



CITY OF MILWAUKEE
OFFICE OF THE CITY CLERK

Wednesday, March 15, 2023

COMMITTEE MEETING NOTICE

AD 13

MARTINEZ, Daniel, Agent
Danls LLC
700 E LAYTON Av
Milwaukee, WI 53207

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.

Wednesday, March 29, 2023 at 11:20 AM

The access code is https://meet.goto.com/415147613. If you wish to call in: +1 (408) 650-3123 and use Access Code: 415-147-613
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 "Danls LLC" for "In Plane View" at 700 E LAYTON

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 85-4-4, unless otherwise specified in the code, probative evidence concerning non-renewal, suspension or revocation may include evidence of the following: failure of the applicant to meet municipal qualifications, pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the circumstances of the particular licensed or permitted activity, by the applicant or by any employee or other agent of the applicant. If the activities of the applicant involve a licensed premises, whether 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, loitering, illegal parking, loud noise at times when the licensed premise is open for business; traffic violations; curfew violations; lewd conduct; display of materials harmful to minors, pursuant to s. 106-9.6; or any other factor which reasonably relates to the public health, safety and welfare, or failure to comply with the approved plan of operation. It is the intention of the Common Council to suspend or non-renew the licenses if objectors provide testimony related to the factors enumerated in MCO 85-4-4 that the Common Council finds to be true by a preponderance of the evidence and/or police reports are found to be true by a preponderance of the evidence. The police reports and other attached documents relating to objections to the license are a part of this notice and expressly incorporated in this notice. The licensee should be prepared to address these matters at the hearing.

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 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 of Jim Cooney]

BY:

Jim Cooney
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**

**Jackson-2, Annette**

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**From:** Cooney, Jim  
**Sent:** Tuesday, July 26, 2022 12:39 PM  
**To:** Jackson-2, Annette  
**Cc:** Byrd, Yashica; Martin, Faiola  
**Subject:** FW: 700 E Layton Av.....Please add to the record for a future hearing

Please add

**From:** Peterson, Todd <t.peterson@milwaukee.gov>  
**Sent:** Monday, July 25, 2022 1:01 PM  
**To:** Cooney, Jim <Jim.Cooney@milwaukee.gov>; Byrd, Yashica <Yashica.Byrd@milwaukee.gov>  
**Cc:** Spiker, Scott <Scott.Spiker@milwaukee.gov>  
**Subject:** 700 E Layton Av.....Please add to the record for a future hearing

Good Afternoon,

Complainant is

On Sunday July 24th starting at 11am In Plane View had a large gathering of people. The business provided a tent with a band and the complainant stated that the noise coming from the place was very loud. The music ended about 4:30pm. The Milwaukee Police Department was called by the complainant at 2pm. No call was returned by MPD until 6pm. Neighbors were not provided with any notification prior to the event or where to call if they had any issues.

Quality of life was affected because he could not sit and watch tv in peace or enjoy the outdoors.

Take care

**Todd Peterson**  
Legislative Assistant to Alderman Scott Spiker  
13<sup>th</sup> District  
200 East Wells Street – 2<sup>nd</sup> Floor | Milwaukee, WI 53202.  
414.286.8537  
[t.peterson@milwaukee.gov](mailto:t.peterson@milwaukee.gov)

# MILWAUKEE POLICE DEPARTMENT LICENSING

## CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS SYNOPSIS

**DATE:** 02/20/23

**LICENSE TYPE:** Class B Tavern

**NEW:**

**RENEWAL:**

**No. 347944**

**Application Date:** 02/06/23

**License Location:** 700 E Layton Av

**Business Name:** In Plane View

**Licensee/Applicant:** MARTINEZ, Daniel  
(Last Name, First Name, MI)

**Date of Birth:** 07/08/1973

**Home Address:** 9015 S River Edge Dr

**City:** Oak Creek

**State:** WI    **Zip Code:** 53154

**Home Phone:**

This report is written by Police Officer Corstan D. COURT, assigned to the License Investigation Unit, Days.

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

1. On 10/30/2021, officers were dispatched to a Welfare of Citizen at In Plane View, 700 E. Layton Av. The officers spoke with the wife of the applicant, who stated a subject was intoxicated by alcohol and needed to go home. The officers determined the subject needed medical treatment and he was transported to the hospital for treatment. The officers spoke with the applicant, who stated the subject would no longer be served at the bar.

