

**ANC 6A ABL Committee
October 19, 2010, 7-9 PM
Minutes**

Meeting called to order at 7:00 pm

Committee members present: Commissioner Mary Beatty (ANC 6A05); Adam Healy; Michael Herman; Anne Marie Koshuta; Jaki Downs

Committee members absent: Tish Olshefski

Commissioners: Kelvin Robinson (ANC6A08), Drew Ronnenberg (ANC6A02), Gladys Mack (ANC6A07), Raphael Marshall

Community: Coralie Farlee (ANC6D Chair of ABC Committee); Margaret Holwill, Phil Toomajin, Marle Busby, Antonio Robinson, Jason Feldman, Scott Magnuson

I. AGENDA/MINUTES

- a. **Meeting called to order at 7:02 pm.** Quorum present.
- b. **Introductions made.** Each member of the committee introduced themselves.
- c. **Agenda** – Motion to accept agenda as amended. Added item regarding Argonaut after agenda distributed to list server. No objections.
- d. **Minutes** – Motion to accept minutes presented at last ANC meeting (September 2010). No objections.

II. COMMUNITY COMMENT-None

III. REVIEW OF ANC6A JUNE-SEPT MEETING RE: ABL RECOMMENDATIONS

- 1) **Letter to CM Graham re ANC 6A Standard Voluntary Agreement-** The ANC voted unanimously to send a letter to Councilmember Graham which describes our concerns about the current ABC Board practice of unilaterally rewriting a VA which has been agreed to by all parties. The letter was submitted to CM Graham on Oct 19 by Chair Kelvin Robinson.
- 2) **Protest of XII-** The ANC voted 5-1-1 to protest the license renewal of XII. The grounds for this protest are centered primarily around noise concerns, but also includes use of public space, excessive loitering around the building, and the number of incidents reported to ABRA.

IV. NEW BUSINESS

- 1) **XII Protest-**Chair Beatty described the protest procedure and what the Committee would need to do in preparation for the protest hearing. The first step is to appear Nov 22 at the roll call hearing. Commissioner Ronnenberg volunteered to appear on behalf of Commissioner Beatty since she will be traveling for the Thanksgiving holiday. Approximately 30 days after this hearing there will be a status hearing so the Board can determine whether the parties are working to resolve the concerns. The actual protest hearing will be set 30 days beyond that date in case the parties cannot resolve their differences. Chair Beatty indicated that a petition of resident signatures would be very helpful for the Nov 22 hearing, and that the committee would need to petition MPD records, ABRA records, enlist witnesses etc to prepare for the hearing.
- 2) **Concerns re Langston Bar and Grill-**The complainant, Ms. Karen Mayo, was not able to attend the Committee meeting, so her ANC Commissioner Gladys Mack represented her at the meeting. Commissioner Mack provided photos taken by Ms. Mayo that showed how cars parked in a parking lot behind her home would sometimes block her entry and egress from her home. She stated that she did not

have this problem until the lot was used by Langston Bar and Grill. The lot is owned by Joe Woo, the owner of Capitol Liquors, who has granted her permission to use the parking lot to enter and exit, and to post signs asking that cars not block her driveway. Mr. Robertson indicated that since he does not own the lot, that he cannot control its use. He has also been granted permission by Mr. Woo to use the lot. Chair Beatty indicated that she would contact Mr. Woo to determine if anything else could be done. She indicated that she agreed with Mr. Roberson that there was little that he could do to remedy this problem.

Ms. Mayo also indicated that she had problems with noise on the patio. Mr. Roberson stated that he would sign an amended VA which disallows any amplified sound on the patio.

3) Argonaut Expansion

Scott Magnuson appeared before the committee to discuss proposed changes to the outdoor areas of the Argonaut. The changes are being made in connection with rebuilding the establishment after a fire. He indicated that they planned to add six counter seats and two tables for a total of 14 seats. The perimeter of the area will be fenced and there will be only drinks, no food served. They will agree to add a clause in their VA for no amplified sound outdoors. There is will be a 3 ½ foot iron fence around the area and tree planters to mitigate noise, but the outdoor area has no nearby residential neighbors as it sit near the starburst intersection. The committee asked that he return for a recommendation after he has applied for the substantial change with ABRA.

4) License Renewals- Little Miss Whiskey, Show Bar, Liberty Tree, The Pug, The Star and Shamrock

– Chair Beatty asked that community comments be made about each of the licensees one by one. A member of the community said that Little Miss Whiskey was a responsible owner and had worked with residents to mitigate noise. Liberty Tree was described as a good business partner by Commissioner Marshall. The owner of the Star and Shamrock appeared at the meeting to respond to comments, but there were no negative comments. The committee voted unanimously:

Recommendation: To not protest the license renewals of Little Miss Whiskey, Show Bar, Liberty Tree, The Pug, or the The Star and Shamrock.

5) Standard VA Modifications

Chair Beatty brought recommended changes to the VA for the Committee to review. Each change was discussed at length. In particular, the Committee, Commissioners present, and audience discussed security measures such as saving surveillance tapes, MPD reimbursable details, requirements of valet parking companies, and incident logs. There were some items that needed more research, so it was decided that Commissioner Beatty should take the recommendations of the Committee and the audience and bring a new draft back to the Committee in November.

V. Adjourn

Meeting adjourned at pm. Next meeting November 16 , 2010.