

CITY OF MILWAUKEE OFFICE OF THE CITY CLERK

Wednesday, May 03, 2023

COMMITTEE MEETING NOTICE

AD 03

NEMBHARDT, Hyacinth E, Agent CONCOCTIONS LLC 522 N WATER St #202 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, May 16, 2023 at 11:05 AM

The access code is <u>https://meet.goto.com/500790805</u>. If you wish to call in: <u>+1 (646) 749-3122</u> and use Access Code: 500-790-805. Please see the enclosed best practices document for further instructions.

Regarding: Your Permanent Extension of Premises Application for Alcohol and Food, Sidewalk Dining License Application and Change of Plan of Operation Removing Restriction for Sales To Go as agent for "CONCOCTIONS LLC" for "CONCOCTIONS" at 1316 E BRADY S

There is a possibility that your application may be denied for one or more of the following reasons: you do not meet the statutory and municipal requirements; the fitness and appropriateness of the location to be licensed and whether the location will create undesirable neighborhood problems (such as disorderly congregations of people, excessive litter, unreasonable noise, and traffic and parking problems), whether or not there is an over-concentration of alcohol beverage establishments in the neighborhood; whether or not you have been charged with or convicted of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the licensed activity; and any other factors which reasonably relate to the public health, safety and welfare. See attached police report and/or written correspondence regarding this application. Please be advised the public will be able to provide information to the committee in person or in writing. The committee will receive and consider evidence regarding the above mentioned criteria.

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.



Office of the City Clerk License Division

Jim Owczarski City Clerk jowcza@milwaukee.gov

Jim Cooney License Division Manager jim.cooney@milwaukee.gov

April 3, 2023

Attorney Emil Obviagele OVB Law and Consulting SC 839 N. Jefferson St, Suite 502 Milwaukee, WI 53202

RE: Concoctions 1316 E Brady St

Attorney Obviagele,

I write in response to your letter dated March 8, 2023 requesting the License Division schedule your client's application as soon possible. During the January 19, 2023 meeting attended by your client, you, Alderman Brostoff, his aide, and myself it was stated that the change to the plan of operation to remove "to-go sales" would be considered at the time of renewal or sooner if your client could demonstrate broad support from neighbors.

To date, neither Alderman Brostoff's office nor the License Division has received anything to demonstrate that any outreach to neighbors has occurred. Once this is complete we can move forward with putting this item on the Licenses Committee's agenda.

Sincerely,

Jim Cooney License Division Manager

Cc: emil@ovblaw.com





March 8, 2023

Emil Ovbiagele emil@ovblaw.com

[via Email & US Mail] City of Milwaukee License Division Milwaukee City Hall 200 E. Wells Street, Room 105 Milwaukee, WI 53202 license@milwaukee.gov

> RE: 1316 E Brady St., Milwaukee, WI Our Client- Concoctions, LLC

To Whom it may concern,

Please be advised that my office represents Concoctions, LLC, currently located at 1316 E Brady St., Milwaukee, WI. On November 29, 2022, my client was heard before the City of Milwaukee Licenses Committee regarding their request for a modification of their plan of operation and Sidewalk Dining license applications. During that hearing, the Licenses Committee held the license applications pending further discussions with Alderman Brostoff. On January 19, 2023, my client and myself met with Alderman Brostoff to discuss the license applications. Soon thereafter, we informed the License Division that we wanted our client to be put on the next agenda. To date, that has not occurred.

At this time, we are requesting that our client be put on the Licenses Committee's agenda as soon as possible. This is long overdue. We look forward to a substantive response from the division. If you have any questions or concerns, please feel free to contact me directly.

