

Minutes
Alcoholic Beverage Licensing (ABL) Committee
Advisory Neighborhood Commission (ANC) 6A
Tuesday, November 22, 2022, 7:00 pm
Virtual Meeting—Held on Zoom

Pursuant to notice duly given, a meeting of the Alcohol Beverage Licensing Committee (“Committee”) of ANC 6A was held commencing at 7:00 pm EST on November 22, 2022, on a publicly posted Zoom event.

Committee Members Present: Erin Sullivan (Chair), Mona Hatoum, Kara Hughley, Mike Velasquez, Joe Krisch

Commissioners Present: Robb Dooling

Establishment Representatives Present: Pamela McKenzie (Ocean Lounge); Dante Datta (Daru); Fernando Postigo (Sol Mexican Grill); Tony Tomelden (The Pug); Rayquan Johnson, Marquis Richardson, Che’von Davenport, Dennis McKinley, Sean Morris (Cru Hookah Lounge); Dessie Bekele (Noble Convenience and Tobacco); Sonja Carmichael (The Elroy); Keem Hughley (Bronze DC)

- I. Call to Order/Approval of Agenda/Approval of Minutes
 - Co-Chair Erin Sullivan called the meeting to order at 7:01 pm.
 - Co-Chair Sullivan noted that the Committee may reorder the agenda based on which establishments had representatives present, and otherwise moved to approve the agenda. The agenda was approved without objection.
 - The minutes from the October 25, 2022 meeting of the Committee were approved without objection.

- II. Community Comment
 - Co-Chair Sullivan asked if any members of the community in attendance wanted to make any comments not related to a specific establishment, if not, then the Committee would address community comments during the discussions on the particular establishments.

- III. New Business
 - Change to Alcohol Beverage Licensing Committee membership with three members (Mona Hatoum, Ian Stanford, and Mike Velasquez) moving off of the Committee.
 - Co-Chair Sullivan noted that Co-Chair Hatoum would be moving out of the ANC and Mr. Velasquez would be joining ANC 6A as a commissioner, so the Committee would be reduced to four members and leave her as sole Chair with the departure of Co-Chair Hatoum, and then to three members, with the departure of Mr. Velasquez.
 - Co-Chair Sullivan moved to recommend that the ANC recognize the change in Committee membership to four, as of December 1, and then three as of January 1.
 - Commissioner Robb Dooling seconded the motion and the motion passed unanimously.

 - Discussion of application by Daruwalla, LLC t/a Daru at 1451 Maryland Avenue NE (ABRA-113870) for renewal of its Class C Tavern License.

- Mr. Dante Datta appeared on behalf of Daru. He noted that Daru is part of the city-wide renewal and that there have been no Alcoholic Beverage Regulation Administration (ABRA) or other complaints and the community has been amazing and supportive.
- Committee member Krisch moved that the ABL Committee recommend to the ANC that they write a letter of support in favor of Daru's renewal application.
 - Commissioner Dooling seconded the motion and the motion passed unanimously.
- Discussion of application by Bespoke 1337, LLC t/a Hill Prince at 1337 H Street NE (ABRA-104782) for renewal of its Class C Tavern License.
 - Co-Chair Sullivan stated that Hill Prince is up for renewal and they have an existing settlement agreement, but that she was hoping that they would be in attendance tonight because a community member had raised concerns about noise emanating from the open area between the front and back bar that can be heard from The Maryland condominium building.
 - The community member shared that this problem dates back to May 2022 and she has called ABRA several times, but has had no contact with the establishment.
 - Commissioner Dooling indicated that he would try to contact the establishment and resolve the issue, and that the next step would be a protest if they are not willing to address the issue.
 - Co-Chair Sullivan noted that Commissioner Dooling would be able to take this item off of the consent agenda and raise it at the ANC meeting if necessary.
 - Commissioner Dooling moved that the ABL Committee recommend to the ANC that they take no action with respect to Hill Prince's renewal application.
 - Mr. Velasquez seconded the motion and the motion passed unanimously.
- Discussion of application by Hoost, LLC t/a Nomad Hookah Bar at 1200 H Street NE (ABRA-087558) for renewal of its Class C Tavern License.
 - Co-Chair Sullivan stated that Nomad Hookah Bar is up for renewal and they have an existing settlement agreement that is tailored to the concerns of neighbors.
 - Committee member Kara Hughley moved that the ABL Committee recommend to the ANC that they take no action with respect to Nomad Hookah Bar's renewal application.
 - Commissioner Dooling seconded the motion and the motion passed unanimously.
- Discussion of application by The McKenzie Group, LLC t/a Ocean Lounge at 1220 H Street NE (ABRA-114106) for renewal of its Class C Tavern License.
 - Ms. Pamela McKenzie appeared on behalf of Ocean Lounge. She noted that they expanded capacity recently and updated the settlement agreement, and now they are here for the routine three-year renewal. She stated that they have not had any ABRA violations since the last time they came before the Committee.
 - Committee member Velasquez acknowledged that Ocean Lounge has been responsive to community concerns and that develops trust.
 - Committee member Hughley moved that the ABL Committee recommend to the ANC that they take no action with respect to Ocean Lounge's renewal application.
 - Committee member Krisch seconded the motion and the motion passed unanimously.

