

DRAFT

ADVISORY NEIGHBORHOOD COMMISSION 2F

Minutes of Public Special Meeting

November 28, 2005, 1:30 PM

Washington Plaza Hotel, 10 Thomas Circle, NW

Submitted by: Chris Kohatsu, Executive Director, ANC2F

Present: **Chairman Charles Reed (2F01), Jim Brandon (2F02), Chris Dyer (2F03), Mike Nelson (2F06)**

Absent: **Bob Ellison (2F04), Sandra Biasillo (2F05)**

Chairman Reed called the meeting to order, noted that a quorum was present, and directed that a copy of the notice of the meeting be filed with the minutes. The Chairman noted that the special meeting was called for the single purpose of considering and acting on a proposal to protest to the Alcoholic Beverage Control Board the renewal of liquor license No. 26185 (Retailer Class B) issued to 13th Street Market at 1209 13th Street, NW.

The Chairman also noted that the special meeting was appropriate in view of the fact that the ANC had not received notice of the renewal and would not have an opportunity to act on the renewal before the current protest date (November 28) of the renewal. Reed informed the Commissioners that he had telephoned ABRA last week to ask that the protest date be rescheduled in view of the failure of ABRA to give notice to the ANC as required by law. However, the staff had not informed Reed of its opinion on this matter in time for a proper notice for a special meeting, and, in order to preserve the rights of the ANC, the Chairman deemed that a special meeting was appropriate.

A proposal to protest renewal of License No. 26185 (Retailer Class B) issued to 13th Street Market at 1209 13th Street, NW, was placed before the Commission. Upon motion duly made and seconded, and after further discussion, it was unanimously,

RESOLVED: That in light of numerous complaints by the community, particularly residents near the 13th Street Market, and a long history of disregard of both the concerns of the residents and the obligations of the licensee under its voluntary agreement, the Commission determines that the peace, order and quiet of residential areas bordering on and near the licensed premises are adversely impacted, and that licensee's operations as currently conducted materially and adversely impact real estate values in the area; and that, accordingly, licensee fails to meet the appropriateness standards set forth in D.C. Code §§ 25-313, 25-314 and 25-315 and § 23-400 of the Municipal Code; and it is

FURTHER RESOLVED, That the Commission deems it to be necessary and appropriate in the public interest that the Commission protest the renewal of the aforementioned license and to advise the Alcoholic Control Beverage Administration not to renew License No. 26185 (Retailer Class B) issued to 13th Street Market at 1209 13th Street, NW,; and the

appropriate Officers of the ANC be and are hereby authorized and directed to file such protest; and it is;

FURTHER RESOLVED: That any incumbent Commissioner of ANC2F be and is hereby authorized to represent the Commission before ABRA in connection with such protest.

VOTE: Approved 4-0.

Brandon moved for adjournment, and upon unanimous vote the meeting was adjourned at 1:51 PM.