

January 22, 2019

9200 Basil Court
Largo, MD 20774

THE BOARD OF LICENSE COMMISSIONERS MET IN REGULAR SESSION:

PRESENT:

Thomas Graham, Chairman
Armando Camacho, Vice Chairman
Jude Iweanoge, Commissioner
Kenneth Miles, Commissioner
Tammy Sparkman, Commissioner
Benjamin Rupert, Esquire, Counsel
Terence Sheppard, Director
Robert Clark, Chief Liquor Inspector
Cristian Mendoza, Deputy Chief Liquor Inspector
Derrick Anthony, Deputy Chief Liquor Inspector
Kelly Markomanolakis, Administrative Assistant
Nikole Bennett, Administrative Aide

Time: 10:04 a.m.

In the matter of Substitution of Corporate Officers application, **t/a Bonefish Grill**, Class B (BLX), Beer, Wine and Liquor, 15910 Crain Highway, Brandywine, 20613, Matthew D. Behler to serve as President/Secretary/Treasurer in the place and stead of Holly Gustafson, President/Secretary/Treasurer.

Applicant is represented by Nick Kallis, Esquire.

Matthew Behler stated that he is a resident of Pasadena; that he prepared the application; that the application is true and correct; that he understands the Rules and Regulations; that he understands he is responsible for and must respond to any violations; that he accepts the responsibility of being on the license; that he is the JVP for Bonefish Grill; that he is the Regional Manager for Maryland; that he will be on the premises as needed; that he is ServSafe certified; that he has ten years of experience in the restaurant industry; that he has not been convicted of a felony; that he has not been convicted of a gambling violation; that he has not had a violation under any previous license; that he understands there was a violation previously on this premises and will work to ensure that it does not happen again; that he retrained and certified all employees to prevent another violation; that there are approximately 50 employees; that will be no changes to the operation of the business; that he understands if there is any changes he must notify the Board.

Mr. Camacho moved to accept the application for a Substitution of Corporate Officers, seconded by Mr. Miles and made unanimous by Mr. Iweanoge, Ms. Sparkman and Mr. Graham.

In the matter of Substitution of Corporate Officers application, **t/a Gaylord National**, Class B-CC, Beer, Wine and Liquor, 201 Waterfront Street, National Harbor, 20745, Philippe Chamoun to serve as Assistant Secretary in the place and stead of William Fink, Assistant Secretary.

Applicant is represented by Linda Carter, Esquire.

Philippe Chamoun stated that he is a resident of Washington, D.C.; that he is the Assistant Director of Food and Beverage at Gaylord; that he has been in this position for two years; that he oversees the bar and restaurant of the hotel; that the banquet hall is handled on the other side of the business; that he understands he is still responsible for any violations they incur as well; that he is there approximately 50-60 hours per week; that he has never held an Alcoholic Beverage license before; that he has not had any violations; that the application is true and correct; that he is familiar with the Rules and Regulations; that there are approximately 250 employees; that they have comprehensive training on site and TIPS certified trainers; that all employees are certified; named the five acceptable forms of identification; that you must be 21 to consume alcohol and 18 to serve; that he agrees to abide by the Rules and Regulations; that he has never been involved with an establishment that had any violations.

Mr. Camacho moved to accept the application for a Substitution of Corporate Officers, seconded by Mr. Miles and made unanimous by Mr. Iweanoge, Ms. Sparkman and Mr. Graham.

In the matter of Substitution of Corporate Officers application, **t/a Potomac Gourmet Market**, Class DW(R), Beer, Wine and Liquor, 180 American Way, National Harbor, 20745, Tae Paul Park to serve as Member, President/Secretary/Treasurer, Jin Oh to serve as Authorized Person/Assistant Secretary in the place and stead of Mario Minor, Assistant Secretary. Applicant is represented by Linda Carter, Esquire.

Jin Oh stated that she is a resident of Laurel; that she is a manager for Potomac Gourmet Market; that she has been there for three years; that they had a violation previously and brought her in as part of the solution; that she came in as a manager; that she is a resident of Maryland; that she is a United States citizen; that she is a registered voter; that she is familiar with the Rules and Regulations; that the application is true and correct; that she has never been involved with an incident that gave rise to a violation; that she is Alcohol Awareness certified; named the five acceptable forms of identification; that you must be 21 to consume alcohol, 18 to serve; that she agrees to abide by the Rules and Regulations.

