The sale comes shortly after Bon-Ton extended its lease of both the retail and office space for at least 10 years. Those operations have 750 employees, with the majority working in the corporate offices.

In return for extending those leases, which now expire in January 2028, the Common Council and Mayor Tom Barrett approved a plan for providing \$1.9 million in city funds to help finance \$4 million in renovations at the building.

RELATED: Downtown Milwaukee Bon-Ton, Boston Store financing plan endorsed

RELATED: Bon-Ton seeks return to profitability in challenging retail world

The building was sold by Wispark LLC, the real estate development subsidiary of WEC Energy Group Inc. Wispark announced recently it is winding down its operations.

Urban Innovations will provide property management services for the building, including leasing and construction.

"We're excited about the acquisition of 331 West Wisconsin because it is both a continuation of the Urban Innovations operating model and our first acquisition in Milwaukee, a market we're really enthusiastic about," Howard R. Conant Jr., president of Urban Innovations, said in the statement.

Boston Store has occupied the building for nearly 100 years.

The department store occupies 123,434 square feet on the first and second floors, with Bon-Ton's corporate headquarters using 170,358 square feet of office space on floors 3 through 5.

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From the Milwaukee Business Journal
<https://www.bizjournal.com/milwaukee/news/2017/03/17/milwaukee-money-for-bon-ton-mso-grand-theatre.html>

Milwaukee money for Bon-Ton, MSO Grand Theatre renovation approved

9:51 PM CDT 2/28/17 Modified: April 6, 2017 4:02 AM CDT

The city of Milwaukee's plan to provide money to keep **The Bon-Ton Stores** Inc.'s offices on West Wisconsin Avenue and help the Milwaukee Symphony Orchestra open a new performance hall gained unanimous approval from city aldermen Tuesday.

The Common Council signed off on the \$1.9 million spending package without discussion during its Tuesday meeting. The plans aim to support the development momentum on West Wisconsin Avenue.

The package includes \$1.9 million for Bon-Ton (ticker: BONT) in exchange for keeping 750 jobs in its West Wisconsin Avenue offices and Boston Store. Under the agreement, Bon-Ton would extend its office lease at North Fourth Street and West Wisconsin Avenue by 10 years, to 2028.

The retailer plans a \$4 million renovation of that office space. The city money would cover nearly half the cost, with its landlord picking up the remainder.

As a protection against the company closing the store or moving its offices, Bon-Ton must repay the city money if its job count drops in years to come. The deal is fashioned as a forgivable loan. If Bon-Ton's job count remains at 750 or higher, it does not need to make an annual payment toward the loan.

On years it falls short of 750 jobs, the company must make at least a partial payment, with interest. For example, if Bon-Ton has 575 workers downtown one year - a 10 percent cut to the promised 750 - it would pay 10 percent of the loan payment for that year.

In addition to the Bon-Ton subsidy, the city spending package has up to \$3.25 million to support the Milwaukee Symphony Orchestra's restoration of the Warner Grand Theatre on West Wisconsin Avenue. The MSO plans an \$80 million restoration and expansion to make the vacant theater its main performance venue starting in 2019.

That money would help cover a restoration of the theater's exterior. It also would rebuild Second Street as a two-lane road to accommodate the MSO's plan to expand the Grand Theatre by moving its eastern-facing wall 30 feet into the public right-of-way.

The city spending would come through an existing tax incremental financing district that covers West Wisconsin Avenue. It would pay off the money using property taxes generated within the district's boundaries.

The remainder of the spending approved Tuesday is for infrastructure work and streetscaping. For example, Postman Square at Second Street and West Wells Street would be expanded and upgraded for \$150,000. There is \$50,000 to open a Bibr Bikes bicycle sharing station outside The Shops of Grand Avenue, and \$100,000 for a planned street lighting project on West Wisconsin Avenue.

Sean Ryan
 Reporter
 Milwaukee Business Journal



SCOTT FAUPEL
 The Bon-Ton Stores offices sit across the Boston Store at West Wisconsin Avenue and North Fourth Street.



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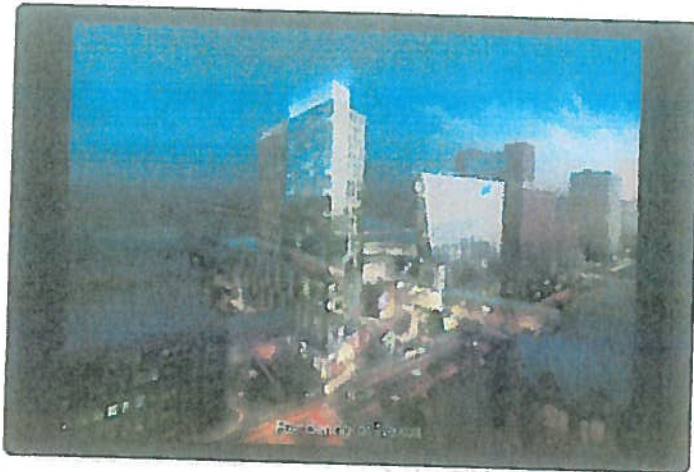
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Hotel developer proposes \$279.6 million project at 4th and Wisconsin

Three hotels, expanded convention center planned at long-vacant downtown site [PHOTO GALLERY]

By Corinne Hess | September 30, 2016 6:37 PM

The first proposal for the redevelopment of a long vacant site at a key location in downtown Milwaukee has surfaced.



Milwaukee-based hotel development firm **Jackson Street Holdings, LLC** is proposing a \$279.6 million plan at North 4th Street and Wisconsin Avenue that would include three hotels totaling 506 rooms, 103,000 square feet of convention space and 22,000 square feet of street-level restaurants, bars and cafes.

The project, to be called **Nexus**, would fully integrate the city's planned downtown streetcar, according to plans from Milwaukee-based **Arrival Partners** which is developing the project with Jackson Street.

The hotels included in **Nexus** would be premium brand and provide a selection of price points for guests and convention attendees, according to the plans. Restaurants would be located on the first floor with convention and meeting space on floors one through four.

The fourth floor would include sky lobbies at the hotels and fitness centers. The hotels would share back-of-house staffing. The guest rooms would be located in two towers. The northwest triangular-shaped tower would include 150 rooms. The 270-foot-tall east tower would include 20 floors with two hotels totaling 356 guestrooms and suites.

Jackson Street Holdings has been active in downtown Milwaukee hotel development in recent years. The firm is currently building the 220-room **Westin Hotel** just south of the U.S. Bank tower.

On the 4th and Wisconsin project, Jackson Street is working with Merrillville, Ind.-based **White Lodging Services**, Arrival Partners and Milwaukee architectural firm **Kahler Slater**.

The 103,000 square feet of convention space provided in **Nexus** would exceed the amount necessary to support the three hotels and provide the expansion the Wisconsin Center District

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Exclusive: \$279M plan calls for hotels, convention center expansion at Fourth and Wisconsin

540-0028-4166m.com Updated Oct 1, 2016 1:31pm CDT

A new proposal for development at the long-dormant city-owned parking lot at North Fourth Street and West Wisconsin Avenue in downtown Milwaukee includes three hotels, a pub for the Milwaukee streetcar and more than 100,000 square feet of convention space, the Milwaukee Business Journal has learned.

The plan would include three hotels with 500 guestrooms and suites along with 22,000 square feet of street-level restaurants, bars and cafes. The development proposal, to be called "Project 4" from Milwaukee-based Jackson Street Holdings, is lead developer. The public-private investment for the project totals \$279 million.

Milwaukee-based Amvial Partners is the development director and partner, and Milwaukee-based Kahler Slater is the architect. White Lodging Services of Marshfield is the hotel manager.

The proposal aims to be a public-private partnership. According to a summary document obtained by the Milwaukee Business Journal, "A project of this size is possible only with the creation and collaboration of multiple stakeholders. The City of Milwaukee will fund improvements related to the streetcar route and station. This investment provides a base of funding that other components build upon. The Wisconsin Center District will fund and own the convention and meeting facilities that are integrated into and built over the streetcar route. The streetscapes are funded by the city and the Wisconsin Center District. The hotels will be privately owned and operated.

The three hotels would vary in size and be privately owned and operated. The biggest tower, at 270 feet tall, would be located on the eastern end of the development, and include 20 floors with two hotels and 200 guestrooms and suites. A 200-foot tower would occupy the western end of the site.

The proposal includes a Milwaukee streetcar station that would be part of a proposed 1/2-mile street extension to the vital streetcar route. The development would also be an extension of Avenue, where a proposed 1/2-mile transit line would operate. It also promises provisions for an improved pedestrian experience and a 3,000-sq-ft station.

The convention center space would be funded and operated by the Wisconsin Center District, essentially making it an expansion of the Wisconsin Center convention hall that the district now operates. The convention center expansion would include 103,000 square feet of convention and meeting space and 50,000 square feet of office and social areas. It would be adjacent to and over the streetcar route and station. Additionally, a 21,000 square-foot exhibition hall would also be located on the first floor.

The plan also features skywalks, funded by the city and the Wisconsin Center District, that connect to the Wisconsin Center and The Shops of Grand Avenue through Boston Store. The location of a convention center expansion was a topic of discussion earlier this week at a Milwaukee Press Club event, where Gary West, CEO and talent buyer for MGM Live Events/MGM Theater Group, advocated for expansion toward the Fourth and Wisconsin area.

Milwaukee officials in June released a request for proposals, or RFP, for the job, and the first deadline for proposals came in to close the deal. According to an email from Milwaukee Department of City Development spokesman Jeff Fleming, Jackson Street offered to pay \$4.6 million for the site, which equates to appraised value from the city of Milwaukee.

The two proposals will be vetted by city officials in the coming weeks. Fleming said the deadline to identify the firms that submitted proposals. Other developers can still submit proposals in future months, he said.

Dan Shaler
Reporter
Milwaukee Business Journal



AERIAL PHOTOGRAPH BY KAHLER SLATER

Bublr Bikes moving to Grand Avenue

Tom Daykin · Milwaukee Journal Sentinel

Updated 12:30 p.m. CT Jan 5, 2015



Photo: Nigel Pelly / Milwaukee Journal Sentinel

105

Bublr Bikes will move its headquarters and bicycle maintenance facility to the Grand Avenue, becoming the first new tenant in that underused mall redevelopment.

Bublr, a nonprofit group that operates a local bike-sharing network, is leasing over 6,275 square feet in the Grand Avenue.

That will include the group's offices, a facility to maintain its fleet of bikes and a customer service counter offering walk-in assistance, system passes and Bublr merchandise, it was announced Thursday.

The new location is close to the main Wisconsin Ave. entrance and next to Boston Store. The ground-floor space most recently housed a jewelry accessories store, and previously had a national record-store chain.

RELATED: Grant brings Bublr Bikes to low-income areas

A new Bublr kiosk will be installed outside the Grand Avenue entrance, 275 W. Wisconsin Ave., this year. A tiny Bublr station may be installed inside the building itself, immediately outside the group's offices.

"With our new offices in the Grand Avenue, we will be closer to customers, near potential bike-maintenance workers and at the center of our growing regional network in an area that is a gathering place and connector for all Milwaukeeans," James Davies, Bublr's acting executive director, said in a statement.

"We're also proud that we will be an anchor tenant in the revitalization of the Grand Avenue and tied to other nearby redevelopments, such as the Milwaukee Symphony's planned relocation into the former Grand Theater across the street from us and the new Bucks arena just blocks away. This location will position Bublr to grow to become an even more viable transportation option for people all over Milwaukee," Davies said.

The move is to occur by the end of January.

Bublr Bikes is now based at 1524 N. RiverCenter Drive, in the Schlitz Park business park.

The Bublr Bikes system is a public-private partnership between the City of Milwaukee and Bublr Bikes, with additional support from other public and private partners.

Since 2014, Bublr Bikes has launched 57 bike share stations in several Milwaukee neighborhoods and Wauwatosa. In coming years, the system plans to expand to over 100 stations in Milwaukee, Wauwatosa, West Allis

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Blah Blah Blob designer to craft lighting feature for West Wisconsin Avenue

SUBSCRIBER CONTENT | 10/10/11 11:46 AM EDT

Downtown Milwaukee's West Wisconsin Avenue later this year could get a place-making lighting feature under a project led by three local business groups. The project is intended to add new elements, be it strings of lights over the street or illuminated sculpture, to brighten West Wisconsin Avenue and contribute to its budding revitalization. Chicago architecture firm Latent Design and Randy Burkett Lighting Design Inc. of St. Louis were recently picked to lead the project, said Matt Dornier, economic development director for the Milwaukee Downtown Business Improvement District No. 2.

"We're really hoping this year, coming into the warmer months that we are able to implement a project," Dornier said. The city of Milwaukee is proposing \$100,000 to pay for the lighting project. That money is included in the tax-incremental financing plan unveiled Tuesday that also would give the Sun-Ten Stores Inc. \$10 million to lease its headquarters offices and Boston Store on West Wisconsin Avenue for another decade.

"You have so many positive projects," Dornier said. "We think 2011 is going to be the year of West Wisconsin Avenue." Other activity on the downtown street includes a planned 2011 construction start on the transformation of the Block of Grand Avenue. The Milwaukee Symphony Orchestra plans to restore the Grand Plaza to become its main performance space. The city is reviewing two competing proposals to develop hotels and convention space on the parking lot at Fourth Street and West Wisconsin Avenue.

Dornier said the lighting project is intended to complement those private developments. Latent Design and Randy Burkett Lighting were selected through a competitive request for proposals issued last year. They demonstrated an ability to work with the street's multiple stakeholders as they craft a specific concept for the lighting project, he said.

Judging by the firms' past work, this will be something beyond mere hang lights. Latent Design of Chicago defines itself as a "progressive" firm that has worked on some unusual projects to enrich public spaces. Those include its 2010 Blah Blah Blob, a large, colorful, inflatable nylon fabric creation large enough for people to walk inside. It was set inside in Chicago's Union Station as part of a placemaking effort. Latent Design also was selected by the city of Chicago for the three-year People Plaza program, staging placemaking events in several public spaces.

Latent teamed with Randy Burkett Lighting Design Inc. of St. Louis. That firm has participated in lighting projects including the Martin Luther King Jr. Memorial in Washington, D.C., the Chrysler Plaza in St. Louis and the Ohio State Capitol building.

The Downtown BID partnered with the W.A.M. LLC West Wisconsin Avenue economic development group and Downtown Association on the effort. The three organizations have only the \$100,000 in proposed city money to finance the design and construction, Dornier said. The project will likely be developed to its smallest with the potential to scale up.

"Maybe this lighting installation that grows over time," Dornier said.

Sean Ryan
Reporter
Milwaukee Business Journal



ALSO ON EBAJTV
The project was unveiled during the lighting installation in Milwaukee's People Plaza during West Wisconsin Avenue.



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Pivotal meeting likely in March on expanding Wisconsin Center, building convention hotel

Jan 20, 2017 11:33am | Updated Jan 20, 2017 12:18pm CST

Decisions on whether to proceed with expanding Milwaukee's downtown convention center and build a new convention hotel will come into sharper focus by March when the convention hall's governing board assesses the need for the possible \$200-million convention project and pinpoints funding sources.

The Wisconsin Center District board will review a consultant's report on the district's finances. How that board's March meeting plays will focus on what to do on a possible convention center expansion and two competing proposals for a convention hotel: at North Fourth Street and West Wisconsin Avenue, said board chairman Scott Neitzel. "As we move forward, we need to look at existing revenue sources and every expense and figure out how we maximize our revenue and reduce our expenses to fund whatever the board believes we need to do in the interest of the district," Neitzel said in an interview after the meeting.

Both prospective hotel developers Marcus Corp. and Jackson Street Holdings say they will proceed with a convention hotel only if a convention center expansion is approved. The city of Milwaukee ultimately has the final decision-making authority in selecting a hotel developer for the city-owned site at Fourth and Wisconsin.

The March Wisconsin Center District board meeting will include a discussion on "what is our capacity, what do we want to do with the hotel proposals and see what questions there are from the board to make decisions," said Neitzel who is secretary of the Wisconsin Department of Administration.

Neitzel reiterated his desire to determine whether the convention center expansion could be funded without raising any new taxes. He emphasized that no decisions have been made on whether to expand the Wisconsin Center convention hall to the north or how to fund the project.

"I think we need to avoid jumping to a new tax base," Neitzel said. "There are many other things we can do at and figure out what our objectives are and how we fund those objectives. And it doesn't necessarily have to be an increase in taxes."

It is too soon to discuss when a convention center expansion project might start, Neitzel said.

"That's way too speculative," Neitzel said. "We're going to sequence this. There's a lot of information and data we need to gather to put in front of the board to make those decisions."

The district board at its February meeting will hear the results of a facilities study underway by Barlett Sports Group of Los Angeles and Crossroads Consulting Services of Tampa, Fla.

The only tax increase the Wisconsin Center board could enact without approval from the Wisconsin Legislature is a Milwaukee County hotel tax of 2.5 percent that could be increased by .05 percent. That would produce about \$1 million annually in new revenue for the district, which is not enough to cover bond payments on an expansion that could cost \$150 million to \$200 million.

A larger potential funding source is an existing .05 percent sales tax on prepared food and drinks sold in restaurants and taverns in Milwaukee County. However, that tax is earmarked to be down to zero by the convention hall through 2027.

The food and beverage tax collection is running at about \$11.5 million annually, which would largely cover debt payments on a convention center expansion.

State legislation in 2015 that enabled \$250 million in public funding for the new Milwaukee docks arena allows the Wisconsin Center board to approve continuing the food and beverage tax. Another line in the arena funding law eliminated a requirement that the Wisconsin Center District use the tax only for debt service on the already-issued bonds that opened the door to funding new debt.

The district's funding capacity for a convention hall expansion that would start as early as 2019 ranges from \$120 million to \$148 million, based on a "best case analysis" by Norman Stanley, according to an October 2015 email obtained by the Milwaukee Business Journal.

Representatives of both Marcus Corp. and Jackson Street Holdings gave presentations to the district board Friday on the scope and pricing points of proposed hotels. Board members listened to both teams and asked a few questions but, as specified on the board agenda, took no action.

Rich Kirschen
Senior Reporter
Milwaukee Business Journal



FILE PHOTO

The parking lot where the Wisconsin Center convention hall sits left could be expanded. It would provide better connections with Wisconsin Center District venues Milwaukee Theatre and the Milwaukee Art Center. Here is one view right.

Three downtown art projects moving forward

Sarah Hauer, Milwaukee Journal Sentinel

Published 5:22 pm C.T. Dec 10, 2015 Updated 5:43 pm C.T. Dec 10, 2015



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(Photo: Michael Sorensen/Milwaukee Journal Sentinel)

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Three art projects — adorning utility boxes, decorating alleys, and sculptural installations — will proceed in downtown Milwaukee this summer.

The projects, coordinated by the Milwaukee Downtown Business Improvement District, will be located on Wisconsin Ave's downtown stretch from the lakefront to Marquette University.

"The intent is that through arts on Wisconsin Avenue that we will increase the walkability and sense of place along Wisconsin Avenue to Marquette Campus," said Beth Weirick, CEO for the Downtown BID 623.

Three utility boxes on Wisconsin Ave. will be decorated by local artists. The call for artists to submit proposals will go out in early January and selections will be made in February.

"Utility boxes will reflect the avenue's rich history of commerce, diversity of architecture and people and its undoubtedly bright future," Weirick said. The artist can submit proposals to paint or decorate one box, multiple boxes or all 10.

Murals transforming east side path into Black Cat Alley

The group also plans to commission murals in alleys between the Third Ward and downtown. Called Art in the Alley, the project would be similar to Black Cat Alley, a street art project on Milwaukee's east side between E. Kenilworth Place and E. Vanhuber Place. The group is currently scouting locations for the project.

Weirick said the murals will need to be "family friendly and appropriate for a center of commerce and focused on economic development and diversity." A request for proposals from local artists will go out in February.

The third project would bring sculptural installations from internationally renowned artists to Wisconsin Ave. The idea originated in 2013 from Steve Marous, Marous Corp. chairman, and was approved last year.

Russell Bowman, who directed the Milwaukee Art Museum for 17 years, will curate the sculpture project, Weirick said. The next steps include identifying art pieces, raising funds and developing a tactical plan.

The group is determining a budget for the project that will be supported by combining funds from adjacent property owners, the downtown business district and grants. The group is trying to establish a baseline budget with artists fees, material fees and other expenses.

Weirick said the hope is for all the projects to be unveiled this summer, calling the timeline "aggressive."

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From the Milwaukee Business Journal
http://www.bizjournals.com/milwaukee/stories/2012/03/05/reuss-office-building-for-sale.html

Reuss office building in downtown Milwaukee listed for sale

Mar 6, 2012 1:30p CST | Updated Mar 8, 2012 2:33pm CST

The cobalt blue former Henry D. Reuss Federal Plaza office building on West Wisconsin Avenue in downtown Milwaukee is on the market, with its owner hoping to sell it this year.

The nearly half-century office building at 370 W. Wisconsin Ave. is an active area for development. Nearby projects include the Milwaukee Bucks arena, the \$70-million Grand Avenue redevelopment, possible conversion center expansion and \$80-million Water Street Theatre restoration for the Milwaukee Symphony Orchestra.

The building's pending sale opens the potential for a buyer to convert it to other uses, such as a hotel or apartments, or to invest while awaiting the city's approval to bring in new tenants and jobs.



The 11-story office building is assessed at more than \$28 million.

Tom Shepherd, partner in Cowens International Wisconsin who is listing it for sale, said it is up to the market to decide its future. Shepherd said a price has not been set.

"There is some potential other uses, but we're not going to narrow the potential at all," he said.

The property covers three quarters of a city block with the 578,000-square-foot office building and its attached 606-stall parking deck.

"National investors are taking note of all of the major things in Milwaukee's downtown and they are excited," Shepherd said. "This property has enormous scale and is one of the best value creation opportunities on the market, not only in Milwaukee but in the entire Midwest."

The property belongs to RMT Financial Trust, a real estate investor based in Philadelphia that bought it in 2004, according to a recent RMT filing with the U.S. Securities and Exchange Commission. The building is 53 percent occupied, according to the filing.

More vacant space will open up in the building under plans by The Bon-Ton Stores Inc. to move out. The retailer plans to move workers from the former Reuss building across Wisconsin Avenue to its existing office space above Boston Store.

Other tenants in The Blue are Prevant Law, ESM Wisconsin, Bryant & Stratton College and Capital Grille restaurant.

The M&TDC, an economic development group, likely would not look at buying the building, but will help in promoting it to potential buyers, said Steve Chernoff, M&TDC president and an attorney with Goodley & Kahn LLC.

"There's a lot of activity, and we'd be glad to help him in his efforts," he said of Shepherd's marketing work.

Sean Ryan
Reporter
Milwaukee Business Journal





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From the Milwaukee Business Journal
https://www.bizjournals.com/milwaukee/news/2015/12/02/proposed-east-west-bus-rapid-transit.html

Proposed BRT line could help catalyze more than \$60M in development

By Dan S. Baumbach

The proposed east-west bus rapid transit line has the potential to help spur more than \$60 million in new development on parking lots and vacant buildings along the route, according to a report by University of Wisconsin-Milwaukee students.

Milwaukee County officials want to start construction in 2016 on the nine-mile BRT route between downtown Milwaukee and Wauwatosa. It is billed as a way to get workers to jobs downtown and at the Milwaukee Regional Medical Center. New developments have cropped up around similar rapid bus lines in other cities, and BRT supporters in Milwaukee expect the same thing to happen here.

Even students at UWM's School of Architecture and Urban Planning made the BRT line the focus of a class project this past semester and hosted guest lecturers, including planners involved in the county BRT project.

"We are very interested in contributing to the community discussions of plans and projects that are happening today or in the near future," said Robert Schneider, the UWM associate professor who led the class. "Students identified that of us, that they're relevant."

As part of their work, the UWM students analyzed the siting and commercial development potential of vacant and under-used properties within a half mile of the BRT's envisioned stations. They concluded those sites along the BRT line could spawn \$60 million to \$70 million worth of private development. Those projects would generate more than \$10 million in property taxes annually.

That development potential is among the selling points for the estimated \$45 million BRT line, which could generate debate in 2013 as local officials contemplate eliminating driving lanes or street parking along the project route. Those dedicated lanes are a crucial component of making the BRT drive times competitive with cars.

The route would run mostly along Wisconsin Avenue and Blue Island Road, between Lincoln Memorial Drive at the downtown waterfront and Swan Street and in Wauwatosa. Milwaukee County will firm up the details of the east-west BRT plan in 2013. Engineers are studying the route to determine the best locations for stations. They also will present options to the public on station designs and costs, said Brandon Conway, Milwaukee County Transit System spokesman. Stations, for example, could each have their own features reflecting on the neighborhoods in which they are located, he said.

Engineers also will decide where it is feasible from an engineering standpoint to have dedicated BRT lanes along various areas along the route, Conway said. There are a range of road conditions along the nine-mile route, so while it may be possible in some areas to have dedicated lanes in the center of the street, for example, that may not be in others.

Students in the UWM class dug into the question of dedicated BRT lanes, and present recommendations on where to have them along the route. These recommendations include bike lanes, and how to make streets more pedestrian-friendly. The UWM students' concepts are included in the attached slideshows.

Engineers on the actual project team in the coming months will study where it is possible for buses to run in dedicated center or curbside lanes. Different areas will pose different challenges for dedicated lanes, which will either remove on-street parking or take lanes away from cars. The narrow stretch of West Wisconsin Avenue between the Milwaukee River and Sixth Street in particular has raised questions.

Open houses are planned in spring at the earliest to get input on the station and lane options, Conway said. Elected officials in Milwaukee and Wauwatosa will ultimately decide where to put stations and dedicated lanes. They "that could be something that could happen next year," Conway said.

Sean Ryan
Reporter
Milwaukee Business Journal



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REPORTER SEAN RYAN

CBRE brings workplace solutions operation downtown

SUBSCRIBER CONTENT | 5/11/2016 4:58am CDT

Local CBRE global workplace solutions employees are settling into a new office in the ASQ Center in downtown Milwaukee after moving from Glendale.

