



Alcohol Beverage Control Committee Meeting
Hill Center at the Old Naval Hospital
Frager's Conference Room, 3rd Floor
September 6, 2018, 7:00 p.m.

Report

Attendees: Commissioners: Jayaraman (Chair) Oldenburg; Loots, Sroufe; Waud; Burger (depart early);
Resident Members: Palace; Santra;

Substantial Change Applications:

- **ABRA-106496: The Fried Rice Collective, LLC d/b/a Chiko; 423 8th Street, S.E.; Substantial change for additional hours. SA already permits longer hours.**

Current SA: Applicant's hours of Operation: Sun--Thurs: 10 a.m. - 2 a.m.; Fri--Sat: 10 a.m. - 3 a.m.
○ Requesting support for a Stipulated License

Applicant: Danny Lee & Michael Fonseca (Counsel)

Loots: Full hours are allowed under the existing SA. Is the primary purpose to be able to serve past Midnight and offer beverages with food?

Applicant: Would like to be able to serve past Midnight and offer beverages

Verification of applicant by Oldenburg: The additional hours are primarily to serve food

MOTION: *Recommend that the full ANC to endorse and support the substantial change application for the change in hours and support the issuance of a stipulated license and place on the Consent Agenda [Loots; Sroufe 2nd] Pass 8-0*

- **ABRA-093739--Radici Uno (One Root), LLC, Radici, 301 7th St. SE; Substantial Change from a Class "D" to a Class "C" Restaurant License;**
○ Requesting support for a Stipulated License

Applicant: Have been trying to find a unique way to expand operations in the evening to increase revenues. Want to expand business by serving an evening menu, serve spirits to increase sales in the evening. Have identified a company that sells spirits from producers in Italy and unique dinner spirits. The hours of operation (Mon-Sat 7AM-11 PM and Sun 7 AM-9 PM); Current license has sidewalk café and entertainment endorsements.

Chair: Question about entertainment outside. The substantial change notice stated "hours of live entertainment inside premises" but did not stipulate that it was allowable outside.

Applicant: Will have their attorney check on that.

Chair / members: They should check on that but it is not something that the committee can take any action on because that is not what is before the committee.

Motion: *Recommend that the full ANC to support the substantial change application from Class D to C Restaurant License and further support the issuance of a stipulated license and place on the Consent Agenda [Sroufe; Loots 2nd] Pass 8-0*

- **ABRA-107079: Senart's, LLC d/b/a Orchid, 520 8th Street, SE; Substantial Change from Class "C" RESTAURANT license to a Class "C" TAVERN license**

Applicant: Saw the need for an LGBT friendly venue. Offering eclectic food offerings and want to be a high end restaurant and kitchen remains open with late night menu. Opened on May 17, 2018 and their food sales are approximately 30% of gross sales. Customers have asked for more substantial meals and menus so they have added

Applicant: Have not had problem so far. Do have a security person at the door on Friday and Saturday nights. The issue is that they are not meeting the 45% of sales requirement and are paying a fine each month.

Palace: The tables were too small to eat on but applicant have added 4-tops but there is a long cushioned bench seating against the wall and no chair but just stools which are not very comfortable or meant for dining

Oldenburg: The back area seems very open with a lot of empty space in the middle

G Street Neighbors present (3): Not surprised that this has happened. Assert that applicant has made a bait and switch by opening as a restaurant but the intent was to become a tavern. Stated the applicant have not reached out to the immediate neighbor on 9th street about their plans. If the issue is not having enough substantial dinner menu items, simply adding a burger is not sufficient.

Applicant: Did a focus group of 10 people in the community. What should they do? Based on that feedback they decided on a theme that was inviting to the LGBTQ community

G Street Neighbors: They advertise themselves as a bar. I don't see an intention to be a restaurant but people would come for good food. Currently there is already a lot of noise, trash. Not against license change in the future but should work more on being a high quality restaurant first.

Applicant: Kitchen is staying open. Want to keep everything else the same. Will serve bigger portions.

Burger: Maybe we can revise the settlement agreement to address neighbor concerns.

Applicant: Willing to include language about keeping the kitchen at the same size and open until closing.

RM Santra: There are examples of SAs that placed restrictions on a tavern.

G Street Neighbors: Concern is that it is changing the complexion of the block. This is happening very quickly. Even though they intend to serve food but that will not be a priority since it has not been thus far.

Oldenburg: Issue that I have is that they did not reach out to the neighborhood but due to time constraints that is not possible by the full ANC meeting. Perhaps the Applicant would consider withdrawing the application until the renewal period in March 2019 so that the ANC and neighbors have the opportunity to assess how the restaurant is conducting itself.

There was discussion of their current hours, possibility of opening for lunch but not enough foot traffic. Members shared that there was a lack of brunch options on the hill and perhaps that was a time for adding additional hours to sell food. Oldenburg has also offered to advertise that they sell food.

Loots: The issue is that if establishment continues to not reach the food goals, after a certain number of violations, an establishment can lose its license. [NOTE: Applicant noted that Loots is an attorney for the restaurant group and has worked for the group but not on this case]

Chair: Based on the request by the community to meet with the establishment previous actions by the ANC and the lack of time to draft a SA that the realistic options are: 1) the ANC votes to support (highly unlikely); 2) vote to protest which could delay consideration of the application until the end of the year; 3) mutually agree to defer until after the next meeting (mid-October); or 4) applicant withdraws application until next year at the end of March when renewals occur.

Motion: *The takes no position [Oldenburg & Waud 2nd & Loots recusing] Pass 6-0-1*