Very Truly Yours,

OVB Law & Consulting, S.C.

|s|

Emil Ovbiagele, JD, MBA Attorney

OEO/ab

cc. <u>Jonathan.Brostoff@milwaukee.gov</u> <u>aide3@milwaukee.gov</u> Client

839 N. Jefferson St.414. 585. 0588 (office)

Milwaukee, WI 53202 414. 255. 3031 (fax)

Melendez, Yadira

From:	87 B)	
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Sent:	19	Monday, November 28, 2022 8:45 AM
To:		Melendez, Yadira
Subject:		To Go Alcohol Application for Concoctions, LLC

You don't often get email from

Hello there, I'm a who won't be able to attend tomorrow's hearing but would like to voice my opinion on the "To Go" alcohol consideration for Concoctions, LLC. At a time when neighbors are continually meeting to discuss crime, safety, litter, and the downward trajectory of the neighborhood, asking to serve alcohol openly on the streets is an incredibly tone deaf and disastrous idea for the following reasons:

1) Litter - Currently, I pick up dozens of plastic cups from nearby bars every week, even though these drinks are not supposed to leave the establishments. I can't even imagine how much worse the situation will be with drinks that are designed to be brought into the streets.

2) Neighborhood Safety - We were up from 2-4 am on Thanksgiving morning due to a <u>shooting on our</u> <u>block</u>. This has been at least the 5th bar-time shooting on our block in the last two years, and there have been other very high-profile shooting and deadly accidents on Brady in the last year. At least traditional bars can keep an eye on rowdy customers in their establishment, hire security, and work with police to control the chaos. It seems that the To Go proposal will outsource that security and oversight work into the neighborhood, letting the business ply customers with alcohol and then send them out in front of our homes where we will have to break up fights and call police.

3) **Precedent** - Selling To Go alcohol is an obvious way to make more money without taking on additional responsibility, so much so that once one business does this others will need to do it too to be competitive. I have enormous concerns with even one To Go alcohol business on Brady, and those concerns multiply with every other business that would adopt the model.

I think there's a reason Bourbon Street in New Orleans is the only well-known street in the country that sells To Go alcohol. It requires an immense amount of additional infrastructure and security, but we've already been told that Brady Street is not a policing priority and we have not been able to establish even a single pair of dedicated officers. To Go alcohol is a cheap shortcut that's not fair to other businesses and the community, and should not be allowed on Brady Street.

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Melendez, Yadira

REDACTED RECORD

From:	.· ·· ·	,	
Sent:	۰,		Monday, November 28, 2022 2:51 PM
To:			Melendez, Yadira
Subject:			Concoctions LLC Request for "To Go" Alcoholic Beverages

You don't often get email from "

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. . . .

A DESCRIPTION OF THE OWNER OF THE Just lodging my opposition to any "to go" alcoholic beverages on Brady Street that could be readily used as open-intoxicants for social drinking walking the street or going from bar to bar.

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Sincerely, ---- • ·

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REDACTED RECORD

Melendez, Yadira

From:	ì
Sent:	Monday, November 28, 2022 9.01 Aivi
То:	Melendez, Yadira
Subject:	Concoctions liquor license
-	

[You don't often get email from

Hello,

My name is r I have a business at

In my opinion, liquor licenses on the street have been handed out a little bit too frequently. And now we are seeing the results of this action. There is a lot more trouble on the street, And now we are struggling to keep it contained. I think a business that has liquor to go would be a foolish idea.

We already have issues with people partying on the street and causing trouble that we didn't have in the past. I think it would set a precedent that would be repeated by other potential businesses.

Brady Street is not Las Vegas and I don't want it to be. Please consider this plea!

Sincerely,

REDACTED RECORD

Melendez, Yadira

From:		
Sent:	Monday, November 28, 3	2022 11:02 AM
To:	Melendez, Yadira	
Subject:	Concoctions, LLC and to	-go alcohol neighbor concerns

Hello,

I am writing to express concerns about Concoctions, <u>LLC</u>, located at 1316 East Brady Street, and their proposal to serve to-go alcohol.

Last summer Lattended a neighborhood meeting with residents and business owners to address the trending violence and crime on Brady Street. Business owners at that meeting expressed frustration that they were required to follow the rules (no excessive noise, no to go alcohol, etc.) but that people were out drinking their own beverages in the street, and causing their own chaos anyway, without adequate police intervention.

There isn't enough of a police presence on Brady St to manage people drinking outside of bars. Allowing this business to begin serving to-go alcohol will only amplify the existing problems. Nearby business owners will also be frustrated, and will start requesting the same exemptions, this will not be a one-off exception for long. This would only be the start. And residents have been wanting less of a focus on alcohol consumption in the neighborhood for a long time. There are already too many incidents, too much shouting and conflict, too much discarded garbage lying in the street/sidewalk.