The company leased 10,000-square feet in the ASQ Center at 510 N. Park Street Ave., where it will house 70 full-time Milwaukee office employees. The office, which opened Aug. 23, will be the hub of the business, roughly 300 workers in the Milwaukee area, said Jim Kerpou, senior vice president of human resources for CBRE and a global workplace solutions service line. "We wanted a vibrant location for our employees with access to transportation and services," he said.

The service line was created after global real estate firm CBRE last year bought a building management operation from Johnson Controls Inc. Some employees in the ASQ Center space came to CBRE through the deal with Johnson Controls, Kerpou said.

The workers moving into the ASQ Center were previously at 5035 N. Central Ave. in Glendale. Johnson Controls in 2010 moved employees into that building from its downtown offices.

The new space in the ASQ Center serves partly as a demonstration area for the facilities management division of CBRE. The workspace has an array of sit-stand desks, closed-door offices, meeting areas and couches with tables. Most of the company's local employees each have laptops and wireless phone headsets, and set up a workspace wherever it is most convenient for the day ahead, rather than staying in the same assigned cubicle, Kerpou said.

Regardless of the type of employee, they can use the space the way that works best for them," he said.

CBRE's global workplace solutions line is based in Los Angeles, and has 10,000 employees in 60 countries, Kerpou said. The Milwaukee office will handle account management, finance, information technology and other operations.

The ASQ Center move does not affect the existing CBRE operations located in the U.S. Bank Center in downtown Milwaukee. Associate Vice Chairman of that office Ekaterina Krasnikova is the lease dealer for the ASQ Center.

Sean Ryan
Reporter

Milwaukee Business Journal

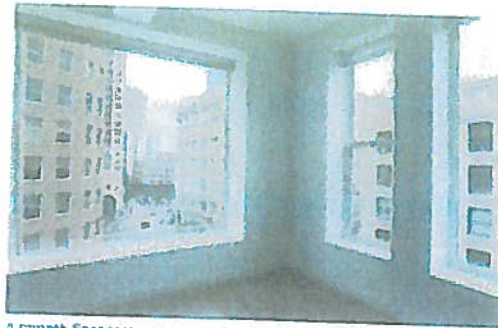


SEAN RYAN
Milwaukee Business Journal
Senior Vice President of Human Resources

BUSINESS

Posner Building transformed into MKE Lofts Downtown

Mixed-use development features 105 high-end apartments



A seventh-floor corner apartment includes a view of E. Wisconsin Ave. Credit: Michael Seatz

By Tom Daykin of the Journal Sentinel

For more than a decade, downtown Milwaukee's Posner Building was an odd mix, with a very active street level while remaining largely vacant on its eight upper floors.

Max Irish Pub supplied the energy on portions of the first and second floors at the building, at W. Wisconsin and N. Pleasanton avenues.

Now, with a \$13.7 million development being completed, there will be more businesses on the street level, as well as 105 new high-end apartments on the upper floors.

The building, renamed MKE Lofts Downtown, has opened some of its apartments, with the remaining units to be available by Sept. 20, said developer Tyler Hawley. Around 40 apartments have already been rented, he said.

Many renters are millennial generation members, ranging from their early 20s to around 35, said Hawley, a co-owner of development firm VHS Holdings LLC.

Some of MKE Lofts' new residents have moved to the Milwaukee area to work for companies located downtown, as well as suburban-based employers such as Koh's Corp., he said.

"I think it's typical that a lot of Koh's employees are young millennials, and they don't want to live out in Menomonee Falls," Hawley said.

Most of the apartments have monthly rents that start at \$705 for studios and range up to \$2,750 for two bedrooms or so.

Also, the development has 21 apartments set aside at below-market rents for people earning up to 80% of the area's median income. Those rents start at \$615 for studio units.

The development's total financing is a \$13.75 million loan from the Wisconsin Housing and Economic Development Authority, which required that 20% of the apartments be set aside at lower rents.

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High-end apartments developed at Posner Building

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Downtown Milwaukee Fairfield Inn sold for \$10.9 million

Chicago-based Arbor Lodging Partners acquired property last month

By Corinne Hill | November 14, 2016 | 10:51 AM

An affiliate of Chicago-based **Arbor Lodging Partners** has purchased the 103-room **Fairfield Inn & Suites** hotel in the historic Straus Building in downtown Milwaukee for \$10.9 million, according to state records.

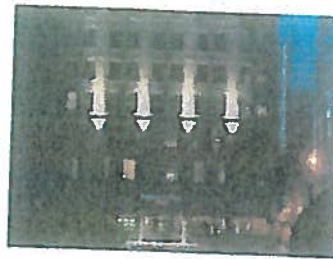
The hotel was sold by Warwick, Rhode Island-based **Magna Hospitality Group**. Earlier this year, the firm sold the downtown Milwaukee **Hampton Inn & Suites** hotel.

The purchase marks Arbor's entry into downtown Milwaukee, which was announced by the company last month.

The 103-room hotel at 710 N. Old World Third St. will be managed by Arbor affiliate **NVN Hotels**. The company is planning to make improvements to the hotel and maintain its affiliation with Marriott's Fairfield Inn & Suites flag, according to a statement released by Arbor Lodging Partners.

Fairfield Inn & Suites hotel opened in 2013 in the 92-year-old Straus Building. The 12-story building has an assessed value of \$5.6 million, according to city records. It was formerly a Best Western hotel, which was converted to a Fairfield.

"We're pleased to join the downtown Milwaukee community which has shown significant population and development growth over the past decade that outpaces other cities of its size," Vamsi Banthala, CEO of Arbor Lodging Partners, said in a statement.



The Fairfield Inn & Suites hotel in downtown Milwaukee.

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From the Milwaukee Business Journal
 Published by a subsidiary of the Journal of Commerce, 2015/11/15, City of Milwaukee, about West Wisconsin Avenue, WI

Why we keep talking about West Wisconsin Avenue

Nov 15, 2:15 PM CST | Updated: Nov 23, 2015, 3:48 PM CST

Northwestern Mutual's annual conference draws more than 10,000 associates to the city. Each summer, hundreds, if not thousands, room out of hotel rooms and Wisconsin Center seats and onto West Wisconsin Avenue near Fourth Street.

But as we detail in this week's cover story, that first impression might be an unfortunate one, thanks to vacancies that line the street.

"There are so many people in the summer downtown, looking around and gathering an image of Milwaukee based on what they see on Wisconsin Avenue," said Pat Keating Kahn, who owns the Rykois Exchange building up the street. "We don't want the image that Wisconsin Avenue portrays to go home with them."

For years, local leadership has taken a vested interest in changing that impression. Now, they hope incoming apartments will create the tipping point that brings retail back to the street.

They care (and we care) because West Wisconsin Avenue is often visitors' first impression and because of that the geography to act as Milwaukee's "Main Street" is not a good news story. We're the nearby Third Ward, but we hope it's instructive — that it can serve as a case study for other streets battling vacancies and trying to attract retail.

We cataloged each of the seven projects under construction from the river west to Fourth Street in this week's third edition, and asked stakeholders what they think it takes to turn West Wisconsin Avenue around. Of course, those challenges go beyond retail alone. I detail additional headwinds (and proposed solutions) from the

in the meantime, here are three wishes for West Wisconsin Avenue from Keating Kahn, and from Steve Chernoff, an attorney at Godfrey & Kahn SC who's championed revitalization of the West Wisconsin corridor.

Chernoff
 We would like to continue the momentum around housing that you're seeing. Could even more units and have more and more people in the area. Another is a solution to the empty block at Fourth and Wisconsin that continues to draw people.

Keating Kahn
 That there be some real new activity, good activity at the Grand Avenue (The Shops of Grand Avenue) or elsewhere on the street that becomes a magnet.

Alison Baxter
 Reporter
 Milwaukee Business Journal



West Wisconsin Avenue

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FROM THE MILWAUKEE BUSINESS JOURNAL
MILWAUKEE BUSINESS JOURNAL (ISSN 1041-7122) (MILWAUKEE, WI) (DAILY) (PUBLISHED EVERY DAY EXCEPT ON SUNDAYS)

Nexus vs. eMarKE: Hotel concepts mark major difference between downtown proposals

By Tom Ichniowski

The most obvious difference between the two proposals for development in the long dormant city-owned waterfront parking lot at North Fourth Street and West Wisconsin Avenue is the number of hotels and new hotel rooms.

The two proposals — "Nexus" from Johnson Street Holdings and Arival Partners and "eMarKE" from Marcus Corp. — and the debates surrounding them are the focus of this week's Milwaukee Business Journal's Friday week-end cover story.

Marcus' eMarKE would expand the Hilton Milwaukee City Center by 276 rooms in a new 11-story tower. The "Nexus" proposal features three new hotels in the downtown core, including one in a 12-story, 150-room, 150-foot tall tower at the intersection of the street and Madison Avenue, and two hotels in a 20-story, 300-room, 270-foot tall tower.

The proposed expansion to the 723-room Hilton Milwaukee City Center, the city's largest hotel, would push its total number of rooms to more than 1,000, a key number for convention planners, said Greg Marquis, CEO of The Marcus Corp. (NYSE: MDC).

"By adding 276 rooms under the Hilton brand connected to the Hilton — presumably part of the Hilton — and a 10-story, one concept — we got that magic number. That's the most important thing right now," said Greg Marquis. "Other companies get behind the name of headquarters hotel, but it's got to have that magic number. We're the only one that can do that." Interestingly, the Nexus proposal is in favor of the expansion of the Hilton — about 100 in the fourth and Wisconsin lots.

"We would love if the Hilton would add on to their hotel," said Greg Marquis, president of Arival Partners and spokesman for the Nexus project. "And they have space on Sixth Street to do it. Marcus has discussed expanding the Hilton for quite some time in the past. Greg Marquis has told the Milwaukee Business Journal that his company is ready to expand the hotel by 300 rooms if the Wisconsin Center convention hall is also expanded."

Nexus does not see this as an either/or scenario, but rather an "and" in a situation where the added meeting space in the Nexus project "meets enough business for 1,000 rooms. We build 500, and as we talked about with the other hotels that have thought about building additional for decades — the Hilton and the Hyatt — build additional."

The eMarKE proposal, a much more aggressive approach to hotel development, involves one hotel under one brand expanding to an adjacent block. It's already a convention-connected hotel, and a word only grows that position it has established by reaching the key 1,000-room threshold.

For Nexus, the three hotels would operate independently, but separately share a central desk that would employ a chief engineer overseeing all properties, and have a central asset department. Examples Nexus is giving as successful multi-hotel concepts include the C&A room service hotel, the North Hotel group in Chicago run by White Lodging Services (the same hotel manager as Nexus) and the three hotel, E21 from Marriott Place in Indian spots.

Johnson Street Holdings also has five "operational" other downtown Milwaukee hotels: the Marston Hotel, the Afton Hotel, the Springhill Suites and the soon-to-be completed Veslin Hotel, and is eyeing "upper/lower upscale" hotel brands for Nexus and Nexus.

Their proposal submission letter included letters from executives of Marriott International and Sonesta Hotels, recently acquired by Marriott International, expressing interest in the site. Joseph L. Jurek, president of Marcus Hotel & Resorts, said meeting planners and convention marketers face challenges without having a 1,000-room headquarters hotel in the city.

"Meeting planners, in a nutshell, they want self-contained," he said. "They want ease of use. Ease of use is not only how we do it, it's also the contrast with one unit with two hotels, one situation, nature, dining with one person instead of dining with two as a couple. The city itself doesn't have that."

Paul Ruppel, president and CEO of Vail Milwaukee, the origin of the talks with expanding Milwaukee for conventions, said there is a need for more hotel rooms adjacent to the convention center in Milwaukee. He has been meeting with both development groups, and said both accomplish the goals of adding convention space nearby.

"I don't see weaknesses in either proposal," he said. "Right now the number of hotel rooms around the convention center is important. I think both are a big benefit there. Give the activity that both create on West Wisconsin Avenue, which is really needed. The street is running right down the middle of the block, a huge plus. Both have way more program than walkways. We'll have a chance to sit down and talk about how the meeting space flows and how it works a bit more, but certainly we're excited about both."

Ruppel added that he'd like to see "either one get done ASAP."

"As we look out and look conversations, we're looking at '10, 20, 25' and we'd hope to have one of these proposals done by then," he said.

Richard Hamilton, president of the Milwaukee Common Council and a board member of the Wisconsin Center District, said both are quality proposals.

"We've always wanted to have a 1,000-room hotel under one roof, but having three hotels do the same thing, especially if there's a relationship and a way of communicating that with each other, I think they both have places and purposes," he said.



MARCUS CORP./PHOTOGRAPHY ARCHITECTS



"Milwaukee Downtown" announces design competition for Wisconsin Avenue utility boxes

POSTED: 1:14 PM, Feb 2, 2017
 UPDATED: 1:14 PM, Feb 2, 2017



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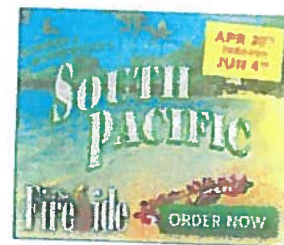
MILWAUKEE – Milwaukee Downtown, BID #21, with input from the Downtown Placemaking Task Force, is hosting a design competition for a mural installation on Wisconsin Avenue utility boxes.

The utility box mural installations will serve as the pilot initiative for Arts on Wisconsin Avenue – a summer initiative to build downtown's identity through the enhancement of spaces and places with sculpture, mural and lighting installations.

The project is intended to heighten awareness of the creative community and reflect Wisconsin Avenue's prominent stance as Milwaukee's main street.

Why 'Small' Milwaukee Is A Big Concert City

The Request for Creativity allows artists to explore creative design concepts for ten identified Wisconsin Avenue utility boxes. Artists are encouraged to submit mural ideas for one box, several boxes, or all ten boxes. Artists can submit an idea(s) as an individual, or put together a team. Final designs will successfully reflect Wisconsin Avenue's rich history of commerce, diversity of architecture and people, and its undoubtedly



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Wisconsin Ave. Will Get 10 Murals
 But small ones. On utility boxes. Made by artists. Paid by Downtown BID

By Brandon Anterregg Feb 09, 2017 03:22 pm

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Looking east down E. Wisconsin Avenue from Jefferson St. Photo by Jeremy Jannone.

Milwaukee Downtown recently published a request for creativity (RFC) for mural installations on 10 Wisconsin Avenue utility boxes. The RFC is a creative variation, you might say, on the standard request for proposals or RFP process, inviting artists to propose new design concepts for an overlooked part of the civic infrastructure.

"This is the year of Wisconsin Avenue," said **Beto Webrick**, CEO of Milwaukee Downtown BID #21. "There is so much momentum along the avenue and the utility box project is just one of the many developments adding vibrancy to our historic main street."

This project is intended to bring awareness of Milwaukee's creative community as well as establish Wisconsin Avenue as the city's historic main street. The organization hopes that the final designs will reflect Wisconsin Avenue's rich history of architecture, commerce, diversity, people and the city's bright future.



Utility box located at the southeast corner of N Jackson St. and E Wisconsin Ave.

Milwaukee Downtown has allocated \$1,500 for each utility box to cover the artist's time and materials. The project is sponsored by the business improvement district as well as community partners.

The utility box mural installers will serve as the pilot initiative for the new Arts on Wisconsin Avenue program. The program seeks to build Downtown's identity by enhancing places with a variety of art installations.

The RFC gives artists flexibility. They may submit mural (ideas) for one utility box, several or all ten. They can submit ideas individually or as a team of artists.

The designs are expected to be installed in June 2017.

All design equines must be submitted no later than Wednesday, Feb. 15 to **Gabriel Yeager** gyeager@milwaukedowntown.com. Final submissions are due Wednesday, March 1. [The RFC is available online.](#)

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City, downtown BID seeks artists to decorate utility boxes

Asks for mural ideas for 10 boxes on Wisconsin Avenue

by Corinne Hess February 11, 2017 3:27 PM

The city of Milwaukee and the **Downtown Business Improvement District** are hoping to spruce up Wisconsin Avenue by decorating its utility boxes.

The BID has issued a Request for Creativity asking artists to submit mural ideas for one or all 10 of the boxes identified along Wisconsin Avenue.

The goal is to reflect the street's rich history of commerce, diversity of architecture and people and bright future, according to the proposal, which ends March 3.

Beth Weirick, CEO of the downtown BID, said one of the property owners asked if there was anything to do about the utility boxes, which was a nudge to do the project.

"So many of our colleagues across the country are engaged in public art," Weirick said. "It is something that we hadn't gotten into but with so much activity going on on Wisconsin Avenue from the foot to Marquette's campus, our time is here."

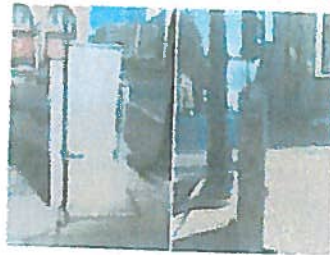
An Arts on the Avenue task force was formed and the \$15,000 project is being funded by the BID grants and donations.

Artists selected will be given \$1,500 for each utility box, with the potential for more depending on philanthropic donations.

The utility boxes are located at 800 E. Wisconsin Ave., 650 N. Jackson St., across from the federal courthouse, 401 E. Wisconsin Ave., across from the Pfister Hotel, 411 E. Wisconsin Ave., 209 E. Wisconsin Ave., 770 N. Plankinton Ave., at Mo's Irish Pub, 702 N. Second St., near the Shops of Grand Avenue, 300 W. Wisconsin Ave., 700 N. 6th St., near the Convention Center and 706 N. 9th St.

The murals must fit the exact utility box measurements and will be selected by the Downtown Placemaking Task Force, which includes representatives from the city, WE Energies, Milwaukee Arts Board, West Town Association and East Town Association.

The winners will be selected in late April and installation of the artwork is expected in June.



The Downtown Business Improvement District has issued a Request for Creativity asking artists to submit mural ideas for one or all 10 of the boxes identified along Wisconsin Avenue.

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Downtown Milwaukee Utility Boxes To Get A Makeover

By MICHAELA MARTIN • APR 3, 2017

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This is what Milwaukee's utility boxes look like now
MICHAELA MARTIN

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3:27

If you've never noticed those gray utility boxes sitting on many downtown Milwaukee blocks, you will later this summer. The local business improvement district has asked several local artists to submit designs for turning the boxes into three-dimensional works of art.

Beth Weirick, Milwaukee Downtown CEO, says as part of 2017 being "the year of Wisconsin Avenue," property owners suggested it do something creative with the boxes.

"They take such great care of their building and they approached us and said what can we do to cover up these ugly gray boxes that are in front of our building," she says.

Weirick says a task force solicited artists and, later this week, will meet with the finalists.

"It's going to give us a real great opportunity to hear from the artists themselves. What is that emotional attachment and how did they come up with what they came up with, and are they really going to be representative of everything that Milwaukee represents, and how are they going to tell that story and how will they engage other Milwaukeeans to be compelled to visit or to share the story," she says.

The winning murals will be installed this June.

Gabriel Yeager works with Milwaukee Downtown and received the artists' submissions. He says they are something to behold.



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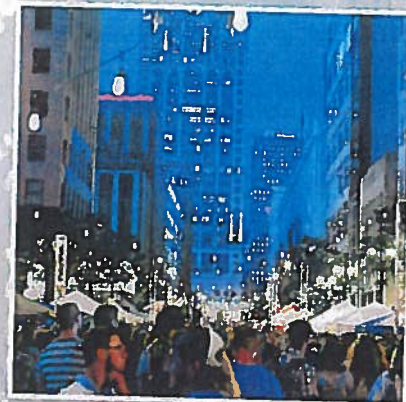
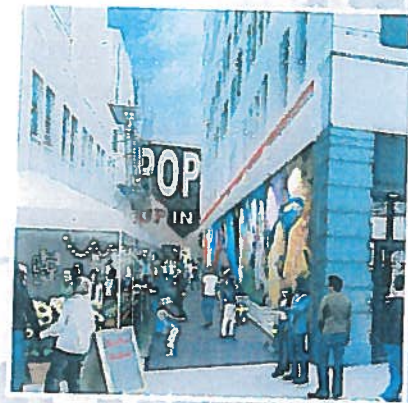


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to once again be the surging heart of downtown Milwaukee. Lifted by the momentum from a significant string of new investment, it's time to experience the ongoing renaissance, renewed energy, and unparalleled opportunity that exists on Milwaukee's *main street*.



Why West Wisconsin Avenue?

— BY THE NUMBERS —

- **26,000+ Downtown Residents** and growing
- **83,490 Employees** working downtown daily
- **67,000+ College Students** in the greater downtown area
- **3.25+ Million Annual Visitors** to Westtown venues
- **2,687 Hotel Rooms** in Westtown
- **550,000+ SF** of obsolete office space repurposed to new uses
- **\$1+ Billion** of recently completed or under-construction investment in Westtown
- **504 New Apartment Units** recently completed or underway along the Avenue corridor
- **12+ Acres** of green space in Westtown
- **28 Years** is the average age for a Westtown resident, making it a young professional haven
- **\$49,341 Median Household Income** is \$15,000 more than the City as a whole
- **40,000+ Annual Attendees** to NEWaukee's Night Markets
- **0.75-Mile Streetcar Route** planned, linking West Wisconsin to the Arena and Intermodal Station
- **35+ Free Events** hosted by the Westtown Association
- **92 Walkscore** means Westtown is a "walker's paradise"
- **1.75-Mile Skywalk System** connecting Westtown attractions

The Buckler



700 Lofts



The Shops of Grand Avenue



West Wisconsin Avenue — AT A GLANCE —

For a full range of lease and development opportunities, as well as potential incentive programs to make your vision a reality, contact Matt Dorner, Economic Development Director for Milwaukee Downtown, at 414.238.2243 or mdorner@milwaukeedowntown.com.

Incentive Opportunities

These and other programs may be available to assist in your commercial revitalization project:

- Milwaukee Downtown Business Development Loan Pool Program
- White Box Grants
- Retail Investment Funds (RIF)
- Facade Grants
- Signage Grants
- Kiva 0% Interest Loans
- PACE Financing



Request for proposals now open for the West Wisconsin Avenue/4th Street development site.



NEWaukee Night Market



Marquette University Athletic Performance Research Center

"With all of the ongoing investment in the corridor, West Wisconsin Avenue is the epicenter of what will be Milwaukee's next great neighborhood. This is why we invested in the Grand Avenue. Our team is excited to begin implementing our vision for its reinvention and to be a big part of Westown's continued renaissance."

*Tony Janowiec,
President of Aggero Group,
and local investor/owner of
The Shops of Grand Avenue*

"The Posner Building stood out to our team as a tremendous opportunity to do a unique adaptive reuse and give new life to one of the most iconic buildings on West Wisconsin Avenue. When the opportunity arose to convert the building into the MKE Lofts, we acted quickly. The rapid apartment lease-up surpassed our expectations and truly illustrates the desirability to be on the Avenue and in the heart of a walkable neighborhood."

*Joseph Klein,
Principal,
HKS Holdings, LLC*

"The Zilber Property Group has been a longtime supporter and believer in West Wisconsin Avenue. With several assets in the corridor, we are very excited to be part of the ongoing revitalization. There is more momentum and energy west of the Milwaukee River than we have seen in a long time and you can feel that it is only getting stronger."

*John Kersey,
Executive Vice President,
The Zilber Property Group*








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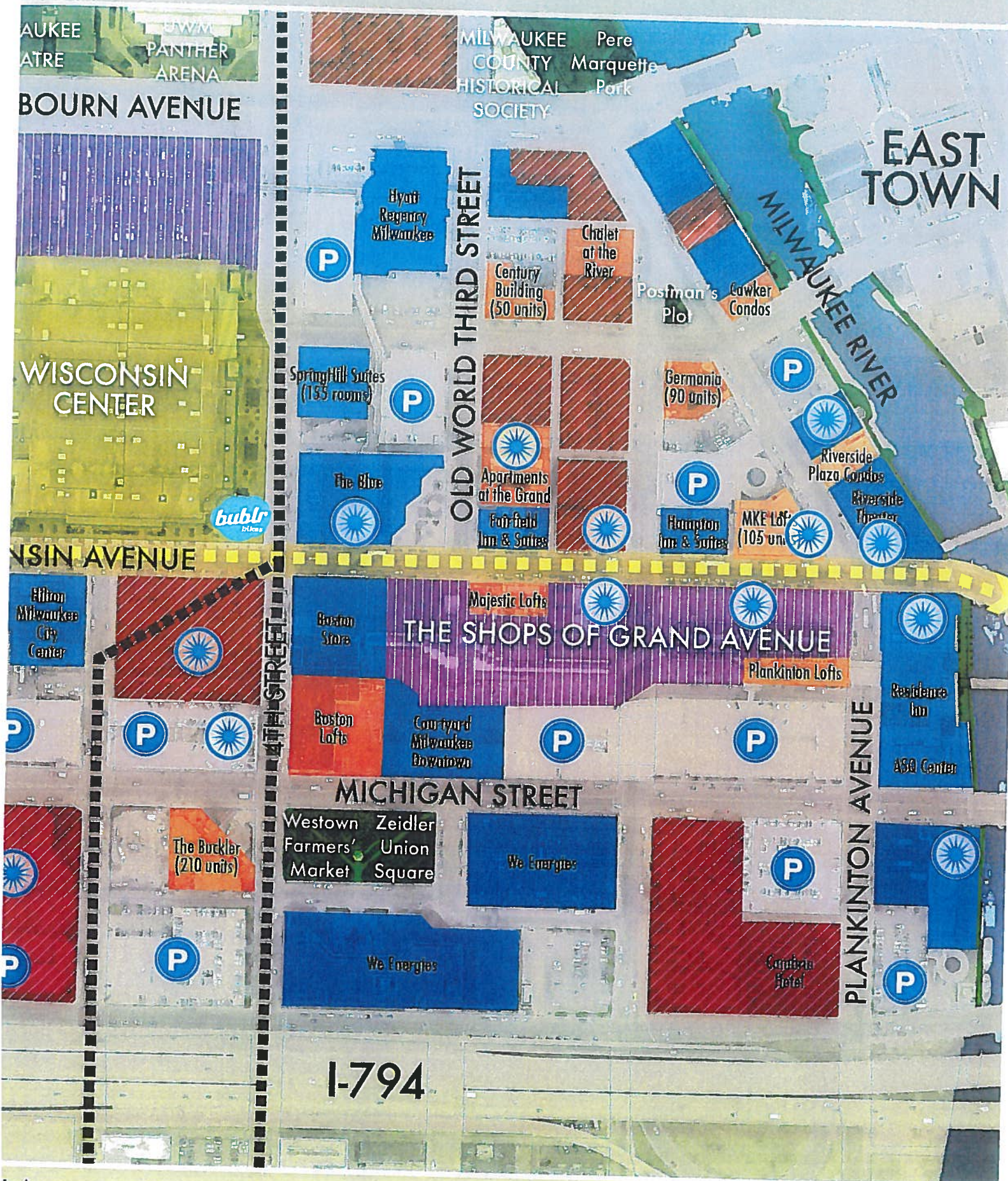
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To download this guide and for information on lease opportunities, market data and more, visit: www.WisconsinAve.com

ing that the West Wisconsin
 s leading Westown's charge to
 neighborhood. The corridor is
 established employers, retailers,

and cultural, convention, and entertainment
 venues that attract millions of people. Coupled
 with the booming residential population, there
 is a renewed vibrancy that continues to build.

