

Minutes
Alcoholic Beverage Licensing (ABL) Committee
Advisory Neighborhood Commission (ANC) 6A
October 21, 2014

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 October 21, 2014 at Sherwood Recreation Center, 640 Tenth (10th) Street NE, Washington, DC 20002.

Committee Members Present: Christopher Seagle (Acting Chair), Roger Caruth, and Michael Herman.

Committee Members Absent: Jay Williams, Adam Healy, and David Oberting.

Commissioners Present: None.

Community Members Present: Andrew Kline (on behalf of Me & My Supermarket and Pizza Parts and Service), Troy Hickman (Impala Cantina), Andrea Swalec (HillNow.com).

I. Call to Order

Mr. Seagle, serving as Chair in the announced absence of Mr. Williams, called the meeting to order at 7:07 pm. The meeting having been duly convened was ready to proceed with business with a quorum. There were no additions or edits to the agenda as published.

II. Community Comment

None.

III. Old Business

Mr. Seagle presented an update provided by Mr. Williams regarding the Settlement Agreement (SA) termination requests by Rock and Roll Hotel, and Little Miss Whiskey’s Golden Dollar. At a protest hearing on October 1, 2014, the ANC won on a motion for summary judgment, dismissing the matter without requiring evidence from the ANC. The Board determined that Little Miss Whiskey’s had not met the legal requirements to satisfy the statute that allows them to request termination.

IV. New Business

A. Discussion of Class B Retail license renewal for 1101 Convenience Mart at 1101 H Street NE (ABRA # 086305).

Mr. Seagle and Mr. Herman both indicated there are no known complaints or unresolved issues with the establishment or its management.

Mr. Seagle moved/seconded by Mr. Herman that the ANC take no action regarding the Class B Retail license renewal for 1101 Convenience Mart (1101 H Street NE). Motion carried 3-0.

B. Discussion of request for Change in entertainment hours and addition of Sunday hours by Red Rocks at 1348 H Street NE (ABRA # 090997).

Mr. Seagle observed that the change of entertainment hours would apply only to interior areas of the establishment, the current settlement agreement prohibiting music in outdoor areas.

Mr. Seagle and Mr. Herman each indicated there are no known complaints or unresolved issues with the establishment or its management.

Mr. Herman moved/seconded by Mr. Seagle that the ANC not protest the proposed changes for Red Rocks (1348 H Street NE). Motion carried 3-0.

C. Discussion of Class B Retail license renewal for the Cupboard at 1504 East Capitol Street NE (ABRA # 086607).

Mr. Seagle and Mr. Herman both indicated there are no known complaints or unresolved issues with the establishment or its management.

Mr. Seagle moved/seconded by Mr. Herman that the ANC take no action regarding the Class B Retail license renewal for The Cupboard (1504 East Capitol Street NE). Motion carried 3-0.

D. Discussion of Class B Retail license renewal for Economy Market at 1804 D Street NE (ABRA # 094127).

Mr. Seagle and Mr. Herman both indicated there are no known complaints or unresolved issues with the establishment or its management.

Mr. Seagle moved/seconded by Mr. Caruth that the ANC take no action regarding the Class B Retail license renewal for Economy Market (1804 D Street NE). Motion carried 3-0.

E. Discussion of Class B Retail license renewal for Me & My Super Market at 1111 H Street NE (ABRA # 095280).

- Mr. Seagle noted that there is presently no settlement agreement in force between the ANC and this business establishment. The license was protested over ten (10) years ago, but did not result in any agreement between the two parties. No unresolved issues or complaints are known at this time.
- Mr. Andrew Kline, representing the interests of Me & My Super Market, described changes taking place at this establishment. New owners are now offering over 100 varieties of wine, and are working to expand an offering of artisanal and micro-beers. They seek to adapt to the changing clientele in the surrounding community. They have upgraded the interior with wood floors and high ceilings. They plan to revise the facade in coordination with the condominium under construction next door.
- Mr. Seagle added that there are a few restrictions on the license as a result of a board order from ABRA. He speculated, and Mr. Kline confirmed, that those restrictions would continue in force for the new owners.
- Mr. Herman observed that in addition to no problems known to the committee, no residents were in attendance to express any concerns.

Mr. Seagle moved/seconded by Mr. Herman that the ANC not protest the license renewal for Me & My Super Market (1111 H Street NE). Motion carried 3-0.

F. Discussion of Class D Restaurant License application for Pizza Parts and Service at 1320 H Street NE (ABRA # 096311).

- Mr. Andrew Kline was acknowledged as the representative for Pizza Parts and Service. He indicated that this is a small establishment, and there is no entertainment endorsement being requested. As a Class D-Restaurant licensee, the primary focus will be the service of food.

- Mr. Seagle introduced the suggestion of proposing the standard settlement agreement for this new licensee.
- Mr. Herman commented that the owners of this business are the same as for Taylor Gourmet with whom the ANC had a settlement agreement before they ceased offering alcohol for on-premises consumption.
- Mr. Kline strongly objected to considering entering into a settlement agreement with the ANC. Mr. Kline stated that a settlement agreement is a legal resolution to a dispute, and there are no disputed issues at this time between Pizza Parts and Service and the ANC.
- Mr. Seagle stated that, for purposes of the ABL Committee, a settlement agreement is merely an expansion of ground rules for the neighbourly conduct of business.
- Mr. Herman noted that the term “settlement agreement” is new language created by ABRA to replace what was formerly called a “voluntary agreement.”
- Mr. Caruth reminded that the Committee's settlement agreements are cooperative in nature, and not related to disputes as stated by Mr. Kline.
- Mr. Kline stated that he does not intend to enter into negotiations with the ANC for the signing of a settlement agreement.

Mr. Seagle moved/seconded by Mr. Herman that the ANC protest the license application of Pizza Parts and Service (1320 H Street NE) unless there is a signed settlement agreement between the two parties prior to the ABRA protest deadline. Motion carried 3-0.

G. Discussion of addition of entertainment endorsement and for stipulated endorsement for Impala Cantina y Taqueria at 1358 H Street NE (ABRA # 088603).

- Mr. Troy Hickman, representing Impala Cantina y Taqueria, introduced himself. He is seeking the entertainment endorsement for indoor music and dancing. The proposed offerings would focus on “Salsa Night” events with likely participation by dance studio students from Joy of Motion across the street. The entertainment activities would be conducted on the second floor, and the design would direct music towards the front of the building as opposed to the rear where residences would be more easily disturbed.
- Mr. Seagle said that there have been no reports of problems since this business opened earlier this year.

Mr. Seagle Moved/ seconded by Mr. Herman that the ANC not protest the addition of an entertainment endorsement to the license of Impala Cantina y Taqueria (1358 H Street NE), and that the ANC write a letter in support of a stipulated endorsement. Motion carried 3-0.

V. Adjourn

The Committee adjourned at 7:36 pm.