



**BALTIMORE CITY COUNCIL
COMMITTEE ON ECONOMIC AND COMMUNITY
DEVELOPMENT**

Mission Statement

On behalf of the Citizens of Baltimore City, the Committee on Economic and Community Development (ECD) is responsible for supporting strong thriving communities ECD will review proposed zoning and land use changes, tackle issues related to economic development, oversee housing policy, and promote equitable economic opportunity for all Baltimore residents.

The Honorable Sharon Green Middleton

PUBLIC HEARING

March 9, 2021

2:00 PM

Virtual Webex Meeting

City Council Resolution #21-0014R

**Approval for the Exchange of a Class B-D-7 License to a Class A-7 License -
2733 Pennsylvania Avenue**

CITY COUNCIL COMMITTEES

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Mark Conway
Ryan Dorsey
Antonio Glover
Odette Ramos
Robert Stokes
Staff: Jennifer Coates

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Ryan Dorsey
Danielle McCray
Sharon Green Middleton
Isaac "Yitzy" Schleifer
Robert Stokes
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Isaac "Yitzy" Schleifer
Staff: Matthew Peters

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Kristerfer Burnett
Mark Conway
Eric Costello
Sharon Green Middleton
Odette Ramos
James Torrence
Staff: Richard Krummerich

**CITY OF BALTIMORE
COUNCIL BILL 21-0014R
(Resolution)**

Introduced by: Councilmember Torrence

Introduced and read first time: January 25, 2021

Assigned to: Economic and Community Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Liquor License Commissioners, Police Department, Health Department, Department of Transportation, Department of Finance

A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Approval for the Exchange of a Class B-D-7 License to a**
3 **Class A-7 License – 2733 Pennsylvania Avenue**

4 FOR the purpose of providing the required approval under Md. Code Ann., Alc. Bev. § 12-
5 902.1(d)(1) to allow the license holder holding a valid Class B-D-7 Beer, Wine, and Liquor
6 License issued for use at 2733 Pennsylvania Avenue, Baltimore, Maryland 21217 to apply to
7 the Board of Liquor License Commissioners for Baltimore City to exchange their Class B-D-
8 7 Beer, Wine, and Liquor License for a Class A-7 Beer, Wine, and Liquor License.

9 **Recitals**

10 Under Md. Code Ann., Alc. Bev. § 12-902.1(d)(1), a City Council resolution is required to
11 allow a current holder of a valid Class B-D-7 Beer, Wine, and Liquor License issued on or before
12 July 1, 2018, to apply to the Board of Liquor License Commissioners for Baltimore City (the
13 “Board”) to exchange their Class B-D-7 Beer, Wine, and Liquor License for a Class A-7 Beer,
14 Wine, and Liquor License.

15 The Class A-7 License authorizes the license holder to sell beer, wine, and liquor at retail at
16 the place described in the license for off-premise consumption. The holder of a Class A-7
17 License may sell beer, wine, and liquor on Monday through Sunday from 10:00 a.m. to midnight.

18 The license holder wishes to apply to the Board to exchange the Class B-D-7 License issued
19 for use at 2733 Pennsylvania Avenue for a Class A-7 License. Accordingly, representatives of
20 the license holder have applied to the Baltimore City Council for approval of the exchange.

21 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE**, That the City
22 Council authorizes, by and through this resolution, that the current holder of a Class B-D-7 Beer,
23 Wine, and Liquor License located at 2733 Pennsylvania Avenue, Baltimore, Maryland 21217,
24 may apply to the Board of Liquor License Commissioners for Baltimore City (the “Board”) to
25 exchange its Class B-D-7 Beer, Wine, and Liquor License for a Class A-7 Beer, Wine, and
26 Liquor License and may be afforded all the privileges and responsibilities of that license class
27 and type under the Alcoholic Beverages Article for the State of Maryland.

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

Council Bill 21-0014R

1 **AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to a copy of this
2 Resolution be sent to the Executive Secretary of the Board of Liquor License Commissioners for
3 Baltimore City.