This momentum and optimism is mounting as
 several new catalytic projects are ready to launch
 forward, sending another wave of development
 and transformation into motion.





Now is the time to take advantage of the opportunities!

The West Wisconsin Avenue corridor is filled with incredible potential, and people are taking note. Join in the numerous opportunities to

leverage the momentum and be part of creating a vibrant neighborhood. To get more information and market data, do not hesitate to reach out to

Matt Dorner, Economic Development Director for Milwaukee Downtown, at 414.238.2243 or mdorner@milwaueedowntown.com.



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FOR IMMEDIATE RELEASE

Contact: Beth Weirick
Milwaukee Downtown, BID #21
414.220.4700
Rachel Farina
Ellingsen Brady Advertising
414.224.9424

Milwaukee Downtown, BID #21 declares 2017 the Year of Wisconsin Avenue

MILWAUKEE, Wis. (April 13, 2017) – Since 2014, 16 flagship properties along Wisconsin Avenue have announced plans for new construction, reinvestment or repurposing. Coupled with a series of public art projects, Wisconsin Avenue has been reestablished as downtown Milwaukee’s premier business address. Along the avenue, more than \$194 million has been invested in public and private projects since 2005, while more than \$783 million awaits in proposed and under-construction projects.

Aside from brick and mortar investments along the avenue, Milwaukee Downtown, BID #21 cites several public art projects, which will further growth and development. Among the projects that will be unveiled along Wisconsin Avenue this summer are Sculpture Milwaukee, a world-class public art installation featuring 22 sculptures; mural installations on 10 utility boxes; a West Wisconsin Avenue audio walking tour; and a new lighting installation. Meanwhile, a rerouted Milwaukee Trolley Loop, the under-construction Milwaukee Streetcar and proposed Bus Rapid Transit will strengthen connectivity of Wisconsin Avenue and the central business district to outlying neighborhoods.

“Given the unprecedented momentum occurring along the corridor, we are declaring 2017 the Year of Wisconsin Avenue,” said Beth Weirick, CEO of Milwaukee Downtown, BID #21. “The projects and programs planned for the summer will increase pedestrian engagement and create a unique identity for Milwaukee’s vibrant main street.”

Amid the celebration of wins for the avenue, Milwaukee Downtown, BID #21 is also leading the charge on future uses for Wisconsin Avenue – what business plans best complement the existing mix and what items are left unchecked on the City’s 2010 Downtown Master Plan. Later this summer, Milwaukee Downtown, BID #21 will reengage the Responsible Hospitality Institute (RHI) – a private, nonprofit organization that assists businesses and communities in creating safe, vibrant and economically prosperous places to socialize. RHI will assist Milwaukee Downtown, BID #21 in conducting a hospitality zone assessment to manage downtown’s rapid growth and create an environment where businesses, residents and attractions can coexist. The last assessment was conducted in 2011 and resulted in several recommendations that were implemented, including the creation of the Downtown Neighbors Association and Code RED.

“Downtown Milwaukee’s nighttime economy is critical,” said Matt Dorner, economic development director of Milwaukee Downtown, BID #21. “We know that sociable economies add to the tax base, create jobs, attract the creative class, and retain talent, but we have a duty to grow our economy responsibly. Managing our growth and appropriating uses for complementary catalytic areas will keep us on the upward trajectory.”

MORE

BID #21 declares 2017 Year of Wisconsin Avenue/ADD ONE

In the City of Milwaukee's 2010 Downtown Master Plan, four themes were identified for the Wisconsin Avenue Strategy – a centric focus, placemaking, improved connections, and increased density/intensity. Approaches to these themes included creating a street hierarchy system; recognizing the role of civic design, iconic buildings and public art; and being more environmentally conscious. In addition, the plan called for more aggressive retail storefront improvements, especially between 4th and Milwaukee streets; redevelopment of the vacant lot at 4th Street with hotel, residential or large-scale retail uses; and retail or entertainment occupying the base of any future development.

“With more than \$194 million invested since 2005, and more than \$783 million in proposed and under-construction projects, this recent surge in investment clinches 2017 as the Year of Wisconsin Avenue,” said Dorner. “It’s a strong selling point. Our focus should now be planning for contiguous retail in existing street-level space and continuing to create residential density by providing housing options at a variety of price points. And all that starts with making appropriate land use decisions.”

In addition to public art projects, Milwaukee Downtown, BID #21 cites the following sampling of game changers for Wisconsin Avenue. Please note this is not a full and complete list.

Transactions to Note:

- Boston Store building sold to Chicago investor for \$25 million in April 2017.
- Assessed at more than \$28.3 million, The Blue at 310 W. Wisconsin Avenue is currently for sale, opening up the potential for a hotel or apartment conversion, or a value add office investment.
- Common Council approves TID package for Grand Theatre and Boston Store improvements in February 2017.
- Boston Store 10-year renewal of its corporate office lease on West Wisconsin Avenue in January 2017.
- Shops of Grand Avenue owners purchased the upper floors of the Matthews Building in December 2016.
- Fairfield Inn & Suites purchased by Chicago investor in October 2016.

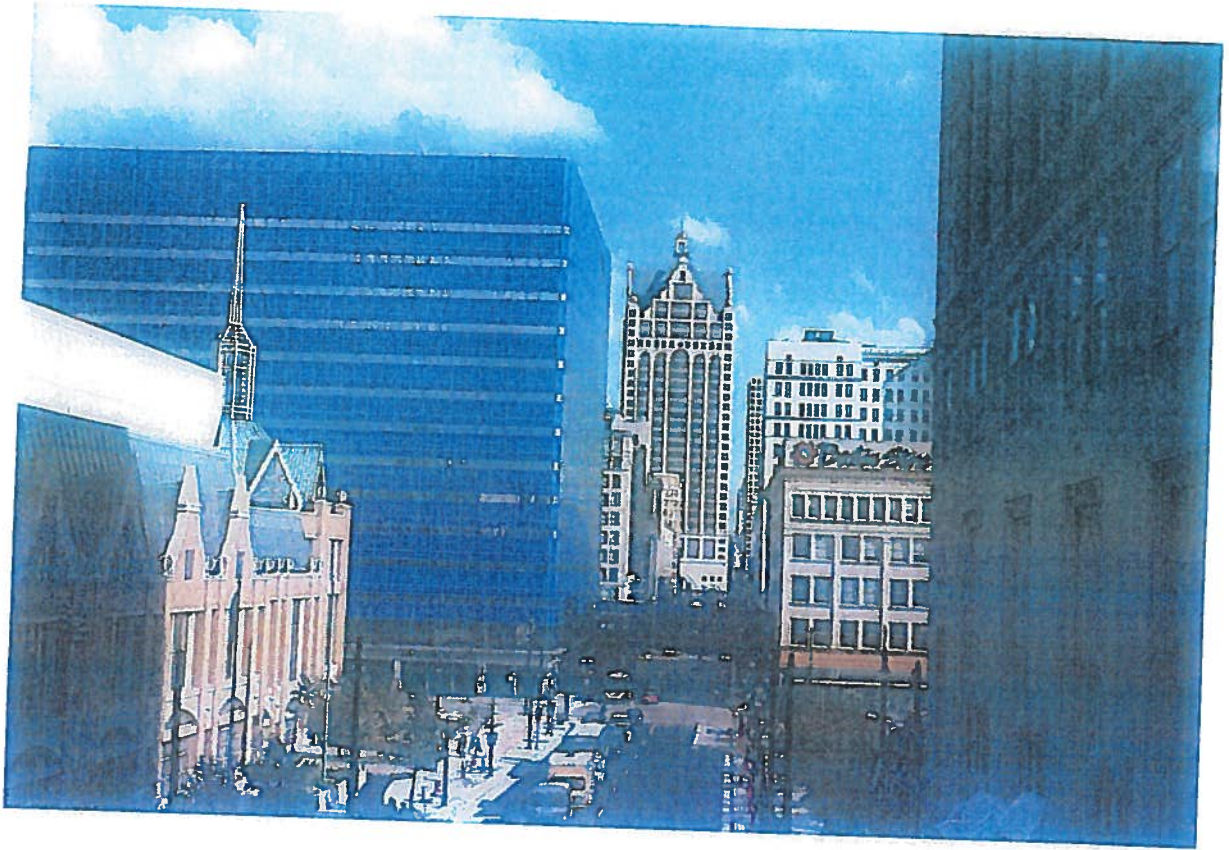
Catalytic Projects Since 2005

- **Completed:**
 - Dental Associates/Iron Block Building – \$9 million in completed renovations
 - Chase Tower at Water and Wisconsin – \$5 million in completed renovations to the parking garage
 - Riverside Theater – \$750,000 in completed renovations
 - 411 East Wisconsin Center – \$17.5 million in completed renovations
 - MKE Lofts – \$23.5 million in completed renovations
 - Hampton Inn & Suites – \$7 million in completed renovations
 - Marriott Hotel – \$54 million in completed renovations
 - Wisconsin Avenue Bridge – \$12.5 million in completed renovations
 - Wisconsin Avenue Streetscaping – \$11 million in completed renovations
 - Grand Wisconsin Apartments – \$23 million in completed renovations
 - Majestic Lofts – \$16.8 million in completed renovations
 - Wisconsin Tower Condominiums – \$14 million in completed renovations
- **Under Construction:**
 - Northwestern Mutual Tower and Commons – \$450 million under construction
 - Two-Fifty East – \$8.5 million under construction
- **Proposed:**
 - The Shops of Grand Avenue – TBD
 - 100 East – TBD
 - First Financial Centre – TBD
 - Wisconsin Building – TBD
 - Gas Light Building – TBD
 - Fairfield Inn – TBD
 - 4th & Wisconsin RFP – Marcus’ eMbarKE, and Nexus from Jackson Street Holdings and Arrival Partners – TBD
 - Warner Grand Theatre for the Milwaukee Symphony Orchestra – proposed \$80 million investment
 - Wisconsin Center Expansion – proposed \$200 million expansion/renovation
 - Bus Rapid Transit – proposed \$45 million investment

###

ABOUT MILWAUKEE DOWNTOWN

Milwaukee Downtown, BID #21 is an organization established in 1998 to support the interests of the downtown Milwaukee business community. Created through private sector leadership, Milwaukee Downtown is a management district organization that oversees 150 square blocks representing approximately 400+ property owners in the center of downtown Milwaukee. The organization funds specific initiatives aimed at creating a clean, safe and friendly downtown. For more information, visit www.MilwaukeeDowntown.com or call 414.220.4700.



West Wisconsin Avenue in the News
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From the Milwaukee Business Journal
<http://www.bizjournal.com/milwaukee/news/2015/01/21/grand-avenue-owners-call-mso-move-to-wisconsin-avenue>

Grand Avenue owners call MSO move to Wisconsin Avenue crucial for mall's renovation

1/21/2015 12:29:00 PM

The Milwaukee Symphony Orchestra is glad to move across the street from The Shops of Grand Avenue, the "most important, influential and helpful" log to supporting mall's redevelopment, said its part owner Tom Janowicz.

The MSO plans an almost \$60 million renovation and expansion of the Warner Grand Theatre on West Wisconsin Avenue in downtown Milwaukee. The symphony would make the larger Warner Grand Theatre its main performance hall, with a capacity of 1,200 people.

The Grand Avenue owners support the MSO project since they see the synergy on West Wisconsin Avenue ties together. The MSO project would greatly increase activity around the Grand Avenue mall on performance nights, and the mall's owners say they need people to achieve their redevelopment plan.

A synergy officially announced in December, the MSO project has been percolating for a long time. Janowicz said the Grand Avenue owners group was aware of the MSO plans in 2010, before they bought the mall in December of that year.

The symphony's impending move is why the lease for the Grand Avenue's Applebee's restaurant was not renewed last year, Janowicz said.

"They wanted quite a few years of an extension and we felt like that was probably not the right extension to be a support of a fantastic new arena (new development)," Janowicz said.

The former Applebee's space at Wisconsin Avenue and North Old World Third Street will be renovated into a new sit-down restaurant with more outdoor seating, he said. It will be incorporated into plans for a food hall in the Grand Avenue's first floor.

The terms of the Grand Avenue have been okay with the MSO over potential collaboration, including using the mall's parking structure to park a parking lot for the Grand Theatre construction on the Grand Avenue mall and the theater could span this year. The work on the Grand Avenue mall will also demolish its upper level facade to clear room for new office space and renovate the entire first floor.

The MSO is ready to launch a fund in a pool of \$20 million, which includes money for the theater project. The city of Milwaukee this month is considering up to \$100 million in spending to support the MSO project.

The spending plan gained unanimous endorsement Tuesday from the city's Zoning, Neighborhoods and Development Committee, and should get final approval from the Common Council in early February.

The city money would pay for restoration of the building exterior. It also would rebuild Second Street to let the MSO use the Grand Theatre eastern wall. It also is needed to make the plaza big enough to hold the symphony and its chorus.

The money would come through a Milwaukee tax incremental financing deal. That device would pay off the spending using property taxes collected on the Grand Avenue at its surrounding blocks.

The TIF deal also includes an incentive for The Bin Ton Store Inc. that also would help the Grand Avenue mall redevelopment.

Bin-Ton would receive \$10 million from the city in exchange for a guarantee to keep its downtown Bin Squares and Bin Palace, a building connected to the Grand Avenue at North Fourth Street and West Wisconsin Avenue. As part of the deal, the company pledges to keep 750 workers in downtown Milwaukee.

After the Bin-Ton incentive was announced in early January, Janowicz said Bin-Ton employees, who would be best dressed every day, would help the Grand Avenue redevelopment.

"The element of the project geared toward the remaining retail focus requires people," Janowicz said at the time. "It requires people. It requires downtown workforce to match the city."

Sean Ryan
 Reporter
 Milwaukee Business Journal



SCOTT FINNLS
 The Grand Theatre is in downtown West Wisconsin Avenue, a mile from The Shops of Grand Avenue.



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Grand Avenue's transformation to start this year; food hall concept in works

UPDATED ON 1/28/17 BY KATE DELONG

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MILWAUKEE — Some big changes are in store at the Shops of Grand Avenue in downtown Milwaukee in 2017.

The food court is set to move to the mall's first floor — making way for contractors to start building office space.



Shops of Grand Avenue

Work will also start on a new entrance and plaza at the mall's W Wisconsin Avenue entrance at Old World Third Street

CLICK HERE for more on this story via the Milwaukee Business Journal

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From the Milwaukee Business Journal
[http://www.bizjournals.com/milwaukee/news/2014/03/04/grand-avenue-owners-buy-top-floors-of-neighboring.html](#)

Grand Avenue owners buy top floors of neighboring building, plan rehab to support new offices

03/04/2014 1:34pm CDT

The owners of **The Shops of Grand Avenue** in Milwaukee bought the top floors of the neighboring Matthews Building as part of the larger plan to renovate parts of the mall into offices. The Matthews Building stands on West Wisconsin Avenue at Northgate Way, Third Street. It connects with the Grand Avenue, and its lower two floors already belong to the mall owners and formerly housed an OfficeMax store.

That first floor space will be renovated into a new office lobby, said Gary Janowski, of Grand Avenue mall owner Aegion Group. The lobby will serve both offices in the upper floors of the Matthews Building and up to 120,000 rentable square feet of office space planned in the upper levels of the Grand Avenue mall's Western Arcade.

"It enables us to merge and connect to some of the office buildings we've bought," Janowski said. "It also enables leasing of the rest of the Matthews Building, too."

Construction work to build out the lobby and do a historic restoration of the Matthews Building will begin in 2015, Janowski said. He said the new owners are seeking historic tax credits to help finance that project.

The Grand Avenue ownership group bought the Matthews Building's upper levels from an affiliate of U.S. Jobe Lined Wipes & LLC for \$148 million, according to state records. The recent sale includes the third through sixth floors of the Matthews Building, which have about 600,000 square feet of office space. About half of that space is empty, Janowski said.

The Grand Avenue owners' long-range plans for the mall include renovating its third floor food court and second floor retail space into offices. That project includes building out the elevator and escalators in the mall's Western Arcade. The elevators in the Matthews Building and its lobby will become the new way to access those upper floors of the mall, Janowski said.

The mall's first floor would become a retail arcade with restaurants and storefronts.

The Matthews Building itself will benefit from the conversion, Janowski said. The building's office space is accessed only through a small door located to the right of the Grand Avenue mall's entrance. That tucked-away entrance has hampered leasing of the building, he said.

"The Matthews Building doesn't really have an identity because it doesn't have a noticeable entrance," Janowski said.

Current tenants of the Matthews Building include W. C. Calkins, United Performing Arts Fund, Partners Advancing Jobs in Education, or PAJE, and the Metropolitan Valley Partners Inc.

Sean Ryan
 Reporter
 Milwaukee Business Journal



FILE PHOTO

The Matthews Building is located just west of the Grand Avenue mall's entrance on the Western Arcade.

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City Panel Okays Big Westown Upgrades
 Re-doing Grand Theatre for MSO, new Bon Ton contract, major street upgrades.

By Graham Kilmer / Feb 1st, 2017 11:57 am

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Rendering of renovated Grand Warner Theatre.

Westown and Wisconsin Ave. may see a number of public and private infrastructure projects including redevelopment and expansion of the historic Grand Theatre and several major street projects.

On Tuesday, the Common Council committee on Zoning, Neighborhoods & Development adopted a new amendment to Tax Incremental District (TID) 37 increasing expenditures in the district by about \$7.8 million, contingent on adoption by the full council.

Historic Grand Theatre and Milwaukee Symphony

As the Milwaukee Symphony Orchestra continues to pursue a home in the old Grand Warner Theatre, a proposal for redevelopment has come before the board requesting a \$750,000 Facade Grant from the TID expenditure to move a wall, with frontage on N. 2nd St., 30 feet east into the street. Traffic would be narrowed to two lanes to accommodate the change.

For the Grand to be the orchestra's home music hall, the wall must be moved. With a current stage depth of 15 feet, the orchestra wouldn't fit in the theater as it sits.

Options to purchase the theater and the land beneath it have been secured by WAM DC, the non-profit economic development group working to revive Wisconsin Ave. The building on the corner of N. 2nd St. and W. Wisconsin Ave., which currently houses a sushi restaurant, has also been purchased and will be developed as an addition to the theater.



This wall will be moved 30 feet into N. 2nd St. Photo by Brian Jacobson.

The road reconstruction and facade easement would be part of a larger development of the 1,750 theater, financed in part by federal and state historic tax credits that ensure historic building standards are met.

"This is a symbiotic relationship between the theater and the orchestra," said Mark Niehaus, president and executive director of the Milwaukee Symphony Orchestra.

Little Oaties
 414 MKC Day Special

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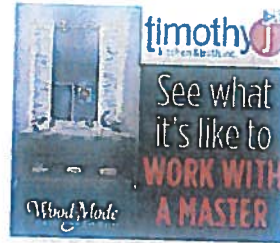
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Milwaukee money for Bon-Ton, MSO Grand Theatre renovation approved

UPDATED 11:54 AM FEBRUARY 7, 2014 BY KATIE DRONG

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MILWAUKEE — City of Milwaukee leaders are moving forward with plans to help keep the Bon-Ton headquarters on Wisconsin Avenue and help the Milwaukee Symphony Orchestra open a new performance hall.



The Milwaukee Common Council approved a \$7.9 million spending package on Tuesday, February 7th.

It includes \$1.9 million for Bon-Ton in exchange for keeping 750 jobs in its offices on Wisconsin Avenue.

In addition to that, the package has more than \$3 million to support the MSO's restoration of the Warner Grand Theatre.

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Downtown Boston Store building, include offices and apartments, sold for \$25 million

Tom Daykin and Joe Tashler, Milwaukee Journal Sentinel

April 22, 2017 Updated 5:01 p.m. CT April 22, 2017



(Photo: Journal Sentinel/Photo) 25-030

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A downtown Milwaukee building which includes Boston Store and corporate offices for that department store chain's owner has been sold for \$25 million.

The building, 331 W. Wisconsin Ave., was sold to Chicago-based North Wells Capital, the investment management affiliate of Urban Innovations Ltd., the firm said in a statement.

The 428,632-square-foot mixed-use building features Boston Store on its first two

levels and the corporate offices of Bon-Ton Stores Inc. and Boston Lofts apartments on the nine-story building's upper floors.

The sale comes shortly after Bon-Ton extended its lease of both the retail and office space for at least 10 years. Those operations have 750 employees, with the majority working in the corporate offices.

In return for extending those leases, which now expire in January 2028, the Common Council and Mayor Tom Barrett approved a plan for providing \$1.9 million in city funds to help finance \$4 million in renovations at the building.

RELATED: Downtown Milwaukee Bon-Ton, Boston Store financing plan enclosed

RELATED: Bon-Ton seeks return to profitability in challenging retail world

The building was sold by Wispark LLC, the real estate development subsidiary of WEC Energy Group Inc. Wispark announced recently it is winding down its operations.

Urban Innovations will provide property management services for the building, including leasing and construction.

"We're excited about the acquisition of 331 West Wisconsin because it is both a continuation of the Urban Innovations operating model and our first acquisition in Milwaukee, a market we're really enthusiastic about," Howard R. Conant Jr., president of Urban Innovations, said in the statement.

Boston Store has occupied the building for nearly 100 years.

The department store occupies 123,431 square feet on the first and second floors, with Bon-Ton's corporate headquarters occupying 170,338 square feet of office space on floors 3 through 5.

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From the Milwaukee Business Journal
<https://www.bizjournals.com/milwaukee/news/2017/02/07/milwaukee-money-for-bon-ton-mso-grand-theatre.html>

Milwaukee money for Bon-Ton, MSO Grand Theatre renovation approved

Feb. 7, 2017, 2:09pm CDT Updated: April 6, 2017, 4:02pm CDT

The city of Milwaukee's plan to provide money to keep The Bon-Ton Stores Inc.'s offices on West Wisconsin Avenue and help the Milwaukee Symphony Orchestra open a new performance hall gained unanimous approval from city aldermen Tuesday.

The Common Council signed off on the \$7.9 million spending package without discussion during its Tuesday meeting. The plans aim to support the development momentum on West Wisconsin Avenue.

The package includes \$1.9 million for Bon-Ton (Hasdaq: BONT) in exchange for keeping 750 jobs in its West Wisconsin Avenue offices and Boston Store. Under the agreement, Bon-Ton would extend its office lease at North Fourth Street and West Wisconsin Avenue by 10 years, to 2026.

The retailer plans a \$4 million renovation of that office space. The city money would cover nearly half the cost, with its landlord picking up the remainder.

As a protection against the company closing the store or moving its offices, Bon-Ton must repay the city money if its job count drops in years to come. The deal is fashioned as a forgivable loan. If Bon-Ton's job count remains at 750 or higher, it does not need to make an annual payment toward the loan.

On years it falls short of 750 jobs, the company must make at least a partial payment, with interest. For example, if Bon-Ton has 675 workers downtown one year – a 10 percent cut to the promised 750 – it would pay 10 percent of the loan payment for that year.

In addition to the Bon-Ton subsidy, the city spending package has up to \$3.25 million to support the Milwaukee Symphony Orchestra's restoration of the Warner Grand Theatre on West Wisconsin Avenue. The MSO plans an \$80 million restoration and expansion to make the vacant theater its main performance venue starting in 2019.

That money would help cover a restoration of the theater's exterior. It also would rebuild Second Street as a two-lane road to accommodate the MSO's plan to expand the Grand Theatre by moving its eastern facing wall 30 feet into the public right-of-way.

The city spending would come through an existing tax incremental financing district that covers West Wisconsin Avenue. It would pay off the money using property taxes generated within the district's boundaries.

The remainder of the spending approved Tuesday is for infrastructure work and streetscaping. For example, Postman Square at Second Street and West Wells Street would be expanded and upgraded for \$150,000. There is \$50,000 to open a Buble Bikes bicycle sharing station outside The Shops of Grand Avenue, and \$100,000 for a planned street lighting project on West Wisconsin Avenue.



SCOTT FALCUS
 The Bon-Ton Stores offices are above the Boston Store at West Wisconsin Avenue and North Fourth Street.

Sean Ryan
 Reporter
 Milwaukee Business Journal



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Hotel developer proposes \$279.6 million project at 4th and Wisconsin

Three hotels, expanded convention center planned at long-vacant downtown site [PHOTO GALLERY]

by Corinne Hess | September 30, 2016, 6:37 PM

The first proposal for the redevelopment of a long-vacant site at a key location in downtown Milwaukee has surfaced.



Milwaukee-based hotel development firm **Jackson Street Holdings, LLC** is proposing a \$279.6 million plan at North 4th Street and Wisconsin Avenue that would include three hotels totaling 506 rooms, 103,000 square feet of convention space and 22,000 square feet of street-level restaurants, bars and cafes.

The project, to be called **Nexus**, would fully integrate the city's planned downtown streetcar, according to plans from Milwaukee-based **Arrival Partners**, which is developing the project with Jackson Street.

The hotels included in Nexus would be premium brand and provide a selection of price points for guests and convention attendees, according to the plans. Restaurants would be located on the first floor with convention and meeting space on floors one through four.

The fourth floor would include sky lodges of the hotels and fitness centers. The hotels would share back-of-house staffing. The guest rooms would be located in two towers. The northwest triangular-shaped tower would include 150 rooms. The 270-foot-tall east tower would include 20 floors with two hotels totaling 356 guestrooms and suites.

