

August 8, 2018

9200 Basil Court
Largo, MD 20774

THE BOARD OF LICENSE COMMISSIONERS MET IN REGULAR SESSION:

PRESENT:

Thomas Graham, Chairman
Armando Camacho, Vice Chairman
Eric Bowman, Commissioner
Ken Miles, Commissioner
Benjamin Rupert, Esquire, Counsel
Terence Shepherd, Director
Cristian Mendoza, Deputy Chief Liquor Inspector
Keyanna Little, Administrative Aide
Nikole Bennett, Administrative Aide
Katrice James, Administrative Aide

Time: 7:15 p.m.

In the matter of **t/a Loredo's Mexican Restaurant**, Class B, Beer, Wine and Liquor, AKC Restaurant, Inc., 9227 Oxon Hill Road, Fort Washington, 20744 – Request for a Special Entertainment Permit.

Applicant is represented by Raquel Smith, Esquire.

Efrain Moreno stated that he is a resident of Charlotte, North Carolina, that he is the owner with his partner Mr. Martinez; that Mr. Martinez went to Honduras for an emergency; that Mr. Martinez was more prepared and has more information for the requested permit; that they want to do karaoke; that the hours will be from 10:00 p.m. to 2:00 a.m. Thursday and Sunday and 10:00 p.m. to 12:00 a.m. Friday and Saturday; that he needed to correct it to 10:00 p.m. to 12:00 a.m. on Thursday and Sunday; 10:00 p.m. to 2:00 a.m. on Friday and Saturday; that they submitted a security plan; that Officer Cicale had approved it; that Officer Paris works there as security for them; that Officer Paris is a Prince George's County Police Officer; that he will work there Friday and Saturday during karaoke while the DJ is present; that he will patrol the inside and outside of the business; that he has eight security cameras; that they run 24 hours a day and store footage for 30 days; that he also wants to be able to hold special events there like birthdays; that English is not his first language, but Spanish is; that he has never had a permit; that he has never had a DJ or karaoke in there; that he has been the owner since 2016; that houses are visible in the background about a half mile away.

Corporal Cicale stated that she is a Corporal with the Prince George's County Police Department; that the previous owners had applied for a Special Entertainment and were denied; that she has had no significant issues with the new owners; that the community has concerns; that she was sent a letter about those concerns and will respond; that she believes the issues can be resolved; that the entertainment will end at midnight to help the communities concerns with late night entertainment during the week even though they will continue to operate later; that the officer there for security has been there since 2012; that there is a liquor store to the left of the restaurant; that there is a 7-Eleven in the strip mall; that the issues in the area potentially come

from those locations; that she has pulled the calls from the previous 12 months; that in those 12 months there were seven calls in the strip mall; that the fear the community has is from previous restaurant owners; that there are homes to the rear; that the officer would be responsible for issues at the back entrance; that the liquor store is the main issue; that there is only about 35-40 people there at a time; that they have a lot of security for the number of people; that they originally had 2 officers Friday and Saturday and will amend it to one officer at her recommendation based on the number of people; that they have decided to amend the hours of entertainment to try to work with the community; that the hours of operation will stay the same, but the hours of entertainment have changed.

Harriet Richmond stated that she is a resident of Fort Washington; that she lives adjacent and behind the restaurant in Broad Creek estate; that there is 100 foot separation from the back door and the neighborhood; that there is loitering; that there is a liquor store right next to the restaurant; that you can't count them as separate because of how close they are; that there is criminal activity in the shopping center; that a young man at 7-Eleven was shot recently; that it is a dangerous place; that there are young families in the neighborhood with young children; that the restaurant shouldn't be open and having entertainment until 2:00 a.m. or 3:00 a.m. with children needing to go to bed; that someone recently tried to drive through her neighbor's yard; that it is a danger; that the officer doesn't live there; that Mr. Moreno doesn't live there; that they shouldn't allow the permit and shouldn't have karaoke, a DJ; that it will make it a club environment; that the prior owners had issues; that she has heard thumping music and loud voices; that the 7-Eleven has shoplifting issues; that it may not be the stores around it but they're close by; because of its location it won't make the area better; even places that close early, like the barber shop that was robbed; that 7-Eleven stays open and is still vulnerable; that she lives to the rear and right of the restaurant.

Milton Parker stated that he is a resident of Fort Washington; that he lives less than 200 yards from the rear of the shopping center; that he is directly behind the liquor store and the restaurant; that he has young children; that there are loud noises Friday and Saturday evenings; that the Special Entertainment Permit will bring in people from other neighborhoods; that they don't want the old issues to return; that he doesn't want the Board to issue the permit; that there is noise at 1:00 a.m. – 2:00 a.m.; that police response is inadequate; that he hasn't called the police, but believes the response would be inadequate; that it is late in the morning; that there are only two possible sources of music at that time and that is the liquor store or the restaurant; that he believes the noise is coming from the restaurant; that the noise is a regular enough issue for him to take the time to come before the Board.