Please don't allow this business to serve to go alcohol. We the opposite direction we need Brady St to be heading. Residents are already struggling enough. We don't have the police presence in place to manage the trouble this change would bring.

Thanks,

Melendez, Yadira

REDACTED RECORD

From: Sent: To: Subject:

Monday, November 28, 2022 4:05 PM Melendez, Yadira Re: Brady Street Liquor Licensing - objection

1.

You don't often get email from Hello,

2. There is already an increase of violence on Brady St, and offering to go beverages will only increase that violence. There are studies that show higher violence rates due to high density of places that sell alcohol. I mean, there are constant community meetings to discuss the violence on Brady. We're trying to solve this issue, not create instances that will increase violence.

Concoctions was aware of the limitations of their permit, and chose to continue their original business model and open on Brady. This was a choice and they shouldn't be granted any special permissions because their business model isn't working. There are a lot of businesses that didn't make it on Brady who didn't ask that rules be bent for them so they could survive. They closed their doors with grace.

Again, I object to the sales of to go liquor.

Thank you for your time and attention.

Sent from Yahoo Mail on Android

On Sun, Nov 27, 2022 at 9:45 PM,

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Hi Neighbors,

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On Tuesday, November 29, the City Licenses Committee is to review an application by Concoctions, LLC, located at 1316 East Brady Street, to remove restrictions for sales of "To Go" alcoholic beverages in addition to extending service to sidewalk dining. I have been told that Concoctions is having difficulty getting their business plan work. Their current license permits the sale of alcohol, but amid concerns about alcohol being consumed on the street, they were prohibited from being able to sell alcohol To Go. They agreed specifically to no To Go service as a condition of their liquor license. They are now coming back and saying that they are having trouble making ends meet, and that they must have the ability to sell alcohol To Go.

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So, dear neighbors, if you have any thoughts on how we can help these neighbors expand their business without needing to send alcoholic treats out into the street, the licensing committee would like to have your input. And if you have thoughts on why you think sending alcoholic treats out into the street might be a bad idea, they'd like to hear that, too. In either case, granting the To Go license to Concoctions immediately opens a precedent for other businesses holding liquor licenses along Brady Street to request the ability to offer To Go as well.

You can either attend the meeting (details below), or you can send your comments to the Licenses Committee Staff Assistant, Yadira Melendez (email <u>Y.Melendez-Hagedorn@milwaukee.gov</u>). I believe they need time to register the comments, so ideally they would need to be in by noon Monday. My apologies for the late notice. I hope you are able to take a moment to let the committee know how this business license approval can affect the flavor of our neighborhood.

