

**ADVISORY NEIGHBORHOOD COMMISSION 6B
ALCOHOLIC BEVERAGE & CANNABIS COMMITTEE MEETING**

Tuesday, September 3, 2024, 7:00 p.m.

Report

I. Introduction of Commissioners and Resident Members

Commissioners: Jayaraman; Sroufe; Durkit; D’Andrea; Ryder; Sobelsohn (6)

Resident Members: Gonchek Lee;

MOTION: Approval of Agenda (Sobelsohn; Ryder 2nd) 7-0-0

II. Alcohol License Cases

1. ABRA-129523, PDM, LLC t/a Mott’s Market, 233 12th Street SE, new Retailer Class “B” Beer & Wine Store license; protest petition deadline: September 30, 2024; [6B05]

- **Hours of Operation and Sales: Sun.--Sat. 8 AM – 8 PM;**

Meeting Notes: See notes below. These cases were discussed concurrently.

MOTION: Recommend that the ANC approve and vote to support this application pending receipt of a signed SA and place it on the Consent Agenda [Durkit; Sobelsohn, 2nd] Motion Passes 7-0-0

2. ABRA-129563, PDM, LLC t/a Mott’s Market, 233 12th Street SE, new Retailer Class “C” Tavern license; protest petition deadline: September 30, 2024; [6B05]

- **Hours of Operation and Sales on the interior: Sun.--Sat. 8 AM – 1 AM;**
- **Hours of Operation and Sales (Sidewalk Café & Summer Garden) Sun.--Sat. 8 AM – 10 PM;**
- Hours of Carryout and Delivery: Sun.--Sat. 8 AM – 8 PM
- Seating Capacity: Indoor—6; Sidewalk Café—16; Summer Garden—49;

Meeting Notes: Cmr. Durkit opened the discussion by sharing that 30+ people had sent her a letter in support of both applications. She read several personal quotes from surrounding neighbors about the reason for their support.

The Applicant shared details about their concept for a reimagined Mott’s Market which included both a local market where neighbors could purchase staples and necessities, fresh fruit and vegetables as well as beer and wine. In addition, the Tavern license would allow customers to enjoy a beverage and light foods in the rear yard as a summer garden and at the front of the store on the sidewalk café.

The Chair explained the difference between a tavern license and a restaurant license and those were the only choices available to the Applicant. He also spoke favorably about the outreach that the Applicant had conducted including hosting special events to see the space as it was being built out and, more recently, a well-attended Zoom meeting to share their vision for the summer garden and sidewalk café. The Chair noted that, in his view, this Applicant had become a model and new

standard for outreach and securing neighborhood support for alcohol licenses.

The Applicant, at the Chair's request, spoke about the construction of the trash enclosure and how potential adverse impacts would be mitigated.

MOTION: Recommend to the Commission that the ANC vote to support this application pending receipt of a signed SA and place it on the Consent Agenda [Durkit; Sobelsohn 2nd] Passed 7-0-0

3. Stipulated License Vote

MOTION: Recommend to the that the ANC vote to support a stipulated license for both applications and place it on the Consent Agenda [Durkit; Sobelsohn 2nd] Motion Passed 7-0-0

~~4. ABRA-129296, Twenty-Eight USA, LLC t/a Saint Georges, 301 7th Street SE, new Retailer Class "C" Restaurant license; protest petition deadline: October 7, 2024; [6B02]~~

- ~~• Hours of Operation and Sales (Interior): Mon. – Thur. 7 AM – 9 PM; Sat. Sun. 8 AM – 10 PM;~~
- ~~• Hours of Operation and Sales (Sidewalk Café): Mon. – Thur. 7 AM – 9 PM; Sat. Sun. 8 AM – 10 PM;~~
- ~~• Hours of Entertainment: Saturday & Sunday ONLY 7 AM – 9 PM;~~
- ~~• Hours of Carryout and Delivery: Sun. – Sat. 7 AM – 9 PM~~
- ~~• Seating Capacity: Indoor – 44; Sidewalk Café – 24;~~

Meeting Notes: This case was deferred to October because ABCA did not notify the ANC about the Class "B" off-premises retailer license. The Chair spoke with the counsel for the Applicant and stated that the ANC could hear the Class "C" Restaurant license this month and consider the Class "B" next month or hear both case together in October. After consulting with the Applicant, the counsel and Applicant have decided to defer to October so that both applications can be heard at the same time.

5. [LATE BREAKING]: ABRA-093687, Radici Uno LLC t/a Radici Market; Substantial Change application to change the location and type of license from a Class "B" grocery license to a Class "B" internet license at 700 Pennsylvania Ave SE; Request for approval of a stipulated license [6B02].