James Artis stated that he is a resident of Fort Washington; that he can hear more in the Fall and Winter when the leaves aren't there to block sounds; that he backs up to the rear of the restaurant; that his back fence line is 100 feet from the rear of the restaurant; that the restaurant has been an issue for years; that at one point the previous owners had tried to turn it into a strip joint; that they tried to have karaoke before; that the neighborhood has good, working class people that deserve sleep.

David Felton stated that he is a resident of Fort Washington; that he is a member of the South Potomac Citizen Association; that they normally have a break at this time in Summer; that he didn't have time to prepare; that he represents 3,000 people; that there is already an issue of traffic from the casino; that he cuts grass in the common area; that he can't say that it is the patrons of the restaurant, but there are crack pipes laying around and someone had sex in this

area as well; that he is afraid of the people that will come into the area; that the neighbors are unhappy; that they don't support it; that there is a church in this area; that he requests that they deny or continue this matter to give them time to prepare; that DJ's have their own following and it will bring in a new influx of people; that he doesn't know what kind of people these will be; that the current patrons don't live, go to church, or anything in the community; that he is the President of the South Potomac Citizen Association.

Eugene Richmond stated that he is the husband of Harriet; that he is a resident of Fort Washington; that there have been false representations made; that they did not go out and talk to the community; that the houses are visible from the parking lot; that he does not trust the honesty or integrity of the applicants; that they have waffled on hours; that he does not have good faith in them.

Sarah Cavitt stated that she is a member of the Indian Head Highway Area Action Council; that she opposes the Special Entertainment Permit; that they need clarification on hours; that she heard 10 p.m. to 2 a.m. on Thursday and Sunday and 10 p.m. to 12 a.m. on Friday and Saturday; that hours are typically the opposite of that; that the main issue is the shopping plaza borders homes; that they don't oppose Martini's because they aren't next to residential areas and have children nearby; that there is bass playing late hours; that there are approximately 21 parking spots behind the shopping center; that they would be able to hear music, chirping, and alarms from patrons leaving; that there is a noise bill coming; that she believes noise should be considered in security plans; that the parking lot is broken up – it is an obstacle course especially to anyone that may be inebriated; that Oxon Hill Road where it opens up to is steep with a bridge and is an accident waiting to happen; that even though they say there's no dancing, they would have a DJ and she has a hard time believing there won't be someone dancing and the owner would tell them to stop; that she does appreciate them changing the hours to attempt to accommodate; that the front windows are blacked out at 50 %, if a liquor store can't why can a restaurant; that she doubts the officers will breathalyze patrons and walk them to their cars and she doesn't expect them to, but without that assurance how can they be sure of their safety; that they are not opposed to night clubs, bars, restaurants, or karaoke except when they are butted up to a residential area.

Michelle Cobra stated that she is a resident of Potomac Ridge neighborhood; that she lives $\frac{3}{4}$ of a mile down the street; that she doesn't live directly behind the restaurant; that all that has been heard is the negatives of the restaurant obtaining a Special Entertainment Permit; that there have not been any benefits in the community for it; that she lives across from a restaurant that was approved for a Special Entertainment Permit; that she has come home to someone with a gunshot wound in her driveway since then; that there is no consideration for the neighborhoods; that there isn't a security check, no covers, no officer on Thursday and Saturday; that National Harbor is down the street; that they should keep it down there; that living on Oxon Hill Road she has seen traffic issue increases, speeding issues, and problems with drag racing; that adding people drinking and driving will add to the volume and late night traffic; that she also submitted a letter outlining her concerns.

Efrain Mareno stated that he listened to their testimonies; that he heard what he was able to of what they are saying; that there have been no issues to this point that he's seen; that he did have difficulty hearing people; that he talks to his customers who come in; that the community is not interested in his restaurant at all; that he is only there occasionally; that his partner is there every day but is out with a family emergency; that the hours for karaoke are 10:00 p.m. to 12:00 a.m.

Thursday and Sunday and 10:00 p.m. to 1:00 a.m. Friday and Saturday, but that they will still stay open to the hours they stated previously.

Mr. Camacho moved to approve the request to issue a Special Entertainment Permit, seconded by Mr. Miles. Motion dies.

Mr. Bowman moved to deny the request to issue the Special Entertainment Permit, seconded by Mr. Miles, made unanimous by Mr. Camacho and Mr. Bowman.

In the matter of **t/a Rancho Rio Bravo**, Class B, Beer and Wine, Ipala Ceron, Inc., 2031 – C University Boulevard, Hyattsville, 20783 – Request for a Special Entertainment Permit.

