

Minutes
Alcoholic Beverage Licensing (ABL) Committee
Advisory Neighborhood Commission (ANC) 6A
September 18, 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 September 18, 2018 at Sherwood Recreation Center, 640 Tenth (10th) Street NE, Washington, DC 20002.

Committee Members Present: Jay Williams (Co-Chair), Christopher Seagle (Co-Chair), Mark Samburg, and Roger Caruth.

Committee Members Absent: Michael Herman Justin Rzepka.

Commissioners Present: Mike Soderman.

Community Members Present: Ramsey Taylor, Rati Teilore, Andre Barlow (Halftime), Kimberly Rose (Halftime), Dwayne Falwell (Halftime), Paige Forte, Pleurat Hundozi.

I. Call to Order

Mr. Williams called the meeting to order at 7:05pm. The meeting proceeded with a quorum present.

II. Community Comment

Mr. Taylor spoke to the Committee to respond to comments made at the prior meeting regarding conflicts between neighbors and certain establishments. Mr. Taylor noted that there were two incidents that took place. In the first, he approached a manager at Rock and Roll Hotel regarding noise. At that time, there were numerous other staff members, including two bouncers, present, and the only complaint the manager had was to later say she did not like being spoken to “like a child.” Later, representatives of the establishment raised complaints that they felt threatened. The second instance related to Dangerously Delicious Pies, when he went out to speak to them about noise, and again spoke to a manager in public with numerous people around. Mr. Taylor stated that he was trying to work with the businesses without resorting to contacting the Alcoholic Beverage Regulation Administration (ABRA).

Further, Mr. Taylor noted that he was not asking for anything unreasonable, just that establishments abide by their agreements. He stated that he believes this is not an issue of neighbors becoming more aggressive, but more people moving near these establishments and being affected by the noise. He also noted that ABRA has verified that noise is at an unacceptable level in his house on two separate occasions.

Ms. Teilore stated that she was surprised by the response from Dangerously Delicious Pies because ,at the time the complaint was made, they were apologetic and seemed willing to work with them to make sure noise issues did not come up. She also observed that the Linden Court alley is structured in a way that seems to amplify the noise. She further stated that all they were asking for was settlement agreement (SA) compliance for all establishments in the neighborhood.

Mr. Williams stated that it appears that communication directly between neighbors and the establishments has broken down and has gotten too acrimonious. He suggested that neighbors avoid engaging directly, and instead contact him, their ANC Commissioner, and Mr. Seagle on the ANC side, and ABRA for enforcement issues. Commissioner Soderman

also suggested that they ensure multiple neighbors are contacting ABRA and others about these issues, because multiple complaints carry greater weight.

Mr. Hundozi stated that he cannot imagine that Mr. Taylor was acting the way he was described in the last meeting, and that he also has had issues with nearby businesses regarding noise, garbage management, disruptive workers, etc. He said that he has attempted to engage with the businesses directly and has not had any issues with that approach until now.

Commissioner Soderman noted that any complaints regarding rats and garbage should be directed to 311, who can engage the appropriate agencies.

III. Old Business

None.

IV. New Business

A. Discussion of request by Halftime Sports Bar for changes to its license (adding cover charge endorsement, a thirty-nine (39)-seat summer garden, and overall expansion of seating capacity).

- Mr. Barlow, Ms. Rose, and Mr. Falwell presented on behalf of Halftime.
- Mr. Barlow stated that they are in the process of obtaining a certificate of occupancy for the summer garden and upstairs of the establishment. Part of this involves an offer in compromise with ABRA from a prior issue where they were found in violation for not having proper endorsements.
- Mr. Barlow stated that the establishment is adding a cover charge for business reasons. For example, if they want to host a pay-per-view boxing match, they want to be able to help defray the costs of purchasing the match by charging a cover charge.
- Mr. Falwell stated that the establishment has been in place for about five (5) years and ,at first, they believed their license covered both floors. They later found out that was not the case. They now have a certificate of occupancy, but then discovered they needed to add the second floor to their license. The summer garden issue is similar; they are just trying to get into compliance.
- Mr. Barlowe noted that Halftime has been paying a sidewalk café fee to the District Department of Transportation (DDOT) for the back patio space when it appears they should not have been, which led to part of their misunderstanding about the endorsement.
- Mr. Falwell stated that the plan is to have ten (10) high-top tables outside, with two (2) chairs per table. They intend to abide by their current settlement agreement, which requires closing time of 1:00 1pm on weekdays and 12:00 am on weekends. He estimated they would have no more than twenty-six (26) people on the patio at any time, and certainly would not exceed the occupancy load of thirty-eight (38) persons. They also have no intention to have any music on the patio.
- Mr. Seagle noted that there was an incident a while ago at Halftime and it closed down. He requested more information about the reopening and the ownership structure. Mr. Falwell stated that they purchased the business from Mr. Graham and he no longer has any interest in the business. It is an entirely new ownership team. Ms. Rose noted that they are trying to distance themselves from the past

owners and management due to the bad blood. She also said some of the bad information they had was from the prior owner.

- Commissioner Soderman asked if they planned to have people seated at the high-top tables. Mr. Falwell said they would. Commissioner Soderman noted that it is possible to fit a lot of standing people around a high-top table. Mr. Williams noted that the occupancy load for the rear patio would help keep those numbers down.
- Mr. Seagle stated that the current SA for Halftime has restrictions on hours of operation and also prevents the use of music or entertainment outside.
- Mr. Williams stated that typical sticking points with neighbors are noise mitigation, but that the current agreement appears to have all necessary language in place. He said he saw no need to protest or request an update to the agreement.
- Mr. Caruth stated that he agreed with Mr. Williams and noted some additional noise mitigation techniques that the owners may wish to consider, such as additional doors, curtains, etc. Mr. Falwell stated that they have looked into soundproof curtains for the upstairs area.

Mr. Williams moved/seconded by Mr. Seagle, to recommend that ANC 6A take no action regarding the request by Halftime Sports Bar for changes to its license (adding cover charge endorsement, a thirty-nine (39)-seat summer garden, and overall expansion of seating capacity). The motion passed 5-0 (with Commissioner Soderman voting).

V. Adjourn

The Committee adjourned at 7:35 pm.