Jackson Street Holdings has been active in downtown Milwaukee hotel development in recent years. The firm is currently building the 220-room Westin Hotel just south of the U.S. Bank tower.

On the 4th and Wisconsin project, Jackson Street is working with Merrillville, Ind.-based **White Lodging Services**, Arrival Partners and Milwaukee architectural firm **Kahler Slater**.

The 103,000-square-foot of convention space provided in Nexus would exceed the amount necessary to support the three hotels and provide the expansion the Wisconsin Center District

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From the Milwaukee Business Journal
<https://www.bizjournals.com/milwaukee/stories/2016/09/20/exclusive-plan-calls-for-hotels-convention.html>

Exclusive: \$279M plan calls for hotels, convention center expansion at Fourth and Wisconsin

On 20/2016 7:00am CDT Updated: Oct 14/2016 8:30pm CDT

A new proposal for development at the long dormant city-owned parking lot at North Fourth Street and West Wisconsin Avenue in downtown Milwaukee includes three hotels, a hub for the Milwaukee streetcar, and more than 100,000 square feet of convention space, the Milwaukee Business Journal has learned.

The plan would include three hotels, a 500-room guestroom and suites along with 22,000 square feet of street-level restaurants, bars and cafes. The development proposal, being called "venue" by Milwaukee-based Jackson Street Holdings, is a less-developer. The public-private investment for the project totals \$279 million.

Milwaukee-based Anvar Partners is the development director and partner, and Milwaukee-based Kahler Slater is the architect. White Lodging Services of Menasha, Ind., is the hotel manager.

The proposal aims to be a public-private partnership. According to a summary document obtained by the Milwaukee Business Journal, "A project of this scale poses the only viable development and construction of multiple stakeholders. The City of Milwaukee will fund investments related to the streetcar route and station. This investment provides a base of funding that other components build upon. The Wisconsin Center District will fund and own the convention and meeting facilities that are integrated into and built over the streetcar route. The Milwaukee is funded by the city and the Wisconsin Center District. The hotels will be privately owned and operated."

The three hotels would vary in size and be privately owned and operated. The biggest tower at 270 feet tall would be located on the eastern end of the development, and include 20 floors with two hotels and 200 guestrooms and suites. A 200-foot tower would occupy the west end of the site.

The proposal includes a Milwaukee streetcar station that would be part of a proposed All Street extension to the first all streetcar route. The development would also be on Wisconsin Avenue, where a proposed Bix rapid transit line would operate. It also promises provisions for an improved pedestrian experience and a Bix Bikes station.

The convention center space would be funded and operated by the Wisconsin Center District, essentially making it an expansion of the Wisconsin Center convention hall that the district now operates. The convention center expansion would include 123,000 square feet of convention and meeting space and 60,000 square feet of pre-function and social areas. It would be adjacent to and over the streetcar route and station. Additionally, a 21,000 square-foot exhibition hall would also be located on the first floor.

The plan also features skywalks, funded by the city and the Wisconsin Center District, that connect to the Wisconsin Center and the offices of Grant Avenue through Boston Street.

The location of a convention center expansion was a topic of discussion earlier this week at a Milwaukee Press Club event, where Gary Witt, CEO and chairman for PGO Live Events, Urban Theatre Group, moderated by

Milwaukee's 4th in June, released a request for proposals (RFP) for a block, and the final deadline is Friday. Two proposals came in before the deadline, according to an email from Milwaukee's Department of City Development spokeswoman Jeff Fleming. Jackson Street offered to pay \$4.5 million for the site, which equals its appraised value from the city of Milwaukee.

The two proposals will be vetted by city officials in the coming weeks, Fleming said. He declined to identify the firms or submitted proposals.

Other developments will submit proposals in future months, he said.

Daszler
 September
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Bublr Bikes moving to Grand Avenue

Tom Daykin, Milwaukee Journal Sentinel

Updated 4:12 pm CT Apr 5, 2017



Photo: Agnes Filip / Milwaukee Journal Sentinel

Bublr Bikes will move its headquarters and bicycle maintenance facility to the Grand Avenue, becoming the first new tenant in that underused mall's redevelopment.

Bublr, a nonprofit group that operates a local bike-sharing network, is leaving over 6,273 square feet in the Grand Avenue

that will include the group's offices, a facility to maintain its fleet of bikes and a customer service counter offering walk-in assistance, system passes and Bublr merchandise, it was announced Thursday.

The new location is close to the main Wisconsin Ave. entrance and next to Boston Store. The ground-floor space most recently housed a jewelry accessories store, and previously had a national record store chain.

RELATED: Grant brings Bublr Bikes to less-income areas

A new Bublr kiosk will be installed outside the Grand Avenue entrance, 235 W. Wisconsin Ave., this year. A mini Bublr station may be installed inside the building itself, immediately outside the group's offices.

"With our new offices in the Grand Avenue, we will be close to customers, near potential bike maintenance workers and at the center of our growing regional network in an area that is a gathering place and connector for all Milwaukeeans," James Davies, Bublr's acting executive director, said in a statement.

We're also proud that we will be an anchor tenant in the revitalization of the Grand Avenue and tied to other nearby redevelopments, such as the Milwaukee Symphony's planned education into the former Grand Theater across the street from us and the new Bucks arena just blocks away. This location will position Bublr to grow to become an even more viable transportation option for people all over Milwaukee," Davies said.

The move is to occur by the end of January.

Bublr Bikes is now based at 1529 N. West Center Drive in the Schlitz Park business park.

The Bublr Bikes system is a public-private partnership between the City of Milwaukee and Bublr Bikes, with additional support from other public and private partners.

Since 2014, Bublr Bikes has launched 57 bike share stations in several Milwaukee neighborhoods and Wauwatosa. In coming years, the system plans to expand to over 100 stations in Milwaukee, Wauwatosa, West Allis

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From the Milwaukee Business Journal
From An Architecture Firm's Perspective: How To Design A Successful Lighting Feature For

Blah Blah Blob designer to craft lighting feature for West Wisconsin Avenue

By [Name] | [Date]

Downtown Milwaukee's West Wisconsin Avenue later this year could get a placemaking lighting feature under a project led by three local business groups. The project is funded to add new elements, be it ratings of lights over the street or illuminated sculpture, to brighten West Wisconsin Avenue and contribute to its budding revival efforts. Chicago architecture firm Latent Design and Randy Burkett Lighting Design Inc. of St. Louis were recently selected to lead the project, said Matt Corner, economic development director for the Milwaukee Downtown Business Improvement District No. 21.

"We're really hoping this year, coming into the winter months, that we are able to implement a project," Corner said.

The city of Milwaukee is preparing \$100,000 to pay for the lighting project. That money is included in the tax increment of January's plan unveiled Tuesday that also would give the Sun Fun Street Inc. \$1.9 million to help its headquarters offices and Boston Street on West Wisconsin Avenue for another decade.

"You have so many possible projects," Corner said. "We think 2017 is going to be the year of West Wisconsin Avenue."

Other activity on the downtown street includes a planned 2017 construction start on the transformation of the Shops of Grand Avenue. The Milwaukee Symphony Orchestra plans to restore the Grand Theatre to become its main performance space. The city is reviewing two competing proposals to develop food and non-alcohol space on the parking lot at Fourth Street and West Wisconsin Avenue.

Corner said the lighting project is intended to complement those private developments. Latent Design and Randy Burkett Lighting were selected through a competitive request for proposal issued last year. They demonstrated an ability to work with the street's multiple stakeholders as they craft a specific concept for the lighting project, he said.

Adding to the firm's past work, this will be something beyond more highlights.

Latent Design of Chicago defines itself as a "progressive" firm that has worked on several urban projects to revitalize public spaces. Those include its 2013 Blah Blah Blob, a large, park, yellow and blue, inflatable nylon fabric creation large enough for people to walk inside. It was set loose in Chicago's Union Station as part of a placemaking effort. Latent Design also was selected by the city of Chicago for the three-year People Plaza program.

Latent teamed with Randy Burkett Lighting Design Inc. of St. Louis. That firm has participated in highways projects, including the Marshfield-King Memorial in Washington, D.C., the College Inn plaza in St. Louis and the State Capitol building.

The Downtown BID partnered with the WATCO LLC West Wisconsin Avenue economic development group and Neuston Association on the effort.

The three organizations have only the \$100,000 in project-specific money to finance the design and installation, Corner said. The project will likely be designed to start small, with the potential to scale up. "Maybe this lighting installation that grows over time," Corner said.



ALISON BAISTER
The project was inspired partially by the lighting used during Milwaukee's Night Market events on West Wisconsin Avenue.

Sean Ryan
Reporter
Milwaukee Business Journal

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From the Milwaukee Business Journal
<https://www.bizjournals.com/milwaukee/news/2017/01/02/pivotal-meeting-likely-in-march-on-expanding.html>

Pivotal meeting likely in March on expanding Wisconsin Center, building convention hotel

January 20, 2017 11:54 AM CDT Updated Jan 20, 2017, 12:10 PM CDT

Decisions on whether to proceed with expanding Milwaukee's downtown convention center and build a new convention hotel will come into sharper focus by March when the convention center governing board assesses the need for the possible \$200 million convention project and potential funding sources.

The Wisconsin Center District board will review a consultant report in February on the district's finances. After that, the board's March meeting likely will focus on what to do on a possible convention center expansion and two competing proposals for a convention hotel at North Fourth Street and West Wisconsin Avenue, said board chairman Scott Neitzel.

"As we move forward, we need to look at every revenue source and every expense and figure out how to maximize our revenues and reduce our expenses to fund whatever the board believes we need to do in the interest of the district," Neitzel said in an interview after the meeting.

Both prospective hotel developers Marcus Corp. and Jackson Street Holdings say they've contacted with a convention hotel, only if a convention center expansion is approved. The city of Milwaukee ultimately has the final decision-making authority in selecting a hotel developer for the city-owned site at Fourth and Wisconsin.

The March Wisconsin Center District board meeting will include a discussion on "what is our capacity, what do we want to do, we want the (hotel) proposals and see what questions there are from the board to make decisions," said Neitzel, who is secretary of the Wisconsin Department of Administration.

Neitzel reiterated his desire to determine whether the convention center expansion could be funded without raising any new taxes. He emphasized that no decision has been made on whether to expand the Wisconsin Center convention hall to the north or how to fund the project.

"I think we need to avoid (coming to) us have to raise taxes," Neitzel said. "I think there are many other things we can look at and figure out what our objectives are and how we fund those objectives. And it doesn't necessarily have to be an increase in taxes."

It is a far too early to discuss when a convention center expansion project might start, Neitzel said.

"That's way too speculative," Neitzel said. "We're going to acquire (the) (hotel) a lot of information and data we need to gather to put in front of the board to make those decisions." The district board at its February meeting will hear the results of a facilities study underway by Jamet Sports Group of Los Angeles and Crestwood Consulting Services of Tampa, Fla.

The only tax increase the Wisconsin Center board could enact without approval from the Wisconsin Legislature is a Milwaukee County hotel tax of 3.5 percent that could be increased by 0.5 percent. That would provide a \$1.5 million annually in new revenue for the district, which is not enough to cover bond payments on an expansion that could cost \$100 million to \$200 million.

A larger potential funding source is an existing 0.9 percent sales tax on prepared food and beverages sold in restaurants and taverns in Milwaukee County. However, that tax is earmarked to pay down debt on the convention hall through 2027.

The food and beverage tax collects more than \$15 million annually, which would largely cover debt payments on a convention center expansion.

State legislators in 2015 that enabled \$250 million in public funding for the new Milwaukee Bucks arena allowed the Wisconsin Center board to approve continuing the food and beverage tax. Whether it is in the arena funding law or in a separate requirement that the Wisconsin Center District use the tax only for jobs service on the already-issued bonds, thus opening the door to funding new debt.

The district's funding capacity for a convention hall depends on that facility's cost, which is estimated to range from \$120 million to \$180 million, based on a "broad" analysis by Morgan Stanley, according to an October 2016 report published by the Milwaukee Business Journal.

Representatives of both Marcus Corp. and Jackson Street Holdings gave presentations to the district board earlier on the scope and pricing of the proposed hotels. Board members formed a best teams and asked a few questions but as specified on the board agenda, took no action.



FILE PHOTO

The parking lots where the Wisconsin Center convention hall is located could be expanded. It would expand the center's connection with Wisconsin Center District chairman Scott Neitzel. The image shows the new parking area on the right.

Rick Kriegen
 Senior Reporter
 Milwaukee Business Journal

Three downtown art projects moving forward

Sarah Hauer, Milwaukee Journal Sentinel

Published 11:22 p.m. CT Dec 5, 2014 Updated 4:43 p.m. CT Dec 5, 2014



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(Photo Michael Sessa/Milwaukee Journal Sentinel)

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Three art projects — adorning utility boxes, decorating alleys, and sculptural installations — will premiere in downtown Milwaukee this summer.

The projects commissioned by the Milwaukee Downtown Business Improvement District will be located on Wisconsin Ave.'s downtown stretch from the Lakmont to Marquette University.

The intent is that through arts on Wisconsin Avenue that we will increase the walkability and sense of place along Wisconsin Avenue to Marquette Campus," said Bob Weirick, CEO for the Downtown BID #21.

Ten utility boxes on Wisconsin Ave. will be decorated by local artists. The call for artists to submit proposals will go out in early January and selections will be made in February.

"Utility boxes will reflect the avenue's rich history of commercial diversity of architecture and people and its undoubtedly bright future," Weirick said. The artist can submit proposals to paint or decorate one box, multiple boxes or all in.

Murals transforming east side path into Black Cat Alley

The group also plans to commission murals in alleys between the Third Ward and downtown. Called Art in the Alley, the project would be similar to Black Cat Alley, a street art project on Milwaukee's east side between E. Kenilworth Place and E. Ivanhoe Place. The group is currently scouting locations for the project.

Weirick said the murals will need to be "family friendly and appropriate for a center of commerce and focused on economic development and diversity." A request for proposals from local artists will go out in February.

The third project would bring sculptural installations from internationally renowned artists to Wisconsin Ave. The idea originated in 2013 from Steve Marston, Marcus Corp. chairman, and was approved last year.

Russell Bowman, who directed the Milwaukee Art Museum for 17 years, will create the sculpture project, Weirick said. The next steps include identifying art pieces, raising funds and developing a general plan.

The group is determining a budget for the project that will be supported by combining funds from adjacent property owners, the downtown business district and grants. The group is trying to establish a baseline budget with artists fees, material fees and other expenses.

Weirick said the hope is for all the projects to be unveiled this summer, calling the timeline "aggressive."

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Reuss office building in downtown Milwaukee listed for sale

Mar 8, 2012 11:59 AM Updated: Mar 8, 2012 2:32pm CST

The reborn (the former Henry S. Reuss Federal Plaza office building on West Wisconsin Avenue in downtown Milwaukee) is on the market, with its owner hoping to sell it this year. The nearly half-empty office building at 310 W. Wisconsin Ave. is an asset viable for development. Nearby projects include the Milwaukee Bucks arena, the Shops of Grand Avenue redevelopment, possible convention center expansion and \$200 million Warner Grand Theatre restoration on former Milwaukee Symphony Orchestra site. The building's pending sale opens the potential for a buyer to convert it to other uses, such as a hotel or apartments, or to invest in renovating the office property to bring in new tenants and jobs.



The 13-story office building is expected to sell for \$13.5 million.

Tom Shepherd, partner in Colliers International (CI), a company who is listing it for sale, said it is up to the market to decide its future. Shepherd said a price has not been set. "There is some potential for other uses, but we're not going to know the potential at all right now."

The property covers three-quarters of a city block, with the 278,000-square-foot office building and its smaller 400-car parking deck.

"National investors are taking notice of all of the recent entries in Milwaukee's downtown and they are excited," Shepherd said. "This property has enormous upside and is one of the best value creation opportunities on the market, not only in Milwaukee but in the entire Midwest."

The property belongs to RAI Financial Trust, a real estate investment trust in Philadelphia that bought it in 2008, according to a recent RAI filing with the U.S. Securities and Exchange Commission. The building is 65 percent occupied, according to the filing.

More vacant space will open up in the building under plans by The Bon Ton Stores Inc. to move out. The retailer plans to move workers from the former Reuss building to 400 W. Wisconsin Avenue, its existing office space above Baxton Store.

Other tenants in the area include PricewaterhouseCoopers, ESPN Wisconsin, Bryan & Stinson College and Capital Grille restaurant.

The WAM DC LLC economic development group likely would not look at buying the building, but will help in planning it to potential buyers, said Steve Thron, WAMDC president and director in charge with Oakley & Ryan LLC. "There is a lot of activity, and we'd be glad to help him with that," he said of Shepherd's marketing work.

Dean Ryan
 Reporter
 Milwaukee Business Journal



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From the Milwaukee Business Journal
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Screenshot of the Milwaukee Business Journal website showing the article title and a small image of a street scene.

Proposed BRT line could help catalyze more than \$60M in development

Dec 26, 2015, 8:00am CST

The proposed east-west rapid transit line has the potential to help spur more than \$60 million in new development on parking lots and vacant buildings along the route, according to a report by University of Wisconsin-Milwaukee students.

Wisconsin County officials want to start construction in 2013 on the nine-mile BRT route between downtown Milwaukee and Wauwatosa. It is billed as a way to get workers to jobs downtown and at the Milwaukee Regional Medical Center. New developments have cropped up around similar rapid bus lines in other cities, and BRT supporters in Milwaukee expect the same thing to happen here.

Urban students at UWM's School of Architecture and Urban Planning made the BRT line the focus of a class project this past semester, and hoped to get future planning projects involved in the county BRT project.

"We are very interested in contributing to the community discussions of plans and projects that are happening today in the near future," said Robert Schaefer, the UWM associate professor who led the class. "Students demand that of us, that they benefit us."

As part of their work, the UWM students analyzed the potential development potential of vacant and under-used properties within a half mile of the BRT's end-of-trip stations. They conclude that sites along the BRT line could attract \$60 million in worth of private development. Those projects would generate more than \$13 million in property taxes annually.

That development potential is among the selling points for the estimated \$45 million BRT line, which could generate debate in 2015 as local officials contemplate eliminating driving lanes or street parking along the project route. Those dedicated lanes are a critical component of making the BRT drive lanes competitive with cars.

The route would run mostly along Wisconsin Avenue and Blue Mound Road, between Lincoln Memorial Drive at the downtown lakefront and Owen Boulevard in Wauwatosa.

Milwaukee County will firm up the details of the east-west BRT plan in 2017. Engineers are studying the route to determine the best locations for stations. They also will present options to the public on station designs and costs, said Brendan Conway, Milwaukee County Transit System spokesman. Stations, for example, could each have their own features reflecting on the neighborhood in which they are located, he said.

Engineers also will decide where it is feasible from an engineering standpoint to have dedicated BRT lanes along various areas along the route, Conway said. There are a range of road conditions along the nine-mile route, he said. It may be possible in some areas to have dedicated lanes in the center of the street, for example, it won't be in others.

Students at the UWM class dug into the question of dedicated bike lanes, and present recommendations on where to have them along the route. Those recommendations include factors and how to make streets more pedestrian-friendly. The UWM students' comments are included in the attached spreadsheet.

Engineers on the actual project team in the coming months will study where it is possible for buses to have dedicated center or curbside lanes. Different areas will pose different challenges for dedicated lanes, which will either remove on-street parking or take lanes away from cars. The new stretch of West Wisconsin Avenue between the Milwaukee River and 56th Street in particular has a lot of parking.

City officials are planning to get input on the station and lane options, Conway said. Elected officials in Milwaukee and Wauwatosa will ultimately decide where to put stations and dedicated lanes. That respective decision must be made before the BRT line can be built, he said.

That could be something that could happen next year, Conway said.

Sean Ryan
Reporter
Milwaukee Business Journal



APR MILWAUKEE JOURNAL 2016 BRT CONCEPT STUDENTS

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CBRE brings workplace solutions operation downtown

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Local CBRE global workplace solutions employees are settling into a new office in the ASQ Center in downtown Milwaukee after moving from Glendale.

The company leased 12,000 sq ft of space in the ASQ Center at 610 N. Plankinton Ave., which will house its full-time Milwaukee office employees. The office, which opened Aug. 20, will be the hub of the business for roughly 100 workers in the Milwaukee area, said Jay Kagan, senior vice president of business resources for CBRE Inc.'s global workplace solutions division.

"We wanted a vibrant location for our employees with access to transportation and services," he said.

The service firm was created after global real estate firm CBRE last year bought a building management operation from Delta in Chicago's Loop. Some employees in the ASQ Center space came to CBRE through the deal, said Johnson Controls' Kagan.

The workers moving into the ASQ Center were previously at 6055 N. Lyndale Ave. in Glendale. Johnson Controls' employees moved to that building from its downtown offices.

The new space in the ASQ Center spaces part of it as a demonstration area for the facilities management division of CBRE. The workspace has an array of stand desks, tables, closed-circuit cameras, meeting areas, and couches with tables. Most of the company's local employees each have laptops and wireless phone handsets, and set up a workspace whenever it is most convenient for the day ahead, rather than staying in the same assigned cubicle, Kagan said.

"Regardless of the type of employee, they can use the space in a way that works best for them," he said.

CBRE is global workplace solutions firm based in Los Angeles and has 40,000 employees in 60 countries, Kagan said. The Milwaukee office will handle account management, finance, information technology and other operations.

The ASQ Center move does not affect the existing CBRE operations located in the U.S. Bank Center in downtown Milwaukee. Associate Gen. Counsel at that office explored the potential for the ASQ Center.

Sean Ryan
 Reporter

Milwaukee Business Journal

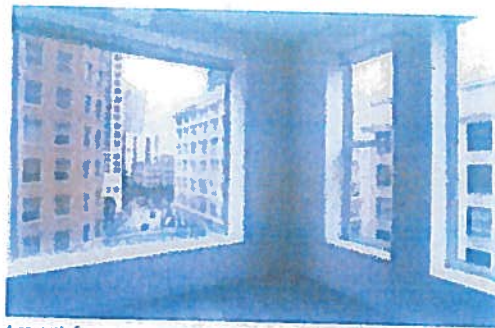


CBRE ITAT
 The new office space was created with modern resources.

BUSINESS

Posner Building transformed into MKE Lofts Downtown

Mixed-use development features 105 high-end apartments



A seventh-floor corner apartment includes a view of E. Wisconsin Ave. Credit: Michael Sears

By Tom Daykin of the Journal Sentinel

For more than a decade, downtown Milwaukee's Posner Building was an oddity, with a very active street level, while remaining largely vacant on its eight upper floors.

Mil's Irish Pub supplied the energy on portions of the first and second floors at the building, at W Wisconsin and N. Park Street avenues.

Now, with a \$26.5 million development being completed, there will be more businesses on the street level, as well as 105 new high-end apartments on the upper floors.

The building, renamed MKE Lofts Downtown, has opened some of its apartments, with the remaining units to be available by Sept. 20, said developer Tyler Hawley. Around 40 apartments have already been rented, he said.

Many renters are in their 20s or 30s, including young professionals, said Hawley, a co-owner of developer firm HKS Holdings LLC.

Some of MKE Lofts' new residents have moved to the Milwaukee area to work for companies located downtown, as well as suburban-based employers such as Koh's Corp., he said.

"It isn't typical that a lot of Koh's employees are young professionals, and they can't wait to live in a Milwaukee Pub," Hawley said.

Most of the apartments have monthly rents that start at \$195 for studios and range up to \$2,750 for two-bedroom units.

Also, the development has 20 apartments set aside at below market rents for people earning up to 80% of the area's median income. Those rents start at \$655 for studio units.

The development's main financing is a \$13.75 million loan from the Wisconsin Housing and Economic Development Authority, which required that 30% of the apartments be set aside at lower rents.

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Downtown Milwaukee Fairfield Inn sold for \$10.9 million

Chicago-based Arbor Lodging Partners acquired property last month

By Corinne Reas November 14, 2016 12:57 PM

An affiliate of Chicago-based **Arbor Lodging Partners** has purchased the 103-room **Fairfield Inn & Suites** hotel in the historic Struss Building in downtown Milwaukee for \$10.9 million, according to state records.

The hotel was sold by Warwick, Rhode Island-based **Magna Hospitality Group**. Earlier this year, the firm sold the downtown Milwaukee **Hampton Inn & Suites** hotel.

The purchase marks Arbor's entry into downtown Milwaukee, which was announced by the company last month.

The 103-room hotel at 710 N. Old World Third St. will be managed by Arbor affiliate **NVN Hotels**. The company is planning to make improvements to the hotel and reposition it after its conversion to Marriott's Fairfield Inn & Suites flag, according to a statement released by Arbor Lodging Partners.

Fairfield Inn & Suites first opened in 2011 on the 99-year-old Struss Building. The 12-story building has an assessed value of \$5.6 million, according to city records. It was formerly a **East West** townhome, which was converted to a hotel.

Warwick is part of the downtown Milwaukee community, which has shown significant population and developmental growth over the past decade, the firm notes. It is the chief executive officer of Arbor Lodging Partners, which is based in Chicago.

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From the Milwaukee Business Journal
<https://www.bizjournal.com/milwaukee/blog/2015/07/why-we-keep-talking-about-west-wisconsin-avenue.html>

Why we keep talking about West Wisconsin Avenue

07/23/2015 2:15pm EDT Updated: July 23, 2015, 3:40pm EDT

Northwestern Mutual's annual conference draws more than 10,000 business leaders to the city. Each summer, hundreds of hot thousands pour out of hotels and into Wisconsin's streets and into West Wisconsin Avenue near Fourth Street.

But, as we detail in this week's cover story that first impression might be an unfortunate one, thanks to vendors that line the street.

"The streets are so many people in the summer downtown, looking around and gathering an image of Milwaukee based on what they see on Wisconsin Avenue," said Steve Keating Kahn, who owns the Polay Exchange building on the street. "We don't want the image of Wisconsin Avenue portrayed to go home with them."

For years, local leadership has taken a vested interest in changing that impression. Now, they hope incoming apartments will create the tipping point that brings retail back to the street.

