

# GOVERNMENT OF THE DISTRICT OF COLUMBIA

## ADVISORY NEIGHBORHOOD COMMISSION 3A



### **Resolution RE Request to ABCA for Substantial Change in Alcoholic Beverage License ABRA-116777 at 3701 Newark Street NW including extended hours and addition of an Entertainment Endorsement**

Matchbox Cathedral, LLC, is proposing to open a new restaurant, trade name Makers Union Cathedral, at 3701 Newark Street NW in ANC 3A, under the Class C Restaurant license that was previously obtained by the Matchbox restaurant at the same location until it was closed in fall 2023.

The current license allows the restaurant to operate and serve alcoholic beverages indoors and on the patio/"summer garden" till 10 pm Sunday to Thursday and till 12 midnight Friday and Saturday.

Makers Union is requesting a Substantial Change, to extend hours of indoor operation and alcoholic beverage consumption till 2 am Sunday through Thursday, and till 3 am Friday and Saturday nights, and till 12 midnight seven days a week on the patio/"summer garden."

The establishment is also applying for an Entertainment Endorsement to allow live entertainment indoors during the same hours as the restaurant will be open and offering service indoors, through the proposed closing time of 2 am Sunday through Thursday, and 3 am Friday and Saturday nights.

After receiving notice of the Makers Union application, the ANC invited the applicant to make a presentation about the Substantial Change request at the ANC 3A public meeting on January 16, 2024. The applicant accepted the invitation and agreed to present the request and respond to questions.

Since that item was placed on the proposed meeting agenda, which was posted the required 7 days prior to the meeting, ANC 3A received multiple comments from constituents expressing concerns about the application, including about the potential for the longer hours and proposed live entertainment to cause disruptions to peace, order and quiet in the community. Nearby residents are particularly concerned about noise from the entertainment itself and from people who are on the premises during the extended operating hours or leaving the premises, especially after midnight. The establishment and the plaza surrounding the front entrance adjoin an apartment building and are a short distance from residential blocks that are home to many families, working professionals, and senior citizens or retirees.

Following the presentation about an application at an ANC 3A public meeting, the ANC has a practice of opening a month-long public comment period on the change the applicant is seeking, through the time of the next ANC 3A public meeting.

Based on that background and practice in similar cases, the ANC resolves to:

- a) Open a public comment period through the ANC 3A February 20 public meeting to provide for public input to the ANC on the request that Makers Union Cathedral has submitted to the DC Alcoholic Beverage and Cannabis Administration (ABCA) for extended hours and live entertainment;
- b) Encourage the Commissioners serving the affected areas or interested in assisting to have further discussions with the applicant about the plans for live entertainment, including the nature of the performances, amplification, noise levels outside the building, and steps that can be taken to mitigate

the potential for the sound from guests entering and leaving the establishment as well as from the live entertainment to escape the restaurant premises and disrupt the lives and activities of others;

c) Work with the community and the applicant to reach agreement with the establishment on mutually acceptable provisions to mitigate the potential adverse consequences to peace, order and quiet for the community, and develop a settlement agreement to submit to ABCA if appropriate and necessary;

d) If that effort does not succeed and the ANC and the applicant cannot reach an effective agreement on terms to address local concerns to assure compliance with the "peace, order and quiet" provisions of the law, before the ABCA Protest Petition Deadline of February 12, 2024, submit a petition to ABCA to protest the application and participate in a protest hearing before the ABCA;

e) If the applicant does address constituent and Commission concerns to protect the "peace, order and quiet" of the community and/or agrees to enter an acceptable settlement agreement with the ANC before the hearing date, withdraw the protest petition.

This resolution was approved by the Commission by a vote of 5 - 0 at its duly noticed public meeting on January 16, 2024, at which a quorum was participating. (Three of the five Commissioners constitute a quorum.) By the same vote, the Commission also designated Commissioner Hans Miller (ANC3A03) or his designee(s) to represent the Commission on this matter.

Signed:

  
Chair

  
Secretary