

Minutes
Alcoholic Beverage Licensing (ABL) Committee
Advisory Neighborhood Commission (ANC) 6A
Tuesday, December 19, 2023, 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 ET on December 19, 2023, on a publicly posted Zoom event.

Committee Members Present: Erin Sullivan, Kara Hughley, Erin Blumenthal, Joe Krisch
Commissioners Present: Robb Dooling, Amber Gove
Establishment Representatives Present: Meredith Kinner (Granny Za), Co-owner of UpnSmoke III LLC and Zack Learman (UpnSmoke III LLC)
Other: Monica Martinez (prospective ABL Committee member)

- I. Call to Order/Approval of Agenda/Approval of Minutes
 - Chair Sullivan called the meeting to order at 7:01 pm.
 - The minutes from the October 24, 2023 meeting of the Committee were approved without objection.
 - The agenda was approved without objection.

- II. Community Comment
 - Chair Sullivan asked if any members of the community in attendance wanted to make any comments not related to one of the establishments on the agenda. There were no comments.

- III. New Business
 - Welcome new prospective committee members.
 - Monica Martinez, a prospective committee member, introduced herself. Chair Sullivan noted that that part of the process for joining a committee is to attend a committee meeting.
 - Discussion regarding revisions to standard ANC 6A settlement agreement.
 - Chair Sullivan indicated that she spoke with Commissioner Chatterjee about updating the standard ANC 6A settlement agreement, and that Commissioner Chatterjee recommended reaching out to the Office of the ANC’s General Counsel.
 - Commissioner Dooling noted that the updated settlement agreement could help lower the perceived barrier for smaller businesses by making it shorter, which would be helpful for the whole neighborhood. In addition, the template could be expanded to include medical marijuana licenses.
 - Commissioner Dooling volunteered to work on the settlement agreement. He recommended sending the draft to the legal counsel at ABCA and the Office of the ANC at the same time.
 - Commissioner Gove noted that there may be a need to ask for a January 4, 2024 special meeting of the ANC to allow enough time to meet the protest deadline for Granny Za’s, which is January 8, 2024.
 - Commissioner Dooling moved to adopt a new settlement agreement to be uploaded to the ANC 6A website, and that he be authorized to draft the agreement and that the members of the Committee be authorized to assist

him. Commissioner Gove seconded the motion and the motion passed unanimously.

- Discussion of application of Za Partners LLC t/a Granny Za's at 1383-1385 H Street NE (ABCA-126762) for a Medical Cannabis Retailer license.
 - Prior to discussing the establishment, Commissioner Dooling shared background from the discussion among the Commissioners last night. He indicated that many existing retailers are within 400 feet of the applicants, but that should not disadvantage establishments who are following the legal process. He noted that these two applicants are 600 feet apart.
 - Chair Sullivan added that there is currently a window for establishments to apply for a medical cannabis license.
 - Ms. Kinner appeared on behalf of the applicant. She provided further context, including that the period that began in November through December 24, 2023 is only for the unlicensed, gifting shops to submit applications. After January 29, 2024, I-71 will sunset, and if the shops are still unlicensed, ABCA will begin to enforce. She also noted the 400 feet between retailers rule, and that there is 600 feet between these two retailers (as all placarded applicants meet the setback requirements), and that 50% of the applicants have to be social equity applicants. Further, she indicated that the establishments must have paid all their business taxes since they've had a business license.
 - Ms. Kinner indicated that Granny Za has been operating since 2021, owned by a single member who is a native of the area. She stated that they have a store on H Street NW, and the owner is selling the building, so they are moving to H Street NE. She shared that they have never had any problems with ABCA or MPD.
 - Commissioner Gove asked about security and trash, and Ms. Kinner indicated that there are stringent requirements for cannabis establishments - products must be stored overnight in a vault, cash kept separately, security equipment protocols, cameras at every window and interior and exterior doors, key fob access, ID requirements, secure cash pick-up when no patients are inside, employees registered with ABCA, etc. She noted that they are also considering an unarmed security guard during busier times.
 - Commissioner Dooling asked if the establishment would be able to extend their protest deadline. Ms. Kinner said she asked and ABCA said no, but she would ask again.
 - The Committee discussed the petition deadline, summarizing that assuming the Committee votes to protest unless a settlement agreement is reached, then the ANC will have a special meeting on January 4, 2024 to vote on both establishments, and they can continue to negotiate the settlement agreements until the protest hearing deadline, noting that it would be helpful to run by ABCA whether filing the protest on January 8th would hurt the establishment's standing in line process.
 - In response to questions from the Committee and the Commissioners, Ms. Kinner explained the typical business operations - at least three employees on the sales floor, three to four in the fulfillment area, and a manager in the front and back of the house. She noted that they would try to limit any lines outside. Ms. Kinner also indicated that she could include the security plan, to the extent not proprietary, as an attachment to the settlement agreement. She also

indicated that the establishment applied for a delivery endorsement, and they can use their own employees or a courier service.

- Committee member Blumenthal moved that the Committee recommend that the ANC protest the license application of Granny Za's, unless a settlement agreement is reached between the ANC and the license applicant prior to the protest deadline, and that Commissioner Dooling, the Chair of the ABL Committee and Committee member Blumenthal represent the ANC in this matter. Committee member Krisch seconded the motion and the motion passed unanimously.
- Discussion of application of UpnSmoke III LLC at 712 15th Street NE (ABCA-126868) for a Medical Cannabis Retailer license.
 - Mr. Learman appeared on behalf of UpnSmoke. He indicated that they have been operating out of this location for two and a half years, and now they are moving forward with the licensure process. He stated that one of the owners is in attendance, and they are a social equity applicant, as they are 50% owned by a returning citizen.
 - He shared that the establishment has had community cookouts and they gave away one hundred hoodies last winter.
 - He shared that with respect to security there are minimum standards - always have a security guard, check IDs at the door, etc. He also stated that there is a load limit for the building that they adhere to, and they have at least four employees there at all times, including the security guard, manager and at least two other employees. He indicated that there have been no incidents or complaints to date.
 - The Committee discussed the establishment avoiding deliveries during school pick-up and drop-off hours. The establishment is not open during morning drop-off, and they agreed to limit deliveries during afternoon pick-up, which is between 3-3:45pm and 5:45-6:30pm.
 - Commissioner Dooling asked the establishment about controls on marketing given the school nearby. Mr. Learman indicated that the establishment's marketing is calculated to not appeal to children, and with respect to signage, they are not changing it but they do plan to paint the building, and they will share the intended color with the ANC. He indicated that the goal is to remove the existing murals and make the exterior more cohesive. He will also send pictures of the current signage.
 - Committee member Blumenthal moved that the Committee recommend that the ANC protest the license application of UpnSmoke III LLC, unless a settlement agreement is reached between the ANC and the license applicant prior to the protest deadline, and that Commissioner Dooling, the Chair of the ABL Committee and Committee member Blumenthal represent the ANC in this matter. Commissioner Dooling seconded the motion and the motion passed unanimously.

The meeting was adjourned at 8:24 pm.