

CITY OF MILWAUKEE OFFICE OF THE CITY CLERK

Wednesday, April 12, 2023

COMMITTEE MEETING NOTICE

AD 04

MEI, Tyler E, Agent LOWCOUNTRY MILWAUKEE INC 1114 N WATER St Milwaukee, WI 53202

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, April 25, 2023 at 10:40 AM

The access code is <u>https://meet.goto.com/623644525</u>. If you wish to call in: +1 (408) 650-3123 and use Access Code: 623-644-525. Please see the enclosed best practices document for further instructions.

Regarding:

your Class B Tavern and Food Dealer License Renewal Applications as agent for "LOWCOUNTRY" MILWAUKEE INC" for "Lowcountry" at 1114 N

There is a possibility that your application may be denied for one 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

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. <u>www.milwaukee.gov/license</u> Phone: (414) 286-2238 Fax: (414) 286-3057 Email Address: License@milwaukee.gov



Wednesday, April 12, 2023



Notice of Public Hearing

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MEI, Tyler E, Agent Lowcountry at 1114 N WATER St Class B Tavern and Food Dealer License Renewal Applications

Tuesday, April 25, 2023 at 10:40 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 4/25/2023 at 10:40 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.

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OCCUPANT	MAIL ADDRESS	CITY STATE ZIP		
CURRENT OCCUPANT	1103 N WATER ST# 201	MILWAUKEE, WI 53202-3123		
CURRENT OCCUPANT	1103 N WATER ST# 202	MILWAUKEE, WI 53202-3123		
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	CURRENT OCCUPANT	233 E JUNEAU AVE# 704	MILWAUKEE, WI 53202-3275	
	CURRENT OCCUPANT	233 E JUNEAU AVE# 705	MILWAUKEE, WI 53202-3275	
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	CURRENT OCCUPANT	233 E JUNEAU AVE# 912	MILWAUKEE, WI 53202-3296	
	COMPENT OCCOLANT			

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CURRENT OCCUPANT	270 E HIGHLAND AVE# 212	MILWAUKEE, WI 53202-6603
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CURRENT OCCUPANT	270 E HIGHLAND AVE# 642	MILWAUKEE, WI 53202-6606	
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CURRENT OCCUPANT	270 E HIGHLAND AVE# 812	MILWAUKEE, WI 53202-6606
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CURRENT OCCUPANT	270 E HIGHLAND AVE# 936	MILWAUKEE, WI 53202-6607
CURRENT OCCUPANT	270 E HIGHLAND AVE# 937	MILWAUKEE, WI 53202-6607
Blank Notice		
Total Deservation 202		

Total Records: 362

Radius 250.0 feet and Center of Circle: 1114 N Water St

Jackson-2, Annette

From: Sent: To: Cc: Subject:

Cooney, Jim Wednesday, July 20, 2022 9:14 AM Jackson-2, Annette Byrd, Yashica; Martin, Faviola FW: Noise Complaint

Please add as an objection to Low Country on Water St,

Thanks

Jim Cooney License Division Manager City Clerk-License Division 200 E Wells St #105 414-286-2365 www.milwaukee.gov/license

REDACTED RECORD



From: Bauman, Robert <rjbauma@milwaukee.gov> Sent: Monday, July 18, 2022 8:07 AM To:

Cc: DeLessio-Parson, Ax <Axdp@milwaukee.gov>; Cooney, Jim <Jim.Cooney@milwaukee.gov> Subject: RE: Noise Complaint

Got it. We will enter a complaint in their licensing file which will trigger a hearing when their license is up for renewal.

5

Sent from Mail for Windows

From:

Sent: Monday, July 18, 2022 8:05 AM To: <u>Bauman, Robert</u> Cc: <u>DeLessio-Parson, Ax</u> Subject: Re: Noise Complaint

Hello,

I'm confused, I included their address in my last email, 1114 N water street. (In what I believe was the old Bar Louie spot with the large outdoor patio.)

Thank you,

On Jul 18, 2022, at 8:01 AM, Bauman, Robert <<u>ribauma@milwaukee.gov</u>> wrote:

There is a restaurant on the NW corner and NE corner.

Sent from Mail for Windows

From: Sent: Monday, July 18, 2022 7:58 AM To: <u>Bauman, Robert</u> Cc: <u>DeLessio-Parson, Ax</u> Subject: Re: Noise Complaint

[Some people who received this message don't often get email from Learn why this is important at <u>https://aka.ms/LearnAboutSenderIdentification</u>]

Hello,

That is correct but their Milwaukee restaurant is located at the corner of Water and Highland Avenue: 1114 N. Water Street.

REDACTED RECORD

Thank you,

> On Jul 17, 2022, at 10:46 PM, Bauman, Robert <ribauma@milwaukee.gov> wrote:

>

> I believe "low country" is an entity that operates several venues. What is the location?

>

> Sent from my iPhone

>

>> On Jul 17, 2022, at 9:13 PM,

> wrote:

>>

>> [You don't often get email from <u>shannathomsen17@gmail.com</u>. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

>>

>> Hello,

>>

>> I am writing as a resident of District 4. We continue to have noise issues with the restaurant Low Country, playing loud music through outdoor speakers past the noise ordinance hours. In the past, this music has gone until 10 or 11pm on Sundays (time has ranged given different weeks). We can hear this music one block away in our homes (with closed windows). As a group of residents we have previously reached out to the restaurant directly and they had briefly addressed the issue. However, tonight the restaurant is again hosting loud outdoor music with DJs, despite their business hours ending at 9pm. When we called the restaurant, they acknowledged that they are closed but that their music would continue this evening until at least 10pm. We are looking for a peaceful resolution for the company to follow noise ordinances, especially on weeknights.

