

Police Department Liquor License Disapproval Recommendation**Application Information**

Business Name	Golden Margarita	District	8
Business Location	330 E. Roosevelt Street		
Applicant Name	Golden Margarita LLC/Jeffrey Miller-Agent	Series Type	12

The Police Department recommends disapproval of this liquor license application for the following reasons:

Previous Liquor License Violations

Saraj Gem Ray, is a Managing Member and controlling person for Golden Margarita LLC and has re-applied for a Series 12 restaurant liquor license for Golden Margarita located at 330 E. Roosevelt Street. Phoenix, AZ. Mr. Ray is also the sole Controlling Person of the establishment, Three Wise Men, at 7323 E. Shoeman Lane in Scottsdale. The Three Wise Men has a history of non-compliance as the Department of Liquor License (DLLC) has reported the following liquor license violations:

- The DLLC performed an audit, reference interim permit license 1207B288 for Three Wise men, using the information that the licensee provided from January 1, 2019, through December 29, 2019, and concluded that the licensee did not meet the definition of a restaurant because its food sales percentage for the audit period was 15.69%.
- On February 27, 2020, in response to an Order to Show Cause issued by the DLLC on February 26, 2020, the licensee submitted additional documentation raising the food sale percentage to 17.21%. In addition to failing the audit, the licensee failed to provide complete records as required by R19-1-317(D).
- On or about January 17, 2020, an investigation by Scottsdale PD discovered an assistant general manager was intoxicated while on duty.
- Licensee was ordered to pay the DLLC on or before March 16, 2020, a civil penalty pursuant to ARS 4-210.01(A) for \$6,500. The licensee failed to pay the DLLC as required; the licensee failed to comply with Title 4. The fine has since been paid.

Violence Reported at Golden Margarita

- Physical fights reported at the Golden Margarita; 3/19/21, 3/21/21, 3/29/21, 3/30/21, 5/30/21, 6/6/21, 6/13/21, 12/19/21, 1/1/21, 1/2/22.
- Threats with a gun or gunshots reported on 03/31/21, 3/14/21, 6/13/21, 1/2/21. Further, the neighboring businesses, surrounding the Golden Margarita, have authored a letter in protest against the Golden Margarita's ability to be a positive influence in the neighborhood.

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Noise Complaints

During Det. Kevin Crotty's initial investigation in 2021, he confirmed complaints had been received by the City Manager's Office and additional city departments by surrounding neighbors regarding noise complaints. The noise complaints were specific to loud music coming from the establishment, Golden Margarita. One resident stated that during the week the music continues until 1:00 a.m. and 2:00 a.m. on the weekends. It should be noted that per the stipulations on the required use permit for this location, it is expressly written that the "volume shall not be greater than surrounding ambient conditions".

In this past year while running under a Series 12 Restaurant license, the City of Phoenix has received additional noise complaints from neighbors concerning Golden Margarita. Those complaints are for excessive loud noise/music coming from the Golden Margarita in August 2021(2), September 2021, October 2021, November 2021, and December 2021.

Establishment Not Operating as a Restaurant

Det. Crotty contacted Det. John Barchak, an investigator with the Arizona Department of Liquor and Control (DLLC) regarding the Golden Margarita operating as a Restaurant. Det. Barchak stated that Mr. Ray lost his ability to run a restaurant in Scottsdale, AZ due to a low finding of 17% food sales and several fights at the restaurant's location that generated a police response. Additionally, Mr. Ray had an outstanding fine with DLLC of \$6,500 that had not been paid at the time of the investigation. Det. Crotty was also informed that the Golden Margarita has three service bars located within the establishment eluding that the Golden Margarita may be set up for the possibility of becoming a bar/pub type atmosphere and not a restaurant environment.

Based on these reasons the applicant has failed to show that they are reliable, capable, or qualified and transfer of the liquor license for this establishment would not be in the best interest of the community.

This recommendation for disapproval is submitted by: Det. Kevin Crotty #9344

SIGNATURES	
Administrative Licensing Investigator	I. Alonge A4289 <i>I. Alonge</i>
Liquor Enforcement Detail Supervisor	Sgt. M. Walter 8360 <i>M. Walter 8360</i>