

CITY OF MILWAUKEE OFFICE OF THE CITY CLERK

Wednesday, April 24, 2024

COMMITTEE MEETING NOTICE

AD 12

GUTIERREZ GARNICA, Everardo, Agent EL ATORON LLC 3611 W LAPHAM St Milwaukee, WI 53215

You are requested to attend a hearing which is to be held in Room 301-B, Third Floor, City Hall or you may attend virtually using the link below.

Tuesday, May 07, 2024 at 09:20 AM

The access code is https://meet.goto.com/335080869. If you wish to call in: +1 (408) 650-3123 and use Access Code: 335-080-869

Please see the enclosed best practices document for further instructions.

Regarding:

Your Class B Tavern, Public Entertainment Premises and Food Dealer License Renewal Applications as agent for "EL ATORON LLC" for "EL ATORON" at 1428 W LINCOLN Av.

There is a possibility that your application may be denied for one or more ended for one or ended for one or more ended for ended for one or more ended for ended for one or more ended for one or more ended for ended for ended for the common or ended for the concept for the ended for one or the following: failure of the applicant to meet municipal qualifications, per on the applicant to the applicant or by any employee or other agent of the applicant. If the activities of the applicant involve a licensed premise is the premises tends to facilitate a public or private nuisance or has been the source of congregations of persons which have resulted in any of the following: disturbance of the peace; illegal drug activity; public drunkenness; drinking in public; harassment of passers-by; gambling; prostitution; sale of stolen goods; public urination; theft; assaults; battery; acts of vandalism including graffiti, excessive littering, litering, litering

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.

Limited parking for persons attending meetings during normal business hours is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of Kilbourn Avenue and Water Street. You must present a copy of the meeting notice to the parking cashier.

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

BY:

Jim Cooney

License Division Manager

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

MILWAUKEE POLICE DEPARTMENT LICENSING

CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS SYNOPSIS

No. 364115

DATE: 04/12/24

LICENSE TYPE: Class B Tavern

NEW: Application Date:

RENEWAL:

License Location: El Atoron
Business Name: 1428 W Lincoln

Licensee/Applicant: Gutierrez Garnica, Everardo

(Last Name, First Name, MI)

Date of Birth: 09/06/82

Home Address: 3611 W Lapham

City: Milwaukee State: WI Zip Code: 53215

Home Phone:

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

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

1. On 10/23/23 at 12:30a.m., Milwaukee Police were dispatched to a Spotshotter at 1405 W. Lincoln Av. On arrival officers observed a large group of people arguing in the street, however, ran into 1428 W. Lincoln when they observed police. On entrance, the officers determined this was an argument between the bartender and a patron. The agent was on scene and cooperative and stated this had nothing to do with the business as it initiated outside and was a personal matter between the subjects. Later a subject a arrived at a local hospital with a laceration to their head and it was determined to have occurred at the establishment. The victim stated they were hit in the head with a chair due to a large group fighting and fled the location due to the altercation.

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233 414-933-4444

Case #:232960009

OtherEvent #: 23-LP-3414

Incident

1428 W LINCOLN AV Milwaukee, WISCONSIN 53215

incident Date/Time::

10/23/2023 00:33:00

CAD Number::

232960032

District::

2

Beat::

227

Reporting Area::

5824

Business Agent (1)

GUTIERREZ GARNICA, EVERARDO

Person Involvement: (Must choose Agent

AGENT from drop down):

DOB:: Sex::

09/06/1982 MALE

Race::

Address::

3611 W LAPHAM ST

State::

WISCONSIN

Licensed Persons Involved (1)

GUTIERREZ-GARNICA, EVERARDO

Person Involvement::

Agent (License Holder)

DOB::

09/06/1982

Sex::

MALE

Race:: Phone 1 Number:: UNKNOWN 4143146843

Phone 1 Type::

Cell

Address::

3611 W LAPHAM ST

City::

MILWAUKEE WISCONSIN

State:: Zip Code::

53215

Licensed Premise Data (1)

EL ATORON

Address::

1428 W LINCOLN AV

City::

MILWAUKEE WISCONSIN

State:: Zip Code::

53215

License Type::

Alcohol

Licensee Notification Was Made::

No

Business Was Cited For Violation:: No

Licensee was cooperative: (If not

explain in narrative):

Licensee or Manager was on

No

premises at time of violation/incident::

Printed By Monreal, Penny

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233 414-933-4444

Case #:232960009

OtherEvent #: 23-LP-3414

Narrative (1)

LICENSED PREMISE REPORT

Finn, Daniel W 036915

10/23/2023

This report is written by PO Daniel FINN, assigned to District 2, late shift, squad 2350 (PO Nicholas WILCKENS).