- Discussion of application by The Pug, LLC t/a The Pug/Toki Underground at 1234 H Street NE (ABRA-073166) for renewal of its Class C Tavern License.
 - Co-Chair Sullivan stated that the Pug is up for a routine license renewal.
 - Mr. Tony Tomelden appeared on behalf of The Pug and noted that they entered into a settlement agreement many years ago, and have had no ABRA violations or other issues since The Pug's last renewal.
 - Co-Chair Sullivan suggested sending Mr. Tomelden the current settlement agreement and talking with him about updating it, and Commissioner Dooling indicated that he would support that.
 - Committee member Velasquez moved that the Committee pursue updating the settlement agreement with The Pug without prejudicing its application for renewal.
 - Co-Chair Sullivan seconded the motion, and the motion passed unanimously.

- Discussion of application by Another Round LLC t/a The Haymaker Bar at 1015 H Street NE (ABRA-084689) for renewal of its Class C Tavern License.
 - Co-Chair Sullivan noted that The Haymaker Bar is up for renewal, with a protest deadline of December 5, 2022 and that Co-Chair Hatoum up this establishment and others with impending protest deadlines at the last ANC meeting and there were no concerns raised by the Commissioners.
 - Committee member Velasquez moved that the ABL Committee recommend to the ANC that they take no action with respect to The Haymaker Bar's renewal application.
 - Commissioner Dooling seconded the motion and the motion passed unanimously.

- Discussion of application by The New Elroy Bar, LLC t/a The Elroy at 1423 H Street NE (ABRA-112289) for renewal of its Class C Tavern License.
 - Co-Chair Sullivan noted that The Elroy is up as part of the routine three-year renewal process.
 - Ms. Sonja Carmichael appeared on behalf of The Elroy and stated that there have been no ABRA violations or complaints since the last renewal.
 - Committee member Hughley moved that the ABL Committee recommend to the ANC that they take no action with respect to The Elroy's renewal application.
 - Committee member Velasquez seconded the motion and the motion passed unanimously.

- Discussion of application by On the Rocks, LLC t/a On the Rocks at 1242 H Street NE (ABRA-106695) for renewal of its Class C Tavern License.
 - Co-Chair Sullivan stated that she was not able to get in touch with anyone from On the Rocks. She noted that they are up for renewal, but they do not have a settlement agreement in place and the protest deadline is January 3, 2023.
 - A community member stated several concerns with On the Rocks, including people out very late at night past 2pm and an incident on the Fourth of July where a can was lit on fire.
 - Co-Chair Sullivan stated that the Committee should get in touch with On the Rocks and get a settlement agreement in place.