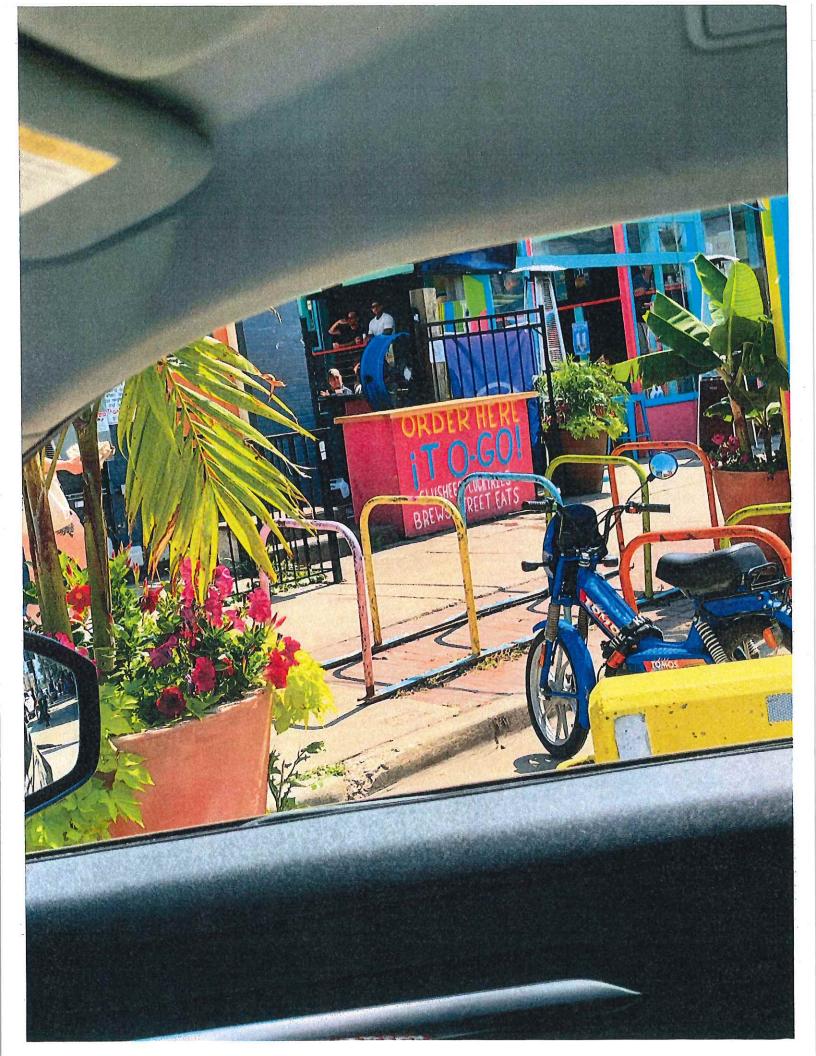
To attend:

Tuesday, November 29, City Hall, Room 301-B (third floor), scheduled (always an approximation) 10:30 am.

REDACTED RECORD

Thanks!

Sent from my iPad





Wednesday, May 03, 2023



Notice of Public Hearing

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NEMBHARDT, Hyacinth E, Agent CONCOCTIONS at 1316 E BRADY St

Permanent Extension of Premises Application for Alcohol and Food, Sidewalk Dining License Application and Change of Plan of Operation Removing Restriction for Sales To Go

Tuesday, May 16, 2023 at 11:05 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 5/16/2023 at 11:05 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	MAIL ADDRESS	С
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CURRENT OCCUPANT	1228 E BRADY ST# 203	Ν
CURRENT OCCUPANT	1228 E BRADY ST# A	Ν
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CURRENT OCCUPANT	1231 E BRADY ST	Ņ
CURRENT OCCUPANT	1235 E BRADY ST	N
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CURRENT OCCUPANT	1659A N WARREN AVE	
CURRENT OCCUPANT	1660 N ARLINGTON PL# B	
CURRENT OCCUPANT	1660 N ARLINGTON PL# LOWER	
CURRENT OCCUPANT	1660 N ARLINGTON PL# REAR	

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Total Records: 153

Radius 250.0 feet and Center of Circle: 1316 E Brady St

ccl-permext1 9/10/18

Initials



New Licenses Issued: Food

PERMANENT EXTENSION OF PREMISES APPLICATION FOOD AND ALCOHOL BEVERAGE ESTABLISHMENTS

OFFICE OF THE CITY CLERK LICENSE DIVISION 200 E. WELLS ST. ROOM 105, MILWAUKEE, WI 53202 (414) 286-2238 E-MAIL ADDRESS: <u>LICENSE@MILWAUKEE.GOV</u>