On Monday October 23, 2023, at approximately 12:30am, we were dispatched to 1405 W Lincoln Ave for a report of a shotspotter.

Upon our arrival I observed multiple people in the street arguing, after they observed us approach, I saw multiple people run into El Atoron which is located at 1428 W Lincoln Ave. Upon approaching El Atoron, we observed two women who appeared to be arguing and trying to fight each other. After both parties appear to have seperated, we requested multiple Spanish translators to help build a picture of what occurred at the location.

PO MARTIN spoke to one of the females that were involved in the altercation. She was identified as Evelin LOPEZ-GARCIA (1/17/2001 F/H), who stated that she was bartender at this location. She further stated that she and another women, who she only gave the first name of Gabriela, were fighting over one of the men in the bar.

I spoke to licensed premise owner Everardo GUTIERREZ-GARNICA (06/09/1982 W/M). They stated he did not have any involvement with what occurred outside and inside the business, stating that the two females had isolated issues not pertaining to the business itself. The business was *cooperative* with the investigation, the owner gave lots of information on what occurred and gave all his information. There were no security guards located at this business.

There was one individual that was later found and identified as Ismail COLORADO (8/2/2002 M/H) that had a laceration to the left side of his head. He stated that he had been hit in the head with a chair while at El Atoron. Bell Ambulance transported COLORADO to St. Francis. COLORADO stated that he did not wish to press charges. COLORADO stated that he did not know who had hit him in the head due to a large group fighting. He stated that once he was struck he left the business in attempt to flee the altercation.

There was no security surveillance gathered at this time.

While on scene, I observed the licenses posted and they were up to date.

There was no information or any casings found that involved the shotspotter that we were originally dispatched to.

Officer (2)

Reporting Officer:

Finn, Daniel W (036915)

10/23/2023 01:17:00

Section: (Work Location):

23

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233 414-933-4444

Case #:232960009

OtherEvent #: 23-LP-3414

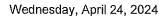
Approving Officer:

Albert, Joshua G (019226)

11/20/2023 22:52:11

Section: (Work Location):

23







Notice of Public Hearing

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GUTIERREZ GARNICA, Everardo, Agent EL ATORON at 1428 W LINCOLN Av

Class B Tavern, Public Entertainment Premises and Food Dealer License Renewal Applications

Tuesday, May 07, 2024 at 9:20 AM

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 5/7/2024 at 9:20 AM in Room 301-B, Third Floor, City Hall. This is a public hearing. Those wishing to view the proceeding are able to do so via the City Channel – Channel 25 on Spectrum Cable – or on the Internet at http://city.milwaukee.gov/citychannel. Those wishing to provide oral testimony via phone or internet are asked to contact the staff assistant, Yadira Melendez at (414) 286-2775 or stasst5@milwaukee.gov for necessary information. Please make such requests no later than one business day prior to the start of the meeting. You are not required to attend the hearing, but please see the information below if you would like to provide testimony. Once the Licenses Committee makes its recommendation, this recommendation is forwarded to the full Common Council for approval at its next regularly scheduled hearing.

Important details for those wishing to provide information for the Licenses Committee to consider when making its recommendation:

- 1. The license application is scheduled to be heard at the above time. Due to other hearings running longer than scheduled, you may have to wait some time to provide your testimony.
- 2. You must appear in person and testify as to matters that you have personally experienced or seen. (You cannot provide testimony for your neighbor, parent or anyone else; this is considered hearsay and cannot be considered by the committee.)
- 3. No letters or petitions can be accepted by the committee (unless the person who wrote the letter or the persons who signed the petition are present at the committee hearing and willing to testify).
- 4. Persons opposed to the license application are given the opportunity to testify first; supporters may testify after the opponents have finished.
- 5. When you are called to testify, you will be sworn in and asked to give your name, and address. (If your first and/or last names are uncommon please spell them.)

- 6. You may then provide testimony.
- a. Include only information relating to the above license application.
- b. Include only information you have personally witnessed or seen.
- c. Provide concise and relevant information detailing how this business has affected or may affect the peaceful enjoyment of your neighborhood.
- d. If by the time you have the opportunity to testify, the information you wish to share has already been provided to the committee, you may state that you agree with the previous testimony. Redundant or repetitive testimony will not assist the committee in making its recommendation.
- 7. After giving your testimony, the members of the Licenses Committee and the licensee may ask questions regarding the testimony you have given or other factors relating to the license application.
- 8. Business Competition is not a valid basis for denial or non-renewal of a license.

