

Alcoholic Beverage Licensing Committee
ANC 6A
April 17, 2012

Pursuant to notice duly given, a meeting of the Alcohol Beverage Licensing Committee ("Committee") of ANC6A was held commencing at 7:00 pm EST on April 17, 2012 at the Sherwood Recreation Center, 640 10th Street, NE Washington, DC 20002.

Committee Members Present: Adam Healy, Katy Thomas, Michael Herman and Anne Marie Koshuta

Committee Members Absent: none

Commissioners Present: Drew Ronneberg and Gladys Mack

I. Call to Order

Chairman Healy called the meeting to order at 7:05 pm EST. The meeting having been duly convened was ready to proceed with business.

II. Community Comment

Margaret Holwill asked about the status of the Xclusive (located in ANC6C) protest hearing. Mr. Healy indicated that he received an email from ABRA staff stating the hearing had been canceled since the applicant had withdrawn his application.

III. New Business

Capital Liquors (Class "A" liquor store)

The Committee considered the renewal application for Capital Liquors located at 1835 Benning Road NE. Mr. Healy indicated the full ANC has filed a placeholder protest because the timing of the placard notice didn't allow for the Committee to hear public comments before the petition date.

The owner of the establishment appeared before the Committee seeking renewal of his license and would like to expand his exemption from the Ward 6 singles ban to include beer. Commissioner Mark strongly supported the renewal of the application and the expanded exemption since the owner is very supportive of the community by providing employment opportunities and scholarships for local residents.

Mr. Healy stated he was uncomfortable considering the expanded exemption to include beer because the Committee was not notified and prepared to consider it, and the agenda didn't include such an item so the community was unaware this would be brought up. He indicated he would place this matter on the agenda for the May meeting.

Mr. Healy moved/seconded by Mr. Herman that the ANC withdraw the protest for Capital Liquors located at 1835 Benning Rd. NE and support an extension of their exemption from the Ward 6 singles ban for half pints. Motion carried 5-1 (with Commissioner Mack voting aye and Commissioner Ronneberg voting nay).

Jumbo Liquors (Class "A" liquor store)

The Committee considered the renewal of the license for Jumbo Liquors at 1122 H St. NE. Mr. Healy indicated that in preparation for the renewals of class A licenses, he found that some licensees have the current standard voluntary agreement but some don't. In an effort to

ensure all the licensees are playing by the same rules, Mr. Healy indicated his support for requiring all applicants that don't have the current VA to sign it. The owners of Jumbo Liquors were concerned about signing onto a new VA and felt they should be grandfathered.

Mr. Healy moved/seconded by Ms. Thomas to protest the renewal application for Jumbo Liquors at 1122 H St. NE unless the applicant signs the standard voluntary agreement by the protest date. Motion carried 4-0.

Family Liquors (Class "A" liquor store)

The applicant for a renewal of the license for Family Liquors at 710 H St. NE failed to appear before the Committee. Mr. Healy indicated his disappointment since he mailed the store a copy of the agenda with an invitation a week ago. He also stopped by the store last Friday and spoke with the owners about coming. They indicated that they would attend.

Mr. Healy moved/seconded by Ms. Koshuta to protest the renewal application for Family Liquors at 710 H St. NE unless the applicant signs the standard voluntary agreement by the protest date. Motion carried 4-0.

Master Liquors (Class "A" liquor store)

The Committee considered the renewal of the license for Jumbo Liquors at 1122 H St. NE. The applicants appeared before the Committee and indicated that they probably wouldn't have a problem signing the new voluntary agreement so that everyone is subject to the same rules. They did wonder what kind of voluntary agreement the Class B store next to them is under. Mr. Healy said he would check and get back to him.

Mr. Healy moved/seconded by Ms. Koshuta to protest the renewal application for Master Liquors at 1806 D St. NE unless the applicant signs the standard voluntary agreement by the protest date. Motion carried 4-0.