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	Date of Application:	Aldermanic District:					
	Licensee (Name of individual; partners, or agent, if Corp/LLC):						
Section A	Hyacinth Nembhardt	Duration of Manager					
	Corporation or LLC Name (if applicable): Concoctions LLC	Business Name: Concoctions					
ect	Business Address (include city,state,zip):	Concocions					
S	1316 E Brady St., Milwaukee, WI 53202						
	(Optional) Mailing Address (include city,state,zip):	Business Telephone Number: 262-505-0706					
	This request is for the permanent extension of premises for a:	license					
	The Current Premises Description is : Frozen beverage bar						
2	Identify the specific area(s) for which the permanent extension of premises Check all that apply and list for each the relationship of the area to the prer						
	Sidewalk café (public sidewalk) at the <u>south</u> side of the premises in front of the following street address(es) <u>1316 E Brady St.</u> Milwaukae, WI (area must be contiguous with licensed area and under the licensee's control) (An application for a Siding Dining Facility Permit must also be submitted with this application.)						
ш	Patio (concrete surface) at the side o	the premises					
ion	Beer garden (soil/grass surface) at the side of the premises						
Section	Deck (attached to building) at the side of the premises						
0	Addition to the: 1 st floor 2 nd floor 3 rd floor Basement Other:						
	at the side of the premises						
	Other: Describe area(s):						
	Does extension area have an additional street address?						
	List all type(s) of business(es) that will operate at this location?						
Section C	Sighature of Sole Prop Corporation or LLC, the	rietor; a Partner; or if a e Agent must sign					
	· · · · · · · · · · · · · · · · · · ·						
Filed Queu CDI MHI CCI Emai	ue to: NS (all)	Sidewalk Dining Facility Permit Issued					

Initials

Alcohol



PERMANENT CHANGE TO BUSINESS PLAN OF OPERATION APPLICATION

1.7

OFFICE OF THE CITY CLERK LICENSE DIVISION 200 E. WELLS ST. ROOM 105, MILWAUKEE, WI 53202 (414) 286-2238 EMAIL: LICENSE@MILWAUKEE.GOV

Check/List All License Type(s): Alcohol Beverage AFood Other(s): Legal Entity Name (Sole Proprietor, Partnership, Corporation or LLC): Concoctions, LLC Agent's Name (Corp/LLC): Hyacinth Nembhardt Trade Name: Concoctions Aldermanic Business Address (include city/state/zip code): 1316 E Brady St., Milwaukee, WI 53202 District: 3 REQUEST TO CHANGE HOURS OF OPERATION AS FOLLOWS: Class B Taverns: Number of Age Restriction for Current Hours of Operation: Proposed Hours of Operation: Customers each day Day of the Week expected (if over 21) (This is optional) each day Close Open Close Open If none, write "none"

Sunday Monday Tuesday Wednesday Thursday Friday Saturday

Prohibited Hours of Operation: Class A: 9:00 PM to 8:00 AM Class B/C: Monday thru Friday 2:00 AM - 6:00 AM; Class B/C: Saturday thru Sunday 2:30 AM - 6:00 AM Food: 12:00 AM to 5:00 AM (unless an Extended Hours license is also held)

REQUEST TO CHANGE FLOOR PLAN AS FOLLOWS:

New floor plan(s) must be submitted with this application. (See next page for detailed floor plan instructions.)

Alcohol/Food Establishments: A Permanent Extension of Premises Application is required if you are adding any square footage to the licensed premises. Do not submit this form.

Office Use Only:

Filed ______ Initials _____ App#s____

ccl-permchgop 9/10/18

REQUEST TO CHANGE BUSINESS OPERATIONS AS FOLLOWS:

Current business operations: Frozen beverage bar

Adding an option for to go cocktails as a means to increase beverage Proposed change(s) to the business operations: seles due to the limited capacity of the establishment.

Besides the changes requested above, there are no further changes. The current plan of operation (including floor plan) will be followed. I understand any changes to the plan of operation (including floor plan) need to be requested and approved before implementing.

Hyacinth Nembhardt

Print Name of Individual, Partner, or Agent of Corp/LLC est ignature of Individual, Partner, or Agent of Corp/LLC