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2. On 08/12/22 at 11:10pm, Milwaukee Police were dispatched to 700 E. Layton Avenue for a battery complaint. Investigation revealed that a fight happen in the parking lot and a subject was cited. This incident did not involve the licensing operation of the tavern/restaurant.

# Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:230470032

OtherEvent #: 23-LP-0276

## Incident

### 700 E LAYTON AV MILWAUKEE, WISCONSIN 53207

Incident Date/Time:: 08/12/2022 23:10:00  
CAD Number:: 222241944  
District:: 6  
Beat:: 640  
Reporting Area:: 7324

## Business Agent (1)

### MARTINEZ, DANIEL

Person Involvement: (Must choose Agent  
AGENT from drop down): Agent  
Sex:: MALE  
Race:: NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER  
Phone 1 Number:: (414)-988-9700  
Address:: 9015 S RIVER EDGE DR  
City:: OAK CREEK  
State:: WISCONSIN  
Zip Code:: 53154

## Licensed Persons Involved (1)

### GARCIA, JESSICA LISETTE

Person Involvement:: Employee  
DOB:: 05/08/1992  
Sex:: FEMALE  
Race:: H  
Address:: 8001 S 6TH ST  
City:: OAK CREEK  
State:: WISCONSIN  
Zip Code:: 53154

## Licensed Premise Data (1)

### IN PLAIN VIEW

Phone 1 Number:: (414)-988-9700  
Phone 1 Type:: Work  
Address:: 700 E LAYTON AV  
City:: MILWAUKEE  
State:: WISCONSIN  
Zip Code:: 53207  
License Type:: Alcohol  
Licensee Notification Was Made:: No  
Business Was Cited For Violation:: No  
Licensee was cooperative: (If not explain in narrative): Yes  
Licensee or Manager was on premises at time of violation/incident:: No

# Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:230470032

OtherEvent #: 23-LP-0276

## Narrative (1)

### INITIAL INVESTIGATION

Almas, Harold K 018105

02/16/2023

This report is written by P.O. Harold ALMAS assigned to District 6, Early Shift.

On August 12, 2022 squad 6220 (ALMAS, H/LUCNA-MARTINEZ, M) was dispatched to the address of 700 E. Layton Ave (In Plain View), which is located in the City and County of Milwaukee, Wisconsin to investigate a battery complaint.

Upon arrival I observed multiple patrons in the parking lot. I spoke to Jessica GARCIA (F/W 5-8-92) who stated there was a fight in the parking lot and pointed out a Black male who was identified as Charles E COMBS (M/B 2-28-90). COMBS was detained in the back of my squad car until the completion of my investigation.

Based on information from GARCIA, COMBS was arrested and conveyed to District 6, for processing. COMBS received a City of Milwaukee Municipal citation for Battery and released.

**NOTE:** This incident did not involve the licensing operation of the tavern/restaurant.

## Officer (2)

Reporting Officer:	Almas, Harold K (018105)	02/16/2023 16:40:00
Section: (Work Location):	62	
Approving Officer:	Laroque, Brian C (021484)	02/16/2023 19:38:38
Section: (Work Location):	62	



Wednesday, March 15, 2023



# Notice of Public Hearing

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MARTINEZ, Daniel, Agent  
In Plane View at 700 E LAYTON Av  
Class B Tavern, Public Entertainment Premises and Food Dealer License Renewal Applications

**Wednesday, March 29, 2023 at 11:20 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 3/29/2023 at 11:20 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](mailto: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.

