

Minutes
Alcoholic Beverage Licensing (ABL) Committee
Advisory Neighborhood Commission (ANC) 6A
May 15, 2018

Pursuant to notice duly given, a meeting of the Alcoholic Beverage Licensing Committee (“Committee”) of ANC 6A was held commencing at 7:00 pm on May 15, 2018 at Sherwood Recreation Center, 640 Tenth (10th) Street NE, Washington, DC 20002.

Committee Members Present: Jay Williams (Co-Chair), Christopher Seagle (Co-Chair), and Michael Herman.

Committee Members Absent: Justin Rzepka, Roger Caruth, and Mark Samburg.

Commissioners Present: None.

Community Members Present: Katie Sullivan (Dangerously Delicious Pies), Sandra Basanti (Dangerously Delicious Pies), Larry Janezich (Capitol Hill Corner), Ramsey Taylor, Leonia Carter (Naomi’s Ladder/Smokin’ Pig), Patrick McKinnis (Naomi’s Ladder/Smokin’ Pig), Alice Lugo, Megan Uzzell.

I. Call to Order

Mr. Jay Williams called the meeting to order at 7:05 pm. The meeting proceeded with a quorum present. Mr. Williams suggested that the discussion of Dangerously Delicious Pies go first on the agenda, and there were no objections.

II. Community Comment

None.

III. Old Business

None.

IV. New Business

A. Discussion of request by Dangerously Delicious Pies (1339 H Street NE, License No. ABRA-087422) for expansion to second floor with outdoor seating, and for a stipulated license while the placard is pending.

- Ms. Sandra Basanti introduced herself as one of the owners of the establishment, which opened in 2010.
- The establishment is in the process of building out its second floor, which is something they have been working on for two years. The second floor will serve as an additional dining room for customers, along with a full bar.
- They will also add a summer garden roof deck with additional seating. The only plans for the roof deck involve extra seating, not any other amenities.
- Ms. Basanti stated that they hope to get a letter of support from the ANC so that they can operate the second floor and roof deck prior to the end of the placard period.
- Mr. Williams asked what the expected timing was for the placard. Ms. Basanti stated that they plan to submit everything tomorrow (May 16, 2018) and will know the placard date soon after that.
- Mr. Williams asked when they hoped to have the second floor opened if they had a letter of support. Ms Basanti responded that they were aiming for three weeks. Mr. Williams explained that the ABL Committee could not issue a letter in support;

it could only make a recommendation to the full ANC, which would have to vote to approve such a letter at its June 2018 meeting.

- Mr. Christopher Seagle asked where the roof deck would be located. Ms. Basanti stated it would be on the back side of the second floor, and that it would be buffered from the rest of the alley by a “hay loft” building.
- Mr. Seagle clarified whether the establishment intended to do anything on the roof deck other than seating. Ms Basanti said that is correct, they had no plans for music of any type.
- Mr. Michael Herman asked if there were any plans for recorded music on the roof deck, and Ms. Basanti said there were not.
- Mr. Williams asked what hours the establishment was seeking for its roof deck. Ms. Basanti said they were hoping for hours similar to H Street Country Club, which could keep the front part of its deck open until 2:00 am on weekends.
- Mr. Williams asked whether the roof was enclosed. Ms. Basanti responded that there is currently a fence surrounding the roof deck that is approximately 4 feet high.
- Mr. Williams stated that he was not comfortable agreeing to hours later than the ANC’s standard roof deck hours of 11:00 pm/12:00 am without an established track record of no noise issues, which is how H Street Country Club got its extension. He noted that he was confident Dangerously Delicious would not have any problems, given the lack of music and the buffer in the alley, but he still wanted to see how the roof deck operated before considering later hours.
- Mr. Ramsey Taylor, a neighbor, stated that he would likely support later hours on the roof deck as long as they are not playing music outside, but that he generally supported the trial period first.