Applicant is represented by Robert Kim, Esquire.

Lubia Ceron stated that she is a resident of College Park; that she is a 25% owner.

Wilson Ceron stated that he is a 75% owner; that he is a resident of College Park.

Corporal Cicale stated that she is a Corporal with the Prince George's County Police Department; that she went over the plan; that there are other locations that have Special Entertainment Permits in the strip mall; that they all have Dance Hall Permits; that the applicant wants to add entertainment to compete with these other business; that part time officers are aware there is not a Dance Hall Permit and there is to be no dancing; that it will keep out a night club aspect; that she finds the security plan to be adequate.

Lubia Ceron stated that clients have been asking for karaoke; that the previous owner had it prior to the permit being necessary; that they go out to other restaurants and see customers out and they are doing karaoke and request for it to be at their restaurant too; that they want to have a DJ run karaoke; that it will mostly be Mexican music; sometimes maybe American.

Mr. Camacho moved to approve the request for a Special Entertainment Permit, seconded by Mr. Miles and made unanimous by Mr. Bowman and Mr. Graham.

In the matter of **t/a Prime Restaurant**, Class B(AE), Beer, Wine and Liquor License, Afrique Arts and Cultural Establishment, LLC, 5126 Baltimore Avenue, Hyattsville, 20781 – Request for a Special Entertainment Permit.

Helen Kembumbara stated that she is a resident of Lanham.

Corporal Cicale stated that she is a Corporal with the Prince George's County Police Department; that she has gone over the security plan; that the idea is for a DJ to do karaoke and an occasional DJ just playing music; that there may be a small band; that there were a few concerns going in; that there were prior issues and complaints of it being a nightclub; that she researched on Facebook and found there to be concerns that were dealt with; that she advised the applicant that they don't have a Dance Hall Permit so there is no dancing allowed; that she is responsible for patrons dancing whether there is a dance floor or not; that there was an issue with the kitchen and equipment and the inspector came out; that it was found that they do have a convection oven and everything is able to be cooked there; that the security plan is adequate; that there was a question of them staying open past hours previously and the officer was present so that has also been dealt with; that the plan is adequate, but she will be watching.

Helen Kembumbara stated that she is happy to be here; that it is the third time she has been before the Board; that she has been given opportunities to grow; that her first time was to obtain a beer and wine license; that the second time was to add liquor; that she has not had any violations and has been in compliance; that the people who come into her restaurant are like family; that they asked her to play traditional music; that it is hard to play and cook food; that

she wants someone simply to play the music and provide entertainment; that she is planning to have a DJ play African music; that there will not be a VIP section, no patting down, no identification check at the door; that they did have a DJ before; that the city of Hyattsville did have a complaint against them and they did have a violation on their license; that there won't be the same issues as before; that they fixed it by pulling some speakers, changing the position of two speakers and adjusting the volume; that she has complaints about her neighbor; that if the complaints continue she'll be back to discuss them.

Mr. Camacho moved to approve the request for a Special Entertainment Permit, seconded by Mr. Bowman and made unanimous by Mr. Miles and Mr. Graham.

In the matter of **t/a The Greenbelt Hotel**, Class BH, Beer, Wine and Liquor License, Greenbelt Beverage Movement, 6400 Ivy Lane, Greenbelt, 20770 – Request for a Special Entertainment Permit.

Applicant is represented by Linda Carter, Esquire.

Rick Gaede stated that he is a resident of Greenbelt; that he is a resident at the hotel; that he is the General Manager; that he has worked in the hospitality industry for 41 years; that most recently he has worked at locations in California, the Boston area and more.

Corporal Cicale stated that she is a Corporal with the Prince George's County Police Department; that she met with the General Manager; that she has concerns with hotels and banquet halls and caterers in regards to promoters; that Mr. Gaede wasn't aware of the issue prior to their conversation; that she warned him to be concerned about everything but weddings; that she invites him to ask questions; that promoters can be misleading; that the hotel is beautiful; that she we will work with the hotel; that the security plan is adequate.

Mr. Camacho moved to approve the request for a Special Entertainment Permit, seconded by Mr. Miles and made unanimous by Mr. Bowman and Mr. Graham.

In the matter of **t/a DeSoul Restaurant**, Class BLX, Beer, Wine and Liquor License, DeSoul Restaurant and Lounge, LLC., 7651 Matapeake Business Drive, Suite 104 B, Brandywine, 20613 – Request for a Special Entertainment Permit.

Robert J. Hubbard Jr. stated that he is a resident of Waldorf; that he is here to apply for a Special Entertainment permit; that he had one previously; that he let it expire.

