

Good Neighbors Report

To: PS&L Committee
From: Attorney Nhu H. Arn
RE: Shiv Foods, Inc., dba Main St Fish and Chicken, Yes Patel, Agent
Meeting date: Tuesday, October 24, 2023
Departments: Attorney, Building, Health, City Development and Police

License(s) requested: Class "B" and "Class B" license (beer and liquor)

Topics Discussed

Agent/manager experience. Mr. Patel has ample experience managing both convenience stores and restaurants (Odd Fellows, Matranga's, Subway – Milwaukee locations). He has operated multiple "Class A" premises within the City but is venturing into a new area with this "Class B" license application. Nevertheless, he is well versed with both state and local alcohol regulations.

Shared space- Building and Health Department issues. The building is one parcel, although it is divided into two spaces, each with its own address. The right side of the building is Odd Fellows, which currently has an active "Class A" license. In order for the right side of the building to operate as Main St Fish and Chicken, state law requires that the two spaces be completely separate with no connecting or common areas. Mr. Patel is working with the building department to pull a permit and seal off the two connecting doors. Mr. Patel will also have to apply for a restaurant license with the Health Department, which requires him to install a mop sink on the restaurant side.

Conditional use permit required. Since the previous restaurant at this location ceased operations more than a year ago, the applicant must apply for and obtain a conditional use permit before he can operate a restaurant/bar at this location. Once he submits the application to City Development, the process will typically take at least 30 days, assuming the application gets approved by the Planning, Heritage and Design Commission. This committee may wish to defer the alcohol beverage license until that has been approved, or at least defer the item until Mr. Patel has submitted an updated map of the area to be licensed. Alternatively, the committee can simultaneously move this application forward, but such license may not be issued until the applicant can obtain all required permits/licenses.

Conditional grant of a license. Since the applicant is not yet operating and still needs multiple approvals from other departments, any approval should be a conditional grant of a license. This will require the applicant to start operating within six months of the date of common council approval.

Police department issues. Sgt. Legath stated that there is no history of nuisance calls at this property. The applicant was encouraged to cooperate with and call the police department, when necessary.

Overall summary

Mr. Patel wishes to operate a restaurant in the same building as Odd Fellows, which is currently a convenience and liquor store. This would require him to work with the city to obtain a conditional use permit, restaurant license, occupancy permit, and seal off parts of the building. If the committee decides to approve the license application, it should move for a conditional grant of a license, which would require the applicant to start operating within six months of the date of common council approval.