They care (and we care) because West Wisconsin Avenue is often a city's first impression and because it has the geography to attract the assets. Most of all, it's a good neighborhood like the nearby Grand Ward, but we hope it's instructive -- that it can serve as a case study for other streets battling vendors and trying to attract retail.

We cataloged each of the seven empty or underutilized storefronts from the west to Fourth Street in this week's photo diary, and asked stakeholders what they think it takes to turn West Wisconsin Avenue around. Of course, there are challenges beyond retail alone. Here's a list of additional headlines (and proposed solutions) Friday online.

In the meantime, here are three wishes for West Wisconsin Avenue from Keating Kahn and Tom Steve Chernoff, an attorney at Godfrey & Kahn SC, who championed revitalization of the West Wisconsin corridor.

Chernoff

One would be to continue the momentum around housing that you're seeing, build even more units and have more and more people in the area. Another is a solution to the empty block at Fourth and Wisconsin that continues to draw people.

That there be some real new activity (good activity) at the Grand Avenue (The Shops of Grand Avenue) or elsewhere on the street that becomes a magnet.

Keating Kahn

What I'd really like to see is having Grand Avenue Mall (The Shops of Grand Avenue) face the street instead of facing city internally.

The city has done some things with the landscaping and tree spacing, and those are all good, but that's only as good as when there's nothing else to do. We need an activity. (Newmarket Night Market)

It will do nothing more than a way to make that white area a permanent market of some sort, the feeling of a market, the feeling of vibrancy and opportunity and uniqueness to bring in people and have it be very successful.

Allison Bafer

Reporter

Milwaukee Business Journal



West Wisconsin Avenue



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From the Milwaukee Business Journal
<https://www.bizjournals.com/milwaukee/stories/2020/03/23/nexus-vs-embarke-hotel-concepts-mark-major.html>

Nexus vs. eMbarKE: Hotel concepts mark major difference between downtown proposals

Jan 14, 2020, 1:00pm CDT

The most obvious difference between the two proposals for development at the long-dormant, city-owned surface parking lot at North Fourth Street and West Wisconsin Avenue is the number of hotels, and how tall they are.

The two proposals — "Nexus" from Jackson Street Holdings and Arival Partners and eMbarKE (from Marcus Corp.) — and the debates surrounding them are the focus of this week's Milwaukee Business Journal's Friday weekly edition cover story.

Marcus eMbarKE would expand the Hilton Milwaukee City Center by 250 rooms in a new 11-story tower. The Nexus proposal features three new hotels in the downtown district, including one in a 12-story, 150-room, 200-foot tall tower at the northeast end of the site, and two hotels in a 20-story, 156-room, 270-foot tall tower.

The proposed expansion to the 750-room Hilton Milwaukee City Center, the city's largest hotel, would push its total number of rooms to more than 1,000, a key number for an upcoming plan by Greg Marcus, CEO of The Marcus Corp. (NYSE: MCS).

"By adding 250 rooms under the Hilton brand, it fits the Hilton — essentially part of the Hilton, one front desk, one concept — we get that magic number. That's the most important thing right there," said Greg Marcus. "Other communities are getting behind in terms of Red Quarters hotel, but it's not to have that room count. That's the only one that can get there."

Interestingly, the Nexus group is in favor of the expansion of the Hilton — it's not on the Fourth and Wisconsin site.

"We would love if the Hilton would add on to it, if we had it, Greg Marcus got that at Arival Partners and Spectrum for the Nexus project. And they have to get on Sixth Street to build. We've discussed expanding the Hilton for quite some time. In the past, Greg Marcus has told the Milwaukee Business Journal that his company is ready to expand the hotel by 600 rooms if the Wisconsin Center convention hall is also expanded."

"Nexus does not think it's an either/or scenario, but rather a 'let's figure out a situation where the added meeting space in the Nexus project benefits enough business for 1,000 rooms. We built 500, and it was talked about. Have the other hotels that have thought about building additions for decades — the Hilton and the Hyatt — build additions?"

The eMbarKE proposal is much more traditional in its approach to hotel development: it involves one hotel under one brand and expanding to an adjacent block. It already is a conversion of an old hotel, and it will only grow if that position still is viable, she'd say by reaping the key 1,000-room if reshield.

For Nexus, the three hotels would operate independently, but essentially share a central desk that would employ a chief engineer overseeing all properties, a full-service central sales department.

Examples Nexus is giving as successful multi-hotel concepts include the 600-room, three-site, Silver North hotel group in Chicago run by White Lodging Services (the same hotel manager as Nexus) and the 1,200-room Marriott Marlin Place in Kansas City.

Nexus and Great Holdings also has developed several other downtown Milwaukee hotels, the Marriott hotel, the Ash Hotel, the Spring Hill Suites and the soon-to-be-completed Weston Hotel, and is overall superintendent of the hotel brands for Nexus, said Travis.

Their proposal from each party had letters from executives at Marriott International and Sheraton Hotels (recently acquired by Marriott International) expressing interest in the site.

Talitha Kharaiah, president of Marcus Hotel & Resorts, had meeting plans and convention markets. The city's biggest challenge is that having a 1,000-room hotel is an issue in the city. "We're dealing with one partner instead of dealing with the four or five parties. This city today doesn't have the

It's a lot of work, president CEO of Vity Milwaukee. The sign nature raised in the marketing Milwaukee for conventions, said there is a need for more hotel rooms (next to the convention center in Milwaukee). He has been meeting with both development groups, and said both accomplish the goal of adding convention center hotels.

"I don't see weaknesses in either proposal," he said. "Right-sizing the number of hotel rooms around the convention center is important. I think both proposals are good. I think both areas on West Wisconsin Avenue, which is very needed. The street running right between the middle of the block is a major area. Both have way more strengths than weaknesses. We'll have a chance to sit down and talk about how the meeting scene flows as it evolves in the future, but certainly, we're excited about both."

Municipal officials had been looking at the site for about 45 years.

"As we look out at the block on the street, we're looking at 10, 20, 30. We need help to have one of these proposals done by then," he said.

Ashanti Hamilton, president of the Milwaukee Common Council and a board member at the Wisconsin Center District, said both proposals are quality proposals.

"We've always wanted to have a 1,000-room hotel under the roof top, but having three hotels do the same thing, especially if there is a relationship and a way of communicating that with each other, then they both have pluses and minuses," he said.

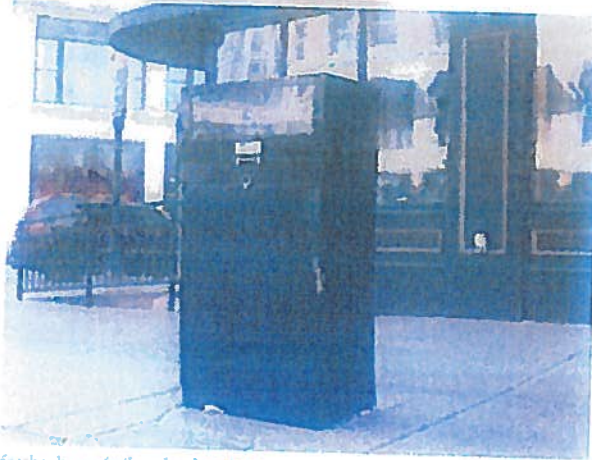


MILWAUKEE BUSINESS JOURNAL
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"Milwaukee Downtown" announces design competition for Wisconsin Avenue utility boxes

POSTED: 1:14 PM, Feb 2, 2017
UPDATED: 1:14 PM, Feb 2, 2017



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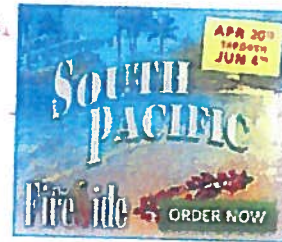
MILWAUKEE - Milwaukee Downtown, BID #21, with input from the Downtown Placemaking Task Force, is hosting a design competition for a mural installation on Wisconsin Avenue utility boxes.

The utility box mural installations will serve as the pilot initiative for Arts on Wisconsin Avenue - a summer initiative to build downtown's identity through the enhancement of spaces and places with sculpture, mural and lighting installations.

The project is intended to heighten awareness of the creative community and reflect Wisconsin Avenue's prominent stance as Milwaukee's main street.

Why 'Small' Milwaukee Is A Big Concert City

The Request for Creativity allows artists to explore creative design concepts for ten identified Wisconsin Avenue utility boxes. Artists are encouraged to submit mural ideas for one box, several boxes, or all ten boxes. Artists can submit an idea(s) as an individual, or put together a team. Final designs will successfully reflect Wisconsin Avenue's rich history of commerce, diversity of architecture and people, and its undoubtedly



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Wisconsin Ave. Will Get 10 Murals
But small ones. On utility boxes. Made by artists. Paid by Downtown BID

By [Erandon Anderson](#) Feb 24, 2017 4:23 pm

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Looking east down E Wisconsin Avenue from Jefferson St. Photo by Jeremy Jannene.

Milwaukee Downtown recently published a request for creativity (RFC) for mural installations on 10 Wisconsin Avenue utility boxes. The RFC is a creative variation, you might say, on the standard request for proposals or RFP process, inviting artists to propose new design concepts for an overlooked part of the civic infrastructure.

"This is the year of Wisconsin Avenue," said [Beth Weirick](#), CEO of Milwaukee Downtown BID #21. "There is so much momentum along the avenue and the utility box project is just one of the many developments adding vibrancy to our historic main street."

This project is intended to bring awareness of Milwaukee's creative community as well as establish Wisconsin Avenue as the city's historic main street. The organization hopes that the final designs will reflect Wisconsin Avenue's rich history of architecture, commerce, diversity, people and the city's bright future.



Utility box located at the southeast corner of N Jackson St. and E Wisconsin Ave.

Milwaukee Downtown has allocated \$1,500 for each utility box to cover the artist's time and materials. The project is sponsored by the business improvement district as well as community partners.

The utility box mural installations will serve as the pilot initiative for the new Arts on Wisconsin Avenue program. The program seeks to build Downtown's identity by enhancing places with a variety of art installations.

The RFC gives artists flexibility. They may submit mural ideas for one utility box, several, or all ten. They can submit ideas individually or as a team of artists.

The designs are expected to be installed in June 2017.

All design inquiries must be submitted no later than Wednesday, Feb. 15 to [Gabriele Yeager](mailto:GabrieleYeager@milwaukeebid.com) GabrieleYeager@milwaukeebid.com. Final submissions are due Wednesday, March 1. The RFC is available online.

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City, downtown BID seeks artists to decorate utility boxes

Asks for mural ideas for 10 boxes on Wisconsin Avenue
By Corinne Hess February 01, 2017, 1:07 PM

The city of Milwaukee and the **Downtown Business Improvement District** are hoping to spruce up Wisconsin Avenue by decorating its utility boxes.

The BID has issued a Request for Creativity asking artists to submit mural ideas for one or all 10 of the boxes identified along Wisconsin Avenue.

The goal is to reflect the street's rich history of commerce, diversity of architecture and people and bright future, according to the proposal, which ends March 1.

Beth Weirick, CEO of the downtown BID, said one of the property owners asked if there was anything to do about the utility boxes, which were out of place on the project.

"Some of our colleagues across the country are engaged in public art," Weirick said. "It's something that we could tuck it into but with so much activity going on Wisconsin Avenue from the front to Marquette's campus, our time is here."

An Arts on the Avenue grant for the project will be \$15,000, plus a grant funded by the BID grant and donations.

Artists selected will be given \$1,500 for a utility box, with the potential for more depending on philanthropic donations.

The utility boxes are located at 900 E. Wisconsin Ave., 650 N. Jackson St., across from the federal courthouse, 401 E. Wisconsin Ave., across from the Pfister Hotel, 411 E. Wisconsin Ave., 200 E. Wisconsin Ave., 770 N. Franklin Ave., at Mo'Nash Pub, 703 N. Second St., near the Reginald Grand Avenue, 301 W. Wisconsin Ave., 701 North St., across from the University Center and 706 N. 9th St.

The murals must fit the exact utility box measurements and will be selected by the Downtown Placemaking Task Force, which includes representatives from the city, WE Energies, Milwaukee Arts Board, West Town Association and East Town Association.

The winners will be selected in late April and installation of the artwork is expected in June.



The Downtown Business Improvement District has issued a Request for Creativity asking artists to submit mural ideas for one or all 10 of the boxes identified along Wisconsin Avenue.

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Downtown Milwaukee Utility Boxes To Get A Makeover

By MICHAELA MARTIN • APR 3, 2017

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This is what Milwaukee's utility boxes look like now
MICHAELA MARTIN

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If you've never noticed those gray utility boxes sitting on many downtown Milwaukee blocks you will later this summer. The local business improvement district has asked several local artists to submit designs for turning the boxes into three dimensional works of art.

Beth Weirick, Milwaukee Downtown CEO, says as part of 2017 being "the year of Wisconsin Avenue," property owners suggested it do something creative with the boxes.

"They take such great care of their building and they approached us and said what can we do to cover up these ugly gray boxes that are in front of our building," she says.

Weirick says a task force solicited artists and, later this week, will meet with the finalists.

"It's going to give us a real great opportunity to hear from the artists themselves. What is that emotional attachment and how did they come up with what they came up with, and are they really going to be representative of everything that Milwaukee represents, and how are they going to tell that story and how will they engage other Milwaukeeans to be compelled to visit or to share the story," she says.

The winning murals will be installed this June.

Gabriel Yeager works with Milwaukee Downtown and received the artists' submissions. He says, they are something to behold.



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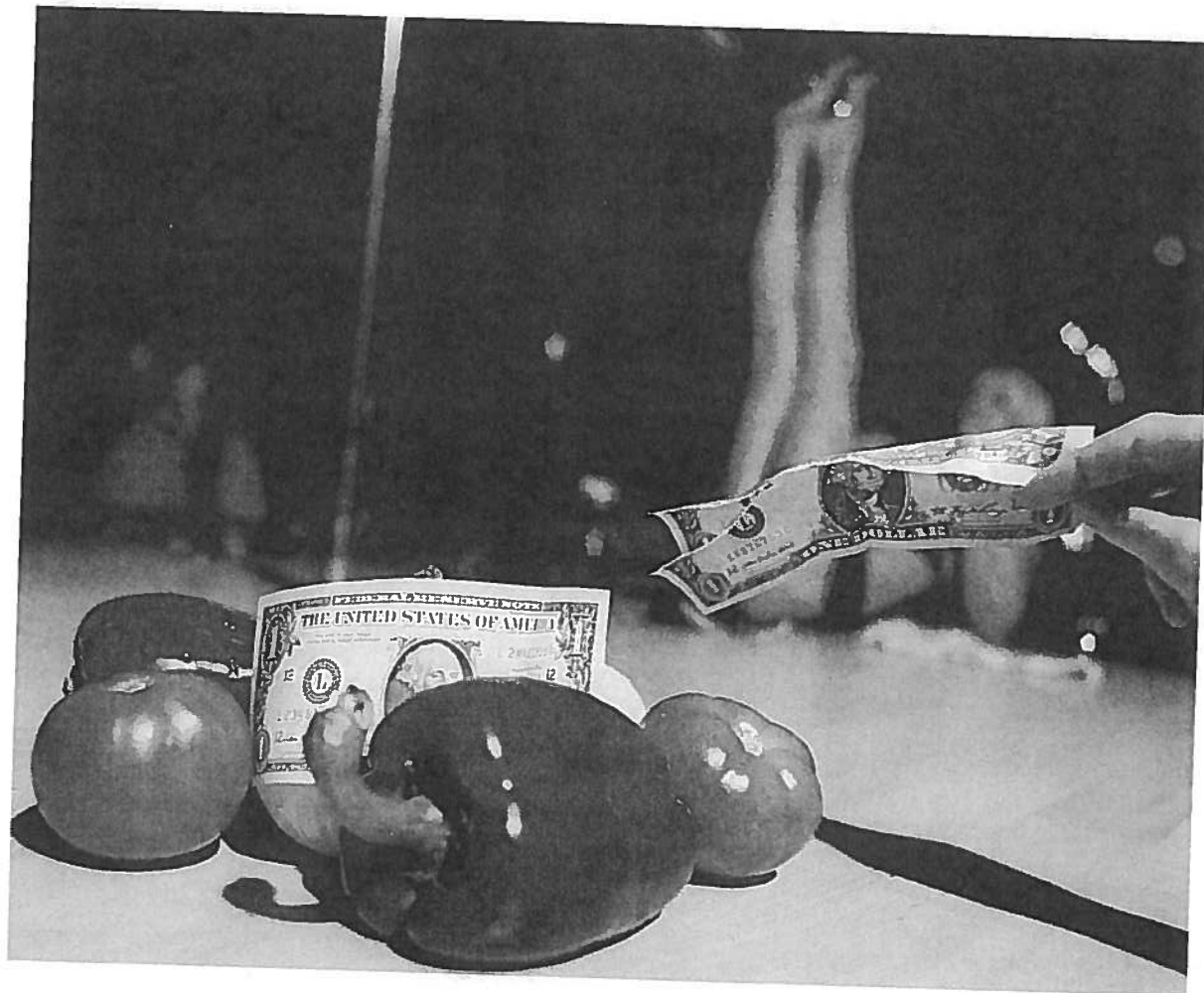
(/why-does-portland-have-so-many-strip-clubs/) Why Does Portland Have so Many Strip Clubs?

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In Portland, club patrons "make it rain" with veggies; Via Alicia J. Rose

(<https://www.flickr.com/photos/aliciajrose/2292385871/in/photolist-4uz5sk-pXYWky-pZUGHV-pZUKmF-q14UkP-pZUtXV-pHFE2S-pHDKhB-4uz5ov-4uD6Eu-4uz52e-pHDwrr-q1d25m-pXYwYd-pXYqxC-pXYrFE-pXYt6J-FZnMS-8CHUjF-jBBds-4iZWAV-pWzwUb-7Nk87c-7Nk878-7Nk87k-sx1J3b-8j9n5-4K7Su9-84MX8U-ckViPw-ebtmpF-HLAaN-6ceQDv-qobxvh-9Lbn9E-aSSbJx-6kE3fV-aSSbDn-aSSbPv-aSSaUk-aSSbrH-aSSbet-eyWbex-ecdpc6-oMB4Fh-4JVbRn-ebtm76-pttpT5-aSSaZc-aSSbkp>) (more here <http://www.aliciajrosephotography.com/>)



When it comes to self-imposed eccentricity, the city of Portland, Oregon has no equal.

It is a place where a human can, in the course of 24 hours, visit a museum of velvet paintings, join in on a World Naked Bike Ride, be serenaded (<http://i.ytimg.com/vi/cnVjkE87FDY/maxresdefault.jpg>) by a unicycling bagpipe player, and get legally married at a doughnut shop. No surprise then, that Portland's idolization of all things strange does not let up when it comes to strip clubs.

Among the city's nighteries is Casa Diablo, the "world's first vegan gentleman's club." Here, customers can enjoy a hummus veggie wrap while watching performers shed their non-animal-based g-strings. In a fashion only befit for Portland, change is given solely in \$2 bills.

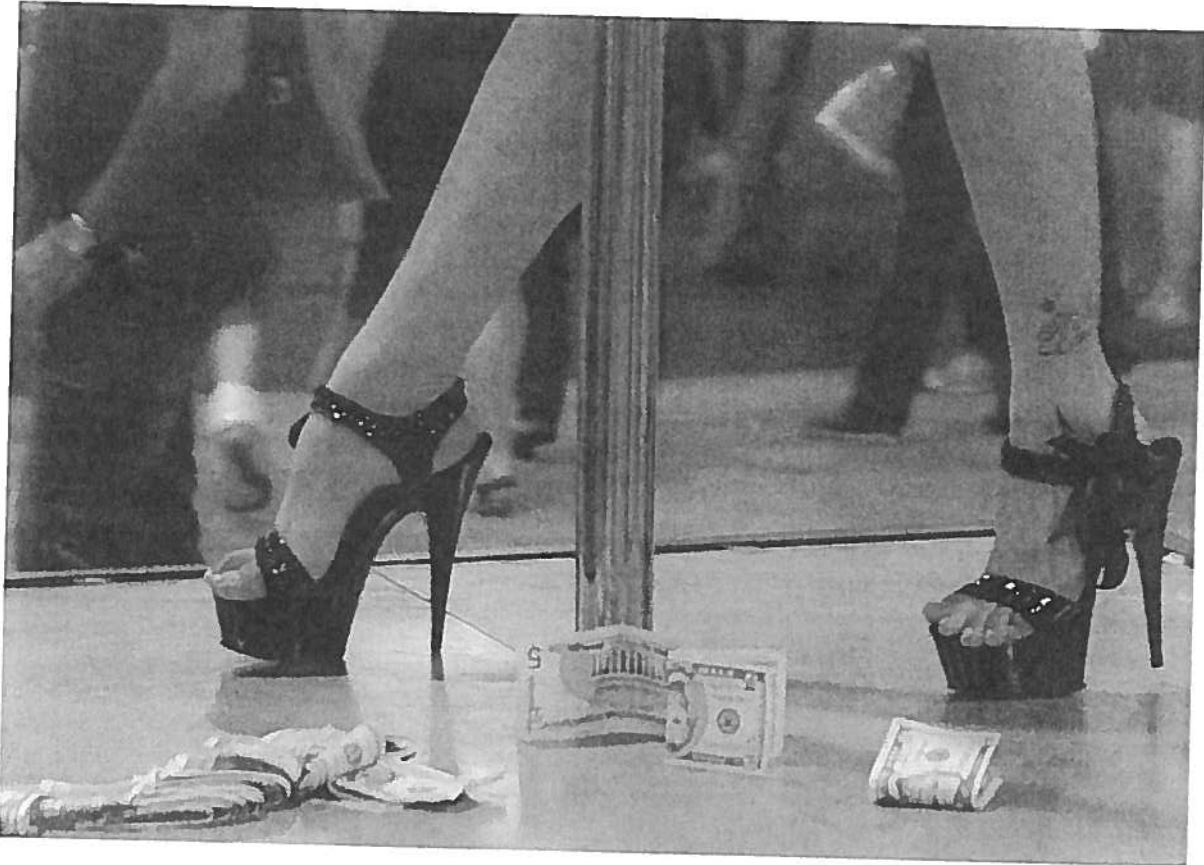
"You're not going to find any fur, feathers, wool, or silk, or any other animal products," owner Johnny Diablo Zukle has said. "We're all about love and compassion."

Casa Diablo is but one of a cornucopia of strip clubs that proliferate Portland. There are so many that the city's residents have, for at least 20 years, vehemently maintained (<http://www.wweek.com/portland/article-4194-1995.html>) that they have "more strip clubs per capita than any municipality in America."


This has caused quite the debate. Some, like *TIME Magazine*, have branded (http://content.time.com/time/travel/cityguide/article/0,31489,1975826_1975753_1975585,00.htm) the claim as nothing more than an "old sexy wives tale;" others, like local blog Tits and Sass (<http://titsandsass.com/why-does-portland-have-so-many-strip-clubs/>), have championed it as an irrefutable truth. Neither side, as far as we can tell, has presented any quantifiable measurement to defend its stance.

As resolute number crunchers, we're always up for tackling life's most important questions. So, we sent our data crawling team on a thrilling quest to determine whether or not Portland really deserves the title of "strip club capital."

Is Portland Really America's Strip Club Capital?



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As Ellyn Bogdanoff of PolitiFact (<http://www.politifact.com/florida/statements/2012/jan/13/ellyn-bogdanoff/tampa-strip-club-capital-world/>) has written, "counting [strip] clubs is not an exact science." This is true: reliable strip club data doesn't just fall into one's lap.

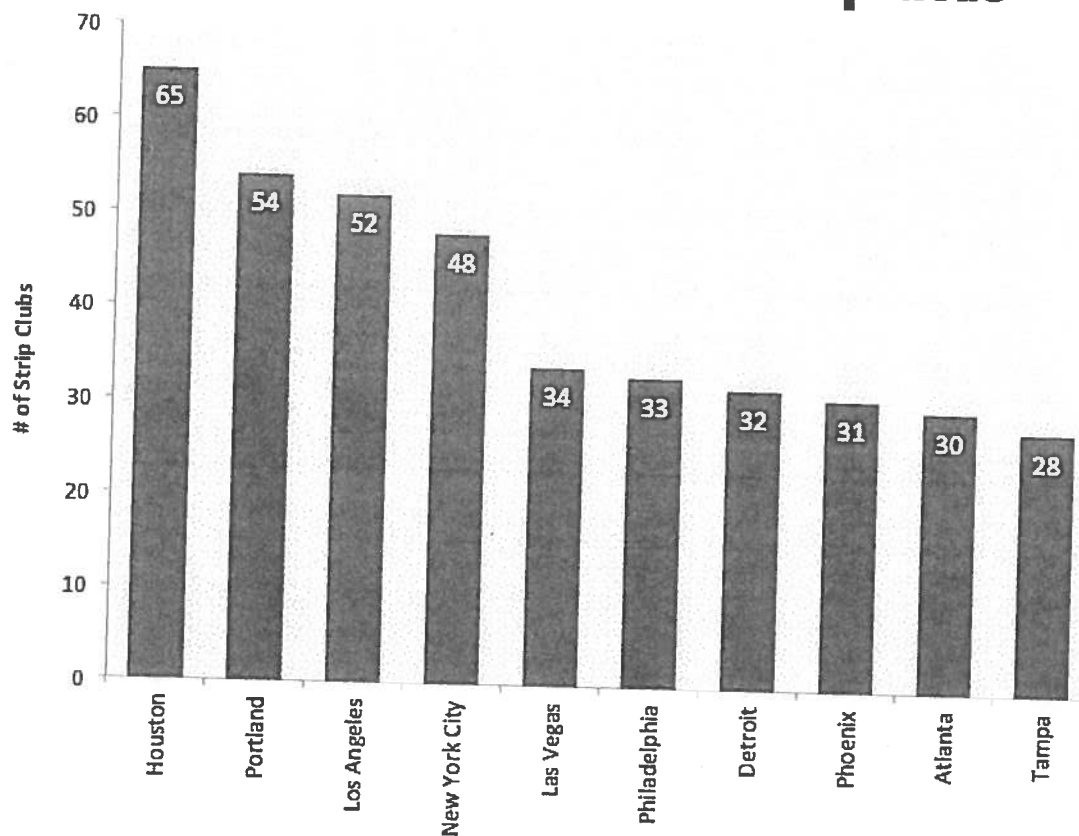
While club-counting sources exist online, most are deflatingly inaccurate, incomplete, and serve no other purpose than to advertise a handful of sad establishments. The best starting point we found was The Ultimate Strip Club List (<https://www.tuscl.net/tc.php>) (warning: probably NSFW), a site bent on doing exactly what its title insinuates: collecting a comprehensive list of America’s “nudie bars.”

