

December 4, 2019
9200 Basil Court
Largo, MD 20774

THE BOARD OF LICENSE COMMISSIONERS MET IN REGULAR SESSION:

PRESENT:

Daphne Turpin Forbes, Chairman
Armando Camacho, Vice Chairman
Tammie Norman, Commissioner
Benjamin Rupert, Esquire, Counsel
Terence Sheppard, Director
Robert Clark, Chief Liquor Inspector
Cristian Mendoza, Deputy Chief Liquor Inspector
Nikole Bennett, Administrative Aide
Keyanna Little, Administrative Aide
Katrice James, Administrative Aide

Time: 7:06 p.m.

In the matter of **t/a Emily's Restaurant**, Class B, Beer, Wine and Liquor, 2065 University Boulevard, Suite D, Hyattsville, 20783 – Special Entertainment Permit.

Applicant is represented by Victor Ramirez, Esquire.

Emily Vasquez stated that she is a resident of Accokeek.

Jorge Vasquez stated that he is a resident of Accokeek.

Victor Ramirez stated that he is here on behalf of his client to apply for a Special Entertainment Permit; that his client's had a different attorney previously; that the attorney used to renew the Special Entertainment Permit for them and he has since retired; that they did not renew and missed the deadline; that he understands they must abide by the Use and Occupancy Permit; that he understands that he needs to change the Use and Occupancy Permit if he wants to change what he is permitted to.

Corporal Cicale stated that she is a Corporal with the Prince George's County Police Department; they do not have a dance hall permit; that they would also have to request one if they wanted to allow dancing; that the music can go until 2:00 a.m. or when they close; that if they get a dance hall permit, they can have dancing until midnight.

Ms. Turpin Forbes asked if the patrons are carded at the door; that she wants to make sure they understand no one under 21 can be there past 9:00 p.m.; that she would like to have the process explained.

Emily Vasquez stated that the bar and music are separated from other areas of the restaurant; that people under 21 stay in the restaurant area; that they have two Prince George's County Police officers and private security; that they will use the private security to ensure the two areas remain separated.

Ms. Turpin Forbes stated that the application will need to be amended to state they will card at the door; that she also wants to ensure that they understand they must make sure people in the area of the entertainment are 21 and over and that even if they get the Dance Hall Permit from DPIE they must end dancing at midnight unless the Use and Occupancy Permit is adjusted.

Emily Vasquez stated that she understands.

Jorge Vasquez stated that he understands.

Mr. Camacho moved to amend the application to state carding takes place at the door, seconded by Ms. Norman and made unanimous by Ms. Turpin Forbes.

Mr. Camacho moved to approve the application for a Special Entertainment Permit, seconded by Ms. Norman and made unanimous by Ms. Turpin Forbes.

In the matter of **t/a Mango Café**, Class B, Beer and Wine, 4719 Annapolis Road, Bladensburg, 20710 – Special Entertainment Permit.

Clifford Parks stated that he is a resident of Laurel.

Kareem Abubakar stated that he is a resident of Cheverly; that they were here on November 17, 2019 to request a Special Entertainment Permit; that they were told to update the zoning for the Use and Occupancy Permit; that they have submitted all the paperwork needed; that they have approval from Park and Planning; that they now need an inspection and to get their final Use and Occupancy; that they need the inspection to get the final; that it is currently scheduled.

Mr. Camacho stated that if approved the Special Entertainment Permit can't be issued without the final; that the approval would be contingent on getting the Use and Occupancy updated.

Kareem Abubakar stated that he understands.

Corporal Cicale stated that she is a Corporal with the Prince George's County Police Department; that she feels this is fair; that she has no problems with this process.

Mr. Camacho moved to approve the application for a Special Entertainment Permit pending receipt of the updated Use and Occupancy Permit, seconded by Ms. Norman and made unanimous by Ms. Turpin Forbes.

Mr. Camacho moved to amend the approval of the application for a Special Entertainment to be issued without the updated Use and Occupancy Permit, but that the updated permit must be provided to the office within 90-days, seconded by Ms. Norman and made unanimous by Ms. Turpin Forbes.

In the matter of **t/a Sitio Restaurant**, Class B, Beer, Wine and Liquor, 5837 Riverdale Road, Riverdale, 20737 – Special Entertainment Permit.

Applicant is represented by Robert Kim, Esquire.

Jose Martinez stated that he is a resident of Washington, D.C.

Alan Pardo stated that he is a resident of Glenn Dale; that he is the manager of the business.

