



ANC 6B ABC Committee Meeting Report

Date: July 1, 2025

Committee Chair: Ellen Oppenheimer

Vice Chair: Commissioner Samuel Pastore

Attendees

Commissioners and Committee Members:

- Ellen Oppenheimer – Chair, 6B05
- Samuel Pastore – Vice Chair, Commissioner 6B05
- David Sobelsohn – Commissioner 6B03
- Brian Gorman – Commissioner 6B04
- Edward Ryder – Commissioner 6B08, ANC 6B Chair
- Anna Krebs – Commissioner 6B06
- Jerry Sroufe – Commissioner 6B02
- Jonathan Levy – Resident Member, 6B07
- Michael McMullan – Alternate Resident Member, 6B04

Advisory Counsel:

- Kerry Verdi – Legal counsel for ANC 6B in ABCA protest matters

Applicants & Representatives:

- Anita Dindyal – General Manager, Ted's Bulletin
- Nick Salas – Regional Manager, Ted's Bulletin
- Michael Rosenbaum – Owner, The Flying Mexican
- Daniel Tabebe – General Manager, The Flying Mexican
- Claudine Peifer – Assistant General Manager, The Flying Mexican
- Charles Kie – Owner/Operator, Zom Tom

Location: 700 Pennsylvania Ave SE / Hybrid via Zoom

1. Discussion: Ambar License Renewal and Settlement Compliance

The meeting began with a detailed discussion regarding Ambar's license renewal and longstanding non-compliance with its 2019 Settlement Agreement. Legal counsel Kerry Verdi provided an update on recent mediation with Ambar representatives.

Key points included:

- Ambar acknowledged it has never complied with the requirement that all non-recyclable waste (e.g., food waste) be stored in the designated interior trash room. Management claimed the room was never large enough to fulfill this condition.
- The ANC emphasized that interior trash storage was a negotiated condition for community support of Ambar's past expansion. No written record exists showing ANC waived this requirement.
- The mediator advised that the ABC Board may not require strict compliance if best practices are demonstrated; however, the ANC expressed concern that allowing non-compliance sets a dangerous precedent.
- Commissioners debated pursuing a protest or negotiating revised conditions. Ambar proposed:
 - Increasing trash pickup to 7 days a week
 - Quarterly professional cleaning of the exterior compactor
 - Amending the settlement agreement to allow food waste in the exterior compactor while maintaining grease storage indoors

Outcome:

The committee voted unanimously to:

- Request a written explanation from Ambar on why compliance is not feasible
- Draft revised settlement conditions if negotiations proceed
- File a motion to continue the protest hearing (currently scheduled for August 13) to a date after the September 9 ANC meeting
- Prepare to move forward with a protest if necessary

The committee reiterated that ANC support for Ambar's expansion was contingent on the indoor waste storage provision, and that removing this obligation retroactively is unacceptable.

2. Ted's Bulletin – License Renewal

- **Applicant:** TB Capitol Hill, LLC
- **Address:** 505 8th Street SE
- **ABCA License No.:** ABRA 108110
- **Application Type:** License Renewal

Summary:

Ted's Bulletin representatives addressed prior concerns regarding trash management and Settlement Agreement compliance. A walkthrough was conducted, and improvements noted, including more frequent trash collection, enhanced internal oversight, and collaboration with Barracks Row Main Street.

Outcome:

The committee voted 8–1 to support the license renewal with the existing Settlement Agreement. Due to the non-unanimous vote, it will not be placed on the ANC consent agenda.

Upcoming Deadline: Protest petition deadline extended. Hearing anticipated in August 2025.

3. The Flying Mexican – License Renewal

- **Applicant:** Flying Mexican (formerly Playa Ocho Cantina)
- **Address:** 514 8th Street SE
- **ABCA License No.:** ABRA 107131
- **Application Type:** License Renewal (Class C Restaurant)

Summary:

New ownership presented a signed Settlement Agreement and agreed to all terms, including trash and noise provisions. The restaurant includes a second-floor dining area. Management shared future plans for enclosure and private events.

Outcome:

The committee voted unanimously (9–0) to support the license renewal and place it on the ANC consent agenda.

4. Zom Tom – New License

- **Applicant:** Charles Kie
- **Address:** 660 Pennsylvania Avenue SE
- **ABCA Reference:** Settlement Agreement #2019 345
- **Application Type:** New Retail License (with sidewalk café and carry-out endorsements)

Summary:

The applicant presented a proposal for a Thai and Lao restaurant with all trash stored indoors per building code. A signed Settlement Agreement with standard provisions was submitted.

Outcome:

The committee voted unanimously to support the new and stipulated licenses, recommending placement on the ANC consent agenda.

Expected Opening: Mid-to-late July 2025

5. Ambar – License Renewal (Recap)

- **Applicant:** Balkan Concepts LLC
- **Address:** 523 8th Street SE
- **ABCA License No.:** ABRA 090240
- **Application Type:** License Renewal

Summary:

ANC 6B is the official protestant in the case. The mediation revealed longstanding non-

compliance with indoor trash storage. The applicant acknowledged non-compliance, citing space limitations.

Outcome:

The committee voted unanimously to adopt a “middle ground” approach:

- Request a continuance of the August 13 protest hearing
- Pursue revised compliance conditions
- Prepare for protest if no resolution is reached

Next Steps:

ANC legal counsel Kerry Verdi will draft the motion and gather additional documentation from Ambar.

6. Taste Budz – Medical Cannabis Retail License

- **Applicant:** Emilias Enterprise, LLC
- **Address:** 317 Pennsylvania Avenue SE
- **ABCA License No.:** ABRA 129546
- **Application Type:** New Medical Cannabis Retailer

Summary:

ANC 6B had previously approved the application. ABCA later requested clarification on a referenced but unsubmitted security plan. A supplemental document has now been filed.

Outcome:

The ANC 6B office will coordinate with ABCA legal counsel to confirm that the revised submission satisfies requirements.

Upcoming Deadline: Protest hearing scheduled for July 23, 2025, at 1:30 p.m.

Summary of Votes, Next Steps & Consent Agenda Items

Votes & Motions:

- Ambar (ABCA-109921): Unanimous vote to request a hearing continuance, written justification from the applicant, and draft revised settlement terms.
- Ted’s Bulletin (ABCA-078230): Approved 8–1. Will not appear on the consent agenda.
- The Flying Mexican (ABCA-124443): Unanimously approved. Will appear on the consent agenda.
- Zom Tom (ABCA-127419): Unanimously approved. Will appear on the consent agenda.
- Taste Budz (ABCA-127414): No vote recorded; administrative review ongoing.

Next Steps:

- Deliver formal response to Ambar summarizing ANC expectations and requesting written

justification for non-compliance.

- Draft revised settlement conditions for Ambar.
- Coordinate with ABCA legal counsel regarding Taste Budz and DC Garden Hill.
- Work with ANC 6B07 commissioner to gather public feedback on DC Garden Hill.

Consent Agenda for Full ANC Meeting:

- The Flying Mexican – License Renewal
- Zom Tom – New License and Stipulated License