The venues included on this list range from “bikini bars” to “live sex shows,” but most fall somewhere in between. It’s also important to note that TUSCL only compiles clubs with female dancers. Despite our sincerest efforts, we were not able to find an equivalent site for male strip clubs (which only constitute about 15% (<http://www.albany.edu/scj/jcipc/vol10is1/bernard.html>) of all strip clubs nationally).

After crawling TUSCL and compiling a club count for some 900 U.S. cities and towns, we cross-checked the top 100 on Yelp (by searching for “strip club,” limiting to the “Adult Entertainment” category, and counting manually), as well as on Google Maps (just for comparison’s sake). Admittedly, this method isn’t 100% comprehensive – but we’re confident that it’s damn near close.

Here’s the resulting tally of the cities with the **most** strip clubs:

U.S. Cities With the Most Strip Clubs



Source: Priceonomics Data Services, Strip Club Analytics Division; Data: TUSCL (https://www.tuscl.net/), Yelp, Google

But wait — Houston’s population, at 2.2 million, is nearly four times that of Portland! To cultivate a more accurate understanding of how much these cities value strip clubs, we narrowed our list to cities with more than 200,000 inhabitants, then calculated the number of clubs for every 100,000 residents.

Without further ado, we present to you the 50 U.S. cities with the highest number of strip clubs per capita:

America's Strippiest Cities

The 50 U.S. cities with the highest number of strip clubs per capita

Rank	City, State	Population	# of Strip Clubs	Per 100,000 Capita
1	Portland, Oregon	609,456	54	8.860
2	Tampa, Florida	352,957	28	7.932
3	Fayetteville, North Carolina	204,408	15	7.338
4	Miami, Florida	417,650	20	7.183
5	Atlanta, Georgia	447,841	30	6.699
6	New Orleans, Louisiana	378,715	23	6.073
7	Las Vegas, Nevada	603,488	34	5.634
8	Cleveland, Ohio	390,113	20	5.127
9	Detroit, Michigan	688,701	32	4.646
10	Newark, New Jersey	278,427	12	4.310
11	Baltimore, Maryland	622,104	26	4.179
12	Honolulu, Hawai'i	347,884	14	4.024
13	Greensboro, North Carolina	279,639	10	3.576
14	Toledo, Ohio	282,313	10	3.542
15	Orlando, Florida	255,483	9	3.523
16	Richmond, Virginia	214,114	7	3.269
17	Houston, Texas	2,195,914	65	2.960
18	Louisville, Kentucky	609,893	18	2.951
19	Rochester, New York	210,358	6	2.852
20	Corpus Christi, Texas	316,381	9	2.845
21	Minneapolis, Minnesota	400,070	11	2.750
22	Columbus, Ohio	822,553	22	2.675
23	Jacksonville, Florida	842,583	22	2.611
24	Anaheim, California	345,012	9	2.609
25	Lexington, Kentucky	308,428	8	2.594
26	Indianapolis, Indiana	843,393	20	2.371
27	Boise, Idaho	214,237	5	2.334
28	Fort Worth, Texas	792,727	17	2.144
29	Reno, Nevada	233,294	5	2.143
30	Philadelphia, Pennsylvania	1,553,165	33	2.125
31	Dallas, Texas	1,257,676	26	2.067
32	Phoenix, Arizona	1,513,367	31	2.048
33	Oklahoma City, Oklahoma	610,613	12	1.965
34	Des Moines, Iowa	207,510	4	1.928
35	Birmingham, Alabama	212,113	4	1.886
36	Denver, Colorado	649,495	12	1.848
37	El Paso, Texas	674,433	12	1.779
38	Charlotte, North Carolina	792,862	14	1.766
39	Tulsa, Oklahoma	398,121	7	1.758
40	Pittsburgh, Pennsylvania	305,841	5	1.635
41	Durham, North Carolina	245,475	4	1.629
42	St. Petersburg, Florida	249,688	4	1.602
43	Buffalo, New York	258,959	4	1.545
44	Seattle, Washington	652,405	10	1.533
45	Tucson, Arizona	526,116	8	1.521
46	Oxnard, California	203,007	3	1.478

47	San Francisco, California	857,442	12	1.455
48	Los Angeles, California	3,928,864	52	1.325
49	Chesapeake, Virginia	230,571	3	1.301
50	Hialeah, Florida	233,394	3	1.285

Source: *Priceonomics Data Services*; Data: *TUSCL* (<https://www.tuscl.net/>), *Yelp*, *Google*

Indeed, Portland boasts the highest number per capita in the U.S. — one for every 11,286 residents. This handily outranks the nudity-liberal likes of Las Vegas, New Orleans, and San Francisco, and even edges out Tampa, Florida, a city that often claims (<http://www.politifact.com/florida/statements/2012/jan/13/ellyn-bogdanoff/tampa-strip-club-capital-world/>) to be the country’s strip club mecca. New York City, which has 48 clubs but a population of 8.5 million, doesn’t even rank on this list.

Just for comparison’s sake, Portland has more than twice as many strip clubs as it has public restrooms (<http://www.phlush.org/public-restroom-planning/portland-public-restroom/portland-toilet-locato/>). In contrast, San Francisco, which is only a third of the size of Portland, has four times (<http://sfdpw.org/?page=372>) more public restrooms than strip clubs.

But this priority isn’t solely confined to Portland: Oregon, in general, enjoys the highest number of strip clubs per capita of any U.S. state:

America's Strippiest States

U.S. states ranked by number of strip clubs per capita

Rank	State	Population	# of Strip Clubs	Per 100,000 Capita
1	Oregon	3,899,353	85	2.180
2	West Virginia	1,855,413	40	2.156
3	Nevada	2,758,931	43	1.559
4	South Dakota	833,354	12	1.440
5	Wyoming	576,412	8	1.388
6	New Jersey	8,864,590	117	1.320
7	Hawaii	1,392,313	17	1.221
8	Wisconsin	5,726,398	67	1.170
9	Ohio	11,544,225	134	1.161
10	Oklahoma	3,814,820	41	1.075
11	Louisiana	4,601,893	48	1.043
12	Iowa	3,074,186	32	1.041
13	Florida	19,317,568	200	1.035
14	Indiana	6,537,334	64	0.979
15	Alaska	731,449	7	0.957
16	Rhode Island	1,050,292	10	0.952
17	South Carolina	4,723,723	44	0.931
18	Pennsylvania	12,763,536	114	0.893
19	Kentucky	4,380,415	38	0.867
20	Connecticut	3,590,347	31	0.863
21	Michigan	9,883,360	85	0.860
22	North Carolina	9,752,073	80	0.820
23	Texas	26,059,203	213	0.817
24	Montana	1,005,141	8	0.796
25	Arizona	6,553,255	52	0.793
26	Kansas	2,885,905	22	0.762
27	Maryland	5,884,563	42	0.714
28	New York	19,570,261	124	0.634
29	Idaho	1,595,728	10	0.627
30	Georgia	9,919,945	57	0.575
31	North Dakota	699,628	4	0.572
32	Delaware	917,092	5	0.545
33	Nebraska	1,855,525	9	0.485
34	Illinois	12,875,255	62	0.482
35	New Mexico	2,085,538	10	0.479
36	Alabama	4,822,023	22	0.456
37	California	38,041,430	172	0.452
38	Missouri	6,021,988	26	0.432
39	Virginia	8,185,867	35	0.428
40	Minnesota	5,379,139	22	0.409
41	Massachusetts	6,646,144	27	0.406
42	Colorado	5,187,582	21	0.405
43	Tennessee	6,456,243	26	0.403
44	Mississippi	2,984,926	10	0.335
45	Utah	2,855,287	9	0.315
46	Arkansas	2,949,131	9	0.305
47	Maine	1,329,192	4	0.301

Rank	State	Population	Strip Clubs	Per Capita
47	Maine	1,325,172	4	0.301
48	Washington	6,897,012	15	0.217
49	Vermont	626,011	1	0.160
50	New Hampshire	1,320,718	2	0.151

Source: *Priceonomics Data Services*; Data: *TUSCL* (<https://www.tuscl.net/>), *Yelp*, *Google*



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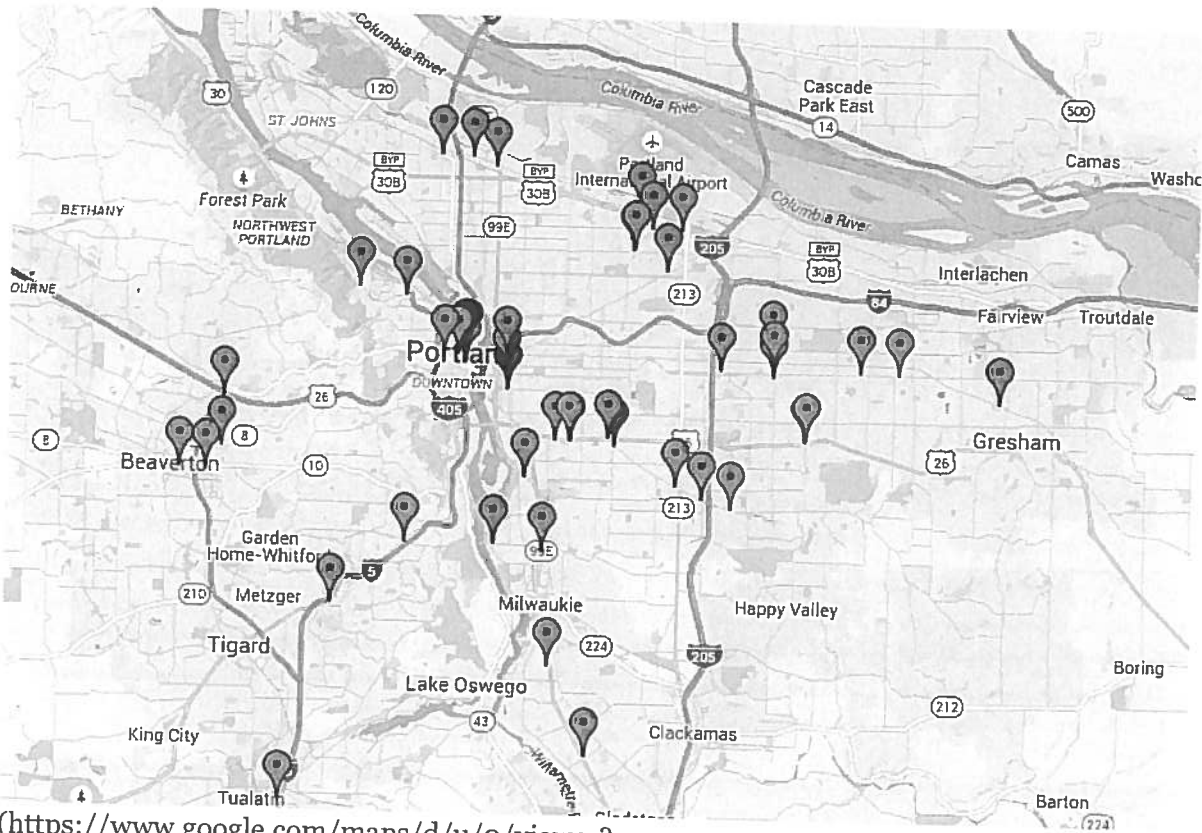
It seems strange that Oregon would outrank such raunchy jurisdictions as Nevada and New Jersey. How can this be explained?

For our first attempt to answer this question, we turned to an expert in the field. As the Associate Publisher of *E.D. (Exotic Dancer) Publications* (<http://www.edpublications.com/>), Dave Manack has spent more than 17 years locating, tracking, and mailing his magazine to strip clubs across the nation. Yet, even he is uncertain about the reasons behind Portland's (and Oregon's) apparent dominance on our list.

"We don't have data that ranks cities and their strip clubs per capita," he tells us, "so I can't really comment on why Portland ranks that high in strip clubs per capita."

So, we hit the strip club history books.

Why the Hell Does Portland Have so Many Strip Clubs?



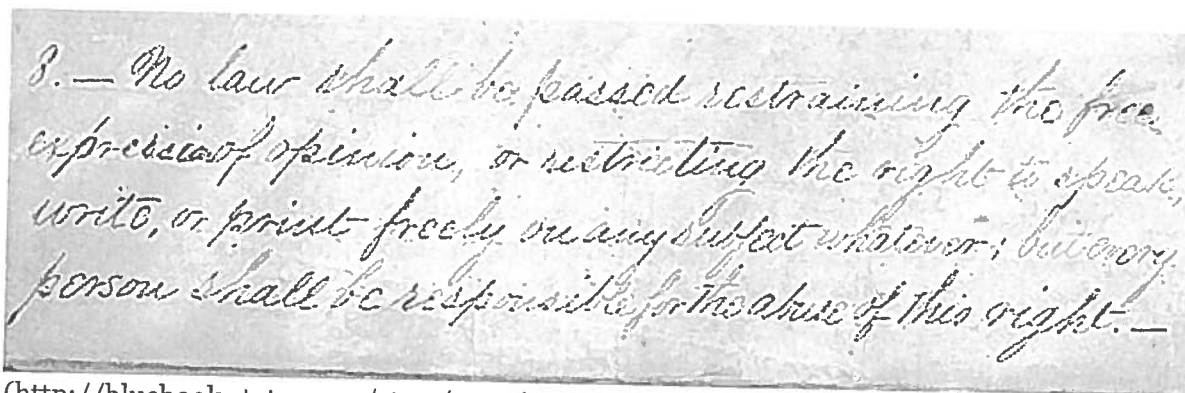
(https://www.google.com/maps/d/u/o/viewer?mid=zqHBWjgqv_zk.kwwqeWW1RJoA&hl=en_US)

When Oregon adopted its constitution in 1859, it included a very vague, open-to-interpretation statute (Article 1, Section 8 (https://www.oregonlegislature.gov/bills_laws/Pages/OrConst.aspx)): “No law shall be passed restraining the **free expression of opinion**, or restricting the right to speak, write or print freely on any subject whatever.” Since then, Oregon’s Supreme Court has vigorously defended this “free expression” in all forms, resulting in something of a garden of eden for strip clubs.

The city’s first such venue can be traced back more than 50 years. In 1954, a colorful entrepreneur named Roy Keller purchased Mary’s Club (<http://marysclub.com/history.php>), an ailing Portland piano bar, and began featuring exotic dancers during musical intermissions. Before long, “there was a line of people waiting for the dancers,” and the disgruntled piano player called it quits. Rebranded and opened in 1965, Mary’s became Portland’s first official topless bar. Over the next 20 years, a small handful of similar “topless only” establishments opened in the city (one of which featured Kurt Cobain’s future muse, Courtney Love (<http://marysclub.com/history.php>)).

Throughout the 1970s, Star Theatre ([https://en.wikipedia.org/wiki/Star_Theater_\(Portland,_Oregon\)](https://en.wikipedia.org/wiki/Star_Theater_(Portland,_Oregon))), another Portland establishment, became known for featuring erotic films and bringing strippers on stage for “live sex shows.” Here, Portland drew the line: after obtaining a copy of a film (http://www.leagle.com/decision/19771234568P2d666_11227.xml/STATE%20v.%

20TIDYMAN) titled "Pumpin' The Poop Chute," and catching onto the Star's controversial shows in 1976, the city sued the club's owner, John Tidyman, for violating its "obscenity" statute. However, the resulting case (https://scholar.google.com/scholar_case?case=13351223008554981901&hl=en&as_sdt=6&as_vis=1&oi=scholarr), which took nearly ten years to resolve, and made it to Oregon's Supreme Court, determined that these shows fell under the state's "free expression" clause, and Tidyman was cleared of all charges.



(<http://bluebook.state.or.us/state/constitution/orig/const.htm>)

More than 150 years after being signed into law, Article 1, Section 8 of the Oregon Constitution has allowed for the growth of strip clubs in Portland

Oregon v. Tidyman, and a spate of similar cases

(http://www.leagle.com/decision/1987741732P2d9_1741.xml/STATE%20v.%20HENRY) that followed, resulted in a re-fortification of Oregon's free speech protections:

"In this state, any person can write, print, read, say, show or sell anything to a consenting adult even though that expression may be generally or universally considered 'obscene'...Appearing nude or exposing one's genitals in public, can constitute symbolic conduct and be a form of expression under Article 1, section 8."

"These protections extend to the kinds of expression that a majority of citizens in many communities would dislike," an one judge concluded (<http://www.seattletimes.com/seattle-news/oregon-supreme-court-overturms-laws-on-sex-shows-dancers/>), "even physical acts, such as nude dancing or other explicit sexual conduct." Such protections allowed for an explosion of strip clubs and live nude entertainment in Portland throughout the 80s and 90s, many of which remain open today.

Unable to quell Portland's burgeoning strip club industry with the "obscenity" argument, the city has increasingly turned to zoning laws — but even those are slanted in favor of club owners. "Oregon cities cannot zone adult businesses differently than other businesses," writes The League of Oregon Cities

(<http://www.orcities.org/Portals/17/A-Z/LOCAAdultBusinesses.pdf>), and a club cannot be denied access to a location solely by the nature of its sexual content.



(<http://aquadoc.typepad.com/.a/6a00d8341bf80a53ef0153905a2b6e970b-pi>)

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Elsewhere in the U.S., club owners aren't so lucky: most cities relegate their clubs to "industrial zones" far from the ballyhoo of downtown, and require that they be at least 1,000 feet from "sensitive use areas" like churches and schools.

"Typically, zoning laws make it almost impossible for new clubs to open in most cities," says E.D. Publications Publisher, Dave Manack. "When someone wants to open a strip club, it usually means they have to buy an existing club that is already zoned and licensed to allow for topless or nude entertainment with alcohol."

But in an effort to “stay weird,” Oregon has defended its freedom of expression to the highest degree. And, as a result, vegan strip clubs are a thing.



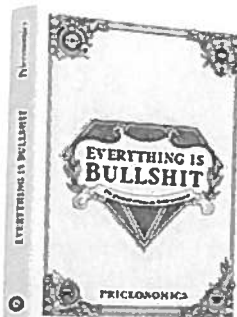
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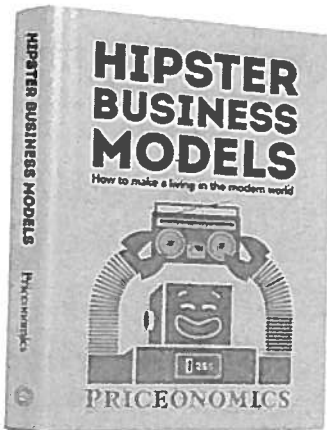
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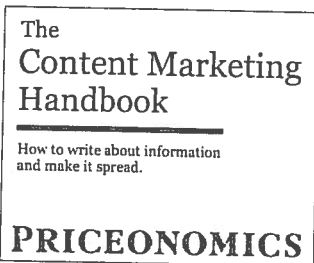
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Tuesday, May 02, 2017

Licenses Committee Notice of Hearing

Old World Third Street LLC
1459 N Farwell Av

Milwaukee, WI 53202

Date: 5/8/2017
Time: 01:30 PM
Location: Room 301-B, Third Floor, City Hall

The Licenses Committee will consider the following license application:

Class B Tavern and Public Entertainment Premises License Applications with 21+ Age Restriction Requesting Adult Entertainment, 5 Amusement Machines, Bands, Dancing by Performers, Disc Jockey, Instrumental Musicians, Jukebox, Patron Contests, and Patrons Dancing

KRAHN, Scott A, Agent

Executive Lounge at 730 N Old World Third St

Please note this application may be recommended for denial based on fitness of the location due to concentration of alcohol beverage outlets in the area. If the application is denied for this reason, no other application for an alcohol beverage license for this location shall be recommended for approval by the Licenses Committee within three years of the date of denial unless the applicant has demonstrated a change of circumstances since the prior denial.

If you have any questions, please call (414) 286-2238.





Tuesday, May 02, 2017

Licenses Committee Notice of Hearing

Old World Third Street LLC
2602 E Newberry Blvd.

Milwaukee, WI 53211

Date: 5/8/2017
Time: 01:30 PM
Location: Room 301-B, Third Floor, City Hall

The Licenses Committee will consider the following license application:

Class B Tavern and Public Entertainment Premises License Applications with 21+ Age Restriction Requesting Adult Entertainment, 5 Amusement Machines, Bands, Dancing by Performers, Disc Jockey, Instrumental Musicians, Jukebox, Patron Contests, and Patrons Dancing
KRAHN, Scott A, Agent
Executive Lounge at 730 N Old World Third St

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If you have any questions, please call (414) 286-2238.





Tuesday, May 02, 2017



Notice of Public Hearing

KRAHN, Scott A, Agent

Executive Lounge at 730 N Old World Third St

Class B Tavern and Public Entertainment Premises License Applications with 21+ Age Restriction
Requesting Adult Entertainment, 5 Amusement Machines, Bands, Dancing by Performers, Disc
Jockey, Instrumental Musicians, Jukebox, Patron Contests, and Patrons Dancing

Monday, May 08, 2017 at 1:30 PM

To whom it may concern:

The above application has been made by the above named applicant(s). This requires approval from the Licenses Committee and the Common Council of the City of Milwaukee. The hearing before the Licenses Committee will take place on 5/8/2017, in Room 301-B, Third Floor, City Hall. You are not required to attend the hearing. Once the Licenses Committee makes its recommendation, this recommendation is forwarded to the full Common Council for approval at its next regularly scheduled hearing.

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CURRENT OCCUPANT	734 N OLD WORLD 3RD ST 43	MILWAUKEE, WI 53203-2207
CURRENT OCCUPANT	734 N OLD WORLD 3RD ST 48	MILWAUKEE, WI 53203-2207
CURRENT OCCUPANT	734 N OLD WORLD 3RD ST 52	MILWAUKEE, WI 53203-2210
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CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 610	MILWAUKEE, WI 53203-2256
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 802	MILWAUKEE, WI 53203-2245
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 306	MILWAUKEE, WI 53203-2251
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CURRENT OCCUPANT	734 N OLD WORLD 3RD ST 59	MILWAUKEE, WI 53203-2210
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 308	MILWAUKEE, WI 53203-2251
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 1005	MILWAUKEE, WI 53203-2243
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 1006	MILWAUKEE, WI 53203-2243
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 302	MILWAUKEE, WI 53203-2251
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 1111	MILWAUKEE, WI 53203-2242
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 609	MILWAUKEE, WI 53203-2256
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 708	MILWAUKEE, WI 53203-2247
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 806	MILWAUKEE, WI 53203-2245
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 809	MILWAUKEE, WI 53203-2245
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 811	MILWAUKEE, WI 53203-2245
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 1011	MILWAUKEE, WI 53203-2243
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 1106	MILWAUKEE, WI 53203-2242
CURRENT OCCUPANT	734 N OLD WORLD 3RD ST 30	MILWAUKEE, WI 53203-2209
CURRENT OCCUPANT	734 N OLD WORLD 3RD ST 47	MILWAUKEE, WI 53203-2207
CURRENT OCCUPANT	734 N OLD WORLD 3RD ST 50	MILWAUKEE, WI 53203-2207
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 1004	MILWAUKEE, WI 53203-2243
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 1001	MILWAUKEE, WI 53203-2243
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 711	MILWAUKEE, WI 53203-2247
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 305	MILWAUKEE, WI 53203-2251
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 311	MILWAUKEE, WI 53203-2251
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 404	MILWAUKEE, WI 53203-2252
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 408	MILWAUKEE, WI 53203-2252
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 411	MILWAUKEE, WI 53203-2252
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 509	MILWAUKEE, WI 53203-2255
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 605	MILWAUKEE, WI 53203-2256
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 606	MILWAUKEE, WI 53203-2256
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 707	MILWAUKEE, WI 53203-2247
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 1108	MILWAUKEE, WI 53203-2242
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 907	MILWAUKEE, WI 53203-2244
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 911	MILWAUKEE, WI 53203-2244
CURRENT OCCUPANT	720 N OLD WORLD 3RD ST 1009	MILWAUKEE, WI 53203-2243

Total Records: 144

Radius: 250.0 feet and Center of Circle: 730 N Old World Third ST



BUSINESS LICENSE PLAN OF OPERATION

Office of the City Clerk License Division
200 E. Wells St. Room 105, Milwaukee, WI 53202

(414) 286-2238 www.milwaukee.gov/license e-mail address: license@milwaukee.gov

cci-busplan 5/24/16

1. Type of Business

Applying for: Extended Hours (12AM to 5AM) - If a food establishment, check all that apply: Delivery Drive Thru Dining Room
 Self Service Laundry Rooming House Hotel/Motel Massage Establishment Filling Station
 Other (supplemental application for specific license also required)

Provide a detailed description of the type of business you plan on operating:

GENTLEMEN'S CLUB

Do you have any experience operating this type of business? No Yes If yes, explain: OWN 3 SILK EXOTIC LOCATIONS IN WI

2. Business Operations

- a. Proposed Opening Date: ASAP
- b. Is this premise under construction? No Yes If yes, list estimated completion date: _____
- c. Is this a franchise? No Yes
- d. Is this premises currently licensed? No Yes If yes, list type of license: _____
- e. Is the current licensee operating? No Yes If no, list date closed: _____
- f. Do you have future plans for other businesses, licenses or permits at this location? No Yes
If yes, explain: _____
- g. Have you previously held an Extended Hours License in Milwaukee? No Yes
If yes, list address(es): 11400 N SILVER SPRING RD MILWAUKEE WI 53225
- h. Are other businesses operating in the same building? No Yes If yes, describe: _____

3. Litter & Noise

- a. How are grounds kept clean? Sweep Pressure Wash Pick Up Litter Other: _____
- b. How often will grounds be cleaned? Daily Weekly As Needed Monthly Other: _____
- c. Grounds cleaned by: Licensee Building Owner Employees Hired Maintenance Other: _____
- d. How are noise issues prevented and/or addressed? Security Manager approaches customer(s) Call Police
 Signs Posted Other: _____
- e. Will a sound amplification system be used? No Yes If yes, describe: DJ USES SPEAKERS & AMPLIFIERS

4. Smoking & Sanitation

- a. Are there designated outdoor smoking areas? No Yes If yes, describe: EAST SIDE OF BLDG.
- b. Number of Garbage Cans: Inside: 30 Locations: THROUGHOUT
Outside: 2 Locations: EAST SIDE
- c. Is a crowd control barrier used? No Yes If yes, describe: _____
- d. How many restrooms are on the premises? 3
- e. Name of solid waste contractor: Advanced Disposal Waste Management Other: _____

5. Security

- a. Are there onsite parking spaces? No Yes If yes, indicate how many? _____ and describe the parking security plan: ALL PARKING TO BE HANDLED BY LUXURY VALET
- b. Is there a loading zone? No Yes If yes, describe the loading area security plan: SECURITY WILL CALL POLICE IF PEOPLE ARE PARKED ILLEGALLY
- c. Will you have security personnel on premise? No Yes If yes, how many? 6-8 and answer the following:
 What are their responsibilities? MAINTAIN PEACEFUL ENVIRONMENT - CHECK ID'S ENSURE SECURITY OF PATRONS ENTERTAINERS EMPLOYEES
 Is security equipment used? No Yes If yes, describe FLASHLIGHTS RADIOS NEIGHBORHOOD
 List their licensing, certification, or training credentials IN-HOUSE TRAINING
- d. Will there be security cameras? No Yes If yes, where? TOTAL 32 CAMERAS ENTIRE INTERIOR PARTIAL EXTERIOR
- e. Will searches/identification checks be done upon entry? No Yes If yes, describe SECURITY CHECKS EVERYONE'S ID'S

6. Percentage of Sales (must total 100%)

Alcohol <u>45</u> %	Food _____%	Secondhand Merchandise _____%	Precious Metals & Gems _____%
Entertainment <u>45</u> %	Cigarettes _____%	_____%	_____%
Pawnbroker Activity _____%	Salvaged Materials _____% (such as scrap metal)	Personal Services (such as tattoo, body piercing, salon, tailor, tanning, etc.) _____%	Other <u>10</u> % Describe: <u>ADMISSION</u>

7. Businesses/Licenses on the Premises (check all that apply):

Type 1

- Full Service Restaurant Cafe/Coffee Shop Deli or Fast Food Restaurant Private/Fraternal/Veterans Club
- Night Club Tavern Cocktail Lounge Teen Club
- Banquet Hall Sports Facility Bowling Alley
- Hotel/Motel : Number of Floors: _____ Number of Rooms: _____
 Rooming House: Number of Floors: _____ Number of Rooms: _____

Type 2

- Liquor Store Corner Store Supermarket Convenience Store
- Gas Station Amusement/Phonograph Distributor Recycling, Salvage or Towing
- Used Car Dealer Personal Service Establishment
(such as tattoo business, hair salon, tailor, etc.) Recording Studio

What other licenses/permits will you hold at this location? (check all that apply)

- Occupancy Permit Cigarette & Tobacco Gas Station Extended Hours Class "B" Tavern Weights & Measures
- Secondhand Dealer Precious Metal & Gem Other: _____

8. Legal Capacity (only if a Type 1 premises in #7 above)

Capacity 216 (Call the Milwaukee Development Center at 414-286-8211 if you have questions.)