Mr. Camacho moved to accept the application for a Substitution of Corporate Officers, seconded by Mr. Iweanoge and made unanimous by Mr. Miles, Ms. Sparkman and Mr. Graham.

In the matter of Andrew Labetti, Authorized Person, for a Class B (BH), Beer, Wine and Liquor for the use of WDC Concession Partners, LLC, **t/a Sheraton College Park North**, 4095 Powder Mill Road, Beltsville, 20705, transfer from WDC Concession Partners, LLC, t/a Sheraton College Park North, Joy C. Villa, Authorized Person. Applicant is represented by Paul Jackson, Esquire. This matter was continued to February 26, 2019.

In the matter of Cecil Deonauth, Managing Member, for a Class B, Beer, Wine and Liquor for the use of Deonauth Enterprises, LLC, **t/a Cecil's**, 109 2nd Street, Laurel, 20707, transfer from M&W Tastee Liquors, Inc., t/a Laurel Tastee Diner, 118 Washington Blvd, Laurel, 20707, Gene Wilkes, President, Eula Wilkes, Secretary/Treasurer. Applicant is represented by Linda Carter, Esquire. Cecil Deonauth stated that he is a resident of Laurel; that the business is close to completion; that they were granted a license previously and it was withdrawn for not being effectuated in time; that he has pictures with him to show the level of completion currently; that they have spent

approximately \$350,000- 400,000 in renovations; that they own the building and it was purchased for \$180,000 in 2003; that there will be approximately 50 seats; that they are waiting for the fire marshal for a final count on the number of seats permitted; that they have an idea of what the floor plan will be; that he understands he must provide the Board with an accurate capacity and floor plan prior to opening; that he has pictures of the kitchen and appliances; that he has copies of the actual permits for the property; that they are still working on the menu; that the layout does not reflect seats; that he understands before they can effectuate the license he would need to supply an accurate layout with the number of seats; that he understands they can't have entertainment without a Special Entertainment Permit; that the hours of operation will be 10:00 a.m. to 2:00 a.m.; that he understands that all drinks must be removed by 2:00 a.m.; that he understands they must notify the Board of any changes; that the license is currently in use at Laurel Tastee Diner; that the application is true and correct and there are no changes to be made to it; that he will work at the restaurant; that his daughter will work there as well; that he understands the Rules and Regulations; that he understands he is responsible for any violations that occur; that he expects 100 customers per day; that they anticipate being able to bring in approximately \$300,000 a year; that will have about four to five employees and have a training program to include alcohol training; named the five acceptable forms of identification; that you must be 21 to consume alcohol, 18 to serve; that they hope to have karaoke and a DJ later; that he understands they must apply for a Special Entertainment Permit to have entertainment; that they are still working on a security plan; that there is a speaker in one of the pictures; that the speaker will not be used without the Special Entertainment Permit; that it is there currently for his own use while he finishes the restaurant.

Seeta Deonauth stated that she is a resident of Laurel; that she will work in the establishment approximately 40-50 hours per week; that she will help run the business and have duties similar to a General Manager; that she is not a licensee, but she is familiar with the Board's Rules and Regulations; that a violation would affect the business and her job; that she will also work to avoid having a violation; that she has worked in the restaurant industry previously; that she will also be able to help with customer service; that she has worked in the restaurant industry for one year; that she is old enough to consume alcohol.

Boards Exhibit #1 – Map – Presented by Robert Clark.

Mr. Camacho moved to approve the request to transfer the location of the license, seconded by Mr. Miles and made unanimous by Mr. Iweanoge, Ms. Sparkman and Mr. Graham.

In the matter of Olawoyin Akintelure, Managing Member, for a new Class B, Beer, Wine and Liquor for the use of Wilmolak, LLC, **t/a Kof Sports Cafe**, 4869 Glenn Dale Road, Bowie, 20720.

Applicant is represented by Robert Kim, Esquire.

