

**ANC 6A ABL Committee
June 16, 2010, 7-9 PM
Minutes**

Meeting called to order at 7:00 pm

Committee members present: Commissioner Mary Beatty (ANC 6A05); Tish Olshefski, Jaki Downs

Committee members absent: Anne Marie Koshuta; Michael Herman

Commissioners: Drew Ronnenberg (ANC6A02), Gladys Mack (ANC6A07), Raphael Marshall (ANC6A01); Nick Alberti (ANC6A04); Kelvin Robinson (ANC6A08)

Community: Margaret Holwell; Tony Tomelder (The Pug); Jason Martin (Sticky Rice); Erik Young (Toki Underground); Musa Ulasan (Pizzeria); Joe Belcher (Sticky Rice); James Keo (Viggy Liquor); Barb Busby; Phil Toomajian; Matt Cordes; Aaron McGovern

I. AGENDA/MINUTES

- a. **Meeting called to order at 7:07 pm.** Quorum present.
- b. **Agenda** - Motion to accept agenda as amended (drop #5 under new business and add Pugs license application for substantial change). No objections.
- c. **Minutes** - Motion to accept minutes presented at last ANC meeting. No objections.

II. COMMUNITY COMMENT - None

III. REVIEW OF ANC6A JUNE MEETING RE: ABL RECOMMENDATIONS

- a. **Red & Black/Palace of Wonders**
Not protest the combining of these two establishments. Accepted by the ANC.
- b. **Khan's BBQ**
Recommendation to protest unless we have a signed VA. Accepted by the ANC. We have the VA so will not protest.
- c. **Langston Bar & Grill**
Recommendation to protest unless we have a signed addendum to VA for expansion of outdoor space. Accepted by the ANC. We do have agreement on terms, but not signed in hand yet. Petition date is June 24.

IV. NEW BUSINESS

1) Sticky Rice/Taylor Gourmet

These two establishments were mentioned at the last ANC meeting by Commissioner Marshall. He stated his concerns to this meeting. Tuesday of last week two officers pulled him to the side and mentioned their observation of increased drug usage at some of the new establishments on H Street. Commissioner Marshall is concerned with his SMD. Sticky Rice was mentioned - with observation specific to patrons, not employees. There have been issues at Sticky rice with violation of issues in the VA—garbage, alley cleaning, etc. Commissioner Marshall's request to the ANC was to have a meeting to discuss the issues. That's where we are now.

In addition to the item referenced above, Taylor Gourmet had been operating beyond their hours in their VA.

Mary Beatty called Fred Moosalay at ABRA to ask about activity in the establishments. She was told that ABRA conducted an investigation at Taylor Gourmet. People were ordering

food in hours beyond those established their VA. The owner's understanding was as long as they were not selling alcohol then it wasn't a violation of their license or VA. They were told that is not correct and were fined \$1,250. They were closed for two days as a part of the penalty.

Regarding Sticky Rice, Fred confirmed that there was a police report on a fight. The establishment was not written up by ABRA since the owner called police and moved the patrons out of the restaurant. ABRA has no other reports on Sticky Rice.

Raphael went into establishment recently and there was dancing and music, like a club. This, along with other things, raises concerns.

Owner - Joey Belcher. There have been two reports at ABRA. The first was the one Mary referenced. This happened about 3 months ago. The incident started and ended in a minute and a half, and resulted in an assault outside the restaurant. There was a No Action hearing.

Sticky Rice had recently implemented a new security procedure just prior to this event. They have a security officer at the door.

The second incident was within the last three or four weeks - there was a group at a table at about 11 pm. The group left and one of them came back in, spit on another patron, grabbed a bottle, hit the patron on the head and ran out. Owners called police and turned over tapes. They don't know what has happened with it at this time.

Commissioner Marshall stated this is a good way to handle these kinds of things to get everyone here to talk this out.

Chair Beatty says no further action required.

2) The Atlas Room - Matt Cordes (1015 H Street)

Taking over the old Napa 1015 space. Owner's intent is to bring an up-scale modern American cuisine to the neighborhood. He'll have a changing menu, probably every two months. Wine by the glass program, wine bottle service. No draft beer. Creative cocktail program - bar chef mentality. Open for brunch first and then eventually for lunch.

