

21-01

Al Kadi, Inc.
d/b/a Rocky's Market
1500 NE Jefferson
Requesting: Class C (Grocery)

Rakan Madanat, Owner, Al Kadi, Inc., presented a Site Application for a Class C (Grocery) Liquor License at 1500 NE Jefferson.

Before the Liquor Commission meeting, the applicant submitted to the City Clerk's Office a list of individuals showing their support of his request for Site Approval. Letters of opposition were also received by emails to the City Clerk's Office from neighborhood residents. All documents are on file in the City Clerk's Office and they were shared with Staff and the Liquor Commission before the meeting.

In discussion with Chairman Kouri, Mr. Madanat stated after a month or two of opening his business at the subject site, he said he noticed there was a need for a bigger grocery store within walking distance for the neighborhood. He then promised the Commission that his request for liquor would not be the same as a typical liquor store. He said he decided to apply for the liquor license because he needed the sales/profit margins from liquor. He said he understood the Police Department's recommendation for denial of his request for a liquor license, but he said from his experience trouble would be there regardless of if he had liquor or not. He said his establishment would be serving his neighborhood and he did not feel it would cause additional traffic due to the one-way street.

In response to a question from Commissioner O'Brien regarding his hours of operation, Mr. Madanat said his hours of operation were from 8:00 a.m. to 11:00 p.m. daily. He then stated he was not sure if his hours would change if granted a liquor license.

Commissioner Morris commented that both recommendations from the Police Dept. and Fire Dept. were for denial. He then asked for clarification from the Legal Dept. if the Commission could legally approve something that was recommended for denial from the Fire Dept.

In discussion, Attorney Toren suggested a follow-up with the Fire Dept. to confirm the safety of the building.

Fire Inspector Perrin reported that several inspections had been performed at the site. He said during those inspections, there were fire and life safety issues pointed out that had not been corrected. He mentioned concerns such as an extension cord used to plug a cooler to an outlet and an issue with the fire extinguishers. He further stated that as of the past week, no electrical permits had been obtained to correct the electrical issues mentioned.

In response to Fire Inspector Perrin's comments, Mr. Madanat explained that the issue with the extension cord had been resolved by the company that owned the coolers. He said they were able to lengthen the wire to where an extension cord was no longer needed. He said he would be more than happy to allow the Fire Dept. to come back for another inspection.

William Ordaz, Neighborhood Resident, stated he had been a resident of this area for about 25 years. He said he wanted to address the following questions/concerns:

- Floor space drawing showed a significant amount of space allocated for liquor sales (*appears to be almost 50%*).
- Parking spaces currently being taken up by the U-Haul equipment.
- Petitions/comments submitted in support of the liquor license (*Who are they? Are they neighborhood residents or casual customers? – no addresses were indicated*).
- Verification of the percentage of alcohol sales vs. grocery sales (*How would this be verified and how often?*).
- This location is less than one block of where the heroin needle distribution site is located (*Rather significant activities within a block of each other- very unattractive for neighborhood*).
- Citydata.com shows the neighborhood is 40% below poverty level, 20% unemployment \$19,000 median household income (*none of these stats will be helped by alcohol sales*).
- Video gaming intent on the application (*Very surprising-will this be permitted after some time?*).

In closing, Mr. Ordaz strongly requested the denial of the application for site approval for a liquor license at the subject property.

Chairman Kouri asked Council Member Moore or the applicant if they wanted to provide answers to the questions raised by Mr. Ordaz.

Council Member Moore stated the application was submitted by Rocky's Market and she said she wouldn't have any responses to an application that she did not submit. She went on to say that the answers should come directly from Mr. Madanat.

In response to the concerns mentioned, Mr. Madanat pointed out the following:

- The plan was for a grocery store with liquor.
- Space was needed for beer cases, but he said his floor space would be mostly for meats, vegetables, and other essential items.
- He plans to remove the U-Haul trucks if he was granted approval of his site application.
- The individuals who submitted their support were daily neighbors/customers who lived within a few blocks away from his establishment.

Chief Theobald confirmed that he had reviewed the application and he expressed there were some Police Dept. concerns. He then asked Officer Slavens to address those issues.

Liquor Investigator Slavens commented that the letter from the Police Dept spoke for itself. He pointed out that an application for the same site was submitted in May of 2016. He explained at that time there was a recommendation from the Police Dept. to deny the application and he said nothing had changed in regard to the site. He mentioned the close proximity to two schools, local taverns, convenience stores and other liquor stores in this area. He said the Police Dept. did not feel there was an economic need, nor community desire for another liquor store in this area. He briefly addressed the stats and volume of calls to that area and he stated loitering and littering was always a concern when it came to the Police Dept.

Hearing no more comments or questions, Chairman Kouri called for the motion.

Commissioner Morris moved to recommend denial of the Site Application for a Class C (Grocery/Packaged Goods) Liquor License at 1500 NE Jefferson; seconded by Commissioner Coates.

Recommendation to Deny approved by roll call vote.

Yeas: Coates, Kouri, Morris, O'Brien, Spears -5;

Nays: None;

Abstention: None.

Chairman Kouri stated this recommendation would be heard at the City Council Meeting to be held on Tuesday, March 23, 2021, at 6:00 p.m.