Robert Kim, Esquire stated that they are here to apply for a Special Entertainment Permit; that he has brought a petition from the customers and community in support of the entertainment permit.

Jose Martinez stated that he has owned the business for approximately eight years; that he believes this will give him the opportunity to compete with the businesses around him; that all the other restaurants in the area have a permit.

Ms. Turpin Forbes stated that the Use and Occupancy Permit does not allow dancing past midnight; that the Special Entertainment Permit does not trump the Use and Occupancy Permit; that they must comply with the limitations.

Robert Kim, Esquire stated that they understand they may not have dancing; that he believes he can't get a Dance Hall Permit for this location anyways.

Corporal Cicale stated that she is a Corporal with the Prince George's County Police Department; that she believes the security plan is adequate.

Mr. Camacho moved to approve the application for a Special Entertainment Permit, seconded by Ms. Norman and made unanimous by Ms. Turpin Forbes.

In the matter of **t/a Sheraton College Park North**, Class B, BH, Beer, Wine and Liquor, 4095 Powder Mill Road, Beltsville, 20705 – Special Entertainment Permit.

Applicant is represented by Paul Jackson, Esquire.

Francis Ayoub stated that he is a resident of Laurel; that he is the controller of the business currently.

Paul Jackson, Esquire stated that the business is currently going through foreclosure; that Mr. Ayoub is handling the matters of the business; that the Sheraton in Beltsville has held a Special Entertainment Permit for four years; that the license was recently assigned to Mr. Ayoub; that the Special Entertainment Permit renewal was an oversight; that they will have entertainment in the ballroom of the hotel; that they will have weddings, birthday parties; that they need a Special Entertainment Permit because entertainment could go past midnight.

Corporal Cicale stated that she is a Corporal with the Prince George's County Police Department; that she believes the security plan is adequate.

Mr. Camacho moved to approve the application for a Special Entertainment Permit, seconded by Ms. Norman and made unanimous by Ms. Turpin Forbes.

In the matter of **t/a The Hall (Pending)**, Class B, BLX, Beer, Wine and Liquor, 4425 Campus Drive, College Park, 20742 – Special Entertainment Permit.

Applicant is represented by Linda Carter, Esquire.

Amy Larkin stated that she is a resident of Towson.

Linda Carter, Esquire stated that with this property they also need the approval of the University of Maryland Police; that The Hall is a unique space; that they can have multiple events going on at once because of the way the establishment is set up; that they request both entertainment permits based on requirements of the University of Maryland; that the suggestion is to also keep a calendar of events to be submitted to Corporal Cicale in a timely fashion to assist in adjusting security as needed; that the University of Maryland requires events be open to all members of public; that they originally wanted to apply for both permits; that they still would like to be considered for both permits; that this would make things easier; that they are currently in talks for a change in legislation that would allow them have a Family Entertainment Permit with entertainment later; that there will not be any entertainment at The Hall that could be deemed offensive or as being not family friendly.

Ms. Turpin Forbes asked what was meant on the application with the answer 'Occasionally' when asked about whether patrons are carded at the door.

Linda Carter, Esquire stated that they will card at the door past 9:00 p.m., but not before then; that they understand it is their responsibility to ensure all present are over 21; that they envision most days entertainment ending at 10:00 p.m.; that they also left the section blank for the number of seats; that the number varies depending on how the business is set up.

Amy Larkin stated that the number of seats varies primarily due to the "longhouse"; that they are able to seat up to 300 people; that they wouldn't have entertainment with that many; that the number will be determined by the number of people present.

Ms. Turpin Forbes stated that there is not a Use and Occupancy Permit with the package because they are not open yet.

Linda Carter, Esquire stated that Ms. Forbes is correct; that the license will actually be issued by the University of Maryland, not the Department of Permitting, Inspection, and Enforcement because of who owns the property.

Ms. Turpin Forbes asked where in the process they are currently.

Linda Carter, Esquire stated that they are almost done; that they are currently waiting to have Comcast out for a few fixes; that they believe they can hold both permits.

Ms. Turpin Forbes stated that they will only issue one permit this evening and will research the limitations and legality of holding two permits; that the licensee must choose which to move forward with this evening.

Linda Carter, Esquire stated that they would like to move forward with the Special Entertainment Permit.

Mr. Camacho moved to amend the application to reflect the seating capacity to 300 seats maximum, seconded by Ms. Norman and made unanimous by Ms. Turpin Forbes.