Mr. Williams moved, seconded by Mr. Seagle, to recommend that the ANC protest the request by Dangerously Delicious Pies (1339 H Street NE) for expansion to its second floor with outdoor seating unless a signed settlement agreement is submitted prior to the protest date, which requires the roof deck to be closed at 11:00 pm on weeknights and 12:00 am on weekends, with a three-month trial period where the ANC agrees to revisit the hours after that period has expired. If such a Settlement Agreement is reached, the ANC will submit a letter in support of a stipulated license for the substantial change. The motion passed 3-0.

B. Discussion of new establishment, Smokin’ Pig (1208 H Street NE), potential transfer of license from Touché (1123 H Street NE), and request for a stipulated license while the placard is pending.

- Ms. Leonia Carter introduced herself and Mr. Patrick McKinnis as representatives of the operations team at the new establishment and also for owner Cynthia Gibson.
- Mr. Seagle asked if there were any owners other than Ms. Gibson, and Ms. Carter said there were not; Ms. Gibson is the 100% owner.
- Ms. Carter stated that they hope to get full operating status once construction is complete, opening a casual dining establishment that also serves craft beer, whiskey, and wine. The plan is to transfer the license from Touché, and although there is an entertainment endorsement, they have no plans to use it.
- Mr. Williams asked what their anticipated timing was. Mr. McKinnis stated that the goal is to open by July 1, 2018.
- Mr. McKinnis stated that the focus of the establishment is the barbecue, and that he has received pitmaster training in the past.

- Mr. Williams asked if there were any plans for outdoor seating. Ms. Carter said there were not and that the rear of the building is taken up by refrigerators and other appliances. She noted that there is a roll-up garage-type door in the front that they would open when the weather is nice.
- Mr. Williams asked what the status of the license transfer was. Ms. Carter said that they submitted the request to the Alcoholic Beverage Regulation Administration (ABRA) today, and the landlord audit was just completed. All outstanding issues with the prior space and the license have been resolved.
- Mr. Williams asked Ms. Carter if she knew what the plans were for the former Touché space. Ms. Carter said she did not know, as they do not own the property and did not renew their lease. She has not heard what the owner plans to do.
- Mr. Seagle inquired why they did not use the Kitty's Saloon license. Ms. Carter said she was not sure that was even an option.
- Ms. Megan Uzzell stated that it was helpful to hear the representatives acknowledge past issues at Touché, but she wanted to know what was actually done to resolve the issues with ABRA. Ms. Carter stated that she apologized for the issues on behalf of the new ownership and the team.
- Mr. Williams explained that the ANC would be very skeptical of any new establishment at the Touché space due to the history there.
- Ms. Uzzell asked what the new owners were planning to do to ensure that past issues aren't repeated. Mr. Seagle noted that similar promises were made when Touché took over from XII, and yet many of the same issues persisted.
- Mr. Seagle also noted a report from ABRA about an illegal marijuana event being hosted at Touché in December of 2017. Mr. Williams stated that Ms. Gibson, the owner of Smokin' Pig, was the owner of Touché at the time of the marijuana event, and that gives him concerns about how a new establishment would be run.
- Ms. Carter stated that Touché ended up being simply an "extension" of XII and that Bernard Gibson got away from their original "supper club" idea. She stated that Ms. Gibson wants to go in a new direction with Smokin' Pig.
- Ms. Uzzell asked if the new management was involved with Touché. Ms. Carter said that Mr. McKinnis was the kitchen manager at Touché, and that she was a bartender and assistant bar manager and will be the bar manager for Smokin' Pig.
- Mr. Seagle asked Ms. Carter if she was working the day of the marijuana event. Ms. Carter said she was not.
- Mr. Seagle asked what reasons were given for Touché's closure. Ms. Carter said "logistics."
- Mr. Seagle asked why Ms. Gibson was not present at this meeting. Ms. Carter said she was not sure, but that she would make sure Ms. Gibson attends the next meeting. Mr. Williams and Mr. Seagle both asked that Ms. Gibson attend the next ANC 6A meeting in June and the June ABL Committee meeting.
- Mr. Williams, Mr. Seagle, and Mr. Herman all agreed that at this time the ABL should not issue any recommendations until more Ms. Gibson attends meetings to describe her plans.

V. Adjourn

The Committee adjourned at 7:52 pm.