

January 8, 2020
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
Tammy Sparkman, Commissioner
Benjamin Rupert, Esquire, Counsel
Terence Sheppard, Director
Robert Clark, Chief Liquor Inspector
Cristian Mendoza, Deputy Chief Liquor Inspector
Brian Hubbard, Deputy Chief Liquor Inspector
Nikole Bennett, Administrative Aide
Keyanna Little, Administrative Aide
Katrice James, Administrative Aide

Time: 7:15 p.m.

In the matter of **t/a El Mexireno**, Class B, Beer, Wine and Liquor, 5494 Saint Barnabas Road, Oxon Hill, 20745 – Request for a Special Entertainment Permit.

Applicant is represented by Melvin J. Kodenski, Esquire.

Jesus Mejia stated that he is a resident of Oxon Hill.

Corporal Cicale stated that she a Corporal with the Prince George's County Police Department.

Melvin Kodenski stated that they have submitted an application for a Special Entertainment Permit; that they had one previously; that they lost it when the license expired because they did not renew the license in time; that they are now reapplying for the Permit; that they have the new license; that they want entertainment Thursday through Sunday; that they will have the same entertainment as before; that they will have the same security as before; that the establishment is a small place.

Ms. Turpin Forbes stated that on the paperwork submitted the Use and Occupancy Permit has eating and drinking listed; that she understands they have applied to add entertainment.

Melvin Kodenski stated that he requests that the Board grant the Permit, but not issue the Permit until the Use and Occupancy Permit has been updated.

Ms. Turpin Forbes stated that going forward in 2020 the Board will only grant Entertainment Permits to establishments with the correct Use and Occupancy Permit in place; that they will no longer issue pending, provisional or any other Entertainment Permit and only with the entertainment listed.

Melvin Kodenski stated that there are other areas nearby that are able to have entertainment.

Ms. Turpin Forbes stated that today they will not grant the Entertainment Permit; that the Use and Occupancy Permit will need to be corrected; that the hearing will be rescheduled; that the application is ok; that the Board invites Mr. Mejia to come back when the Use and Occupancy Permit has been updated.

In the matter of **t/a Jody's Good Mood Café**, Class B, Beer, Wine and Liquor, 10606 A Baltimore Avenue, Beltsville, 20705 - Request for a Special Entertainment Permit.

Applicant is represented by Linda Carter, Esquire.

Linda Carter, Esquire stated that she requests that the hearing be continued until the Use and Occupancy Permit can be updated in light of the previous matter.

Ms. Turpin Forbes stated that they will continue this matter until the Use and Occupancy Permit can be updated.

In the matter of **t/a OTI of Largo**, Class B, Beer, Wine and Liquor, 9421 Largo Drive West, Largo, 20774 – Request for a Special Entertainment Permit.

Parvez Ahmed stated that he is a resident of Silver Spring.

Corporal Cicale stated that she is a Corporal with the Prince George's County Police Department.

Parvez Ahmed stated that he is here without counsel; that he understands that he has the right to counsel and wishes to proceed without; that he is here to apply for a Special Entertainment Permit.

Ms. Turpin Forbes stated that the application was signed by someone other than the licensee; that that they will only deal with the licensee; that the paperwork needs to match the transaction; that the paperwork can be updated with the office; that they would like to help licensees when able, but the information must be accurate.

Corporal Cicale stated that she received a new security plan today; that she feels the plan is adequate; that she spoke with Mr. Long and understands that Mr. Long is the consultant and Mr. Ahmed is the licensee.

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

In the matter of **t/a Pollo Sabroso**, Class B(AE) Beer, Wine and Liquor, 4400 Rhode Island Avenue, North Brentwood, 20722 - Request for a Special Entertainment Permit.

Applicant is represented by Samuel Umanzor.

Samuel Umanzor stated that he is a resident of Hyattsville.

Corporal Cicale stated that she is a Corporal with the Prince George's County Police Department.

Linda Carter, Esquire stated that they have filed a Special Entertainment Permit application; that they amended the application to update the hours of operation to match the Use and Occupancy Permit; that the Use and Occupancy Permit only allows them to have entertainment until 11:00 p.m.; that they will have the entertainment end and stay open until 2:00 a.m. on Friday and Saturday.

Ms. Turpin Forbes stated that if they begin carding at 9:00 p.m. how will they handle people already in the establishment.

Linda Carter, Esquire stated that due to the size of the establishment and the type of entertainment they request to amend to a Family Entertainment permit; that they will only have entertainment for two hours; that by having it be Family Entertainment they don't have to push families out; that a Disc Jockey and karaoke; that they won't have any music that would be offensive to families.

Corporal Cicale stated that she initially had them listed as a Family Entertainment Permit; that they have their own civilian in house bouncer; that she finds the security adequate; that it is a small establishment.

Ms. Turpin Forbes stated that she wants to hear why Mr. Umanzor would want to change the Permit type.

Samuel Umanzor stated that he is changing the Permit type because of the hours; that they can only have entertainment for two hours; that it is closer to a Family Entertainment Permit; that they can still have families come in with the change of Permit type.

Corporal Cicale stated that they need to ensure the music is kept at a dining room level and not too loud; that it wasn't too bad when she was there.