Please Note: If you have submitted an objection to the above application your objection cannot be considered by the committee unless you personally testify at the hearing.

OCCUPANT
CURRENT OCCUPANT
CURRENT OCCUPANT
CURRENT OCCUPANT

MAIL ADDRESS	
1324 W LINCOLN AVE	
1401 W LINCOLN AVE	
1403 W LINCOLN AVE# 2	0.
1403 W LINCOLN AVE# 2	
1414 W LINCOLN AVE	٠.
1414 W LINCOLN AVE# A	
1420 W LINCOLN AVE# 1	•
1420 W LINCOLN AVE# 1	
1420 W LINCOLN AVE# 2	
1420 W LINCOLN AVE# 4	
1432A W WINDLAKE AVI	
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1434 W LINCOLN AVE	
1434A W LINCOLN AVE	
1435 W WINDLAKE AVE	_
1435A W WINDLAKE AVI	=
1438 W LINCOLN AVE	
1438A W LINCOLN AVE	
1439 W WINDLAKE AVE	
1439A W WINDLAKE AV	E
1441 W WINDLAKE AVE	
1443 W WINDLAKE AVE	
1443A W WINDLAKE AV	E
1443B W WINDLAKE AV	Ξ
1444 W WINDLAKE AVE	
1444A W WINDLAKE AV	E
1447 W WINDLAKE AVE	
1451 W WINDLAKE AVE	
1451A W WINDLAKE AV	Ë
1455 W WINDLAKE AVE	
1455A W WINDLAKE AV	Ε
1505 W LINCOLN AVE	
1507A W LINCOLN AVE	
1515 W LINCOLN AVE	
1515A W LINCOLN AVE	
2230 S 15TH ST	
2231 S 14TH ST	
2234 S 15TH ST	
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2237 S 14111 ST 2237 S 15TH ST	
2237 A S 14TH ST	
2238 S 15TH ST	
7 7 7 15 LM S I	

2240 S 15TH ST 2241 S 15TH ST

CITY STATE ZIP MILWAUKEE, WI 53215-3127 MILWAUKEE, WI 53215-3101 MILWAUKEE, WI 53215-3101 MILWAUKEE, WI 53215-3101 MILWAUKEE, WI 53215-3144 MILWAUKEE, WI 53215-3144 MILWAUKEE, WI 53215-3161 MILWAUKEE, WI 53215-3161 MILWAUKEE, WI 53215-3161 MILWAUKEE, WI 53215-3161 MILWAUKEE, WI 53215-3149 MILWAUKEE, WI 53215-3144 MILWAUKEE, WI 53215-3144 MILWAUKEE, WI 53215-3148 MILWAUKEE, WI 53215-3148 MILWAUKEE, WI 53215-3144 MILWAUKEE, WI 53215-3144 MILWAUKEE, WI 53215-3148 MILWAUKEE, WI 53215-3149 MILWAUKEE, WI 53215-3149 MILWAUKEE, WI 53215-3148 MILWAUKEE, WI 53215-2635 MILWAUKEE, WI 53215-2635 MILWAUKEE, WI 53215-2635 MILWAUKEE, WI 53215-2635 MILWAUKEE, WI 53215-2702 MILWAUKEE, WI 53215-2717 MILWAUKEE, WI 53215-2702 MILWAUKEE, WI 53215-2717 MILWAUKEE, WI 53215-2701 MILWAUKEE, WI 53215-2717 MILWAUKEE, WI 53215-2717 MILWAUKEE, WI 53215-2701 MILWAUKEE, WI 53215-2717 MILWAUKEE, WI 53215-2702 MILWAUKEE, WI 53215-2702 MILWAUKEE, WI 53215-2701