- Commissioner Dooling moved that the ABL Committee recommend that the ANC protest On the Rock's license renewal application unless a settlement agreement is entered into prior to the protest date.
 - Committee member Velasquez seconded the motion and the motion passed unanimously.
- Discussion of application by Bronze DC, LLC t/a Bronze DC at 1245 H Street NE (ABRA-121843) for renewal of its Class C Tavern License.
 - Co-Chair Sullivan noted that the Committee recently discussed Bronze and signed a settlement agreement with them.
 - **Mr. Keem Hughley appeared on behalf of Bronze and stated that this is a regular renewal and they are not seeking any changes.**
 - **Committee** member Velasquez noted for the record that after the last meeting where Bronze was discussed a settlement agreement was negotiated and the ANC wrote a letter of support. He noted that Mr. Hughley reached out to the community members and had productive conversations, and he commended Mr. Hughley for making time to meet with the community.
 - A community member stated that they met with Mr. Hughley as a community, the meeting was productive, and he was forthcoming about how he was going to address some of their concerns.
 - Co-Chair Sullivan stated that Committee member Hughley would be recusing herself.
 - Committee member Krisch moved that the ABL Committee recommend to the ANC that they write a letter of support in favor of Bronze DC's renewal application.
 - Commissioner Dooling seconded the motion. Ms. Hughley abstained. The motion passed unanimously, with one recusal/abstention.
- Discussion of application by Fernando Postigo t/a Sol Mexican Grill at 1251 H Street NE (ABRA-092192) for renewal of its Class C Tavern License.
 - Co-Chair Sullivan stated that there have been concerns raised about Sol Mexican Grill, and she opened for the floor for Mr. Postigo to speak first.
 - Mr. Postigo appeared on behalf of the applicant. He stated that he is the co-owner of Sol, and they have been on H Street since 2013, and they love this community. Sol is ready to address the concerns of neighbors. He addressed a list of the concerns neighbors have raised: (i) with respect to trash, he noted that they have a partnership with Pow Pow and Bronze and will start sharing the bill for the trash compactor, which will be up and running in the next two weeks, (ii) with respect to the operation of the second floor bar, he noted that there was a concern with the establishment running two different businesses on the same property, and that they used to have a food service restaurant on the second floor, but it closed after covid, and they decided to reopen it as a new concept and hired a management company to run it as District Daquiri; and (iii) with respect to noise and trash, he stated that they committed to lights and cameras for the security of the alley and they have not had noise complaints since last summer.
 - Co-Chair Hatoum noted the long-standing complaints about the trash in the back and that it was difficult to get a hold of him. She asked him to provide his email address and cell phone number.

- The Committee members also asked about the situation with District Daiquiri, and Mr. Postigo stated that there is a hearing with ABRA at the end of the month. He clarified that a separate company manages the bar, but the alcohol is being sold by Sol.
- Mr. Postigo also stated that they received tickets from the Department of Health regarding the trash, which he attributed to the trash company changing ownership. He stated that the security camera has been broken for approximately 45 days.
- Committee member Velasquez read a statement. He met with Mr. Postigo, and in consideration of what he heard from him, from neighbors and tonight, he has concerns about supporting Sol's renewal. There were so many concerns that he had to schedule a second community meeting. The neighbors' concerns include noise, crime, rats, trash and delivery trucks idling exhaust. Neighbors have engaged directly, and their concerns have gone unheeded. In 2016, the community concerns were so serious that the ANC amended the settlement agreement to include three new requirements, which he asked to be reflected in the record. Management is not in compliance with the settlement agreement. Mr. Velasquez shared photos, to be reflected in the record, showing dumpsters on public space. He stated that as Mr. Postigo has told him he would take care of the concerns and has not done it, and as such, there is no reason to believe that he will comply with the settlement agreement.
- A community member shared her concerns with respect to safety and trash, noting that the city has been involved with abatement issues. She stated that she agreed with Committee member Velasquez, as the neighbors have tried for years to work with Sol to resolve these issues without success.
- Another community member added additional comments with respect to public health and safety. She stated that she has pictures showing some of the issues, and she highlighted several concerns, including trash cans on public space, odors, noise, fire hazards, not closing the back gate, security camera not working, no lighting, delivery trucks obstructing access to the alley, and delivery truck operators leaving the gate open. She also noted that there have been Department of Health reports, police reports, and DPW reports.
- Co-Chair Sullivan stated that the Committee heard concerning things this evening, most significantly that the amended settlement agreement had not been complied with and prior communications with the establishment have not led to change, even as recently as today.
- Mr. Postigo apologized and stated that with respect to the alley and trash concerns, Sol does not have physical control of the alley, and the only solution for now for the trash is a compactor.
- Co-Chair Sullivan reiterated that the primary concern is the 2016 amendments to the settlement agreement, and noted that these are things that Sol agreed to and are within Sol's control.
- The Committee discussed potential alternative approaches, including suggested an approach of protesting only if the things identified in the 2016 settlement agreement are not fixed prior to the protest deadline.
- Committee member Velasquez moved that the ABL Committee recommend that the ANC write a letter protesting Sol Mexican Grill's license renewal application.
 - Commissioner Dooling seconded the motion and the motion passed unanimously.

