

November 27, 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
ShaRon Grayson Kelsey, Commissioner
Kenneth Miles, Commissioner
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: 10:00 a.m.

In the matter of Durgesh Gupta, Member/Authorized Person, Nidhi S. Gaind, Member/Authorized Person, for a Class A, Beer, Wine and Liquor for the use of Capitol Liquors, LLC, **t/a Southern Avenue Liquors**, 6220 Central Avenue, Seat Pleasant, 20743, transfer from Capitol Liquors, LLC, t/a Southern Avenue Liquors, 4259 Southern Avenue, Capitol Heights, 20743, Durgesh Gupta, Member/Authorized Person, Nidhi S. Gaind, Member/Authorized Person.

Applicant is represented by Linda Carter, Esquire.

Linda Carter, Esquire requested for a continuance to next month due to the Inspectors Report of a church being within 500 feet, that the wrong property was posted, and that the City of Seat Pleasant is present and they would like an opportunity to meet with them.

Terence Sheppard stated that the wrong property was posted.

Cristian Mendoza stated that the correct property was measured this morning, that it is 476 feet away from the church.

Thomas Graham stated that they will have to continue.

Mr. Camacho moved to continue this case to the December 18, 2018 hearing, seconded by Ms. Kelsey and made unanimous by Mr. Miles, Mr. Bowman and Mr. Graham.

Michael Arrington stated that he is a resident of Upper Marlboro; that the property was not posted correctly; that the property on the application still does not meet the qualifications; that it should not matter that it was not posted properly if it does not meet the qualifications; that even though it was not posted properly the citizens understand where it was intended to be; that it should not be continued.

Thomas Graham stated that he understands, and that the property still has to be properly posted.

Senator Joanne C. Benson stated that she took away from her schedule to be here; that many senior and retired citizens are here; that the shopping center and zip code 20743 is a food desert; that 1 in 5 children are hungry; that it is a Health Enterprise Zone; that there are healthy citizens there; that Safeway was there and then moved and the residents were devastated; that they don't

have a grocery store and having a liquor store move in is unacceptable; that 5 minutes away there are multiple liquor stores; that the citizens in this area can do more than drink liquor; that the liquor stores they currently have make millions per year and do not give back or interact with the community; that adding another liquor store would not be good for the community.

Mayor Eugene Grant stated that he is the Mayor of the city of Seat Pleasant; that he appreciates the Board and the job they do; that the city of Seat Pleasant is opposed to the establishment; that there are several council members present as well; that citizens of Seat Pleasant are present; that the businesses wanting to come into this area should come to the community to talk to the residents before moving; that there was no petition, no letter, no communication at all about the planned move; that there are 3 liquor stores in the city currently; that the addition of one more is not needed; that outside of Hyattsville they are the only city in Prince George's County that has created a Master Plan for their city and nowhere inside is a request for an additional liquor store; that the citizens don't want another liquor store; that he will be back when the hearing is rescheduled; that they are very against another liquor store in Seat Pleasant.

Thomas Graham stated that he appreciates those that have attended the hearing for this matter for coming and apologizes for any inconvenience for the technicality issue on the part of the Board of License Commissioners.

In the matter of Alpaben S. Patel, Member-Manager/Authorized Person, for a Class A, Beer, Wine and Liquor for the use of NH Wine & Spirits, LLC, **t/a New Hampshire Avenue Liquors**, 6501 New Hampshire Avenue, Takoma Park, 20912, transfer from Chul's Corporation, t/a New Hampshire Avenue, Chul Gyu Kim, President/Secretary/Treasurer. Applicant is represented by Robert Kim, Esquire.

Alpaben Patel stated that she is a resident of Clinton; that she is a Permanent Resident; that she has been a Maryland resident for 19 years; that she has not been convicted of a felony; that she has not been in violation of any laws for the selling of Alcoholic Beverages; that she has not held an alcoholic beverages license previously; that she does not have any interest in a business that holds an Alcoholic Beverages License; that when the business is purchased she will be 100% Member-Manager; that she has her Alcoholic Awareness Certification; that she is familiar with the Rules and Regulations; that she will ensure her employees comply with the Rules and Regulations; that you must be 21 to consume alcohol, 18 to serve; named the five acceptable forms of identification; that their policy will be to ask for identification from anyone that appears to be under 35; that there are no changes to the application; that she understands she is responsible for the operation of the business and must answer any questions the Board may have; that she is responsible for appearing before the Board for any violations.