CURRENT OCCUPANT	2241A S 15TH ST	MILWAUKEE, WI 53215-2701
CURRENT OCCUPANT	2242 S 15TH ST	MILWAUKEE, WI 53215-2702
CURRENT OCCUPANT	2243 S 14TH ST	MILWAUKEE, WI 53215-2717
CURRENT OCCUPANT	2243 S 15TH ST	MILWAUKEE, WI 53215-2701
CURRENT OCCUPANT	2244 S 15TH ST	MILWAUKEE, WI 53215-2702
CURRENT OCCUPANT	2245 S 14TH ST	MILWAUKEE, WI 53215-2717
CURRENT OCCUPANT	2245 S 15TH ST	MILWAUKEE, WI 53215-2701
CURRENT OCCUPANT	2247 S 15TH ST	MILWAUKEE, WI 53215-2701
CURRENT OCCUPANT	2248 S 15TH ST	MILWAUKEE, WI 53215-2702
CURRENT OCCUPANT	2248 S 15TH ST# A	MILWAUKEE, WI 53215-2702
CURRENT OCCUPANT	2248 S 15TH ST# B	MILWAUKEE, WI 53215-2702
CURRENT OCCUPANT	2249 S 15TH ST	MILWAUKEE, WI 53215-2701
CURRENT OCCUPANT	2250 S 15TH ST	MILWAUKEE, WI 53215-2702
CURRENT OCCUPANT	2251 S 14TH ST	MILWAUKEE, WI 53215-2717
CURRENT OCCUPANT	2251A S 14TH ST	MILWAUKEE, WI 53215-2717
CURRENT OCCUPANT	2252 S 15TH ST	MILWAUKEE, WI 53215-2702
CURRENT OCCUPANT	2253 S 15TH ST	MILWAUKEE, WI 53215-2701
CURRENT OCCUPANT	2254 S 15TH ST	MILWAUKEE, WI 53215-2702
CURRENT OCCUPANT	2255 S 14TH ST	MILWAUKEE, WI 53215-2717
CURRENT OCCUPANT	2255 S 15TH ST	MILWAUKEE, WI 53215-2701
CURRENT OCCUPANT	2256 S 15TH ST	MILWAUKEE, WI 53215-2702
CURRENT OCCUPANT	2257 S 14TH ST	MILWAUKEE, WI 53215-2717
CURRENT OCCUPANT	2259 S 14TH ST	MILWAUKEE, WI 53215-2717
CURRENT OCCUPANT	2259 S 15TH ST	MILWAUKEE, WI 53215-2701
CURRENT OCCUPANT	2260 S 15TH ST	MILWAUKEE, WI 53215-2702
CURRENT OCCUPANT	2261 S 15TH ST	MILWAUKEE, WI 53215-2701
CURRENT OCCUPANT	2263 S 14TH ST	MILWAUKEE, WI 53215-2717
CURRENT OCCUPANT	2263 S 14TH ST# A	MILWAUKEE, WI 53215-2717
CURRENT OCCUPANT	2263 S 15TH ST	MILWAUKEE, WI 53215-2701
CURRENT OCCUPANT	2303 S 15TH ST	MILWAUKEE, WI 53215-3130
CURRENT OCCUPANT	2306 S 15TH ST	MILWAUKEE, WI 53215-3131
CURRENT OCCUPANT	2308 S 15TH ST	MILWAUKEE, WI 53215-3131
CURRENT OCCUPANT	2310 S 15TH ST	MILWAUKEE, WI 53215-3131
CURRENT OCCUPANT	2310A S 15TH ST	MILWAUKEE, WI 53215-3131
CURRENT OCCUPANT	2311 S 14TH ST	MILWAUKEE, WI 53215-3116
CURRENT OCCUPANT	2313 S 15TH ST	MILWAUKEE, WI 53215-3130
CURRENT OCCUPANT	2321 S 15TH ST	MILWAUKEE, WI 53215-3130
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Total Records: 83