>>

>> I look forward to your response as to how this can be addressed with the company.

>> >>

>> Thank you,

>>

>>

>>

> The City of Milwaukee is subject to Wisconsin Statutes related to public records. Unless otherwise exempted from the public records law, senders and receivers of City of Milwaukee e-mail should presume that e-mail is subject to release upon request, and is subject to state records retention requirements. See City of Milwaukee full e-mail disclaimer at <u>www.milwaukee.gov/email_disclaimer</u>

REDACTED RECORD

2022-2023 Plan of Operation for 1114 N WATER ST

1. Litter & Security Plans
How are the grounds kept clean? X Sweep Pressure Wash Pick Up Litter Other:
How often will grounds be cleaned? XDaily Weekly Other:
Who cleans the grounds?
How are noise issues prevented and/or addressed? Security 🕅 Manager approaches customer(s) Call Police Signs Posted
Are there designated outdoor smoking areas? 💢 No 🗌 Yes 🛛 If Yes, Describe:
Number of garbage cans: Inside 11 Locations: Kitcher(2) Dining Area (5), Destrooms (4) Outside 2 Locations: Alley (2)
Is a crowd control barrier used? 💢 No 🛄 Yes 🛛 If Yes, Describe:
Number of restrooms: 4 Name of solid waste contractor: Waste Management
Are there parking spaces on the premises? 🕅 No 🗌 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? X No 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? [] No X Yes If Yes, list all locations: See attached floor Plan"X "marks Camera
Are searches and/or identification checks conducted upon entry? 🕅 No 🗌 Yes If Yes, describe:
2. Percentage of Sales (must total 100%)
Alcohol <u>10</u> % Food Sales <u>90</u> % Entertainment <u>%</u> Other <u>%</u>
3. Businesses On The Prunises (choose all that apply):
🕅 Restaurant 🗌 Cafe/Coffee Shop 🔲 Cocktail Lounge 🔲 Convenience Store 🗌 Night Club 🗌 Liquor Store 🔲 Tavern 🔲 Sports Facility
Hotel Banquet Hall Supermarket Private/Fraternal/Veterans' Club Other:
A: Hours of Operation and Age Restriction Are there any changes to the current hours of operation or age restriction? 🕅 No 🗌 Yes If Yes, Describe:
Are there any changes to the current notics of operation of age restriction in the notics of beschec.
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.
S. Floor Plan and Capacity
Are you requesting any changes to your capacity or floor plan*? XNo Yes If yes, describe: and submit a new floor plan with this renewal application. A sample plan can be found online at <u>www.milwaukee.gov/licenses</u> 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: Are there any changes to the sidewalk dining site plan? 💢 No 🗌 Yes If Yes, submit an updated site plan with this application.
7 Food License: FREST 17086 Fee: \$1,250.00 8: Weights and Measures: Fee:
Your current food license includes the following food operations:
DHS - MODERATE, Restaurant, Sales \$200,001 - \$2,000,000. Are there any changes to your food operations as listed above? If Yes, explain If yes, contact our office for further instructions.

	· .	ţ	
CURRENT APPROVED ENTERTAIN	MENT for Lowcountry	1114 N WATER ST	
he following types of entertainment have be	een approved for your current	^o ublic Entertainment Premises lic	ense:
	,		
and in the state of the	entes sources and they are shown to solve the		
ADDING ENTERTAINMENT	ich to odd, ONLY CHECK ENTE		
NTERTAINMENT IS LISTED ABOVE. ALSO SU HE NEW ENTERTAINMENT DOES NOT CHAI	JBMIT AN UPDATED FLOOR PL	AN AND PLAN OF OPERATION OF	R CONFIRMATION STATEMENT IF
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	1	How many?	How many? Theatrical Performances
Motion Pictures (movies by admission) How many screens?	Amusement Machines How many?	Approx. # per year?	Harden
Other:			· · · · · · · · · · · · · · · · · · ·
lo entertainment changes can take place ur	ntil approved by Common Cour	cil and a new license has been iss	ued and posted on the premises.
	<u></u>		
f applicable, list any entertainment you wis	n to remove:	\backslash	
a PROMOTERS/SOUND AMPLIFIC	ALION KOITE	ana fan de service de s	
Will promoters ever be used for any of the e	entertainment? 🔲 No 🗌 Yes	If Yes, Describe:	
/	/	<u> </u>	
At any time will sound amplification be used	17 L No Yes If Yes, Descr	ibe:	1
			<u>}</u>
5. SIGNATURE			$\Delta \mathbf{X}_{\mathbf{r}}$, where \mathbf{r} is the second secon
Lunderstand that after the license has been	issued, a change to the biab of	operation will require a written i	request to change and approval from
	issued, a change to the plan of	operation will require a written i	request to change and approval from
the Common Council.			
the Common Council. I agree to inform the City Clerk within 10 da	iys of any substantial changes ir	the information supplied in this	application.
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