Mr. Camacho moved to approve the application for a Special Entertainment Permit, seconded by Ms. Norman and made unanimous by Ms. Turpin Forbes.

In the matter of **t/a Alamo Mexican Restaurant**, Class B, B(R), Beer, Wine and Liquor, 5508-14 Kenilworth Avenue, Riverdale, 20737 – Special Entertainment Permit.

Applicant is represented by Traci Scudder, Esquire.

Applicants were not in attendance.

Traci Scudder, Esquire stated that the Special Entertainment Permit was not renewed; that they her clients are getting older and did not realize the renewal period had passed; that she has asked to be added to the mailing list to help them get their paperwork in on time in the future.

Ms. Turpin Forbes stated that there are a few challenges they are facing currently; that the Use and Occupancy Permit presented does not match the current occupant and does not list entertainment; that she would like help with understanding what is going on.

Traci Scudder, Esquire stated that Mr. and Mrs. Shih have owned the business since 1987; that the business has never changed hands, but just changed corporate names and trade names; that some of the changes came at the recommendation of the accountant to be more reflective of the type of business; that the issue came up before with the names on the Use and Occupancy Permit; that the Department of Permitting, Inspection and Enforcement considers them to be the same entity; that they have told her the Use and Occupancy Permit is valid even with the hand written changes.

Ms. Turpin Forbes stated that they want to ensure the licensee is on the Use and Occupancy Permit and to make sure that all the information is valid.

Benjamin Rupert, Esquire stated that if the Department of Permitting, Inspection and Enforcement did an inspection and the business is in compliance it should be ok; that he wants to know when the last time Ms. Scudder had spoken to someone regarding the Use and Occupancy Permit was.

Traci Scudder, Esquire stated that she had met with Bill Edelen and she showed him the documents she has as well as the paper trail showing the changes in name; that he was satisfied with what she had presented.

Benjamin Rupert, Esquire stated that they need a clean copy; that the one provided does not have an effective date and the one with a date is marked up.

Traci Scudder, Esquire stated that she has asked for one and has not been provided for what the Board is looking for; that she believes the handwriting on the one that is marked up belongs to Bill Edelen; that the last time they spoke regarding the Use and Occupancy Permit was three years ago.

Ms. Turpin Forbes stated that she believes they must follow the one with an effective date filled in.

Traci Scudder, Esquire stated that they have never had their Use and Occupancy Permit revoked; that this is the current one they have posted; that she believes that just because they change the name that doesn't trigger a change on the Use and Occupancy Permit.

Benjamin Rupert, Esquire stated that if there are no enforcement issues then the county appears to believe they are in compliance; that in that case they can't say not in compliance.

Ms. Norman asked if the licensees are older who is running the business.

Traci Scudder, Esquire stated that they still run the business.

Benjamin Rupert, Esquire stated that he believes the documents submitted does trace the change in name.

Ms. Turpin Forbes asked if the hearsay Ms. Scudder has stated in regard to Mr. Edelen is admissible.

Benjamin Rupert, Esquire stated that is correct.

Ms. Turpin Forbes asked what Ms. Scudder believes it will take to have the Use and Occupancy Permit corrected.

Traci Scudder, Esquire stated that it will take time and money to correct the issues.

Ms. Turpin Forbes stated that the Use and Occupancy provided must have the correct trade name, corporate name and whether entertainment is permitted.

Traci Scudder, Esquire stated that she knows that the Board has begun requiring to have the Use and Occupancy Permits updated; that she understands the disconnect is being fixed; that she feels that most restaurants by definition can have music until midnight; that she believes just because the Use and Occupancy Permit doesn't state that it is acceptable doesn't mean it is not permitted; that zoning laws are set to change anyways; that this process will be moot next year.

Ms. Turpin Forbes stated that she understands the concerns; that the Board must ensure the name is rationally related to the Occupant on the Use and Occupancy Permit and that the information matches; that even if the zoning changes they must still follow the correct process until it changes; that she would like to know what Ms. Scudder would like the Board to do.

Traci Scudder, Esquire stated that she would like for the Special Entertainment Permit to be granted; that she is concerned about the loss of potential business; that they own a small business and it is already struggling.

Ms. Turpin Forbes stated that the Board could possibly approve the Permit conditionally.

Traci Scudder, Esquire stated that she understands; that they could try to update the Use and Occupancy Permit; that she is unsure of how long that would take.