Aaron McGovern, owner of the Biergarten Haus spoke on Matt's behalf to say that while this is Matt's first restaurant, he's been in the restaurant business for some time as a well-recognized chef.

Owner is applying for a CT license and is not carrying the Napa 1015 license which expired. He projects that the way he is renovating will result in 35 seats in dining room and 20 in the bar. With the pricing format he wants it to be accessible. In the \$20 range for entrees. Therefore, liquor will outpace the food sales. Primary focus is on food. Owner will not be seeking an entertainment endorsement. There is no outdoor space. Pre-recorded music.

Owner is applying for a stipulated license. The building is a turnkey so it's ready to open. He has already applied for the license - months ago. He is supposed to be receiving placard for stipulated license. Documents are dated May 20.

Chair Beatty says we need to take action tonight so we can take it to the July ANC meeting.

Recommendation: That ANC6A not oppose the temporary/stipulated license of the Atlas Room (1015 H Street). Seconded by Tish Olshefski. Unanimous. Recommendation to the July ANC meeting.

Mary Beatty moves that with the understanding that we need clarification from ABRA on whether this is a new license or a substantial change, that we protest this license unless we have a signed voluntary agreement (either a new one or an amended version of the one carried with the Napa 1015 license) with the applicant prior to the petition date of August 2. Seconded by Jaki Downs. Unanimous. (Commissioner Drew Ronnenberg voted in favor.)

3) Desperado Pizza CT Application (1387 H Street)

Musa Ulusan is applying for a new license. He owns a "brand" company and has done several pizzeria concepts (www.musalicious.com). He plans to open a brick oven pizzeria. Menu will have pizza and high end burgers. The space is 2 rooms, one facing H Street 40 seats; two bathrooms in the middle. Back is another dining room. Brick oven will face the garage side dining room. 30 seats in the back. No entertainment endorsement. No bar, just beer and wine served with food. Second floor is office. Third floor is an apartment occupied by one of the owners.

The restaurant will be open for lunch.

He plans outdoor seating and will eventually ask for a substantial change.

Recommendation: That the ANC protest the application of Desperado Pizza unless we have a signed, approved VA prior to the petition date of July 26 . Seconded by Jaki Downs. Unanimous. (Commissioners Drew Ronnenberg & Kelvin Robinson in favor.)

4) Sticky Rice-Substantial Change to CR License (1224 H Street)

Joe Belcher reports that Sticky Rice is renting space in the adjacent building (1222 H Street). This property has 3 levels (basement, 1 and 2). They are currently cleaning out the property and plan to opening to a larger back patio area to put larger dumpster. The basement will be used for dry storage and a little prep kitchen area. Second & third floors for an additional dining room where they will be adding an additional sushi bar. They plan no additional bar space. Looking at this to happen in about 6 months. There will be a new exit in the back but no new entrance. They are looking to expand the deck space in the back.

The new space will add another 40 or so seats inside and outdoor would be another 10.

Chair Beatty needs to check out the VA re: the use of deck.

Recommendation: That the ANC protest the substantial change application of Sticky Rice unless the ANC receives a signed, approved addendum relating to noise in outdoor space by the petition date of July 26. Seconded by Tish Olshefski. Unanimous. (Commissioners Drew Ronnenberg & Kelvin Robinson in favor.)

5) The Pug-Substantial change to CT License (1234 H Street)

The Pug is planning to expand upstairs. They are adding a kitchen and 25 seats and a noodle and dumpling kitchen. They will be open for lunch. Everything will go under the existing VA and will stick with the hours in the VA. They do not now have an entertainment endorsement and have no plans to seek one.

The application was filed on the previous Thursday. No petition date at this point.

Recommendation: That the ANC not protest the substantial change application of the Pug for a space expansion. Seconded by Tish Olshefski. Unanimous.

V. Adjourn

Meeting adjourned at 8:35 pm. Next meeting July 20, 2010