

Office of City Clerk, License Division
Room 105, City Hall
200 E. Wells St.
Milwaukee, WI 53202

Dear City of Milwaukee License Committee,

This is a formal letter of opposition to the proposed additions to the business license of Lush Lounge, formally known as Lounge 340. Their 2024 application states the business wishes to add the ability to have DJs and host bands/live music.

In 2023, a memorandum (displayed on the following pages) was signed by Lounge 340 to allow the business to continue operation. By signing the memorandum with the City of Milwaukee, bar management promised to be more proactive with preserving the neighborhood's otherwise quiet setting. While there was an improvement in some regards, there were still many documented instances where the memorandum failed to be honored and caused disruption to the neighborhood.

2024 saw the closing of Lounge 340, and after much hard work, would rebrand to Lush Lounge. Starting off on the right foot, Lush Lounge management graciously invited neighbors to an open house to meet new management, security, and police. Good times had by all. There was a consensus from the neighbors who attended that there was hope for positive change.

Unfortunately, the bar's first month of operation has seen uncontained, large events in excess of 50 patrons. During such events, the memorandum has not been honored or sufficiently enforced. There are documented instances of patrons' vehicle noise, loitering, unsafe parking violations, and public intoxication during bar operation. Any attempt to enforce the memorandum has fallen short of the expectations set back in 2023 at the business' previous license renewal hearing. On the flipside, week nights with far smaller crowds have been relatively tamer. The neighbors are hopefully this will continue to be the case as the weather gets warmer and wish to have windows open.

With the ask of adding DJs and ability to host bands, the immediate neighbors of the bar fear for larger crowds, more excess noise, loss of peace of mind, and not being able to enjoy the neighborhood. From what has so far been witnessed during large events at Lush Lounge, any attempts to enforce the memorandum will fall short. The building and immediate area were not designed to host or contain the accompanying noise of events as large as Lush Lounge management wishes to attract.

With these additions, Lush Lounge does not aim to be a neighborhood bar, it is trying to be a nightclub-music venue in an otherwise quiet residential area. This is why the neighbors formally demand:

- The application to add DJs and Bands to Lush Lounge's liquor license is denied outright.
- Lush Lounge will not be allowed to renew any licenses unless the memorandum in its current state is signed by all business management, attached, and bonded to all the business' open applications.
- The City of Milwaukee takes a more proactive, hands-on approach in enforcing the current memorandum and all its conditions.

We look forward to a constructive discussion.

Sincerely,

Residents of RSL Condominiums and Surrounding Neighbors

LOUNGE 340
340 W. RESERVOIR AVENUE
MILWAUKEE, WISCONSIN 532

March 27, 2023

City of Milwaukee Common Council
Aldерwoman Milele A. Coggs
License Committee – Chair
200 E. Wells Street
Milwaukee, WI 53202

Re: Business Operating Memorandum – Community Engagement

Chairwoman Coggs –

This document is in response to the concerns expressed by neighborhood residents on March 6th, 2023, during the neighborhood meeting, and March 7th, 2023 common council license hearing. Lounge 340 in conjunction with community members offers this memorandum for the record.

In summary the community members expressed concerns in the following areas –

- a. Bar and Lounge Litter - including but not limited to bottles, cups, paper, cardboard, cans, glass, glass shards, et al left by patrons in the immediate and adjacent areas of Lounge 340 including up to one block's distance down Vel R Phillips Av and W Reservoir Avenue. Residents acknowledge litter also comes from the Boys & Girls Club patrons. The goal is for Lounge 340 to limit litter associated with its' patrons.
- b. Noise, (Bar Operations) – Constant & excessive levels of noise from Lounge 340 operations and noise from patrons entering and exiting Lounge 340 in violation of city ordinances, as well as loitering near entrance and in adjacent neighborhood (street and sidewalks) during and after bar hours.
- c. Illegal Parking - patrons parking in violation of city ordinances, and state law, that impedes safe traffic flow and the interfering with neighbors' ability to access sidewalks and crosswalks.
- d. Contracted Events – neighbors are very concerned about the activities from contracted events held at Lounge 340 that have resulted in large unruly, disruptive crowds standing outside of the establishment on numerous occasions. The attendees of the events exceed the permitted number of patrons, resulting in loitering, fighting, littering, and illegal carry out/in liquor outside of Lounge 340 in the surrounding neighborhood.

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- e. Vehicle Noise – disturbing levels of noise from subwoofer, engine from patrons' vehicles while arriving, departing and loitering outside of the lounge.
- f. Smoking – patrons smoking outside of the establishment for extended periods of time leading to loud conversation noise, additional litter.
- g. Open alcohol containers – Lounge 340 management and security not stopping patrons from leaving inside of Lounge 340 with open containers of alcohol. Patrons also bringing outside, personal alcohol and discarding containers on to streets, sidewalk areas.
- h. Remedies – The indifference of owner and only very recent willingness to stop or attempt to remedy the summarized concerns as well as proactively work with neighborhood to improve relations.

This summary may not address each of the concerns expressed by community members, the summary identifies the main concerns understood by Lounge 340 LLC.

Purpose. This community partnership memorandum offered by Lounge 340 to its neighbors in and around 340 W. Reservoir Avenue is to establish a mutually beneficial and reciprocal relationship to ensure neighborhood tranquility.