Meeting Note: Ms. Bridget Sasso, the owner of Radici Market, attended by phone. The Applicant share with the committee what she was trying to do which is to resume operations online since the she was forced to close the store front at 301 7th Street SE as a result of not being able to negotiate a new lease with the property owner, Stanton Development.

MOTION: Recommend to the that the ANC vote to support a stipulated license for both applications and place it on the Consent Agenda [Jayaraman; Sroufe] Motion Passes 7-0-0

III. Cannabis Retailer Applications

1. ABRA-128413, Bud Love LLC t/a Bud Love, 1221 Pennsylvania Ave SE; New Medical Cannabis Retailer; protest petition deadline October 7, 2024; [6B08]

- **Hours of Sales to Public: Mon.--Sat. 11 AM – 10 PM; Sun. 12 PM – 6 PM;**
- The retailer will provide cannabis flower, cannabis concentrates, and a line of edible products;
- Applicant has applied also applied for:
 1. Safe-use treatment facility: Mon – Sat. 11 AM – 10 PM; Sun. 12 PM – 6 PM;

2. Summer Garden: Mon – Sat. 11 AM – 10 PM; Sun. 12 PM – 6 PM;
3. Delivery Endorsement

NOTE: ANC 6B has filed a letter requesting an extension of the protest petition deadline which was approved by the ABCA Board.

Ms. Meredith Kinner appeared before the Committee along with the Applicant who was on the phone to answer any questions but was not on video. Ms. Kinner confirmed that the Applicant was not seeking a summer garden endorsement. Cmr. Ryder asked Ms. Kinner to add language in the SA that confirmed that

There was some unanswerable questions regarding the safe use space and its hours of operation which go until 10 pm but the retailer can only be open until 9 pm. Where would the Cannabis come from if the retailer is closed and cannabis cannot be brought into the space from the outside?

MOTION: Recommend that the ANC support the application pending receipt of a signed Settlement Agreement [Ryder; D’Andrea] Passes 5-1-1

Update: The Applicant has agreed to reduce the hours of operation of the safe use treatment facility to be in line with the hours of sales to the public of the retailer space which is 9 pm. However, the hours of operation will remain at 10 pm to allow staff to clean up after the closure of the retailer and the safe use treatment facility. The Applicant made modifications to the SA that addressed the Commission’s concerns and provided a revised SA.

2. ABRA-128725, JJHH Holdings, LLC t/a High Demand, 511 11th Street SE; New Medical Cannabis Retailer; [6B04]

- **Hours of Sales to Public: Sun.--Sat. 9 AM – 9 PM;**
- The retailer will provide cannabis flower, cannabis concentrates, and a line of edible products;
- Applicant is requesting a Delivery Endorsement but want the flexibility to deliver until 11 pm

NOTE: ANC 6B has filed a letter of protest regarding this application.

Meeting Notes: The Chair explained that there a protest was filed in this case since the applicant decided not to agree to an extension of the protest petition deadline after agreeing to do so. The ANC had to take this action since a protest was the only way to maintain standing before the ABCA Board in this case.

The Chair voiced his on-going concern that any cannabis retailer, including this application was too close to an elementary school. The SMD commissioner objected to the concern stating that the current regulations permit a cannabis retailer to be located over 300 feet from a school so the ANC should permit it. The Chair stated that there was no rush to approve this license during the September meeting because the protest was properly filed. The Roll Call hearing is scheduled for Monday, September 16 when a mediation will be scheduled. In addition, delaying consideration of this case will permit more residents and concerned citizens to voice their support or opposition to the ANC approving a cannabis retailer at this location.

MOTION: A motion was made to lay the case on the table until Oct. 1 which is the next ANC 6B ABC Committee meeting. [Sobelsohn; Jayaraman 2nd] Motion passed Pass 4-2-0

IV. Discussion

- a. Discussion of modifying the alcoholic beverage license process to apply to Cannabis applications;

Meeting Notes: The Chair announced that he had organized a meeting with the working group compose of the ABC Chair, a resident member, and a community representative who were

instrumental in developing the initial license process to discuss how to modify the process document to apply to cannabis applications. The working group met on September 6 and made some initial modifications and agreed to continue work on the process document to be presented to the ABC Committee at its October meeting.

- b. Discussion of a Moratorium on any additional Cannabis Retailers licenses from being issued within ANC 6B;

Meeting Notes: Commissioners in attendance did not think that at the present time there was a need for a moratorium within ANC 6B or a smaller area within the ANC since the ANC had only approved 3 cannabis retailers to date and was considering two more. There was interest, however, in conducting research on what other localities were doing in term of preventing an overconcentration of cannabis retailers on a block or in an area.

V. Adjourn