

Date: September 8, 2022

To: Mayor and Members of City Council

202201678

From: John P. Curp, Interim City Manager

Subject: Liquor License - New

FINAL RECOMMENDATION REPORT

OBJECTIONS: Cincinnati Police Department, East Price Hill Improvement Association

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 4033406
PERMIT TYPE: NEW
CLASS: C1 C2
NAME: HRTS FOODMART LLC
DBA: HRTS CINCY FOODMART
3406 WARSAW AVE
CINCINNATI, OH 45205

As of today's date, the Department of Buildings & Inspections provided no comment with their investigation.

On July 4, East Price Hill Improvement Association was notified of this application and do object.



Police Department Approval

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
Objection No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: August 26, 2022

Date: July 15, 2022
To: Lieutenant Colonel Teresa Theetge, Interim Police Chief
From: Police Officer Melissa Emody, District Three Neighborhood Liaison Unit
Copies to:
Subject: **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

PATROL BUREAU MEMO #: 22-324
DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE: District Three
PERMIT #: 4033406
TYPE OF PERMIT APPLIED FOR: New
PERMIT NAME & ADDRESS:

Name:	HRTS Foodmart LLC (DBA: HRTS Cincy Foodmart)
Address:	3406 Warsaw Ave, Cincinnati Ohio 45205

APPLICANTS NAME(S): HRTS Foodmart LLC & Tek Dhital

INSPECTION / INVESTIGATION INFORMATION:

Officer:	Melissa Emody
Date:	July 15, 2022
Findings:	<p>This location is a gas station convenient store. The bathroom is clean but the toilet has a nonfunctional handle. There appear to be no discrepancies with the location. All licenses and signage were posted.</p> <p>Notification has been made to the East Price Hill Improvement Association, about the application by email. Council President Ms. Shelia Rosenthal has indicated there will be an objection on behalf of the community. At this time there has not been a formal objection letter submitted.</p>

COMMUNITY COUNCIL NOTIFIED:

Name 1: Shelia Rosenthal	Date: 7/4/2022	Notified by: email
Phone:	E-mail: president@ephia.org	
Name 2:	Date:	Notified by: (select from menu)
Phone:	E-mail:	

DISPOSITION OF THE COMMUNITY COUNCIL:

NO OBJECTIONS
 OBJECTION: Attached Letter with Community Council Letterhead

DISPOSITION OF THE DISTRICT:

NO OBJECTIONS OBJECTION: If objection checked, a narrative is required below

REASON FOR OBJECTION:

This business has been a problem location for several years. The business had been operated with disregard to laws and public safety. It has been a hot spot for criminal activity such as disorderly persons, drug sales, underage sales and robberies. The previous liquor license, permit number 9417209, had been cancelled by the State of Ohio Department of Liquor Control on January 11, 2021 due to an objection from the City of Cincinnati. The permit was issued to Warsaw Foodmart LLC. The ownership disclosure information lists Jatinder K. Aggarwal as the owner of the Warsaw Foodmart LLC. On July 14, 2022, Sergeant Hicks and Officer Emody met with the applicant, HRTS Foodmart LLC, Mr. Tek Dhital, at Cincinnati Police District Three, 2300 Ferguson Rd. Mr. Dhital stated that he has purchased the business but Mr. Aggarwal is still the owner of the building. The Hamilton County Auditor lists Manya Properties LLC. as the owner of the property. Mr. Jatinder Kumar Aggarwal is listed as the statutory agent of Manya Properties LLC. District Three objects to the issuance of this liquor license application while Mr. Aggarwal has any association with the business and/or property.

MAE

DWJ, C-8
7/21/22

For objection
- mg/LTCY
7/26/22



EPHIA
PO Box 5420
Cincinnati, Ohio 45205
513-341-8430
info@ephia.org
eastpricehill.org

July 15, 2022

City of Cincinnati
801 Plum Street, Cincinnati, Ohio 45202

To Whom It May Concern,

The East Price Hill Improvement Association Community Council **OBJECTS** to the liquor license application for HRTS Foodmart, LLC located at 3406 Warsaw Avenue.