Committee: Economic and Community Development

City Council Resolution 21-0014R

**Approval for the Exchange of a Class B-D-7 License to a Class A-7 License –
2733 Pennsylvania Avenue**

Sponsor: *Councilmember Torrence*

Purpose:

For the purpose of providing the required approval under Md. Code Ann., Alc. Bev. § 12-902.1(d)(1) to allow the license holder holding a valid Class B-D-7 Beer, Wine, and Liquor License issued for use at 2733 Pennsylvania Avenue, Baltimore, Maryland 21217 to apply to the Board of Liquor License Commissioners for Baltimore City to exchange their Class B-D-7 Beer, Wine, and Liquor License for a Class A-7 Beer, Wine, and Liquor License.

Effective Date: Date of Enactment

AGENCY REPORTS

| | |
|---------------------------------------|-------------|
| City Solicitor | Favorable |
| Board of Liquor License Commissioners | |
| Police Department | |
| Health Department | |
| Department of Transportation | |
| Department of Finance | Not Opposed |

Background

If approved, City Council Resolution 21-0014R would grant JC Star, LLC., the holder of a Class B-D-7 BWL license issued for use at 2733 Pennsylvania Avenue, authority to apply to the Board of Liquor License Commissioners for a Class A-7 BWL license. Attached is a License Detail Report from the Board for the grant holder.

Board of Liquor License Commissioners for Baltimore City

The State of Maryland grants the Board of License Commissioners for Baltimore City authority to issue beer, wine and liquor licenses (BWL). In its deliberations, the Board determines whether a license is reasonably necessary for the convenience of the public. The Board also considers the number of beer, wine, and liquor outlets in a given area and the number of days the outlets are open, rather than the nature of the outlets.

Exchange of Class B-D-7 License

Section 12-902.1(d)(1) of the Alcoholic Beverages Article of the Annotated Code of Maryland authorizes a license holder of a valid Class B-D-7 BWL license issued on or before July 1, 2018, to apply to the Board to exchange the license for a Class A-7 BWL license if the license holder first obtains approval by resolution of the Baltimore City Council. The Board may not issue a Class A-7 license on or after July 1, 2022.

Class B-D-7 Beer, Wine and Liquor License

The Class B-D-7 beer, wine and liquor license holder is authorized to sell beer, wine, and liquor at retail at the place described in the license, for on- and off-premises consumption.

The hours of operation for Class B-D-7 license holders are 9 a.m. to 10 p.m. The annual license fee is \$1,320.

Class A-7 Beer, Wine and Liquor License

The Class A-7 beer, wine and liquor license holder is authorized to sell beer, wine, and liquor at retail at the place described in the license, for off-premises consumption.

The hours of operation for Class A-7 license holders are Monday through Sunday from 10 a.m. to midnight. The annual license fee is \$1,500.

Additional Information

Fiscal Note: Not Available

Information Source(s): Resolution 21-0014R; Annotated Code of Maryland, Alcoholic Beverage Article, Division II, Title 12, Agency Reports

Analysis by: Jennifer L. Coates

Direct Inquiries to: (410) 396-1260

Analysis Date: March 3, 2021



Liquor Board System

Version 1.0

Annual-Renewal ▾ | License-Transfer ▾ | One-Day ▾ | Add New License ▾ | Query ▾ | Help ▾

License Detail

Close the License

Print License

Print Renewal Letter

<< Go Back

License Info

License Num: **LBD7 015**

Cert Num: **0056**

Fee: **\$1,320.00**

Status: **Renewed**

License Date: **5/1/2020**

License Year: **2020**

CR Number: **15352109**

Payment Date: ********

2019 - 2020 TPP Paid

2020 Trader's License

Update Info

Click to Start License Renewal

Add Adult Entertainment License

Add New Adult Entertainment License

Location

Corp Name: **JC STAR,LLC**

Trade Name: **RED FOX LIQUORS**

Zone Code: **37**

Phone: **410-728-0090**

Block Num: **2733-35**

City: **BALTIMORE**

Street: **PENNSYLVANIA AVENUE**

State: **MD**

Zip: **21217**

CR Number: **15352109**

Portion of Business Used:

**USE PREMISES AS A TAVERN; NO LIVE ENTERTAINMENT AND DANCING; ZONED B-1-2
NONCONFORMING USE**

Restriction:

ANDREW DAEHO LEE NOT TO TAKE ANY PART IN MANAGEMENT.