Olawoyin Akintelure stated that he is a resident of Capitol Heights; that he is a citizen of the United States; that he has been a resident of Maryland for at least 36 years; that he has not been convicted of a felony; that he has not had a violation of the laws governing the sale of Alcoholic Beverages; that he has never had a license revoked; that he does not own any other business with an Alcoholic Beverage License; that he is familiar with the Rules and Regulations; that he has provided a copy of his Alcohol Awareness Certificate; that he currently has a Beer and Wine license for the establishment and has held it for one year without any violations; that he wants to be able to sell liquor as well; that he will ensure his employees follow the Rules and Regulations;

named the five acceptable forms of identification; that you must be 21 to consume alcohol, 18 to serve; that he will comply with the Rules and Regulations; that he understands he is responsible should a violation occur; that he has a petition from customers in support of adding liquor; that they are located in the Duvall Shopping Center; that it is a commercial area; that there are approximately 100 seats; that he has a full kitchen with a plan to expand the menu if granted the new license; that they are a family friendly establishment; that he believes the issuance of the license is necessary to accommodate the public; that he does not believe that it will disrupt the peace and safety of the community; that he has experience in the restaurant industry; that they have been in business for over one year; that he has been in the food business for over 13 years. Boards Exhibit #1 – Map – Presented by Robert Clark.

Mr. Camacho moved to approve the request for the license, seconded by Mr. Miles and made unanimous by Mr. Iweanoge, Ms. Sparkman and Mr. Graham.

In the matter of Johnny West, Operations Director, for a new Class B, Beer, Wine and Liquor for the use of Artsgroup, Inc., **t/a StudioPlace By Artsgroup**, 4719 Stamp Road, Temple Hills, 20748.

Johnny West stated that he is resident of Temple Hills; that he is here to obtain an Alcoholic Beverage License for a community project and restaurant and bar; that he is here to apply for a Beer, Wine and Liquor license.

Benjamin Rupert, Esquire stated that as it stands they are not equipped to apply for a Class B license.

Johnny West stated that he would like to continue the application at this time to amend the application to reflect the correct license that the premises is eligible for.

In the matter of LaVerne Tinsley, President, for a new Class B, Beer, Wine and Liquor for the use of Blue Waters Restaurants, Inc., **t/a Blue Waters Caribbean & Seafood Grill**, 6349 Old Branch Avenue, Temple Hills, 20748.

Derrick Tinsley stated that he is a resident of Fort Washington; that they are here to submit a new application for a Beer, Wine and Liquor license; that they currently hold a Beer and Wine license and would like to add liquor to be able to compete with other businesses; that they serve Caribbean and Seafood; that they are a hybrid restaurant and the best of both worlds; that they have had a good response from the community; that they have been open one year; that they want to add liquor to accommodate their customers.

LaVerne Tinsley stated that she is a resident of Temple Hills; that she is the owner and the licensee; that there is no other restaurant like this in Temple Hills; that she has had church groups come in often and they have asked why they don't serve liquor; that she would like to accommodate them.

Derrick Tinsley stated that they want to expand to the space next door eventually as well since it is now vacant; that he can't accommodate large groups currently; that he handles the daily operations; that he went to school for accounting; that his mom is the licensee; that it is a family business with many family members working there; that he works there approximately 30-50 hours per week; that the co-manager has 30 years of experience and was not able to attend the hearing so he could watch over the restaurant; that they are all TIPS certified; that they have 13-14 employees; that they do not have plans to add entertainment; that they have not had any violations; that he understands they need to notify the Board of any changes to the business.

Boards Exhibit #1 – Map – Presented by Robert Clark.

Mr. Camacho moved to approve the request for the license, seconded by Mr. Miles and made unanimous by Mr. Iweanoge, Ms. Sparkman and Mr. Graham.

In the matter of Samuel Umanzor, President/Secretary/Treasurer, for a new Class B (AE), Beer, Wine and Liquor for the use of SU Corporation, **t/a Pollio Sabroso**, 4400 Rhode Island Avenue, North Brentwood, 20722.

Applicant is represented by Raquel Smith, Esquire.

Raquel Smith, Esquire requested to amend the application to reflect the correct spelling of the business, Pollo Sabroso and to amend the closing time to midnight.

Mr. Camacho moved to amend the application, seconded by Mr. Miles and made unanimous by Mr. Iweanoge, Ms. Sparkman and Mr. Graham.

