

Minutes
Alcoholic Beverage Licensing (ABL) Committee
Advisory Neighborhood Commission (ANC) 6A
June 18, 2019

Pursuant to notice duly given, a meeting of the Alcoholic Beverage Licensing Committee (“Committee”) of ANC 6A was held commencing at 7:05 pm on June 18, 2019 at Sherwood Recreation Center, 640 Tenth (10th) Street NE, Washington, DC 20002.

Committee Members Present: Jay Williams (Co-Chair).

Committee Members Absent: Mark Samburg (Co-Chair), Roger Caruth, Justin Rzepka, Ramin Taheri, and Reuben Baris.

Commissioners Present: None.

Community Members Present: Thomas Boisvert (Pursuit), Nick Alberti.

I. Call to Order

Mr. Williams called the meeting to order at 7:05 pm. The meeting proceeded without a quorum present.

II. Community Comment

None.

III. New Business

A. Discussion of new license application for The Pursuit (formerly at 1421 H Street NE) at 1025 H Street NE.

- Mr. Boisvert presented on behalf of the establishment.
- Mr. Boisvert explained that this is not a license transfer from the current location; the landlord at the current location is hoping to lease the space with the liquor license.
- The establishment is moving from its current location at 1421 H Street NE to 1025 H Street NE. The demolition work is complete at 1025 and the hope is to commence building in the next couple of weeks. The placard was just posted.
- Mr. Boisvert explained that the establishment is applying for a CT license because the nature of the business means that alcohol sales make up a higher percentage of its income and the establishment could not consistently meet CR requirements.
- Mr. Boisvert noted that the most substantial change from the current location is the addition of a sidewalk café (located on 11th Street). He is going through the permitting process with DDOT and met with the ANC’s Transportation and Public Space Committee recently.
- The plan for the sidewalk café includes a bar that is both interior and exterior. The patio will be surrounded with planter boxes to establish the boundary, and customers will typically access the sidewalk café from the inside. There will be a maximum of 22 seats.
- The current placard request is for closing time on the sidewalk café of 10:00 pm on weeknights and 11:00 pm on weekends, with the interior open until 2:00 am (but Mr. Boisvert noted that on weekends the establishment usually closes around 11:30 pm).
- Mr. Alberti stated that the ANC typically does not object to sidewalk café hours before 11:00 pm or 12:00 midnight, and Mr. Williams agreed. Mr. Alberti suggested that Mr. Boisvert consider applying for closing hours of 11:00 pm and

midnight now, so that he would not have to go through the substantial change process later. Mr. Boisvert said he would look into that.

- Mr. Williams asked if the establishment would be willing to enter into a Settlement Agreement similar to the one on its current license. Mr. Boisvert stated he was willing to discuss an agreement. He stated that his primary concern would be around language related to music that could come from inside and be heard on the patio. Mr. Williams stated that he did not anticipate this to be an issue, but if there were tweaks Mr. Boisvert wanted to propose, he would be happy to discuss further.
- Mr. Williams asked when the new location anticipates opening. Mr. Boisvert stated that they hope to open by mid-August 2019, but at the latest in time for the H Street Festival.

Mr. Williams proposed the following suggested motion to be presented to the ANC: ANC 6A protest the license application of The Pursuit (1025 H Street NE) unless a signed settlement agreement is submitted before the protest deadline, and appoint the ABL Co-Chairs (Jay Williams and Mark Samburg), the ANC Chair (Amber Gove), and the ANC Vice Chair (Phil Toomajian) to represent the ANC in the matter. The motion carried 1-0 (no quorum).

B. Discussion of request for change in hours by On the Rocks, LLC (1242 H Street NE).

- Mr. Alberti noted that the ANC typically has no objection to changes in hours to the interior of an establishment.
- Mr. Williams stated that there were some early concerns regarding the nature of the license and how the establishment operated when its license was pending, but that there had been no complaints regarding noise or other neighborhood-related issues. He agreed that the ANC need not object to the pending request.

Mr. Williams proposed the following suggested motion to be presented to the ANC: ANC 6A take no action regarding the request for a change of hours by On the Rocks (1242 H Street NE). The motion carried 1-0 (no quorum).

IV. Old Business

A. Discussion of request for sidewalk café by Red & Black, LLC t/a 12 Twelve DC / Kyss Kyss (1210-1212 H St NE).

- Mr. Williams noted that the ANC has already approved a protest, but that he was still attempting to discuss the matter with the owners. He also noted that although the proposed sidewalk café is small, the establishment is requesting hours later than what the ANC typically agrees to for such spaces.

Mr. Williams proposed the following suggested motion to be presented to the ANC: ANC 6A continue its protest of 12 Twelve DC/Kyss Kyss' (1210-1212 H Street NE) request for a sidewalk cafe endorsement unless a Settlement Agreement is submitted that limits the hours of operation on the sidewalk cafe to 11:00 pm on weeknights and 12:00 am on weekends, and appoint the ABL Co-Chairs (Jay Williams and Mark Samburg), the ANC Chair (Amber Gove), and the ANC Vice Chair (Phil Toomajian) to represent the ANC in the matter. The motion carried 1-0 (no quorum).

B. Discussion of request for change in hours by RR4, LLC t/a RedRocks (1348 H St NE).

- Mr. Williams summarized the concerns raised by neighbors at the prior ABL meeting and that RedRocks has had a past history with issues related to loud music on its roof. He noted that the ANC may have neglected to include SA language concerning entertainment on the roof due to a misunderstanding of the nature of the rooftop deck.
- Mr. Alberti stated that he believed the ANC should require the standard 11:00 pm/12:00 midnight hours for the roof deck, in line with other roof decks in ANC 6A. Mr. Williams agreed.

Mr. Williams proposed the following suggested motion to be presented to the ANC: ANC 6A continue its protest of RedRocks' (1348 H Street NE) request for a change of hours for alcohol service and live entertainment unless a settlement agreement is submitted that limits the rooftop deck hours to 11:00 pm on weeknights and 12:00 am on weekends and prohibits the use of any entertainment (as defined by ABRA) on the roof deck, and appoint the ABL Co-Chairs (Jay Williams and Mark Samburg), the ANC Chair (Amber Gove), and the ANC Vice Chair (Phil Toomajian) to represent the ANC in the matter. The motion carried 1-0 (no quorum).

V. Adjourn

The Committee adjourned at 7:35 pm.