

Midtown Community Council Resolution 2017 – 4

A Resolution Protesting the Renewal of the Conditional Use Permit for Mom & Pop's Grocery and Liquor (#3219) located at 601 West 36th Avenue, Suite 3 and 4 unless certain limitations are placed on the Conditional Use Permit. This is to help resolve the life safety, public health, and littering issues that are prevalent near this package liquor store.

Whereas, the Midtown Community Council supports legal business; and

Whereas, the Midtown Community Council supports and encourages residential development within its boundaries; and

Whereas, the Midtown Community Council prescribes to and promotes a "good neighbor" policy in which all parties consider and mitigate impacts on their neighbors property, public safety, and quality of life; and

Whereas, the Midtown Community Council is very concerned with continuing and seemingly surging levels of public drunkenness, with inebriates in and around our residences, businesses, and parks; and

Whereas, these issues impact our quality of life, safety of our children and employees, and are forcing us to incur significantly higher costs for provision of independent security and increased maintenance; and

Whereas, the sale of 50 ml bottles of hard liquor, referred to "shooters", and sale of single beers (regular or fortified) contributes directly to the problems being experienced in proximity to Mom & Pop's Grocery & Liquor, as evidenced by the 41 "empties" picked up along Bering Street, between 32nd Avenue and 36th Avenue on September 30, 2017; and

Whereas, a personal inspection by one of our members, noted that the brands of containers were almost all available at Mom & Pop's. and the STEEL Reserve 8.1% beer is the brand sold as singles at Mom & Pop's and not sold at the nearby In & Out Liquor; and

Whereas, the problems associated with the availability of very inexpensive alcohol have significantly affected the surrounding residential and business neighborhoods and local parks such as Arctic Benson Park at 32nd and Bering Street, creating a clear non-compatibility with this specific package license; and

Whereas, similar concerns were expressed (with no effect) by our current Midtown Community Council President on April 25, 2016 in a letter to Assembly members Traini and Gray-Jackson, as well as the owner Don Kang of In & Out Liquor and Eddy Lee of Mom & Pop's Grocery and Liquor, respectively; and

Whereas, the Midtown Community Council president invited the owner of Mom & Pop's Grocery and Liquor to their August and September 2017 meetings to which he did not attend nor communicate that he would not attend; and

Whereas, the most “basic principle” of a Conditional Use, is that the use “is or can be made compatible” with the surrounding area and uses; and

Whereas, it is the responsibility of the Municipal Assembly, to ensure the Conditional Use Permit, for a package liquor store, is and continues to be compatible with the surrounding area and uses, thus the bi-annual renewal process; and

Whereas, it is the Midtown Community Council’s assertion, that the continued practice of selling 50 ml “shooters” of hard liquor as well as single cans or bottles of beer, regular or at a fortified percentage of alcohol, is not compatible with the surrounding area and uses, and in fact contributes negatively to public safety and quality of life, for residents, businesses, property owners, tenants and park users alike.

Therefore, Be It Resolved, that the Midtown Community Council protests the renewal of the Conditional Use Permit for Mom & Pop’s Grocery and Liquor, located at 601 West 36th Avenue, Suite 3 and 4, unless all sales of 50 ml “shooters” bottles of hard liquor, and sale of single beers (bottles or cans) regular or fortified alcohol content are prohibited.

Approved on October 11, 2017 by a vote of 19 ayes and 0 nays.

Peggy Robinson

Peggy Robinson, President



Collected September 30, 2017 on Bering Street between West 32nd and West 36th