Mr. Camacho moved to approve the request to transfer the license, seconded by Ms. Kelsey and made unanimous by Mr. Bowman, Mr. Miles and Mr. Graham.

In the matter of Catherine F. Okoloise, President/Secretary/Treasurer, for a new Class B, Beer and Wine for the use of Affordable Services, Inc., **t/a Joyful Heart African Cuisine**, 10631 Greenbelt Road, Suite 101, Lanham, 20706. Applicant is represented by Linda Carter, Esquire.

Catherine Okoloise stated that that she is a resident of Upper Marlboro; that her restaurant has been open for more than 5 years; that they are in the East Gate shopping center; that they have 40 seats; that she has not held an alcoholic beverages license previously; that their restaurant is split

between carryout and dine in; that she hopes with the addition of beer and wine it will increase the number of customers that eat in; that the menu is primarily Nigerian; that it is common to have beer or wine with this type of food during a meal; that there will not be any liquor served; that they do not have a bar; that there will not be any entertainment; that their hours are currently Monday through Thursday from 11:00 a.m. to 9:00 p.m., Friday and Saturday 11:00 a.m. to 10:00 p.m. and closed on Sunday; that the hours in the application are for if they are approved and will change to being open until midnight on Friday and Saturday; that she is there every day; that they currently have four employees and they are all family; that she has her Alcohol Awareness certification; that her daughter also has her Alcohol Awareness certification; named the five acceptable forms of identification; that you must be 21 to consume alcohol, 18 to serve; that their current revenue is approximately \$150-175,000 annually; that she believes the addition of beer and wine will increase her sales; that a license would serve to accommodate the customers and that it would not pose a threat to the community; that she has circulated a petition among her customers to request the license; that she understands she must notify the Board of any changes to her layout.

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

Mr. Camacho moved to approve the application, seconded by Ms. Kelsey and made unanimous by Mr. Bowman, Mr. Miles and Mr. Graham.

In the matter of Kun Chen Wang, Secretary, Chun Xi Yang, President/Treasurer, for a new Class B, Beer and Wine for the use of Shakin Crab, Inc., **t/a Rock & Toss Crab House**, 15500 Annapolis Road, Bowie, 20715.

Kun Chen Wang stated that he is here to apply for a class B, Beer and Wine license; that they decided not to apply for a BLX at this time; that granting the license would accommodate the public; that it would not harm the neighborhood; that they have 20 tables with a total of 84 seats and 18 bar stools with a dining bar; that they do not have self-service; that they intend to card everyone under the age of 40; named the five acceptable forms of identification; that they will not over serve; that there will be 5 full time and 9 part time employees; that everyone in the front of the house that handles alcohol will be Alcohol Awareness Certified; that they will serve American seafood dishes; that customers want beer and wine with seafood; that they will not serve liquor; that their business will not have a negative effect on the surrounding businesses because they are different; that there will be no change in the hours of operation; that their parking lot has adequate space and lighting; that they have a recycling program; that they want to give back to the community; that he has been a resident for 16 years; that he is registered to vote; that he has been in the restaurant business for 18 years; that he has held an alcoholic beverages license in West Virginia previously for 3 years with no violations; that he has written the Alcoholic Beverages policies for the restaurant and will review with employees and have them sign saying they understand them; that he has his Alcohol Awareness Certification; that they have copies of the Driver's License checking guide; that he understands he is responsible for all problems at the restaurant whether he is present or not; that he is a 25% owner; that Mr. Chun is the 75% owner; that he is a resident of the state of Maryland; that he has been a resident for 16 years; that he has not been convicted of a felony; that he has not had an Alcoholic Beverages License revoked previously; that he will be there at least one day a week, approximately 12 hours; that he is familiar with, understands and will abide by the Rules and Regulations; that he will notify the Board of any changes; that you must be 21 to consume alcohol, 18 to serve;

named the five acceptable forms of identification; that they just opened recently; that their seafood is boiled, fried and steamed; that he is a United States resident.