9. Premises Description

- a. Identify all area(s) of the premises that will be used in operating this business (include areas used only for storage):
 1st Floor 2nd Floor Basement Storage Patio Beer Garden Sidewalk Café Deck Rooftop
 Other: Describe: _____
- b. Describe Location: Major Thoroughfare Secondary Street Other: _____
- c. Nearest Major Cross Street: WISCONSIN AVE.
- d. Describe Building: Free Standing Building Strip Mall Other: _____
- e. Describe Premises Structure: Single Story Multi-Story - # of Stories 5 Other: _____
- f. Describe Surrounding Area: Commercial Residential Industrial Other: _____
- g. Building Owner Name: OLD WORLD THIRD ST. LLC Phone Number: 414 234 8812
 Business Owner Address: 2602 E. NEWBERRY BLVD MILWAUKEE WI

10. Hours of Operation & Customers

Will customers be entering the premises? No Yes


Day of the Week	Proposed Hours of Operation:		Estimated Number of Customers expected each day	Potential Age Range of Customers	Class B Tavern Applicant Only: Age Restriction (If none, write 'None')
	Open Time (include a.m. or p.m.)	Close Time (include a.m. or p.m.)			
Sunday	11:00 AM	2:00 AM	100	21+	21
Monday	11:00 AM	2:00 AM	100	21+	21
Tuesday	11:00 AM	2:00 AM	100	21+	21
Wednesday	11:00 AM	2:00 AM	100	21+	21
Thursday	11:00 AM	2:00 AM	100	21+	21
Friday	11:00 AM	2:30 AM	200	21+	21
Saturday	11:00 AM	2:30 AM	200	21+	21

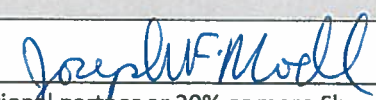
Extended Hours Establishment License is required for any convenience store, filling station, personal service establishment (such as tattoo, body piercing, salon, tailor, tanning, etc.), recording studio or restaurant which is open between the hours of 12 a.m. and 5 a.m.

Entertainment Indoor Closing Hours : If alcohol beverage establishment, same as alcohol license hours.
 If non-alcohol establishment 1:00 am Sunday to Thursday; 1:30 am Friday and Saturday.

Entertainment Outdoor Closing Hours : 10:00 pm Sunday – Thursday; 12:00 am Friday and Saturday,
 unless otherwise approved by Common Council in licensee's plan of operation.

11. Signature(s)


 Sole Proprietor, Partner, Agent, or 20% or more Shareholder


 Signature of additional partner or 20% or more Shareholder

See Application Information for a complete list of all required application forms.



ALCOHOL BEVERAGE & PUBLIC ENTERTAINMENT PREMISES SUPPLEMENTAL PLAN OF OPERATION

Office of the City Clerk License Division
200 E. Wells St. Room 105, Milwaukee, WI 53202
(414) 286-2238 e-mail address: license@milwaukee.gov www.milwaukee.gov/license

Legal Entity Name: <u>PPH PROPERTIES I LLC</u>
Premise Address: <u>730 N OLD WORLD THIRD ST</u>
Proximity of Premises to Church, School, Daycare Center or Hospital
Is there at least 300 feet between the building and any church, school, daycare center or hospital? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
"Service Bar Only" Designation
If applying for Class B or C license, are you applying for "Service Bar Only"? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Service Bar Only means customers cannot sit at the bar. Alcohol is served to patrons seated at tables. No stools, chairs or other articles of furniture shall be placed at the service bar for patrons to sit upon.
Business Information
a) Are you taking out this application for anyone that may not be eligible for a license? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, list name and address: _____
b) Will the agent, a partner or the individual licensee be conducting the day-to-day operations of the business? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If no, list the name and address of the person(s) who will: <u>RADOMIR BUZDUM</u> <u>1027 N 4TH ST WATER TOWN WI 53098</u>
Class B Applicants: If the agent, a partner or the individual licensee will not be conducting the day-to-day operations of the business, the person(s) listed above must obtain a Class B Managers license.
c) Does anyone else have money invested or any other interest in this business? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, explain: _____
d) Have you made an agreement with anyone to repay any loan or any other payments based upon income from the business? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, list name and address: _____
Proof of Ownership, Lease, or Offer to Purchase (new & transfer applicants only)
Submit proof of ownership, lease, or offer to purchase the building with this application. A lease or offer to purchase must:
a) Be in the same legal entity name as that apply for the license
b) Reflect the same address as the premises address on this application
c) Reflect current dates and
d) Be signed by the lessor/seller and lessee/buyer
Property Information (new & transfer applicants only)
a) Do you own or lease the building? <input type="checkbox"/> Own <input checked="" type="checkbox"/> Lease
b) Who owns the fixtures (for example, coolers, etc.)? <u>APPLICANT</u>
c) Are you purchasing the stock and/or fixtures? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, amount paid \$ _____
d) Total amount paid for business \$ <u>N/A</u>
e) Total amount paid for goodwill of the business \$ <u>N/A</u>
Goodwill comprises the reputation and customer relationships of an existing business. If the price you pay for the business exceeds the fair market value of all of the rest of the assets of the business, the excess may be considered goodwill.
f) Have you made arrangements with the seller for payment of personal property taxes? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes

See Application Information for a list of all required application forms.

Lease Information (new & transfer applicants who are leasing the premises only)

- a) Date lease begins 11/1/2014 Ends 2043
- b) Monthly rental \$ 2500.00
- c) Do you have an option to renew the lease? No Yes
- d) Does your lease allow for assignment to another party without the consent of the owner? No Yes
- e) For what length of time have you been guaranteed occupancy (number of years)? 39 YRS
- f) In addition to paying the monthly rental, will you have to pay anything additional to the owner of the building to guarantee performance of the lease? No Yes If yes, explain PROBATA SHARE OF TAXES + CAM.
- g) Does the present owner or occupancy object to the granting of your license? No Yes
If yes, explain _____

Change of Agent Applicants Only

Have there been any changes to the floor plan since the last application was submitted? No Yes
If no, a new floor plan is not required. If yes, submit a new floor plan and explain the change(s): _____

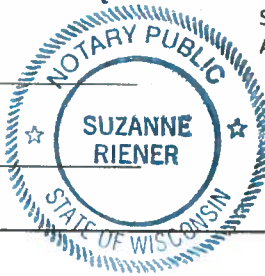
Notarized Signatures of Applicants

SUBSCRIBED AND SWORN TO BEFORE ME

This 23 day of September, 20 16

Suzanne Riener
(Clerk/Notary Public)

My Commission Expires 8/18/17
***Notary Seal must be affixed.**



Acute K
Sole Proprietor, Partner, 20% or more Shareholder, or Agent – only if there are no 20% or more shareholders

Joseph F. Modl
Additional partner or 20% or more shareholder

Note: All information contained in this application is subject to approval by the Common Council.
Deviating from approved plan of operation will subject licensee to citations, and/or suspension or non-renewal of the license.
Contact the License Division for information on how to request changes.

New and transfer of premise applicants must submit the following:

- Proof of ownership, lease or offer to purchase the building
- Detailed floor plan
- If a restaurant, copy of the menu



PUBLIC ENTERTAINMENT PREMISES LICENSE SUPPLEMENTAL APPLICATION

Office of the City Clerk License Division
200 E. Wells St. Room 105, Milwaukee, WI 53202
(414) 286-2238 www.milwaukee.gov/license e-mail address: license@milwaukee.gov

TYPES OF ENTERTAINMENT (CHECK ALL THAT APPLY)

<input checked="" type="checkbox"/> Instrumental Musicians	<input checked="" type="checkbox"/> Bands	<input type="checkbox"/> Battle of the Bands	<input type="checkbox"/> Comedy Acts
<input checked="" type="checkbox"/> Disc Jockey	<input type="checkbox"/> Magic Shows	<input type="checkbox"/> Poetry Readings	<input checked="" type="checkbox"/> Dancing by Performers
<input checked="" type="checkbox"/> Jukebox	<input type="checkbox"/> Wrestling	<input checked="" type="checkbox"/> Patron Contests	<input checked="" type="checkbox"/> Patrons Dancing
<input checked="" type="checkbox"/> Adult Entertainment/ Strippers/Erotic Dance	<input type="checkbox"/> Karaoke	<input type="checkbox"/> Bowling Alley	<input type="checkbox"/> Pool Tables
<input type="checkbox"/> Motion Pictures	<input checked="" type="checkbox"/> Amusement Machines --	How many? _____	How many? _____
How many? _____	How many? <u>5</u>	<input type="checkbox"/> Concerts	<input type="checkbox"/> Theatrical Performances
<input type="checkbox"/> Other: _____	Approx. # per year? _____	Approx. # per year? _____	Approx. # per year? _____

Entertainment Indoor Hours: Alcohol beverage establishment: same as alcohol license hours.
Non-alcohol establishment: 10:30am to 1:00am Sun to Thurs; 1:30am Fri-Sat

Entertainment Outdoor Closing Hours: 10:00pm Sunday-Thursday; 12:00am Friday & Saturday; unless otherwise approved by Common Council.

PROMOTERS/SOUND AMPLIFICATION

Will promoters ever be used for any of the entertainment? No Yes If Yes, Describe:

At any time will sound amplification be used? No Yes If Yes, Describe: DJ USES SPEAKERS & AMPLIFIERS

LEGAL CAPACITY OF PREMISES

216 (Call the Development Center at 414-286-8211 with questions.) Legal capacity determines the fee for your Public Entertainment Premises License. If you would like to request the license be approved with a lower capacity than that listed above, indicate the lower capacity here: _____. If approved, this lower capacity will print on your license and override the capacity listed on your Occupancy Permit.

NOTARIZED SIGNATURES

I understand that after the license has been issued, a change to the plan of operation will require a written request to change and approval from the Common Council.

I agree to inform the City Clerk within 10 days of any substantial changes in the information supplied in this application.

I understand that I shall not willfully refuse to provide the services offered under this license, or add charges or require deposits not required of the general public because of race, color, sex, religion, national origin or ancestry, age, handicap, lawful source of income, marital status, sexual orientation, gender identity or expression, familial status or the fact that a person is now or has been a member of the military service, whether dressed in uniform or not; and shall not seek such information as a condition of employment, or penalize any employee or discriminate in the selection of personnel for training or promotion on the basis of such information.

I have knowledge of the City Ordinances currently regulating public entertainment, and understand that the license may be subject to suspension, non-renewal or revocation, if I violate any rule, law or regulation of the city of Milwaukee and State of Wisconsin.

SUBSCRIBED AND SWORN TO BEFORE ME

This 23 day of September, 20 16

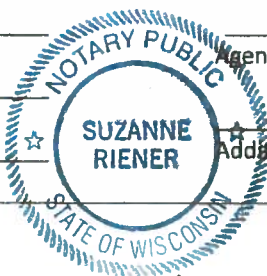
Suzanne Riener (Clerk/Notary Public)

My Commission Expires 8/15/17

Scott K Agent/20% or More Shareholder/Partner

Joseph W. Moell Additional 20% or More Shareholder/Partner

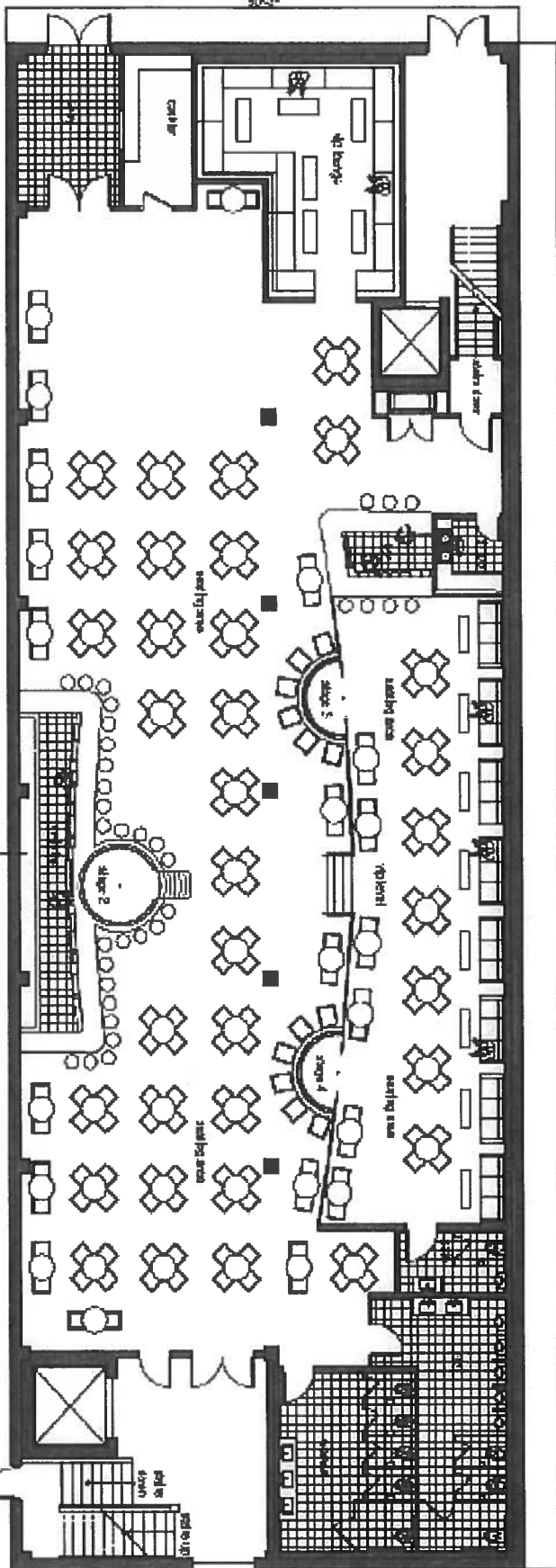
*Notary Seal must be affixed.



Office Use Only: Initials: _____ Filed: _____ App: _____

Check if only PEP (must be heard w/in 60 days) Granted _____ License # _____

Old World 3rd Street



first floor plan - 7,048 square feet

Scott Erwin

PPH Properties, LLC

Executive Lounge

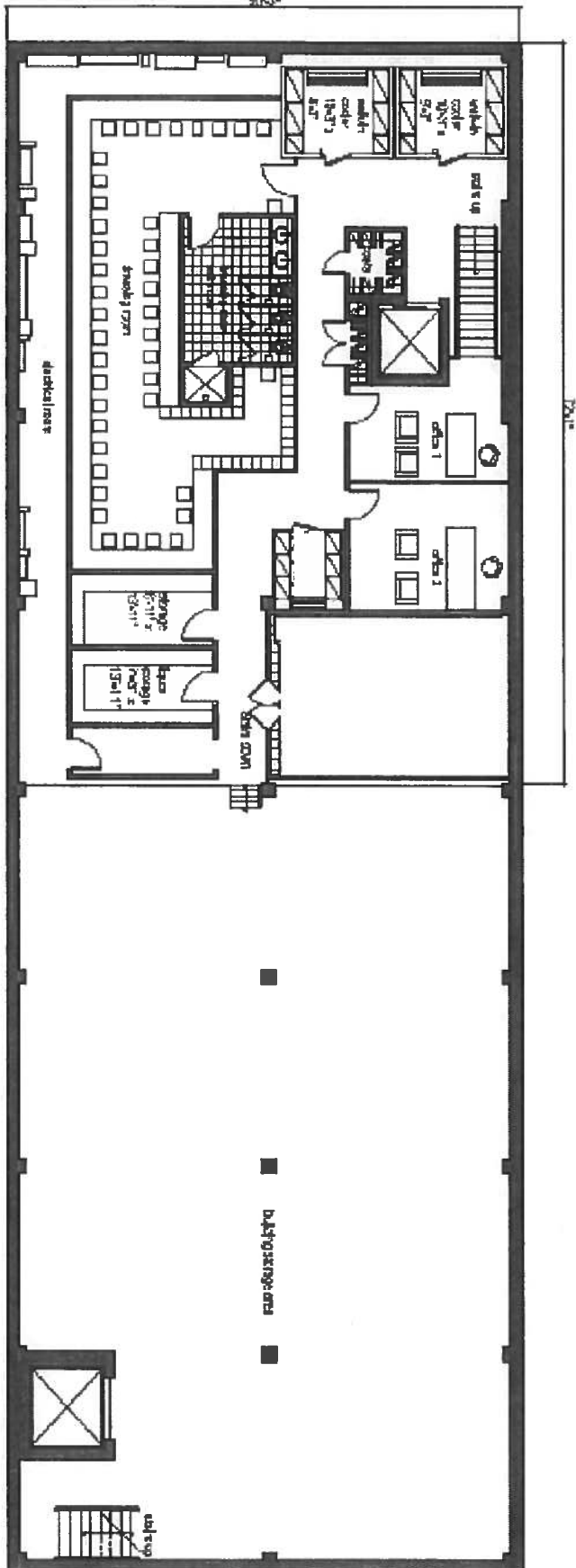
730N Old World 3rd Street

Milwaukee WI 53203

September 15, 2018

Booth 1000
20x7' x 6'0" H

Old World 3rd Street



basement floor plan - 3,420 square feet

Scott Krubin
 PPM Properties LLC
 Zumbach Storage
 730 N Old World 3rd Street
 Milwaukee WI 53208
 September 29, 2018

THE JEFF SCOTT OLSON LAW FIRM, S. C.

**131 West Wilson Street, Suite 1200
Madison, Wisconsin 53703**

Jeff Scott Olson

Andrea J. Farrell

Phone: 608 283 6001
Fax: 608 283 0945

E-Mail: jsolson@scofflaw.com
Website: www.scofflaw.com

April 19, 2017

Ms. Beth Weirick
Milwaukee Downtown
Business Improvement District # 21
600 East Wells Streets
Milwaukee WI 53202

Sent via email to: bweirick@milwaukeedowntown.com

Re: Application of PPH 1, LLC

Dear Ms. Weirick:

I am writing to follow-up on testimony that Deborah Tomczyk, the attorney for Business Improvement District #21, gave to the Licenses Committee at their hearing on April 17, 2017 with regard to the license application for PPH 1, LLC at 730 N. Old World 3rd Street in the City of Milwaukee. At that hearing, and in a letter to the Committee dated April 17, you, Ms. Tomczyk and others on your board indicated that the location where PPH has applied for licensure is inappropriate and expressed a willingness to help us find an alternate location(s) for this establishment that "could have lesser adverse secondary effects." In fact, the motion made by Alderwoman Lewis to hold the matter to the call of the chair was predicated on this very offer from you and others to assist us in finding a

“more appropriate” location. Despite the record failing to offer any objective evidence to support your premise that an adult entertainment establishment would have harmful secondary effects in the proposed location, we accept your offer to assist us in finding an alternative downtown location.

Understanding the desire of the Committee for us to work together to find a win-win on this matter, we invite you to provide us with locations within the general boundaries of BID #21 (Lake Michigan on the east, I-94 on the west, McKinley/Juneau on the north and Clybourn on the south) that you believe would be appropriate for our club. We will seriously consider and explore the viability of any location you suggest within the generally accepted boundaries of downtown. Like you and your supporters, we are bullish on downtown Milwaukee. Unlike you and other objectors, we don't think Milwaukee's downtown renaissance is so fragile that it will be mortally damaged by one business. Ours is a legal business, and we have the desire, and the right, to benefit from the renewal and to contribute to the vibrancy of Milwaukee's downtown just like other entrepreneurs. Downtown is the entertainment heart of our city, and Executive Lounge would be one small component added to the mix of entertainment available to residents and visitors.

We've had previous suggestions from you that we apply for a location in the Menomonee Valley or on the near west side. However, we don't believe that suggestion is in the spirit of the motion or the will of the committee. It seemed clear that the Alderpersons were not asking BID 21 to speak on behalf of other

neighborhoods so that you may simply pass the buck. They weren't asking you to assist us in finding a location in the 12th or 6th or 7rd or 8th District so that the city could once again restart and replay this process with a new set of objectors. It was clear from comments made by the Committee that they were looking for us to find a solution that works for all parties within an area that BID #21 represents and could therefore lend their support.

You sent us particulars of five sites at the following addresses:

1101 St. Paul Avenue
2325 W. St. Paul Avenue
1741 W. St. Paul Avenue
199 N 25th Street
324 N. 15th & W. St. Paul Avenue

None of these locations is appropriate for our needs. None is "downtown," which is the most basic of our criteria. The site that is closest to downtown, 1101 St. Paul, is very close to Marquette Law School. 119 N. 25th Street is occupied and requires 9 month's notice to vacate. 324 N. 15th Street is almost 70,000 square feet - 7 times the space we are seeking.

While we do not have any interest in pursuing areas outside of downtown, we have taken the liberty to share the locations you offered with representatives of the Menomonee Valley Partners, making it clear that BID # 21 and our downtown stakeholders would support an adult entertainment establishment in their neighborhood. Corey Zetts, the Executive Director of the Menomonee Valley Partners (MVP), expressed opposition to each and every site you offered and indicated that MVP would object to any application that was

made on those sites. We hope this predictable response is evidence that the only real compromise desired by the Committee is a site within BID 21's borders and that you work with us in a spirit of cooperation that resolves this issue once and for all.

After carefully combing through the City's Comprehensive Plan, I note that in two places, it refers to the North Old World Third District as, among other things, an entertainment district. Allowing Executive Lounge to operate in that district, therefore, is not contrary to the Comprehensive Plan, your assertions to the contrary notwithstanding. It is clear that you are not opposed to entertainment, *per se*, but you wish to choose the type of entertainment offered – symphony, good; erotic dance, not good. That is censorship, plain and simple.

Our ownership group has been very patient throughout this process so that we could give the city the time it needed to find a solution that works best for the taxpayers of Milwaukee. We have voluntarily agreed to postpone our license hearing several times in order to allow city officials to work towards an agreeable solution. We have asked the federal court to postpone its long awaited decision regarding the constitutionality of Milwaukee's current ordinances in hopes of a mutually agreeable outcome.

As owners of several businesses in the city, we have no desire to see the city lose \$10 million or more in legal settlements that will negatively affect city services. With your offer to the Licenses Committee to assist us in finding a suitable downtown location, we now include you among the parties who are

dedicated to finding a successful and speedy resolution to this issue.

Considering that the next License Committee meeting is in less than a week away we would be happy to agree to a delay in the Committee's decision to a special meeting that will still allow for Common Council action on May 9. We will be happy to make ourselves available at your convenience to discuss this matter or tour any site within the BID # 21 boundaries that you suggest.

Thank you for your willingness to work with us to become a contributing member of downtown Milwaukee's thriving business community.

We look forward to your immediate response.

Sincerely yours,
THE JEFF SCOTT OLSON LAW FIRM, S. C.

A handwritten signature in blue ink that reads "Jeff Scott Olson". The signature is fluid and cursive, with the first name "Jeff" being the most prominent.

