

Minutes
Alcoholic Beverage Licensing (ABL) Committee
Advisory Neighborhood Commission (ANC) 6A
September 20, 2016

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 September 20, 2016 at Sherwood Recreation Center, 640 Tenth (10th) Street NE, Washington, DC 20002.

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

Committee Members Absent: Justin Rzepka, Michael Herman, Roger Caruth, Mark Samburg, and David Oberting.

Commissioners Present: Mike Soderman (6A03)

Community Members Present: Mark Thorp (Little Miss Whiskey’s), Asia Honablu

I. Call to Order

Mr. Williams called the meeting to order at 7:05 pm. The meeting having been duly convened was ready to proceed with business without a quorum. There were no additions or edits to the agenda as published.

II. Community Comment

None.

III. Old Business

None.

IV. New Business

A. Discussion of request by Little Miss Whiskey’s Golden Dollar (1104 H Street NE) for changes to its current Settlement Agreement.

- Mr. Williams explained that when licenses are up for renewal, they are permitted to request an amendment to or termination of their Settlement Agreement (SA). However, one requirement for that request is to negotiate in good faith with the other parties to the SA (in this case, ANC 6A).
- Mr. Williams further noted that three years ago, Little Miss Whiskey’s (LMW) had requested termination of its Settlement Agreement. When that request went to the ABC Board, it was rejected.
- Mr. Thorp stated that he was interested in removing or clarifying sections of the SA that restated current law or that were out of date. Mr. Williams noted that LMW’s SA is an older SA and likely contains sections that are no longer used in the ANC’s current standard SA.
- After some discussion, Mr. Williams asked whether Mr. Thorp would be comfortable with language explicitly stating that anything that reflects existing law is meant for informational purposes only and not meant as a separate violation of the Settlement Agreement. Mr. Thorp said he would agree to such language.
- Mr. Thorp also requested the ability to play prerecorded music on the summer garden. He noted that he was only interested in playing music through “iPod speakers” or a similar system. Mr. Williams asked Mr. Thorp to describe the summer garden. Mr. Thorp stated that it is two levels in the back, with the second level enclosed by glass and wood at least seven or eight feet high.

- Mr. Williams noted that the ANC was reluctant to allow music on outdoor spaces, but LMW had demonstrated a sound record of no noise complaints, and there seemed to be ample noise mitigation on the summer garden.
- Mr. Thorp also inquired about the summer garden hours, which he stated had remained restricted due to the Alcoholic Beverage Regulation Administration's (ABRA) interpretation of the SA termination protest. Mr. Williams said he believed that the ANC had not objected to his previous hours extension request; assuming he could confirm that, Mr. Williams stated he would be happy to send a letter to ABRA clarifying that.

Mr. Williams moved that the Committee recommend the ANC agree to amend the Little Miss Whiskey's Settlement Agreement by adding the following language: (1) "Any reference to existing DC laws and/or regulations in this Settlement Agreement is meant for informational purposes only. ANC 6A does not intend for a violation of any DC law or regulation to also be considered a violation of this Settlement Agreement."; and (2) Replace Section 4(c)(2) with the following language: "Applicant shall not offer any type of live music on the patio. Applicant may provide pre-recorded music on the patio in the form of portable, non-professional grade speakers used to play music from iPods, iPhones, and the like. Such music must cease no later than 8:00 pm." The motion passed unanimously.

V. Adjourn

The Committee adjourned at 7:25 pm.