Edit the License Location Info

Alternate Mailing Address

License Owners

| First Name | Last Name | Street | City | State | Zip | Action | Change Owner |
|------------|-----------|--------------------------|--------------|-------|-------|--------|--------------|
| JAE RAN | CHONG | 10009 OLD FREDERICK ROAD | ELLCOTT CITY | MD | 21042 | Edit | Remove Owner |
| ANNIE R. | LOUDEN | 503 MOUNT HOLLY STREET | BALTIMORE | MD | 21229 | Edit | Remove Owner |

Comments

| Date | Comment | Action |
|------------|---|--------|
| 12/14/2020 | * Licensee(s) changed during 2020 renewal period - Annie R. Louden replaced Soo Il Kim * /kk | Delete |
| 03/23/2020 | Submitted 2019 Traders License through mail.../sb | Delete |
| 11/25/2019 | Mailed letter of recognition for underage drinking compliance check on 11/12/19 /kk | Delete |
| 06/27/2019 | Paid in Full (\$1,125.00) for Violation Hearing dated 5/30/2019; Invoice #117307...../jr | Delete |
| 06/27/2019 | Due to the ransomware attack that effected City Servers on 5/7/2019, the BLLC was not able to enter receipt the fines or fees assessed to this establishment and owed to the BLLC. The fines and/or fees assessed to establishment and owed to the BLLC were received and processed by the BLLC on 6/6/2019...../jr | Delete |
| 06/27/2019 | 5/30/2019 - Public Hearing Re: Violation of Alcoholic Beverage Rule 4.01(a) Sales to Minors - GUILTY - Rule 4.01(a)-Fined \$1,000; \$1,000 + \$125 admin fee; \$1,125 total fine, 30 days to pay (3-0 vote)...../jr | Delete |
| 02/08/2019 | 2/7/2019 - Public Hearing Re: Violation of Rule 4.01(a) Sales to Minor - ADMISSION OF GUILT - Rule 4.01(a)-Fined \$750; \$750 + \$125 admin fee; \$875 total fine, 30 days to pay (3-0 vote)...../jr | Delete |
| 02/07/2019 | Paid in Full for Violation Hearing dated 2/7/2019; Invoice #114077...../jr | Delete |
| 09/28/2018 | Mailed letter of recognition on 9/28/18 for underage drinking compliance check on 9/25/18 /kk | Delete |
| 03/07/2018 | Mailed letter of recognition for underage drinking compliance check on 2/15/2018 /kk | Delete |
| 03/07/2018 | 09/28/17 Public Hearing RE: Violation of Alc. Bev. Art. § 6-313(a)(2) Tampering with alcoholic beverage container GUILTY (3-0 VOTE) \$500.00 Fine + \$125.00 Adm. Fee = \$625.00; 30 days to pay ... /sb | Delete |
| 03/07/2018 | **Database update preformed- S.R** | Delete |
| 10/04/2017 | PAID IN FULL \$625.00 for Violation Hearing dated September 28, 2017; Invoice #108733... /mb | Delete |
| 08/11/2017 | 8/10/2017 Public Hearing - Violation of Alc. Bev. Art. § 6-313(a)(2) Tampering with Alcoholic Beverage Container) - POSTPONED /kk | Delete |
| 05/02/2017 | 4/27/17-Protest of Renewal (2017) Board voted 3-0 to renew the license. | Delete |
| 03/02/2017 | Spoken with Mr. Chong in reference to 2017 Renewal Application about Soo Kim phone #'s, property owned on which taxes are paid and Lease expiration date. He has answered the questions that were needed.... /sb | Delete |
| 03/18/2015 | re: 2015 renewal application - Question "Provide capacity per Fire Permit" Called establishment licensee unable to locate Fire Permit. | Delete |
| 02/11/2014 | 10/3/2013 Public Hearing re : Application to transfer ownership Board Granted Postponement | Delete |
| 01/28/2014 | 01/16/2013- Public Hearing Re: Application to transfer ownership. Board APPROVED the transfer | Delete |
| 08/26/2009 | 08/24/09 \$625 FINE PAID IN FULL #68777 | Delete |
| 08/26/2009 | 08/20/09 Public Hearing re: Violation of rule 4.01(a)DECISION: RULE 4.01(a) GUILTY \$500 + \$125 ADM.FEE = \$625 | Delete |
| 08/26/2008 | 08/26/08 \$500 VIOLATION LETTER FINE PAID IN FULL #64720 | Delete |
| 09/07/2007 | 09/07/07 CONF.FEE \$100 PAID IN FULL #61018 | Delete |
| 09/07/2007 | 09/06/07 Transfer Conf.re: Application to transfer ownership.DECISION: TRANSFER APPROVED MUST PAY CONF.FEE \$100. | Delete |

