



*Capitol Hill / Southeast*

## **Alcohol Beverage Control Committee Meeting**

**The Hill Center at The Old Naval Hospital**

**3<sup>rd</sup> Floor Frager's Conference Room**

**July 7, 2019, 7:00 p.m.**

### **REPORT**

#### **ATTENDANCE:**

Commissioners: Jayaraman (Chair); Sroufe; Waud; Oldenburg; Clark

Resident Members: Santra; Opper-Weiner; Szafran; Palace

#### **1. Renewal Application**

- ABRA-080832: PQ Capitol Hill, Inc., Le Pain Quotidien, 666 Pennsylvania Ave SE; Class "D" Renewal.

A regional representative of the organization attended the meeting. She was apologetic that a representative did not attend the previous meeting despite repeated efforts by the ANC to notify the applicant. The representative did not have any details of the Capitol Hill location but several commissioners and resident members spoke in a positive light about the establishment. The Chair shared information on some establishments having issues with DDOT Public Space about having umbrella and planters on their sidewalk café. The Chair expressed concern that Public Space was requiring a separate application just to have umbrella and planters and the length of time it took for establishments to get such a simple addition to be approved.

**MOTION:** Recommend to the ANC to withdraw the protest and submit a letter in support of the renewal application with no changes to the existing Settlement Agreement and **place on the consent agenda** [Sroufe; Waud 2<sup>nd</sup>] Motion Approved 7-0-0

- ABRA-090240: Balkan Concepts LLC d/b/a Ambar; 523 8th St SE; Class "C" Renewal; Applicant: Ivan Iricanini; Sidon Yohannes syohannes@theveritaslawfirm.com Petition Deadline: 08/05/2019 [6B03]

The Committee discussed that there were two separate requests and decided to handle them separately. The committee knew that the Establishment was operating while they were building a third story addition. A representative of the Establishment stated that Ambar had been in operation on Barracks Row for 7 years and claimed that it was the first Balkan restaurant in the U.S. much of their customers were tourists as a result of them being rated No. 1 on Yelp and and highly ranked on travel sites such as Trip Advisor. Currently, they have 114 seats inside and 10 seats on the sidewalk café with a total occupancy load of 149 people. The Committee decided to vote on the renewal first and then consider the substantial change application.

**MOTION:** Recommend to the ANC to support the renewal application with no changes to the existing Settlement Agreement and **place on the consent agenda** [Jayaraman; Szafran 2<sup>nd</sup>] Motion approved 9-0-0

- ABRA-090240: Balkan Concepts LLC d/b/a Ambar; 523 8th St SE; Substantial Change Application to expand to 3rd floor, adding 56 additional seating and increasing total occupancy from 140 to 196; Petition Deadline 07/22/19 [6B03]

Ms. Yohannes spoke for the Applicant and presented the committee with new drawings of the interior trash storage because the Applicant had decided to make additional changes to the plans that were previously approved by ANC 6B. The Chair noted that the substantial change application included not only the expected expansion to the third floor with an increase in



seating and occupancy but the notice also included live entertainment and a summer garden. Ambar did have a small summer garden at the rear of the 2<sup>nd</sup> floor of the building when the renewal was considered in 2016. The current SA addressed neighborhood concerns by limiting hours of operations and sales in the summer garden. However, the current renovation of the building eliminated the summer garden but would add a 3<sup>rd</sup> floor addition with a retractable roof.

Ms. Yohannes stated that the Applicant had incorrectly completed the substantial change application and that the actual total occupancy requested would be 211 people. There was confusion about why the Applicant had sought a Summer Garden endorsement when one no longer existed and would not once the 3<sup>rd</sup> floor is completed. The Committee all requested additional information about the live entertainment endorsement in terms of what type of music, hours and frequency of live entertainment.

The Chair had revised the existing SA to remove language related to trash management in the alley to trash management within the interior trash room, remove language that covered the Summer Garden since one no longer exists and included language that required the Applicant to close the retractable roof if live entertainment was played after 11 p.m. The committee suggested an earlier time to close the retractable roof if the ANC ultimately supported the live entertainment endorsement.

The Committee had no objections to supporting an increase in the number of seats and total occupancy and considered whether to recommend to the ANC to split the issues of occupancy versus entertainment. In the end, the chair stated that this report would include the views of the committee and Ms. Yohannes agreed to gather additional information from the owner and from ABRA to present to the Commission.

**MOTION:** Take No position pending additional information and clarification from the Counsel for the Applicant regarding the Summer Garden and live entertainment. [Szafran; Sroufe 2<sup>nd</sup>] Motion approved 9-0-0

- [LATE BREAKING] ABRA-113664: BSF Franchise, LLC., d/b/a Bombay Street Food 2, 524 8th Street SE; Renewal Class "C" License; Applicant: Asad Sheikh trangroupinc@yahoo.com Petition Deadline: 08/12/2019 [6B04]

The Applicant did not appear at the ABC Committee meeting, but the Applicant is expected to appear at the full ANC meeting on July 9. The committee did discuss information shared by Commissioner Oldenburg that the renewal notice did not include a sidewalk café endorsement and theorized that it may be because they acquired an older ABRA license since the ABRA license number was different than that Garrisons. Additional inquires to ABRA has revealed that Bombay Street Food did purchase the license from Garrisons but it is unclear why the sidewalk café endorsement was missing.

**MOTION:** Take No position pending the appearance of the Applicant with additional information and clarification about the sidewalk café. [Oldenburg; Opper-Weiner 2<sup>nd</sup>] Motion approved 9-0-0