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## **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	MAIL ADDRESS	CITY STATE ZIP
CURRENT OCCUPANT	4624 S QUINCY AVE	MILWAUKEE, WI 53207-5224
CURRENT OCCUPANT	4630 S QUINCY AVE	MILWAUKEE, WI 53207-5224
CURRENT OCCUPANT	4631 S PINE AVE	MILWAUKEE, WI 53207-5212
CURRENT OCCUPANT	4633 S QUINCY AVE	MILWAUKEE, WI 53207-5275
CURRENT OCCUPANT	4637 S QUINCY AVE	MILWAUKEE, WI 53207-5275
CURRENT OCCUPANT	4640 S QUINCY AVE	MILWAUKEE, WI 53207-5264
CURRENT OCCUPANT	4645 S PINE AVE	MILWAUKEE, WI 53207-5262
CURRENT OCCUPANT	4645 S QUINCY AVE	MILWAUKEE, WI 53207-5275
CURRENT OCCUPANT	4645A S PINE AVE	MILWAUKEE, WI 53207-5262
CURRENT OCCUPANT	4649 S QUINCY AVE	MILWAUKEE, WI 53207-5275
CURRENT OCCUPANT	4652 S QUINCY AVE	MILWAUKEE, WI 53207-5264
CURRENT OCCUPANT	4653 S PINE AVE	MILWAUKEE, WI 53207-5262
CURRENT OCCUPANT	624 E PRICE AVE	MILWAUKEE, WI 53207-5215
CURRENT OCCUPANT	624A E PRICE AVE	MILWAUKEE, WI 53207-5215
CURRENT OCCUPANT	627 E PRICE AVE	MILWAUKEE, WI 53207-5214
CURRENT OCCUPANT	634 E PRICE AVE	MILWAUKEE, WI 53207-5215
CURRENT OCCUPANT	635 E PRICE AVE	MILWAUKEE, WI 53207-5214
CURRENT OCCUPANT	641 E PRICE AVE	MILWAUKEE, WI 53207-5214
CURRENT OCCUPANT	644 E PRICE AVE	MILWAUKEE, WI 53207-5215
CURRENT OCCUPANT	646 E PRICE AVE	MILWAUKEE, WI 53207-5215
CURRENT OCCUPANT	702 E PRICE AVE	MILWAUKEE, WI 53207-5217
CURRENT OCCUPANT	705 E PRICE AVE	MILWAUKEE, WI 53207-5216
CURRENT OCCUPANT	713 E PRICE AVE	MILWAUKEE, WI 53207-5216
CURRENT OCCUPANT	716 E PRICE AVE	MILWAUKEE, WI 53207-5217