Commitment. The owner and operator of Lounge 340, LLC; Ms. Patrice Dickerson agrees as a condition of their liquor license to enforce all city ordinances regarding the operation of Lounge 340. Specifically, the owner and operator of Lounge 340, LLC; Ms. Patrice Dickerson pledges to implement the changes expressed in this memorandum effective immediately. Ms. Dickerson pledges to meet and discuss with community members to ensure neighborhood tranquility and proper implementation of these changes and compliance with all city ordinances relevant to Lounge 340 operations. Ms. Dickerson will meet with community members at Lounge 340 or a mutually agreed upon site depending on need, every quarter at a minimum and on an "as needed" basis by residents. The dates and times for the community meetings will be posted on the lounge's website or social media. The website address must be shared with all neighborhood residents as soon as possible. Further, Ms. Dickerson will provide her direct email and telephone number to community members. She agrees that any resident, patron, or city official with a complaint about Lounge 340 may contact her at any time of day or night. She will promise to immediately act. She will conduct virtual meetings with concerned residents whenever requested by residents outside of the normal, regularly occurring meeting schedule.

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Operational Changes.

1. Business hours – Lounge 340 will not operate on Monday, Tuesday.
2. Contracted Events – All contracted events will adhere to each policy and procedure of Lounge 340 listed in this memorandum. All rental agreements are under personal review by Ms. Patrice Dickerson and will be modified to ensure strict compliance to Lounge 340's Class B Tavern License and all city ordinances. Patrons and all others drawn to the event will be required to follow the provisions of the contract provisions. Management and security personnel will be present at each contracted event. Lounge 340 will require additional security between 2-3 roaming security personnel during contracted events greater than 50 patrons. Lounge 340 staff will be required to be onsite throughout entire duration and for at least one hour after the event has concluded to ensure compliance of litter policy as well as the departure of all patrons.
3. Loitering Policy - Lounge 340 will not permit patrons to loiter outside of the establishment or in adjacent neighborhood areas to the lounge. Patrons will be warned only once not to loiter outside of the establishment. After a second violation, the patron will not be permitted re-entry and informed to depart from the establishment in a calm and respectful manner. To ensure compliance, Lounge 340 will post signs related to its' loitering policy and instruct our security personnel to strictly adhere to this policy. No alcohol is permitted outside the lounge in violation of city ordinances. Failure to comply will result in immediate expulsion from the bar for the remainder of the day/night/event. No exceptions.
4. Flyers - No flyers will be posted in or around the community without prior approval of management. The purpose of this policy is to ensure compliance with our standards and policies. All promotions will be in accordance with Lounge 340's licenses to ensure compliance with its' occupancy limits.
5. Litter – Lounge 340 will place additional trash receptacles in the front of the establishment and will be emptied and maintained throughout the night and stowed away indoors after the bar closes. In addition, prior to closing management will ensure trash in at a minimum of a one block radius from Lounge 340 in all four directions up to the entire distance of where patrons had parked that during event. Further, Lounge 340 will encourage the adjacent entities and businesses (Church, Boys & Girls Club, etc.) to collect similar litter for community cohesion.

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6. **Parking** – Lounge 340 will employ additional security personnel that will “roam” outside of the establishment to ensure patrons are parking legally in and around the establishment. Further, our “roaming” security is responsible for patrons not loitering and distributing patrons with loud music.

7. **Community Meetings** – Every quarter at a minimum and on an as needed basis to discuss issues with violations to this agreement and to city ordinances, Ms. Dickerson pledges to meet with neighborhood members at Lounge 340 or a mutually agreed upon location to ensure dialogue and compliance with all portions of this memorandum. The date and time of these meetings will be posted on Lounge 340 social media platforms and announced at the conclusion of each previous meeting. The meetings shall last 60- 90 minutes in length to ensure each community members has an opportunity to express their concerns or recommendations.

8. **Smoking and Drinking** – Patrons are not permitted to smoke or consume alcohol outside of the establishment or in any adjacent areas of the lounge including but not limited to sidewalks, streets, cars, or properties of neighbors. Patrons will be instructed by security personnel to smoke and drink only inside of the establishment.

9. **Noise** – Lounge 340 is committed to fully eliminating noise and to comply with all city ordinances regarding noise as well as reducing the noise coming from its patrons entering and exiting the establishment. Lounge 340 pledges to require patrons, visitors, and staff without exception to adhere to noise elimination in the neighborhood. It is the responsibility of management and security to enforce excessive noise rules. The use of additional security personnel and management’s intention to reduce noise shall remediate the complaint.

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Acknowledgment. The parties, Mrs. Dickerson and community members certify that this memorandum reflects community effort and partnership. Further, Mrs. Dickerson by her signature certifies that she has read, understands, acknowledges, and agrees to the terms of this agreement. That her signature is a binding commitment to the terms and conditions of this memorandum. Further, that she will uphold each tenet of this memorandum. Lastly, Mrs. Dickerson understands that this memorandum is part of the terms and conditions under which she will be permitted to receive license for a renewal. The parties acknowledge that this memorandum is in addition to requirements outlined by the City of Milwaukee Ordinances and Common Council's approval. This memorandum is part of the official record of the City of Milwaukee Licensee Committee. Further, this memorandum may be relied upon by the City of Milwaukee Licensee Committee.

Signed this _____ day of March 2023, at Milwaukee, Wisconsin.

Sincerely,

Patrice Dickerson
Owner & Operator
Lounge 340, LLC