

slug: city hall liquor licenses
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Concerned community members protested a local restaurant's application for a liquor license, while the owner said she was being judged unfairly during a Phoenix City Council Meeting at City Hall on Wednesday afternoon.

Police and neighborhood organizations share questions about Berber's financing and her business in California, said Detective Oscar Cortez, abatement and liquor officer for the Cactus Park Precinct.

Cortez said that the money for the business is not fully accounted for, but a portion comes from Berber's mother, Marialuisa Benton, who has a felony record. This raises questions of hidden ownership for the restaurant, and the issue of criminal history.

Arizona law does not allow licenses to be issued to people with felonies recorded in the last five years, according to their website. Reports for the city council meeting state Benton was arrested in 1992.

Berber said she should not be judged based on her family, but on her own personal and business merits.

Berber provided a letter written by her mother, stating that she will no longer be involved in the business.

El Chinchorro is not a bar and will not be a bar, regardless of how it was managed by the property's former owner, Berber said.

Lawrrie Fitzhugh said she represented several neighborhood organizations "united in protest" against Berber's application.

“What we’re seeing in some of the older at risks neighborhoods where there’s a lot of commercial vacancy is people coming in to open a liqueur license business,” Fitzhugh said. “their real heartfull (sic) desire is to have that bar.”

Berber’s landlord and pastor both gave statements of support for her application.

George Zannis purchased the property in June and leased it to Berber at a reduced price because of the amount of work required to deal with a property “in standard foreclosed condition.”

Zannis said that the restaurant is “beautiful today,” and Berber has done everything she’s promised to do, making her “an enhancement to the contiguous businesses.”

Pastor Diego Moreno said he’s known Berber for six years and she has a record of being a good citizen and a good mother.

After hearing the statements, District 5 Councilmen Claude Maddox recommended the application for disapproval.

Maddox said that he was familiar with the property and impressed with photos of the improvements, but was “concerned regarding the confusion the application has generated.”

Maddox asked Berber to straighten out the issues regarding her address and finances before a state hearing.

When the city voted to recommend the license for disapproval, Berber said she was upset.

“They seem to get information and switch it something else in their benefit,” Berber said. “They dig until they find something.”

Berber said she does not want to have a full bar, but rather a full dining room, and that when she invited community members to see her restaurant, they did not return her calls.

She will take her application to the state hearing, where she will have representation, Berber said.

A separate Series 12 liquor license application by Lilly Pelletier for The Gym

Grill and Bar was also reviewed for concerns about hidden ownership agent capabilities, and intent to operate as a bar rather than a restaurant. The city council recommended this license for disapproval.

Ray Ficcaglia, an administrative aide, said that the liquor license application is unique and requires filing applications with both the state and the city.

If the city recommends the application for disapproval, a state hearing is required. Any protests received by the state are included in the hearing.

This hearing can take place any time after a 15 day waiting period, and determines whether the license is issued to the applicant.

Ficcaglia said the number of protest letters received for liquor license applications “is hit or miss,” but that all letters are kept and evaluated. The letters can be viewed by filing a public records request and allowing one to two business days for the request to be filled.

Wednesday's meeting covered liquor
license applications from September 16-22.

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