The gas station and carryout located at 3406 Warsaw Avenue has been a problem business in our community while under the property owner's control. There have been a significant number of incidents at that business including juveniles with guns, sale of alcohol to minors, and various issues with drugs on the premises. This business actively contributed to a negative impact on the community in its' general vicinity, and had a significant impact on youth crime and violence in the neighborhood. After Facebook posts showing youth with guns posing with the business management, Cincinnati Police Department acted to remove the liquor license from the business. That action by CPD has significantly improved the neighborhood around this business, and the community wants that to continue.

We understand ownership of the property has not changed, and we are concerned that this application is simply an attempt by that same owner to acquire a new liquor license. For all of these reasons, the community is opposed to a liquor license at this location.

The East Price Hill Improvement Association requests that you **DENY** the application of HRTS Foodmart, LLC for any and all liquor licenses at this location.

Sincerely,

Sheila Rosenthal
President

City of Cincinnati

Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

June 30, 2022

OHIO DIVISION OF LIQUOR CONTROL
LICENSING SECTION
NEW PERMIT SECTION
6606 TUSSING ROAD
P O BOX 4005
REYNOLDSBURG, OH 43068-9005

Dear Ohio Division of Liquor Control:

The Council of the City of Cincinnati, State of Ohio, is requesting a 30 day extension on the below cited liquor permit application:

Application No.: 4033406
Permit Type: NEW C1 C2
Name: HRTS FOODMART LLC
DBA HRTS CINCY FOODMART
3406 WARSAW AVE
CINCINNATI, OHIO 45205

Pursuant to R.C. 4303.26(A), City of Cincinnati City Council, through its Clerk of Council (collectively, hereinafter "the City"), respectfully requests an additional 30 days in which to respond to the Ohio Division of Liquor Control regarding whether the City will request a hearing on the subject liquor permit application. The City makes such time extension request for good cause and not for unnecessary delay. Specifically, the City requires additional time for each of its various departments and the applicable community council to review and investigate the liquor application by performing all necessary inspections and research including, but not limited to, permit applicant interviews, site premises inspections, background investigations, and historical investigations regarding the history of the permit premises and the subject location. Moreover, such extension of time would provide the applicable community council an opportunity to meet, vote, and respond back to the City by the deadline. Therefore, the City requires such time extension in order to perform its due diligence in this matter. The City respectfully requests this time extension in good faith, for good cause, and not for unnecessary delay.

Please fax the confirmation back to us as soon as possible at (513)352-2578.

Thank you for your prompt attention.

Sincerely,

Melissa Autry, CMC
Clerk of Council

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
 6808 TUSSING ROAD, P.O. BOX 4005
 REYNOLDSBURG, OHIO 43068-8005
 (614)644-2380 FAX(614)644-3166

TO

4033406		NEW		HRTS FOODMART LLC DBA HRTS CINCY FOODMART 3406 WARSAW AVE CINCINNATI OH 45205
PERMIT NUMBER		TYPE		
06 02 2022				
ISSUE DATE				
C1 C2				
PERMIT CLASSES				
31	066	A	D46454	
TAX DISTRICT			RECEIPT NO.	

FROM 06/23/2022

PERMIT NUMBER		TYPE	
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT			RECEIPT NO.



MAILED 06/23/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN 07/25/2022

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
 WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A NEW 4033406**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
 THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

80:Z7#ZZA0008

CLERK OF COUNCIL

CINCINNATI CLERK OF COUNCIL
CITY HALL
801 PLUM ST ROOM 308
CINCINNATI OHIO 45202

City of Cincinnati Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

For City Bulletin

Liquor Permit Application

From the Department of Liquor Control advising of permit application for the following:

Application No.: 4033406
Permit Type: NEW C1 C2
Name: HRTS FOODMART LLC
DBA HRTS CINCY FOODMART
3406 WARSAW AVE
CINCINNATI OH 45205

Pursuant to Section 4303.261 of the Ohio Revised Code, Council must notify the Department of Liquor Control within thirty days if there is an objection to the above permit.

Notice of Application was received by the Clerk of Council's Office

06/30/22

MELISSA AUTRY, CMC Clerk of Council

The last day for the State to receive an objection is

07/25/22