Ms. Turpin Forbes stated that they can give a provisional 90-days Special Entertainment Permit with the understanding the Use and Occupancy Permit is to be updated in that time; that if the Use and Occupancy Permit is not updated in that time the licensees will need to appear before the Board to provide good faith efforts and may request an additional extension.

Mr. Camacho moved to amend the number of seats in the establishment to 332, seconded by Ms. Norman and made unanimous by Ms. Turpin Forbes.

Mr. Camacho moved to approve the Special Entertainment Permit with a provision of 90-days to provide an updated Use and Occupancy Permit from pickup, seconded by Ms. Norman and made unanimous by Ms. Turpin Forbes.

In the matter of **t/a Gringada Restaurant**, Class B, B(R), Beer, Wine and Liquor, 12300 Baltimore Avenue, Beltsville, 20705 – Special Entertainment Permit.

Applicant is represented by Traci Scudder, Esquire.

Applicants were not in attendance.

Corporal Cicale stated that she is a Corporal with the Prince George's County Police Department; that the approval letter was originally done October 3, 2019; that she does not have a current copy of the Use and Occupancy Permit; that it doesn't fall within the same criteria as the others.

Traci Scudder, Esquire stated that she can have the Use and Occupancy Permit updated; that she would accept the same provisions as the ones for t/a Alamo Mexican Restaurant.

Mr. Camacho moved to approve the Special Entertainment Permit with a provision of 90-days to provide an updated Use and Occupancy Permit from pickup, seconded by Ms. Norman and made unanimous by Ms. Turpin Forbes.

In the matter of **t/a Lee's Restaurant**, Class B+, Beer, Wine and Liquor, 2903 Hamilton Street, Hyattsville, 20782 – Conversion request from a Class B+, Beer, Wine and Liquor to a Class A, Beer, Wine and Liquor.

Licensee is represented by Robert Kim, Esquire.

Ajay Sharma stated that he is a resident of Silver Spring.

Robert Kim, Esquire stated that they are requesting for a conversion from a Class B+, Beer, Wine and Liquor license to a Class A, Beer, Wine and Liquor license with their Sunday Sales Permit; that with the Sunday Sales Permit they currently have they are able to operate without food anyways; that they would like to make the change while it is an option; that they have a petition for the community in support of the conversion; that if approved they understand the conversion would take effect with the renewal of the Class A, Beer, Wine and Liquor licenses on March 1, 2020; that they request that the Sunday Sales Permit stay in place.

Ms. Turpin Forbes stated that to understand they intend to stop selling food anyways but want to convert the license ahead of time to just be a liquor store and remove the restaurant portion; that they are planning to move to a different location that is more upscale.

Ajay Sharma stated that they plan to sell craft beers and other types of liquor that aren't as commonly found.

Robert Kim, Esquire stated that they understand they will eventually lose the Sunday Sales Permit when they move; that he hopes the legislation has changed before then.

Mr. Camacho moved to approve the conversion to a Class A, Beer, Wine and Liquor license from a Class B+, Beer, Wine and Liquor license with the renewal of the Class A licenses and retain the Sunday Sales Permit, seconded by Ms. Norman and made unanimous by Ms. Turpin Forbes.

In the matter of **t/a Tubby's Diner**, Class B+, Beer, Wine and Liquor, 5701 Sandy Springs Road, Laurel, 20707 – Conversion request from a Class B+, Beer, Wine and Liquor to a Class A, Beer, Wine and Liquor.

Licensee is represented by Robert Kim, Esquire.

Kaushal Patel stated that he is a resident of Laurel.

Robert Kim, Esquire stated that this is the same type of request as for Lee's Restaurant; that they would like to convert to a Class A, Beer, Wine and Liquor license; that they are not relocating; that Mr. Patel has owned the business for 14 years; that he has worked hard to keep both the liquor store and the restaurant going; that they currently have a Sunday Sales Permit; that they want to stop selling food; that they want to just make it a liquor store and convert to a Class A license; that they have a petition from customers in support; that customers are looking for quality, not just access; that they will sell higher end wine and craft beer with this change; that they believe they can better serve the community with this change.

Mr. Camacho moved to approve the conversion to a Class A, Beer, Wine and Liquor license from a Class B+, Beer, Wine and Liquor license with the renewal of the Class A licenses and retain the Sunday Sales Permit, seconded by Ms. Norman and made unanimous by Ms. Turpin Forbes.

Respectfully Submitted,

Nikole Bennett
Administrative Aide

Adjourned 8:45 p.m.