New York Liquors (Class "A" liquor store)

The Committee considered the renewal of the license for New York Liquors at 1447 Maryland Ave. NE. The applicant appeared before the Committee and indicated that he probably wouldn't have a problem signing the new voluntary agreement so that everyone is subject to the same rules. The applicant indicated that the Ward 6 singles ban is still negatively impacting his business. Commissioner Ronneberg expressed his frustration that there is a curb cut in front of this store and that he routinely sees people parking on the sidewalk and public space. He asked the applicant if he would support efforts to get DDOT to close this curb cut. The applicant indicated he would be willing to send a letter to DDOT asking them to close the curb cut.

Mr. Healy moved/seconded by Ms. Thomas to protest the renewal application for New York Liquors at 1447 Maryland Ave. NE unless the applicant signs the standard voluntary agreement by the protest date, with the stipulation that the applicant support closing the curb cut in front of the establishment. Motion carried 5-0 (with Commissioner Ronneberg voting).

Viggy's Liquors (Class "A" liquor store)

The Committee considered the renewal of the license for Viggy's Liquors at 409 15th St. NE. Mr. Healy was contacted by the agent for the new owner a few weeks ago to notify the ANC that they would be seeking to transfer the license into their name. The new owners and their agent appeared before the Committee to discuss the remodeling that is taking place at the

store and distributed information about the remodeling and the new owners' past businesses. Charles Allen asked the new owners questions about what the store will look like after it reopens. The owners indicated the papers will be filed at ABRA soon to change the license ownership.

Mr. Healy moved/seconded by Mr. Herman to protest the renewal application for Viggys Liquors at 409 15th St. NE unless the applicant signs the standard voluntary agreement by the protest date. Motion carried 4-0.

Spirit Room (Retail Class "C" Tavern)

The applicant failed to appear before the Committee. Mr. Healy expressed his disappointment in the unresponsiveness of the applicant. Mr. Healy has left at least three voice mail messages on the number listed on the placard. He finally received a voice mail message from someone this afternoon indicating they are working with the licensee and that plans for the establishment are not finalized yet.

Ms. Healy moved/seconded by Ms. Thomas that the ANC protest the CT license for Spirit Room located at 1337 H St. NE unless the standard voluntary agreement is signed prior to the protest date and until the applicant appears before the ABL Committee to describe the nature of the proposed business and to address any possible community concerns. Motion carried 4-0.

Rose's Dream (Retail Class "C" Tavern)

The owners of Rose's Dream appeared before the Committee to seek a stipulated license for the transfer of their license from 1370 H St. NE to 1378 H St. NE. The proposed license transfer should include the transfer of the existing voluntary agreement with it.

Mr. Healy moved/seconded by Mr. Herman that the ANC support a stipulated license for the transfer of the license from 1370 H St. NE to 1378 H St. NE. Motion carried 4-0.

Change to Standard Class A/Class B Voluntary Agreement

During the discussion of the renewals of the Class A licenses, it was noted that the District law was changed last year to allow licensees to remain open until midnight and the standard VA has a section that restricts hours of operation to mirror the former hours before the change in the law. The Committee felt that was better to remove this section of the VA and to handle possible restrictions on hours on a case-by-case basis as it done for CRs and CTs.

Mr. Healy moved/seconded by Mr. Herman to delete section 4 of the standard voluntary agreement for Class A and Class B licenses. Motion carried 4-0.

Souk

The owner of Souk appeared to update the Committee on his application for a new license at 1208 H St. NE. He informed the Committee that he failed to attend the roll call hearing at ABRA, so his license application was canceled. Mr. Healy indicated that he attended the roll call hearing to continue the ANC's protest of the license until the owner switches to a CR license from a CT. The owner indicated that he would be asking for reinstatement of his

license and would complete the necessary paperwork to switch to a CR license and would sign the standard VA.

IV. Adjourn

The Committee adjourned at 8:58 pm. The next meeting is Tuesday, May 15, 2012 at 7 pm at Sherwood Recreation Center.