Samuel Umanzor stated that he is a resident of Hyattsville; that he is a Permanent Resident; that he has been a resident of Maryland for 20 years; that he has not been convicted of a felony; that he has brought a sample menu with him; that he plans to have charbroiled chicken and Tex Mex dishes; that it is going to be a family oriented restaurant; that it does have a bar; that the whole restaurant has approximately 120 seats; that the bar has 14 seats; that they hope to be open next month; that they have two employees so far; that they have completed their Alcohol Awareness training; that he is familiar with the Rules and Regulations; that he understands that if a violation occurs he is responsible even if he's not present; named the five acceptable forms of identification; that you must be 21 to consume alcohol, 18 to serve; that he is 90% completed on the construction of the new restaurant; that they are applying for the permits that they still need; that he also owns Leslys Grill; that they had one violation recently; that they were short staffed and had a new employee working alone; that they failed an ID check; that that employee was fired and they revisited the Alcohol Awareness training with the other employees; that they previously had their hours as listed to 2:00 a.m. and amended them to midnight in order to accommodate the town of Brentwood; that they wanted to be open that late to allow people who wanted to come to the bar to be able to; that nothing else in the area is open that late currently; that it is possible they could have entertainment in the future; that he understands that there is a noise ordinance in effect.

Chief Bob Althoff stated that he is the Chief of Police for the Town of Brentwood's Police Department; that his concern was the hours; that they have accepted the restaurant being open to midnight; they only had an issue if they went past midnight; that midnight is still one hour past the town's noise ordinance; that they are not a 24 hour Police Department; that they are a four man Police Department and are currently one officer short; that Prince George's County Police Department picks up where they leave off.

Boards Exhibit #1 – Map – Presented by Robert Clark.

Mr. Camacho moved to approve the request for the license, seconded by Mr. Miles and made unanimous by Mr. Iweanoge, Ms. Sparkman and Mr. Graham.

In the matter of Carl S. Williams, Managing Member, Russell Thomas, Member, Mark McCain, General Manager Member, for a new Class B (BLX), Beer, Wine and Liquor for the use of Elite Edge Athletics LLC, **t/a Athletic Republic Capitol Region**, 6417 Marlboro Pike, District Heights, 20747.

Applicant is represented by Linda Carter, Esquire.

Linda Carter, Esquire stated that the entire facility is 113,000 square feet; that they are waiting on the full size of the restaurant but it is approximately 4,500 – 5,000 square feet; that the amount stated on the application does not include the bathrooms, kitchen or the restaurant office space; that the only seating area is in the restaurant with 150 seats; that there will be no food or beverage outside of the restaurant area; that the space for the restaurant will have a \$1 million investment; that based on the Board's prior practice, they meet the requirements; that if not they can amend the application to a Class B, Beer, Wine and Liquor; that she does not believe there is a church or school within the allotted space.

Benjamin Rupert, Esquire stated that a BLX means a luxury type restaurant; that there is a minimum capital investment; that there are expectations for high quality items.

Linda Carter, Esquire stated that there used to be a strict expectation for luxury items; that white linens and cloth napkins were necessary; that the expectation was changed when she challenged that being able to go to a sit down restaurant with a family of four that was nice for under \$25 was a luxury; that many other restaurants and chains fall under this class of license that aren't considered fine dining.

Benjamin Rupert, Esquire stated that the Rules and Regulations state that it must be a high-quality atmosphere and ultimately it is up to the discretion of the Board.

Thomas Graham stated that the applicants can withdraw their application or proceed as is, understanding that they must wait two years to reapply if denied.

Carl Williams stated that he is a resident of Bowie; that he is a resident of Prince George's County; that he is a registered voter and a United States citizen; that other than needing to amend the size of space for the restaurant the application is true and correct; that there are two functions of the business at the location; that they are an athletic club; that they cater to athletes and spectators; that they hold tournaments at this location; that they also offer a place for training and recovery; that they have basketball, volleyball and futsal; that they are open as late as midnight; that they have eight basketball courts; that they are located at the old run and shoot facility; that they offer high end training; that they have NFL players that come in and train; that they eventually want to have a therapy room with cryotherapy, hot and cold tubs and more; that they want to raise the bar and the image for places like this in the county; that the second function of the business is a restaurant component; that it is currently open; that it has been open since March 2018; that the seats are only in the restaurant; that when they are open they serve 300-500 customers per day; that they are not open during the week currently; that they are set up more so for high volume; that the restaurant will be open to the public; that it will have members and nonmembers; that he understands both licenses, regardless of which one they attempt to apply for, will require them to have set hours; that they want to be full service; that if they are granted the license they will be open more than just on the weekend; that there will be customers in athletic gear; that there is not a dress code; that he believes they could spend \$1 million on everything needed; that they did not spend the money before without knowing what would happen with the granting of the license.