Jeff Scott Olson

JSO:sfc

cc: Licenses Committee Members
Milwaukee Alderpersons
Deborah Tomczyk, Esq.
The Honorable Mayor Tom Barrett
Assistant City Attorney La Keisha Butler



MILWAUKEE DOWNTOWN

Business Improvement District #21 600 East Wells Street Milwaukee, Wisconsin 53202
414.220.4700 fax 414.220.4710 www.milwaukeedowntown.com

STATEMENT REGARDING DOWNTOWN GENTLEMEN'S CLUB

Business Improvement District No. 21 strives to build Downtown as the thriving, sustainable, innovative, and vibrant heart of the community. Our primary purpose is to assist our assessment-paying property owners in achieving the highest and best use of their properties. Economic development has emerged as a primary focus in our strategic planning.

Great strides have been made, particularly on Wisconsin Avenue, in what we have declared to be *The Year of Wisconsin Avenue*.

A gentlemen's club has no place in the renaissance of Wisconsin Avenue.

We have opposed applications for gentlemen's clubs at 730 North Old World Third Street five times over the last five years. In that time, the revival of Wisconsin Avenue has gained traction. If the City approves a gentlemen's club today, it will do so against the objection of:

- The new local owners of the Shops of Grand Avenue who have already invested millions and who plan to invest millions more in long-awaited revitalization;
- The Milwaukee Symphony Orchestra in the midst of its near hundred million dollar campaign to rehabilitate the Grand Theater;
- Thousands of residents who have made Grand Wisconsin, Boston Lofts, MKE Lofts, the Buckler, Library Hill and James Court their homes; and
- Community initiatives such as Sculpture Milwaukee, utility box restoration and on-the-avenue-lighting.

We remain hopeful that City leaders will respect these efforts.

Of course, we share the City's desire to save taxpayers from lawsuits and damage claims. Since Downtown makes up more than 18% of the City's entire tax base, our property owners disproportionately bear the brunt of all City taxes.

Since lawsuits from the gentlemen's club operators first emerged, we have urged City leaders to zone appropriate locations for gentlemen's clubs. We

CEO
ELIZABETH A. WEIRICK

BOARD OF DIRECTORS

CHAIR
JOSEPH G. ULLRICH
US Bank

VICE-CHAIR
KEVIN KENNEDY
Northwestern Mutual

SECRETARY
TAMMY BABISCH
Colliers International

ASSISTANT SECRETARY
JOHN CREIGHTON
JCI Global | CBRE

TREASURER
KEVIN BEHL
Madison Medical Affiliates

IMMEDIATE PAST CHAIR
THOMAS G. BERNACCHI
Towne Realty, Inc.

KATIE FALVEY
The Marcus Corporation

MARK FLAHERTY
Jackson Street Holdings LLC

JOHN GRUNAU
Schlitz Park & The Brewery Works, Inc.

DAVID HUGHES
We Energies

TOM IRGENS
Irgens

SUSAN JOHNSON
Riverview Realty Management

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Kahler Slater

PHYLLIS M. REBOP
Pentagon Property Management

PAUL E. RUBY
BON-TON Stores, Inc.

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MGIC

SCOTT WELSH
Inland Companies/Colliers—Wisconsin

Ex—Officio Member

PAUL UPCHURCH
VISIT Milwaukee

Emeritus
GARY P. GRUNAU
Grucon group, Inc.



DOWNTOWN

reiterate our plea for an effective, permanent solution that only zoning changes can bring.

Immediately following the April 17 License Committee hearing, we were asked to recommend alternative viable locations. Unfortunately, we never understood that a viable location was constrained to rigid geographic boundaries that the gentlemen's club operators have since established. We have discussed this request with our property owners and tenants and cannot in good conscience recommend a Downtown location that would not be subject to adverse secondary effects.

We remain willing to work collaboratively, with the City, toward a better solution to resolve pending lawsuits and avoid future ones. We are happy to assist in the vetting of any alternative locations that may emerge. But, we cannot compromise our primary mission of serving as the voice for our assessment-paying property owners and an economic catalyst for Downtown.

THE JEFF SCOTT OLSON LAW FIRM, S. C.

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April 27, 2017

Ms. Beth Weirick BID # 21
c/o Deborah Tomczyk, Esq.
Reinhart Boerner Van Deuren s.c.
1000 North Water Street, Suite 1700
Milwaukee, WI 53202

Sent via first class mail and email to: dtomczyk@reinhartlaw.com

Re: Application of PPH 1, LLC

Dear Ms. Weirick:

At your request that you be contacted only through your attorney, I am sending this letter to you via your attorney, Deborah Tomczyk.

We were disappointed to read your April 24th statement renegeing on your offer to assist us in finding an alternative location for our new business venture in downtown Milwaukee. It was our hope that the motion made by Alderwoman Lewis, based on the testimony of you and other BID 21 representatives, would provide the impetus to work with us to arrive at a compromise solution. We have always been willing to work in good faith with your organization and the Common Council to find a permanent solution to this matter.

Our records show that it was in 2012 that we first reached out to you,

asking you to provide us with some direction on how we might work with BID 21 to cooperatively find a "suitable location" downtown for our establishment that would not be objectionable to you. Unfortunately, then, like now, BID 21 declined involvement rather than arrive at a compromise that would have been to the benefit of all parties. Ironically, had BID 21 worked with us to resolve this matter when we first reached out in 2012, the City would now have an additional \$1 million available to invest in Wisconsin Avenue or other much needed initiatives.

In your statement from April 24 you reiterated your objection that an adult entertainment establishment "has no place in the renaissance of Wisconsin Avenue," and you continued to object without making any realistic alternative suggestions. Instead, BID #21 cynically offered five alternative locations in a largely industrial area in the Menomonee Valley. Not surprisingly, the Menomonee Valley partners were opposed. And we don't blame them. Land that is zoned for industrial use is not the appropriate place for an entertainment venue. Industrial land should be reserved to support businesses that can provide family-supporting, technical jobs for Milwaukee residents. It's not the appropriate place to establish a nightlife establishment and promote a vibrant, 18 hour city for your residents, downtown workers, and visitors.

Entertainment venues belong downtown, clustered among other entertainment venues like theaters, restaurants, taverns, and hotels. The City's Comprehensive Plan For Downtown supports this simple planning principle.

The Plan, which BID #21 helped create, refers to the North Old World Third District as, among other things, an entertainment district. If granted a license, Executive Lounge would be one small component added to the mix of the entertainment available in that district.

Despite years of objecting, BID #21 has never offered any concrete evidence that the presence of one adult entertainment club would endanger the economic viability of any part of downtown. On the following pages, I submit actual evidence to the contrary, taken from the city of Minneapolis where adult entertainment clubs co-exist with all manner of development: high end residences, luxury hotels, family-oriented entertainment venues, boutique retailers, and government offices.

Downtown Minneapolis is home to nine gentlemen's clubs that operate alongside some of the city's most exclusive retail, residential and hotel establishments. There is absolutely no evidence that entertainment clubs have impeded development in Minneapolis. Instead, these clubs have added to the vibrant mix of entertainment options in a city that many cite as an example of successful downtown redevelopment. These clubs coexist with high end apartments and condos and are within walking distance of the city's best known cultural attractions.

Many of the clubs are neighbors with a street retail cluster that is much more robust than Milwaukee's Westown and that shows no ill effects from the proximity to adult entertainment. They also are neighbor to the downtown

Nicolet Mall, a much more successful version of Milwaukee's Grand Avenue. In fact, the adult entertainment sector is expanding right along with other downtown business sectors with the national chain Spearmint Rhino now operating a three-story club in the heart of the Western Downtown district.

Rather than wasting their energy battling these legal businesses and draining the city's resources through unnecessary legal settlements, downtown boosters have built a vibrant downtown that includes an array of options for residents, workers, and visitors to Minneapolis. In a story in the Minneapolis Star Tribune, one downtown business owner is quoted as saying:

"The city as a whole is thinking about how to coexist with a residential profile of business, of commerce, of entertainment and a hospitality nightlife district.It's all sort of commingling in a very unique chemistry, which is one of the reasons why I love Minneapolis."

This is the attitude that should be embraced by our city officials, downtown Milwaukee boosters, and civic leaders: promoting a vision of inclusion that welcomes new investment in long-empty storefronts instead of devolving into hand-wringing and creating divisive doomsday scenarios. Milwaukee's downtown is every bit as strong and resilient as Minneapolis's. To support a narrative that demonizes one potential business as a killer of downtown revitalization does a disservice to our city and flies in the face of the example of Minneapolis and many other American cities.

Inclusiveness allows Minneapolis to thrive. We hope that after reading the

attached, BID #21 and other downtown leaders will come to realize that inclusiveness can help Milwaukee thrive as well.

Sincerely yours,
THE JEFF SCOTT OLSON LAW FIRM, S. C.



Jeff Scott Olson

JSO:sfc

cc: Licenses Committee Members
Milwaukee Alderpersons
The Honorable Mayor Tom Barrett
Assistant City Attorney La Keisha Butler

Minneapolis: a model for successful retail, residential, and entertainment co-existence

Nine adult entertainment clubs are clustered in three sections of downtown Minneapolis: the Warehouse District, the North Loop, and Western Downtown. The Warehouse District is the historic downtown district; it's home to high-end apartments, condominiums, and a number of boutique shops and trendy eateries and taverns. The North Loop features entrepreneurial businesses, artists, and professional services as well as larger offices, some for major corporations. There is also boutique shopping, dining, and apartments. The apartment buildings are nearly all recently built, contain 100-200 units that run the gamut from studio to three bedrooms, and have full modern amenities (community rooms, theater rooms, gyms, often swimming pools on the roof) and "ultra-luxury" styling. Monthly rent for apartments in this area ranges from \$1,300 to over \$5,000. The condominiums are also high-end, with sales prices from \$200,000 to \$ 1,000,000 per unit.

The Western Downtown area contains Hennepin and Nicollet Avenues, many performing arts venues, hotels, and a focus on night life. Many of the hotels are high-end (four stars and costing than \$160 per night), and the area is proximate to many city, county, and federal government buildings.

Choice Gentleman's Club

Choice is located in the North Loop/Warehouse District, **on the same block as specialty retailers Midwest Motorcycles and Wilson and Willie's Neighbor Goods (men's and women's clothing and accessories)**. It's two blocks from the luxury Velo apartments (102 units) and boutique retailers Shinola (trendy wristwatches and accessories), Pacifier (high-end baby store), Russell & Hazel (stationers), Benobos (men's boutique). Choice is within three blocks of luxury Dock Street Flats (100 units) and Hennepin Apartment Homes (large luxury apartment complex), Hewing Hotel (a century-old brick-and-timber warehouse that has been reshaped into a 124-room and 13-suite hotel), and boutique retailers C'est Chic (women's fashion), Martin Patrick 3 (men's fashion), Filigree Jewelers, Spring Finn & Co. (leather goods), Roe Wolfe (women's boutique), Ribnick Luxury Outwear (fur and leather) and Askov Finlayson (menswear) as well as the Nicollet Mall.

Déjà vu Showgirls Minneapolis

Déjà vu is also in the North Loop/Warehouse District neighborhood. **It's located within one block of the Dock Street Flats, Hewing Hotel, retailers Shinola, Pacifier, and Russell and Hazel , Midwest Motorcycles, and Wilson and Willy's, Martin Patrick 3, and Filigree Jewelers, and within two blocks of the luxury 5th Avenue Lofts condominium and apartment complex.** The club is three blocks from Whole

Foods, luxury apartments at The Paxton, Heritage Landing Apartments (flats and townhouses), Hennepin Apartment Homes, and Towne Place Suites by Marriott.

Augie's Bourbon Street Cabaret and Dreamgirls Nightclub

Augie's and Dreamgirls, located on the same block, straddle the border of Western Downtown and the Warehouse Districts. **The clubs are within one block of AC Hotel by Marriott, Embassy Suites, The Illusion Theater (performing arts), the Cowles Center (dance theater), and Nicollet Mall.** They are within two blocks of ultra-luxury high-rise apartment buildings, Nic on 5th and 4Marq apartments, the Westin, Loews, and Minneapolis Marriott City Center hotels, the New Century Theatre, and Minneapolis Central Library.

Augie's and Dreamgirls are also three blocks from Radisson Blu, First Avenue (premier rock venue), Pantages and Skyway Theaters (music venues), retailer Candyland (novelty and specialty candy), the Gaviidae Commons Shopping Mall (shopping mall and office space, connected to skyway), and the Wells Fargo History Museum (complete with authentic stagecoach).

Downtown Cabaret

Downtown Cabaret is in Western Downtown **within one block of Nic on Fifth, 4Marq, and Soo Line Building Apartments (also luxury high-rise), the Hotel Minneapolis Autograph Collection (originally the historic Midland Bank Building, built in 1906, transformed in 2008 to a luxury hotel) and City Hall.** It is within two

blocks of Crossings Condominiums (high-rise), AC Hotel, The Westin, the Nicollet Mall, and the Central Library. It is three blocks from the Kimpton Grand and Crowne Plaza hotels, Gaviidae Commons, Museum Louvre it or Love it (eclectic modern art), and the Wells Fargo History Museum.

Rick's Cabaret Minneapolis

Rick's Cabaret is also in Western Downtown and **in the same block as luxury Latitude 45 (high-rise) apartments**. It is within two blocks of Renaissance Minneapolis Hotel—the Depot (newly renovated luxury historic hotel), the Hotel Minneapolis Autograph Collection, and Residence Inn by Marriott. It is three blocks from the River Gate luxury apartments, and the Carlyle and Riverwest luxury condominium complexes.

Spearmint Rhino Gentlemen's Club Minneapolis

Spearmint Rhino is a recent addition to Minneapolis' collage of downtown entertainment offerings. Located in the Western Downtown district, this new three-story adult entertainment club is **on the same block as The Radisson Blu, Skyway Theatre (concert venue) and Candyland, and one block from the Marriott City Center, First Avenue, Pantages Theater and New Century Theatre (performing arts)**. It is two blocks from Loews Minneapolis Hotel (luxury high rise), Embassy Suites, Nicollet Mall, and the Target Center (a multi-purpose arena that, according to Wikipedia, "hosts major family shows, concerts, sporting events, graduations and private events"). It is

three blocks from AC Hotel by Marriott, Gaviidae Commons, the Illusion Theater, Cowles Center, and Wells Fargo History Museum.

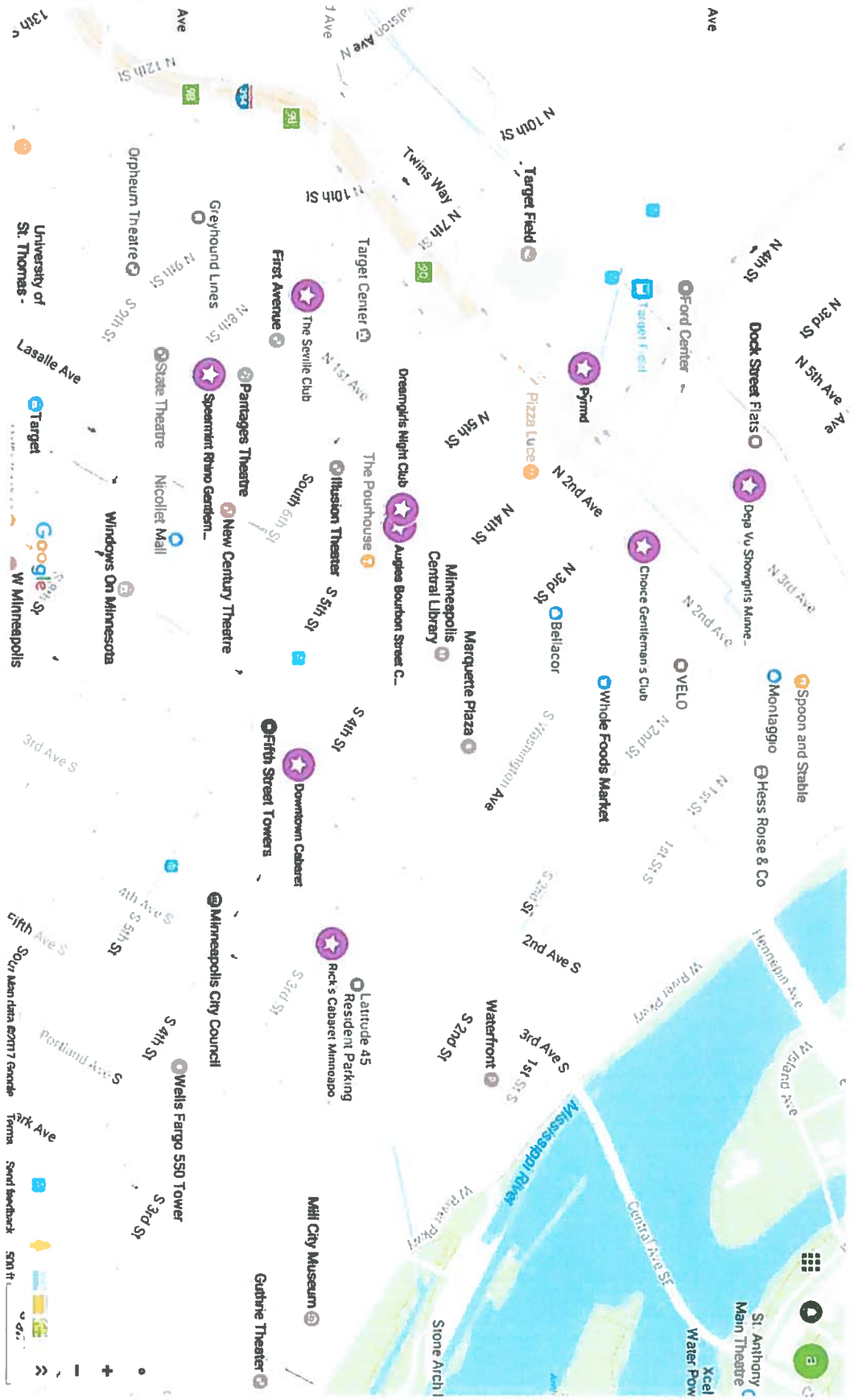
The Seville Club

The Seville Club, in the North Loop, is **within one block of the Hampton Inn, First Avenue, Pantages Theatre, the Target Center, and retailer Infinity Smokes (high end tobacco shop)**, and within two blocks of LaSalle Apartments (luxury), The Radisson Blu, State Theatre, Skyway Theater, and Candyland; within three blocks of the Residence Inn, Nicollet Mall, Orpheum Theatre (music venue), and Target Field (home of the Minnesota Twins).

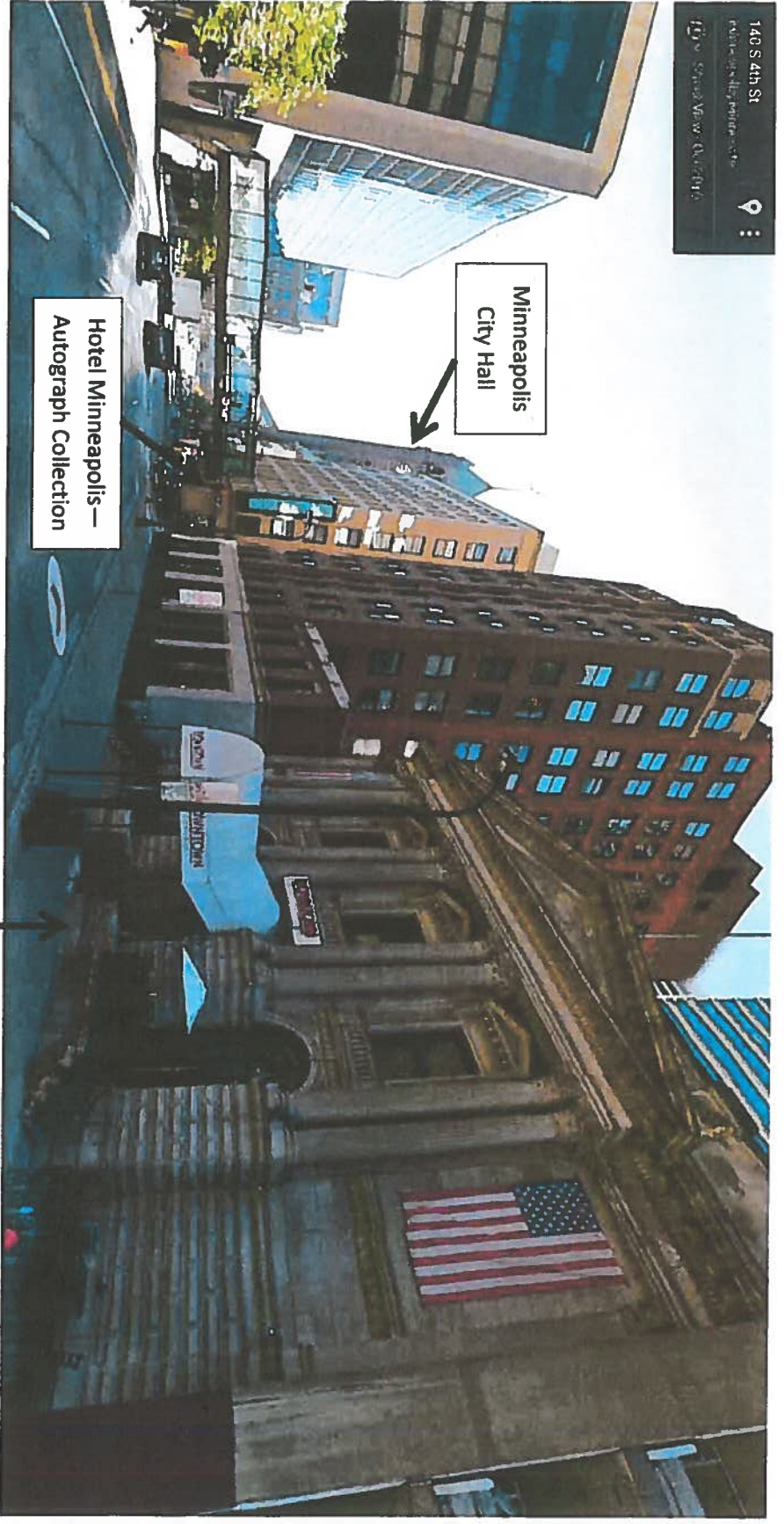
Pyrrmd

Pyrrmd strip club, also in the North Loop, is **one block from Target Field** and three blocks of Dock Street Flats apartments and retailers Midwest Motorcycles and Wilson & Willie's.

Minneapolis Strip Clubs



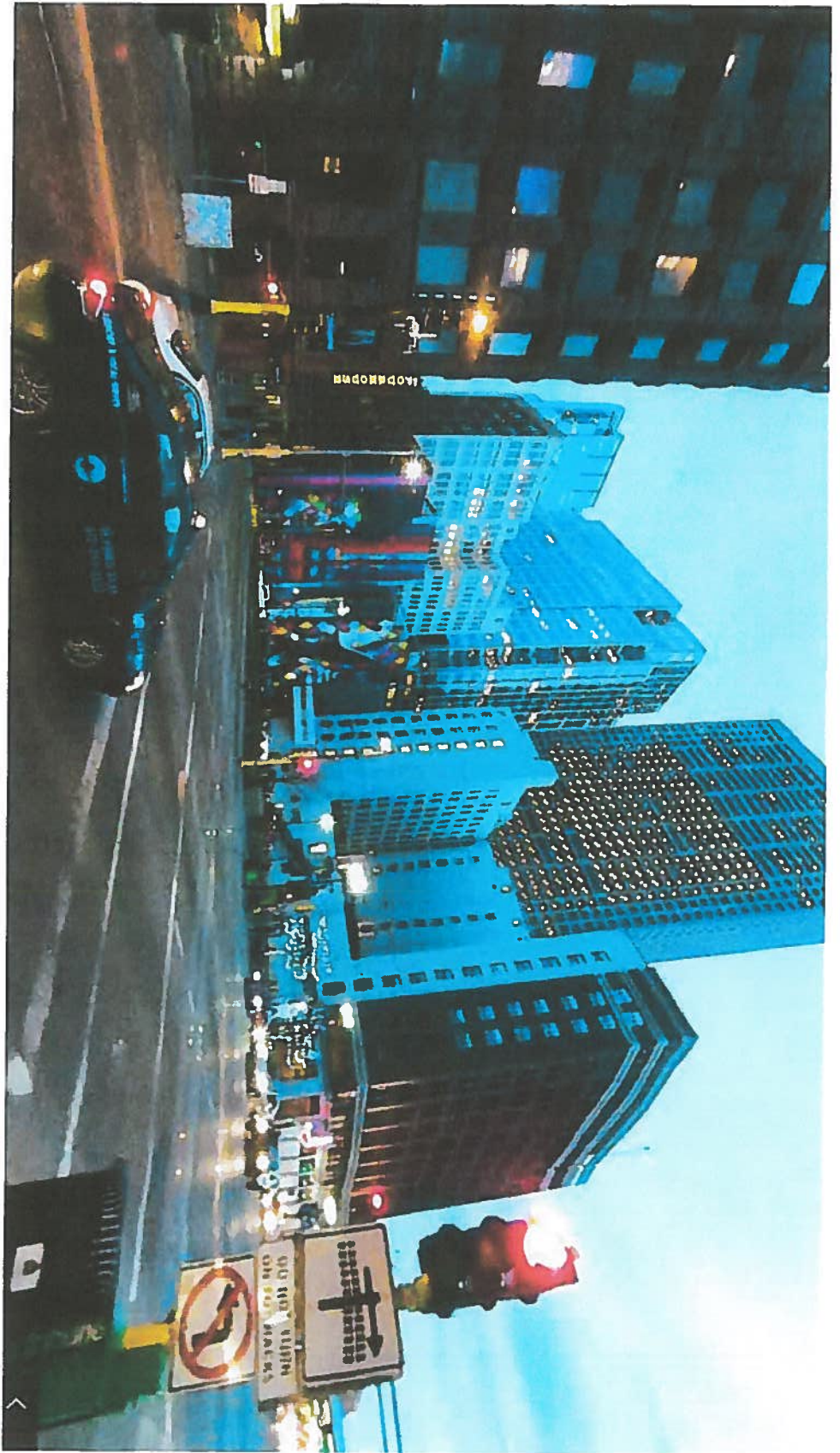
140 S 4th St
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140 S 4th St, Minneapolis, MN 55402



Minneapolis
City Hall

Hotel Minneapolis —
Autograph Collection

Downtown Cabaret



View from Augie's Bourbon Street Cabaret.