

ANC 6A ABL Committee
August 18, 2009
Minutes

Meeting called to order at 7:09 pm

Committee members present: Mary Beatty; Michael Herman; Tish Olshefski; Richard Sundberg

Committee members absent: Derrick Figures; Jeremy Marcus

Commissioner: David Holmes (ANC6A03); Rafael Marshall (ANC6A01); Kelvin Robinson (ANC6A08)

Community: Andrew Agak (Drew's); Nate Bush (Drew's); Helen Wooden-Wood; Robert Pittman; 1 other who did not sign in

I. Housekeeping

- a. **Agenda** – Motion to accept agenda. No objections.
- b. **Minutes** – Motion to accept minutes. No objections.

II. **Community Comment.** David Holmes glad to be here and is sorry he hasn't been here before but normally has a regular conflict and that was not held this month.

III. Discussion/Updates

- a. **DC Express Exemption from Single Sale Ban** – ANC voted to support our committee recommendation to not allow the exemption. 7:45 pm the owner approached us and said he wanted to make comments. Owner was told he could still pursue his exemption and come to the ANC meeting. He did, made statements and the recommendation was still approved. Owner went to ABRA with his protest of the ANC decision. Joe Fengler provided written testimony. ABRA upheld the ANC's recommendation on July 29.
- b. **ANC Recommendations**
 - i. **Buka License** – recommendation to not protest as long as we got a signed VA. We got the VA so the ANC adopted the recommendation.
 - ii. **Mary Kozinski** - ANC confirmed Mary's departure from the committee.

IV. New Business

- a. **Andrew Agak – 1245 H Street CR Application** – Mr. Agak has been to the committee previously. Recommendation from Joe Fengler was that we protest and hold open for further comments because the Commission would not be meeting in August. By appearing at this meeting we will have an opportunity to make a recommendation. Roll call date is August 31.

Mr. Bush presented the plans for Drew's on behalf of Mr. Agak. Double A Hospitality is the establishment owner. Came before the committee in March about the intent to submit. Finally able to submit the application on June 17. Building was pretty run-down and renovations have been extensive. Continue to make changes that the city has requested and it is coming along very well. They have reviewed the ANC protest letter and the standard VA which is on the ANC website.

Q: entertainment endorsement and where located? A: yes, light jazz, background music and occasional soloist. Can be on one of two levels at the front end of the building, not to the back. Have insulated and sound proofed (acoustic Armstrong ceilings, plants, fabric) the sections of the building that would be closer to residential properties.

Q: CR license? A: yes.

Q: Kitchen? A: in the basement

Audience:

Q: 2nd floor patio? Entertainment? A: no entertainment.

Q: Hours? A: Fri to 1:00 am; rest of the week earlier; open for breakfast.

Q: Delivery entrance at the front and how is there a basement? A; basement was dug below grade and are securing the delivery entry.

Q: Speakers to the back? A: no

Q: Barrier on the outside patio? A: wooden fence, retractable canopy tops.

Q: Seating outside? Are you willing to add to the VA that food will not be served outside as it amplifies the noise outside. A: is willing to discuss.

Q: Mentioned an open space upstairs, need explanation and what about sound proofing to the front of the building. A: Type of music shouldn't be noisy. Will do all they can to minimize noise and are prepared to take action if there are complaints.

Q: Valet parking? A: will be using valet parking and will be using the service that Granville Moore and all the others use. Are told that the service has a lot. (U Street Parking)

Q: Capacity: A: 96 seats including the bar seats.

Q: In reference to trash. A: ANC is requesting rodent and vermin proof receptacles as per the VA.

Q: AA Hospitality own any other businesses? A: no

Q: Will there be extensions to the building? A: No, only renovations and digging the basement.

Q: Does application refer to rooftop dining? A: No.

Mary Beatty moves that with a signed VA that adds language relating to noise mitigation from outdoor area that the ANC drop the protest. Seconded by Michael Herman. Unanimous.

- b. Valet Regulations** – We need to amend the VA. Valet parking regulations came out last week. The intent of the committee was to include this into our VA. That is, that no establishment be allowed to valet park cars unless they are in compliance with the new DC regulation. Exact wording was discussed at length, however, it was finally determined that the recommendation should just state intent and when the new VA is written that the ANC approve the final language.

Mary Beatty moves that language be added to our standard VA that cites this regulation (Chapter 16 Valet Parking) and requires alcohol licensee establishments to comply with these regulations. Seconded by Richard Sundberg. Unanimous.

- c. ANC6A VA – Other Amendments** – other amendment that has been added to CT VA's is the noise issue, particularly for outdoor areas, (maybe half a dozen).

Mary suggesting that we add noise mitigation language for outside seating (example given is items 3/c-d from the Vendetta VA) to the standard VA. Seconded by Richard Sundberg. Unanimous.

Possible further VA discussion: Define pub crawl. Commissioner Robinson notes that the safety committee has discussed installation and maintenance of surveillance equipment and also notes that in ABRA's rules some establishments (hotels and nightclubs) have to submit security plans. Might that also be necessary for liquor stores? The Committee agreed to address these issues before submitting the new standard VA.

V. Adjourn. Move to adjourn at 8:10 pm. Next meeting: September 20, 2009