Russel Thomas stated that he is a resident of Crofton; that he is also on the license; that this is intended to be a premier facility; that it is the best he has ever seen; that all of them have kids and would take them outside of the county to train; that they brought that level of training here; that the restaurant will still be high end even if the people are in athletic clothes and may sweat and stink; that they want a sports bar atmosphere; that MGM, National Harbor, Buffalo Wild Wings and other places in the county with similar licenses don't have dress codes.

Mr. Iweanoge stated that they said the restaurant has been open since March 2018; that there are only concept drawings not actual pictures submitted; that he wonders where they are.

Carl Williams stated that it is bare bones currently; that they are waiting to spend more money on the dining area until they see what happens with the license; that they have a fryer, hoods and grills; that his kitchen manager can speak more on the restaurant.

John Goodwin stated that he is not on the application; that he is a kitchen manager; that he is a certified food handler; that he has 40 years of food service experience; that he has worked as a kitchen manager for several years, but not in Maryland recently; that he has worked in Washington, D.C. and Virginia; that he currently runs a restaurant in Washington, D.C. and has a catering business; that in this facility they already have grills, ovens, fryers, hoods, stove tops, hot boxes, reach in refrigerators and freezer, stainless steel tables and a pantry; that they serve hot meals on a regular basis; that they can store enough food to accommodate the crowd they are anticipating; that the restaurant in Washington, D.C. does not have an Alcoholic Beverages license; that he has a catering business currently that does not have an Alcoholic Beverages license either; that he has worked at a restaurant with a license previously and it had no violations under him; that his current restaurant is in front of Howard University.

Carl Williams stated that Mr. Goodwin is being modest; that he has handled over 200 employees; that he has worked all over the country.

Linda Carter, Esquire requested to amend the application to change the name to t/a The Café at Athletic Republic Capitol Heights.

Mr. Camacho moved to amend the application, seconded by Mr. Miles and made unanimous by Mr. Iweanoge, Ms. Sparkman and Mr. Graham.

Carl Williams stated that they have a menu, not just an anticipated menu; that currently the menu is basketball oriented; that they want to add healthy options; that they want to offer good food high in protein for before and after work outs; that it will cater to athletes, kids and parents; that an Alcoholic Beverage license would be beneficial to the business to compete with other restaurants; that they have had requests to serve alcohol; that they had a woman try to sneak in an entire dinner plate one evening and then later an entire bottle of wine; that the restaurant having an Alcoholic Beverage License will help control issues because it gives them somewhere to purchase these items from and control it; that they have retained a police officer to work part time at the facility; that they aren't sure they would apply for a Special Entertainment Permit.

Linda Carter, Esquire stated she understands the need for change, but requests not this case; that she believes the Board has heard a sufficient case to proceed and allow them to qualify for a BLX; that there are many representations that can be made, and evidence provided as to quality of materials, but she was retained this morning;

Carl Williams stated that as far as he knows there is no impact on them on applying for a BWL or a BLX; that the church requirement is the only possible issue; that he doesn't believe it is an issue, but it depends on how the distance is counted; that the restaurant is inside of the facility; that the church is not open currently; that there has not been a Use and Occupancy Permit issued for the church; that he is the General Contractor for the church; that he also manages the shopping center; that the restaurant will not be limited to having a membership.

Mr. Graham stated that the matter will be continued to the next available hearing to give the applicants time to better prepare and provide the Board with more evidence of the \$1 million capital investment to proceed as a BLX; that the distance with the church will also be investigated; that he wants architectural drawings, plans, photos and expenditures.

Respectfully Submitted,

Nikole Bennett
Administrative Aide

Adjourned 12:08 p.m.