cl-side1	2/21/	18
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Business O	perations	· · · · · · · · · · · · · · · · · · ·		<u></u>	<u></u>		
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Property			+0				
Check one:	Applicant ow	ns the proper	ion/signature provid	led below (REC	UIRED):		
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	Property Owner			MMYWY A	mee Bauman,	authorized adent/	
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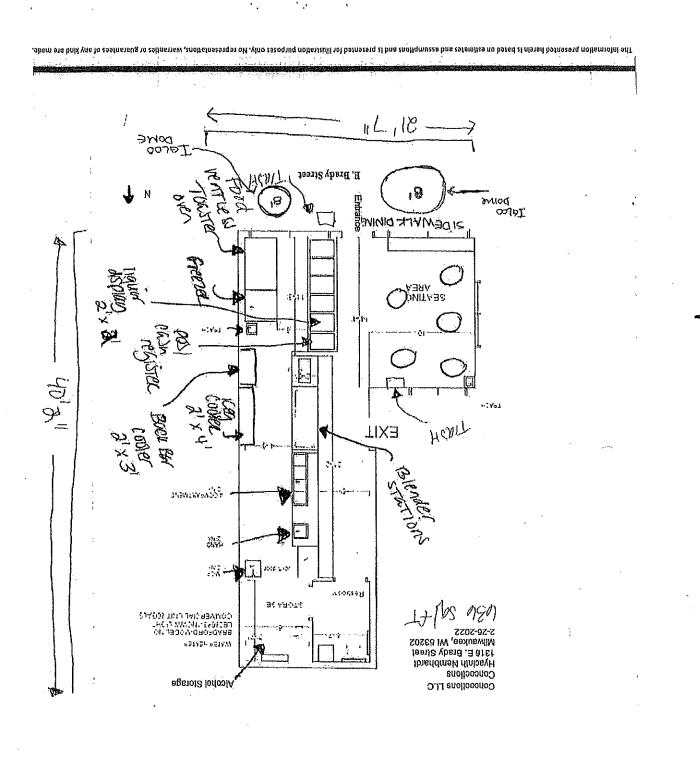
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Also:	holds	is applying for:	Food	Alcohol	Perm Ext

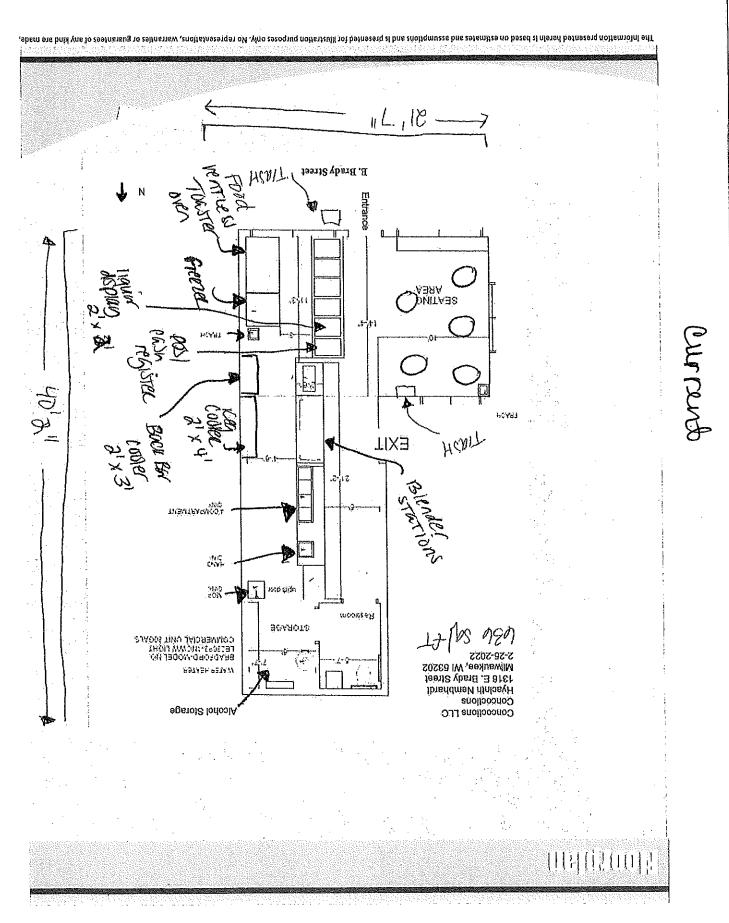
6/21/2002 CONCOCHIMS LLC 1316 E. BRIDY STREET HUMEND NEMBHARAT (AGUT (262) 505 0706 HYACUM NEMBRORAT/ HAUT INTOTAR ISIGE, Brady Smot ro posed x - spanne (1000, H Ż Building Face property une v PROPERTY LINE V Entrance A 115 sql pt TOTAL \checkmark + 513 S SEDTING ASCA 6 SIDEWALK CREdest när Walkwan 1 21'7" ゐ 4 andiné CUID LINE Brady Smeet N

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