Chun Yang stated that he is the owner; that he is a resident of Manassas, Virginia; that he has been in the restaurant industry for 18 years; that he has one other location in Manassas, Virginia; that they have been open for 18 months; that they have not had any violations; that he has not been found in violation of any Alcoholic Beverages License previously; that he has not been convicted of a felony; that he has never had an Alcoholic Beverages License revoked; that he will be present 6 days a week at the restaurant, approximately 55 hours a week; that he is familiar with, understands and will abide by the Rules and Regulations; that he understands he must notify the Board of any changes to the business; that he understands he is to be held accountable for any violations; that you must be 21 to consume alcohol, 18 to serve; named the five acceptable forms of identification.

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

Kun Wang stated that they intend to contribute to the community; that they will donate when solicited by churches and schools; that they intend to donate in the form of cash or gift certificates, approximately \$2,500 per year; that their donations were reactive initially, but now proactive; that he has the study guide from the Alcohol Awareness training and has based the restaurant training on it.

Martin Johnson stated that he is resident of Ellicott City; that he is a liquor license consultant; that he started working with the business in May; that they thought the beer, wine and liquor license would be available to them when they applied; that at the time they applied a beer and wine license is what was available; that they understand they may qualify for a BLX, but they don't feel they will be able to meet the requirements; they intend to apply later to upgrade the license to include liquor.

Mr. Camacho moved to approve the application, seconded by Ms. Kelsey and made unanimous by Mr. Miles, Mr. Bowman and Mr. Graham.

In the matter of Trang Thuy Duong-Nguyen, President/Secretary/Treasurer, Tu Thi Nguyen, Vice President, for a new Class B (EC), Beer, Wine and Liquor for the use Amazing Taste, Inc., **t/a Saigon Street**, 101 MGM National Avenue, Retail 5, Oxon Hill, 20745.

Applicant is represented by Linda Carter, Esquire.

Linda Carter, Esquire requested an amendment to the application, that Tu Thi Nguyen went out of town and will be moved to a stockholder to be added to the license at a later date.

Mr. Camacho moved to approve the request, seconded by Ms. Kelsey and made unanimous by Mr. Miles, Mr. Bowman and Mr. Graham.

Binh Nguyen stated that he is the executive chef; that he is a true chef; that he specializes in Vietnamese cuisine; that he was invited for a cooking show on Fox and another show on Channel 9; that he is not an applicant; that he will not be on the license; that his family operates 2 restaurants in Virginia; that MGM gave him space and he wants to showcase Vietnamese food; that he will be in the street section of MGM; that he has 10 seats in the restaurant, but that food will be served in bowls and plates to be taken outside to the common area with more seats as most restaurants in MGM do; that they will be open 24 hours a day, 365 days a year; that construction has been slightly delayed; that they have the permits approved; that it will be the most expensive restaurant they have built at 1.2 million; the cost of the kitchen hoods and

venting is very expensive; that their menu and pricing have been approved by MGM and are expected to be similar to other restaurants in the area.

Trang Thuy Duong-Nguyen stated that she is a resident of Annandale, Virginia; that her husband is the chef; that she is the licensee on the application; that she is familiar with the rules and regulations; that all employees will be Alcohol Awareness certified; that they will have 40 employees; that she will work there 4-5 days a week, approximately 40 hours per week; named the five acceptable forms of identification; that you must be 21 to consume alcohol, 18 to serve; that the application submitted is true and correct other than the change previously requested. Boards Exhibit #1 – Map – Presented by Robert Clark.

Binh Nguyen stated that charitable contributions will be at least \$10,000 annually; that it is similar with his other locations; that the business was set up in memory of his mother; that his wife runs the business and he wants to keep it that way and support women owned businesses. Mr. Camacho moved to approve the application, seconded by Ms. Kelsey and made unanimous by Mr. Bowman, Mr. Miles and Mr. Graham.

Respectfully Submitted,

Nikole Bennett
Administrative Aide

Adjourned 11:00 a.m.