Samuel Umanzor stated that he understands.

Ms. Turpin Forbes stated that the Special Entertainment Permit will need to be changed to a Family Entertainment Permit with a Disc Jockey, karaoke and occasionally a live band, but music must be at a level where patrons could still have a conversation and the hours will be 9:00 p.m. to 11:00 p.m. for entertainment.

Mr. Camacho moved to amend the application from a Special Entertainment to a Family Entertainment Permit, seconded by Ms. Norman and made unanimous by Ms. Sparkman and Ms. Turpin Forbes.

In the matter of **t/a Pleasant Liquors**, Class A, Beer, Wine and Liquor, 5704 Martin Luther King Highway, Seat Pleasant, 20743 – Request for the Addition of a Drive – Through Window.

Applicant is represented by Tyler Cumbo, Esquire.

Rashminkumar Patel stated that he is a resident of Crofton.

Tyler Cumbo, Esquire stated that they are here today to request to add a drive-thru window; that they have submitted plans and drawings; that there will be two entrances and therefore will be no impact on traffic; that hopefully traffic will improve; that they believe the addition of a drive-thru window will better accommodate the community; that they have updated photos of the inside and outside of the location; that they have a petition of support with 157 signatures; that Mr. Patel believes there was once a window that is no longer there; that the window will be on the back of the store; that there will be less leg traffic; that the addition of the window could enhance security and will not endanger the peace and safety; that Mr. Patel intends to invest \$25,000 to update the property, drive way and add a bullet proof window.

Ms. Turpin Forbes asked why Mr. Patel wants to add the window.

Rashminkumar Patel stated that it will be convenient for customers; that they have an easier time getting in and out.

Ms. Turpin Forbes asked if they had anyone in opposition.

Rashminkumar Patel stated that they do not.

Ms. Norman asked about the current state and aesthetics; that she wants to ensure they are not an eyesore to the community; that she would like for them to think of ways to make the establishment aesthetically pleasing.

Mr. Camacho moved to approve the addition of a drive-thru window, seconded by Ms. Norman and made unanimous by Ms. Sparkman and Ms. Turpin Forbes.

In the matter of Antoni N. Akaras, President/Secretary/Treasurer, Akaras, Inc., **t/a Plato's Diner**, Class D(On), Beer and Wine, is summonsed to show cause for an alleged violation of Sections 4-702, 4-705 and 26-2102 of the Alcoholic Beverage Article of the Annotated Code of Maryland and Rule 33 of the Rules and Regulations for Prince George's County, to wit; That on or about April 15, 2016 the licensee vacated the licensed premises, that on or about April 15, 2016 the licensee vacated the licensed premises, that on or about March 22, 2016 a transfer of location application was filed; that the licensed premises has been closed for more than 30 days without permission of the Board and further that the license has not been placed in operation after 6 months following the issuance or transfer of the license.

Licensee is represented by Linda Carter, Esquire.

Antoni Akaras stated that he is a resident of College Park; that he goes by Tony.

Linda Carter, Esquire stated that Mr. Akaras spent lots of time on this matter; that none of the current commissioners have been on the Board for the duration of the whole matter; that she has provided a history; that in 2015 Mr. Akaras was very interested in purchasing a parcel of land across the street from the existing license; that he intended to open a coffee and wine bar for adults; that the existing license was old and in need of repair; that Mr. Akaras lives in the area and has several businesses; that in January 2016 Mr. Akaras filed a transfer of location application to move the existing license across the street; that at some point the license lost its off sale privileges; that there is legislation to allow off sale to come back when the business is reopened; that they purchased the property for \$1.25 million; that in the meantime there was a fire at the original Plato's Diner location; that there have been construction delays and issues with the variances; that there is no parking in College park; that have to make a side road to make the area more pedestrian friendly; that they have applied for permits with the county; that they have applied for the demo, building and grading; that initially errors were caught in the application, but then things became a mess with the Department of Permitting, Inspection and Enforcement.

Tony Akaras stated that they tried to get the changes made and corrected, but they had to do the process over again; that the reviewer wanted them to change to a different type of permit that was approved; that since then they have been working to get back on the permit schedule and have the plans approved; that in June 2018 they began the demolition process.

Benjamin Rupert, Esquire stated that he apologizes for interrupting, but the legislation specifies an off-sale license may be granted for that specific area; that he doesn't understand why they don't just reapply once construction is completed.

Linda Carter, Esquire stated that she thought it had to be an existing license in that area to convert; that if they can reapply later, they are not opposed to paying to reapply.

Benjamin Rupert, Esquire stated that there can always be a license there; that the only problem is if another license tries to come to that area.

Tony Akaras stated that he owns the property on both sides of the street where the legislation allows for the license to be; that the city asked if he wanted to purchase both properties.

Linda Carter, Esquire stated that then she requests the Board expire the existing license; that she requests they not revoke the license or have negative consequences for her client.

Benjamin Rupert, Esquire stated that then they can come back, reapply and request to convert to the off-sale.

Mr. Camacho moved to expire the existing license without prejudice, seconded by Ms. Norman and made unanimous by Ms. Sparkman and Ms. Turpin Forbes.

Respectfully Submitted,

Nikole Bennett
Administrative Aide

Adjourned 8:15 p.m.