Radius: 250.0 feet and Center of the Circle: 1428 W Lincoln Av

2024-2025 Plan of Operation for 1428 W LINCOLN AV

1. Litter & Security Plans					
How are the grounds kept clean? Pressure Wash Pick Up Litter Other:					
How often will grounds be cleaned? Meekly Other:					
Who cleans the grounds?					
How are noise issues prevented and/or addressed? Security Manager approaches customer(s) Call Police Signs Posted Other:					
Are there designated outdoor smoking areas? Yes If Yes, Describe:					
Number of garbage cans: Inside 8 Locations: bathrooms, Kitchen, Lining room, bar Outside 1 Locations: Back parking					
Is a crowd control barrier used? No 🗌 Yes 💮 If Yes, Describe:					
Number of restrooms: 2 Name of solid waste contractor: Waste Management					
Are there parking spaces on the premises? Yes If Yes, list number of spaces: and describe security plans:					
Are there designated loading areas? No 🗌 Yes If Yes, describe security plans:					
Do you have security personnel on the premise?					
Are there security cameras? \(\sum No \(\subseteq Yes \)					
Are searches and/or identification checks conducted upon entry? No 🗌 Yes If Yes, describe:					
2. Percentage of Sales (must total 100%)					
Alcohol 10 % Food Sales 90 % Entertainment% Other%					
3. Businesses On The Premises (choose all that apply):					
🗖 Réstaurant 🗌 Cafe/Coffee Shop 🔲 Cocktail Lounge 🔲 Convenience Store 🔲 Night Club 🔲 Liquor Store 🔲 Tavern 🔲 Sports Facilit					
☐ Hotel ☐ Banquet Hall ☐ Supermarket ☐ Private/Fraternal/Veterans' Club ☐ Other:					
4. Hours of Operation and Age Restriction					
Are there any changes to the current hours of operation or age restriction? No Yes If Yes, Describe: Please Note: If you will be open earlier or later than the hours listed on your current license for even one event or holiday (for example, St. Patrick's Day, Brewers Opening Day, etc.) during the license period, this must be reported and printed on your license. Your hours of operation and age restriction are listed on your current license.					
5. Floor Plan and Capacity					
5. Floor Plan and Capacity Are you requesting any changes to your capacity or floor plan*? No Yes If yes, describe: and submit a new floor plan with this renewal application. A sample plan can be found online at www.milwaukee.gov/licenses under License Forms and Related					
5. Floor Plan and Capacity Are you requesting any changes to your capacity or floor plan*? No Yes If yes, describe: and submit a new floor plan with this renewal application. A sample plan can be found online at www.milwaukee.gov/licenses under License Forms and Related Information.					
5. Floor Plan and Capacity Are you requesting any changes to your capacity or floor plan*? No Yes If yes, describe: and submit a new floor plan with this renewal application. A sample plan can be found online at www.milwaukee.gov/licenses under License Forms and Related Information. Alcohol/Food Establishments: A "Permanent Extension of Premises Application" is required if you are adding any square footage to the licensed premises.					
5. Floor Plan and Capacity Are you requesting any changes to your capacity or floor plan*? No Yes If yes, describe: and submit a new floor plan with this renewal application. A sample plan can be found online at www.milwaukee.gov/licenses under License Forms and Related Information. Alcohol/Food Establishments: A "Permanent Extension of Premises Application" is required if you are adding any square footage to the licensed premises. 6. Sidewalk Dining: Fee:					

1. CURRENT APPROVED ENTERTAIN	MENT for EL ATORON	1428 W LINCOLN AV			
The following types of entertainment have be	een approved for your current P	ublic Entertainment Premises li	cense:		
Jukebox, Karaoke, Instrumental Musicians, E	Bands				
•			•		
2. ADDING ENTERTAINMENT					
If applicable, check any entertainment you wish to add: ONLY CHECK ENTERTAINMENT TYPE(S) YOU ARE ADDING. YOUR CURRENT APPROVED ENTERTAINMENT IS LISTED ABOVE. ALSO SUBMIT AN UPDATED FLOOR PLAN AND PLAN OF OPERATION OR CONFIRMATION STATEMENT IF THE NEW ENTERTAINMENT DOES NOT CHANGE THE CURRENT PLAN OF OPERATION.					
Instrumental Musicians	Bands	Battle of the Bands	Comedy Acts		
☐ Disc Jockey	Magic Shows	Poetry Readings	☐ Dancing by Performers		
Jukebox	Wrestling	Patron Contests	Patrons Dancing		
Adult Entertainment/	Karaoke ·	Bowling Alley	Pool Tables		
Strippers/Erotic Dance		How many?	How many?		
Motion Pictures (movies by admission)	Amusement Machines	Concerts	Theatrical Performances		
How many screens?	How many?	Approx. # per year?	Approx. # per year?		
Other:					
No entertainment changes can take place un	itil approved by Common Counc	il and a new license has been is	sued and posted on the premises.		
3. REMOVING ENTERTAINMENT					
If applicable, list any entertainment you wish	n to remove:				
4. PROMOTERS/SOUND AMPLIFICA	ITION				
Will promoters ever be used for any of the e	ntertainment? No Yes	If Yes, Describe:			
At any time will sound amplification be used .	? No ☐ Yes If Yes, Descri	oe:			
5. SIGNATURE					
I understand that after the license has been the Common Council.	issued, a change to the plan of	operation will require a written	request to change and approval from		
I agree to inform the City Clerk within 10 day	ys of any substantial changes in	the information supplied in this	application.		
I understand that I shall not willfully refuse the general public because of race, color, se orientation, gender identity or expression, for dressed in uniform or not; and shall not seel selection of personnel for training or promo	x, religion, national origin or and amilial status or the fact that a p k such information as a conditio	estry, age, handicap, lawful sot person is now or has been a mer n of employment, or penalize a	rce of income, marital status, sexual mber of the military service, whether		
I have knowledge of the City Ordinances cur suspension, non-renewal or revocation, if I v					
	Everuse	& getienez	orporation or LLC, the Agent must sign		
	Signature of Sole	Proprietor, a Partner, or if a Co	orporation or LLC, the Agent must sign		

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