- Committee member Velasquez stated that he would ask Chair Gove to move this item off the consent agenda at the next ANC meeting.
 - Co-Chair Sullivan suggested that Mr. Postigo attend the ANC 6A meeting scheduled for December 8, 2022.
- Discussion of application by RMC Group Lounge, LLC t/a Cru Lounge at 1360 H Street NE (ABRA-122943) for a Class C Restaurant License.
 - Co-Chair Sullivan stated that this applicant is seeking a new license, not a renewal.
 - Rayquan Johnson, Marquis Richardson, Che'von Davenport and Dennis McKinley, as well as Sean Morris, counsel for the applicant, appeared on behalf of the applicant.
 - Mr. Morris shared the applicant is seeking a Class C restaurant license with an entertainment endorsement, and that they want to seek support from the ANC for a stipulated license. He stated that the restaurant is nationally franchised, and the founder of the concept was on the line.
 - In response to a question from one of the Committee members, Mr. Morris and Mr. McKinley clarified that the Cru Lounge establishment that came before the Committee a few years ago was a prospective franchise, but that franchise agreement was terminated, and is independent of the franchise appearing today.
 - Mr. McKinley shared that Cru Lounge has 14 locations - food is normally about 50% of sales, hookah is 10% and alcohol is the rest. They serve small plates / upscale bar food, and they have a 28-to-38 year-old professional consumer base.
 - Committee member Velasquez noted the city council's ban of hookah establishments unless there is an exemption, and asked if the applicant had made an application for exemption. Mr. Morris indicated that they have discussed that they have to address that prior to opening.
 - In response to a question from Commissioner Dooling, Mr. Morris indicated that the community should reach out to the proprietors, with a copy to him, if there are any issues.
 - Co-Chair Sullivan asked about trash and security plans, and the representatives noted that they are looking into a dumpster and plan to implement security cameras and personnel, and Mr. McKinley noted that security is a requirement for all franchisees.
 - Co-Chair Sullivan also shared that establishments on the block have received noise complaints from residents, noting that the applicants should be aware of the potential for noise to carryover to create a nuisance for residents.
 - Co-Chair Sullivan indicated that the Committee would work with the applicants on a settlement agreement.
 - Co-Chair Sullivan moved that the ABL Committee recommend that the ANC protest Cru Lounge's license application unless a settlement agreement is finalized prior to the protest deadline, and that the Chair of the ABL Committee, and the Chair and Co-Chair of the ANC represent the ANC in this matter.
 - Committee member Velasquez seconded the motion and the motion passed unanimously.
 - Further, Co-Chair Sullivan moved that the ABL Committee recommend that the ANC write a letter of support for a stipulated license for Cru Lounge once the settlement agreement is finalized.
 - Co-Chair Hatoum seconded the motion and the motion passed unanimously.

- Discussion of application by Noble Convenience, LLC t/a Noble Convenience and Tobacco at 1305 H Street NE (ABRA-122919) for a Retailer's Class A Liquor Store License.
 - Mr. Dessie Bekele appeared on behalf of Noble Convenience and Tobacco. He shared that they opened three months ago, as a convenience and tobacco store, and now they are applying for a retail liquor license, so they can sell retail liquor. He stated that they have not had any concerns or complaints from the community since they opened, and he is amenable to entering into a settlement agreement.
 - The Committee members discussed that there can sometimes be concerns with liquor stores, and Commissioner Dooling noted that as there have been no complaints about this store so far, he is okay with the standard process.
 - Ms. Hughley moved that the ABL Committee recommend that the ANC protest the license application unless a settlement agreement is finalized prior to the protest deadline, and that the Chair and Vice Chair of the ABL Committee, as well as Commissioner Dooling and the Chair and Co-Chair of the ANC represent the ANC in this matter.
 - Commissioner Dooling seconded the motion and the motion passed unanimously.

The meeting was adjourned at 9:46 pm.