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Total Records: 24

Radius 250.0 feet and Center of Circle: 700 E Layton Av

## 2022-2023 Plan of Operation for 700 E LAYTON AV

<b>1. Litter &amp; Security Plans</b>			
How are the grounds kept clean? <input checked="" type="checkbox"/> Sweep <input checked="" type="checkbox"/> Pressure Wash <input checked="" type="checkbox"/> Pick Up Litter <input type="checkbox"/> Other:			
How often will grounds be cleaned? <input checked="" type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Other:			
Who cleans the grounds? <input checked="" type="checkbox"/> Licensee <input type="checkbox"/> Building Owner <input type="checkbox"/> Employees <input type="checkbox"/> Hired Maintenance <input type="checkbox"/> Other:			
How are noise issues prevented and/or addressed? <input type="checkbox"/> Security <input checked="" type="checkbox"/> Manager approaches customer(s) <input type="checkbox"/> Call Police <input type="checkbox"/> Signs Posted <input type="checkbox"/> Other:			
Are there designated outdoor smoking areas? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, Describe: <u>Outdoor Patio Area</u>			
Number of garbage cans: Inside <u>7</u> Locations: <u>3 behind bar, 1 on dining floor, 1 each bathroom, 1 kitchen</u> Outside <u>1</u> Locations: <u>Patio</u>			
Is a crowd control barrier used? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, Describe:			
Number of restrooms: <u>3</u>		Name of solid waste contractor: <u>Waste Management</u>	
Are there parking spaces on the premises? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, list number of spaces: <u>45</u> and describe security plans: <u>Customers park at their own risk though we do have cameras that surveil the lot</u>			
Are there designated loading areas? <input type="checkbox"/> No <input type="checkbox"/> Yes If Yes, describe security plans:			
Do you have security personnel on the premise? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, how many? _____ AND What are their responsibilities? _____ What security equipment do they use? _____ List their licensing, certification or training credentials: _____			
Are there security cameras? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, list all locations: <u>outside inside dining/bar, 1 kitchen</u>			
Are searches and/or identification checks conducted upon entry? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, describe:			
<b>2. Percentage of Sales (must total 100%)</b>			
Alcohol <u>50</u> %	Food Sales <u>47</u> %	Entertainment <u>3</u> %	Other _____ %
<b>3. Businesses On The Premises (choose all that apply):</b>			
<input checked="" type="checkbox"/> Restaurant <input type="checkbox"/> Cafe/Coffee Shop <input type="checkbox"/> Cocktail Lounge <input type="checkbox"/> Convenience Store <input type="checkbox"/> Night Club <input type="checkbox"/> Liquor Store <input checked="" type="checkbox"/> Tavern <input type="checkbox"/> Sports Facility <input type="checkbox"/> Hotel <input type="checkbox"/> Banquet Hall <input type="checkbox"/> Supermarket <input type="checkbox"/> Private/Fraternal/Veterans' Club <input type="checkbox"/> Other:			
<b>4. Hours of Operation and Age Restriction</b>			
Are there any changes to the current hours of operation or age restriction? <input checked="" type="checkbox"/> No <input type="checkbox"/> 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.			
<b>5. Floor Plan and Capacity</b>			
Are you requesting any changes to your capacity or floor plan*? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, describe: _____ and submit a new floor plan with this renewal application. A sample plan can be found online at <a href="http://www.milwaukee.gov/licenses">www.milwaukee.gov/licenses</a> 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.			
<b>6. Sidewalk Dining: Fee:</b>			
Are there any changes to the sidewalk dining site plan? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, submit an updated site plan with this application.			
<b>7. Food License: FREST 17355 Fee: \$800.00</b>		<b>8. Weights and Measures: Fee:</b>	
Your current food license includes the following food operations: <b>DHS - MODERATE, Sales \$20,001 - \$200,000, Tavern Restaurant.</b> Are there any changes to your food operations as listed above? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, if Yes, explain _____		Number/Type of Devices: Are there any changes to the number or types of devices? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, contact our office for further instructions.	



**1. CURRENT APPROVED ENTERTAINMENT for In Plane View 700 E LAYTON AV**

The following types of entertainment have been approved for your current Public Entertainment Premises license:  
**Karaoke, Patrons Dancing, 1 Pool Table, 5 Amusement Machines**

**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.**

- |   |  |  |  |
|---|--|--|--|
| <input type="checkbox"/> Instrumental Musicians   | <input type="checkbox"/> Bands                                 | <input type="checkbox"/> Battle of the Bands                   | <input type="checkbox"/> Comedy Acts   |
| <input type="checkbox"/> Disc Jockey  | <input type="checkbox"/> Magic Shows                           | <input type="checkbox"/> Poetry Readings                       | <input type="checkbox"/> Dancing by Performers   |
| <input type="checkbox"/> Jukebox  | <input type="checkbox"/> Wrestling                             | <input type="checkbox"/> Patron Contests                       | <input type="checkbox"/> Patrons Dancing   |
| <input type="checkbox"/> Adult Entertainment/<br>Strippers/Erotic Dance                   | <input type="checkbox"/> Karaoke                               | <input type="checkbox"/> Bowling Alley                         | <input type="checkbox"/> Pool Tables   |
| <input type="checkbox"/> Motion Pictures (movies by admission)<br>How many screens? _____ | <input type="checkbox"/> Amusement Machines<br>How many? _____ | <input type="checkbox"/> Concerts<br>Approx. # per year? _____ | <input type="checkbox"/> Theatrical Performances<br>How many? _____<br>Approx. # per year? _____ |
| <input type="checkbox"/> Other: _____   |  |  |  |

No entertainment changes can take place until approved by Common Council and a new license has been issued and posted on the premises.

**3. REMOVING ENTERTAINMENT**

If applicable, list any entertainment you wish to remove:

**4. 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:

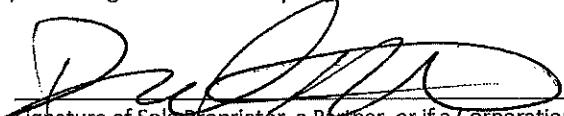
**5. SIGNATURE**

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.

  
Signature of Sole Proprietor, a Partner, or if a Corporation or LLC, the Agent must sign