Corporal Cicale stated that she is a Corporal with the Prince George's County Police Department; that the security plan is adequate; that they intend to have a Jazz band Thursday, Friday and Saturday; that the food is excellent; that the owner did a good job having a permit previously; that she doesn't have any concerns; that the primary reason for entertainment is to enhance the dining experience.

Robert J. Hubbard Jr. stated that the music will be mainly live Jazz and R & B; that it will mainly be during happy hour and usually end around 9:30 p.m., maybe 12:00 a.m. on some nights; that he has had karaoke before; that he usually has an older crowd; that there is no other competition in that area; that most of the other businesses close at 5:00 p.m.; that customers have been asking for him to bring back karaoke and live music; that the previous permit expired two years ago; that he has not had any violations or problems; that he occasionally took a cover in the past and may again.

Corporal Cicale stated that they plan to have two part time civilian security guards and two off duty police officers.

Mr. Camacho moved to approve the request for a Special Entertainment Permit, seconded by Mr. Miles and made unanimous by Mr. Bowman and Mr. Graham.

In the matter of Sumit Khaneja, President/Secretary/Treasurer, SK Stores, LLC, t/a **Liquor King**, Class A, Beer, Wine and Liquor License, 7053 Martin Luther King Highway, Landover, 20785, is summonsed to show cause for an alleged violation of Sections 6-311 of the Alcoholic Beverage Article of the Annotated Code of Maryland and Rule 11 of the Rules and Regulations for Prince George's County, to wit; That on Saturday, July 7, 2018, at approximately 8:00 p.m., Inspectors Warren Bagby and Jerry Glenn of the Prince George's County Board of License Commissioners, observed four boxes of Stella Rose L' Original Black that were labeled for t/a **Greenbelt Liquors**, that the licensee kept or allowed to be kept alcoholic beverages on the license premises that were not purchased or obtained by the licensee from a licensed Maryland wholesaler.

Licensee is represented by Linda Carter, Esquire.

Warren Bagby stated that he is an inspector with the Prince George's Board of License Commissioners; he read his report into the record; that the boxes labels were scratched out or torn off the box; that he hasn't been in Liquor King before this inspection; that he has been in Greenbelt Liquors before; that he's never had issues with them before; that he had seen one sign presented stating "Do Not Stock" in the area where the wine was found.

Lakshit Gaind stated that he is a resident of Beltsville; that he is a licensee for Greenbelt Liquors; that the merchandise at Liquor King belonged to him; that he had been running Greenbelt Liquors for 18 years and had never had an issue like this; that he was there to ensure his name doesn't get distorted; that his brother is the owner of Liquor King; that his brother went out of town and asked him to take care of his store while he was gone; that his brother asked him to go buy cigarettes at Costco for him; that the wine that belongs to them was bought more than a year ago; that it was for his wife and her own personal use; that they cost less than \$0.50 a bottle; that they are \$12 for a case; that the bottles were in his car and he was taking them to his wife; that he picked up the cigarettes the same evening and went home; that the two were in his car together; that the next day he went to the liquor store and asked the employee to move them from the car; that the employee took everything out; he realized when he got home that the wine was gone; that he was going out of town and told the store he would pick it back up when he came back to town; that it is cheap wine and it doesn't even make sense to do something fishy with it.

Andu Marcel stated that he is a resident of Greenbelt; that he is a stocker at liquor king; that he has been an employee there since it opened; that he works there part time; that he was supposed to get the cigarettes from the car; that he took everything out of the car; that it was his fault; that he put it under the "Do Not Stock" area until Mr. Gaind could pick it up; that "Do Not Stock" means don't put out; that typically items there are going back to the distributor; that he has never been asked to pick up alcohol from other places.

Lakshit Gaind stated that some labels are off of the boxes; that he took off the labels because they belong to him; that the particular one that had the top torn off was because it came off moving it into the liquor store; that he typically takes them off so as not to cause issues moving them for his personal use.

Summit Khaneja stated that he is a resident of Beltsville; that he is the license holder; that he has also been a Federal Government employee for the past 15 years; that he would never do this intentionally; that he has video of the incident; that the employee put the cardboard top back in

the box; that he knew it didn't belong; if he meant do something wrong he wouldn't have left the label with the box; that he did not argue with the inspectors; that he had been in Jamaica when the boxes were put in the store; that the "Do Not Stock" section is for bent, damaged, destroyed, expired, etc. product that is going back to the vendor; that he would not intentionally do this; that he shouldn't have left his brother in charge.

Warren Bagby stated that he has been an inspector since 2012; that what took place appears to be a violation; that he doesn't know the intent, but that it appears to be an excuse.

Mr. Camacho moved to fine the license \$1,000, for purchasing from other than a wholesaler, seconded by Mr. Miles, carried by Mr. Bowman. Mr. Graham votes no.

Respectfully Submitted,

Nikole Bennett
Administrative Aide

Adjourn 11:47