Print History (Print Card)

License num: LBD7 015

Address: 2733-35 PENNSYLVANIA AVENUE

Trade Name: RED FOX LIQUORS

Comment:

Add Comment

[Hold Info](#)

COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT

City Council Resolution 21-0014R

AGENCY REPORTS

@03-04-21

| | |
|---------------------------------------|-------------|
| City Solicitor | Favorable |
| Board of Liquor License Commissioners | |
| Police Department | |
| Health Department | |
| Department of Transportation | |
| Department of Finance | Not Opposed |

CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW

JAMES L. SHEA
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

March 5, 2021

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 20-0014R – Approval for the Exchange of a Class B-D-7 License
Class A-7 License – 2733 Pennsylvania Ave.

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 21-0014R for form and legal sufficiency. The bill provides the required approval under Md. Code Ann., Alc. Bev. § 12-902.1(c)(4) to allow the license holder holding a valid Class B-D-7 Beer, Wine, and Liquor License issued for use at 2733 Pennsylvania Ave., Baltimore, Maryland 21217 to apply to the Board of Liquor License Commissioners for Baltimore City to exchange their Class B-D-7 Beer, Wine, and Liquor License for a Class A-7 Beer, Wine, and Liquor License.

The Md. Ann. Code Alcoholic Beverages Art. Sec. 12-902.1 allows a license holder who holds a valid Class B-D-7 beer, wine, and liquor license issued on or before July 1, 2018, may apply to the Board to exchange the license for a Class A-7 license if the license holder first obtains approval by resolution of the Baltimore City Council.

This resolution complies with the State law. The Law Department is prepared to approve it for form and legal sufficiency.

Sincerely,


A handwritten signature in cursive script that reads "Elena DiPietro".

Elena R. DiPietro
Chief Solicitor

cc: James L. Shea, City Solicitor
Nina Themelis, Mayor's Legislative Liaison
Nikki Thompson, President's Legislative Director

Natawna Austin
Hilary Ruley, Chief Solicitor
Ashlea Brown, Special Solicitor
Victor Tervalo, Chief Solicitor
Avery Aisenstark

Robert Cennamo

| | | | | |
|------|-----------------------|---|-------------------------------------|---|
| FROM | NAME & TITLE | Robert Cennamo, Chief | CITY of BALTIMORE MEMO |  |
| | AGENCY NAME & ADDRESS | Bureau of the Budget and Management Research Room 432, City Hall (410) 396-4774 | | |
| | SUBJECT | City Council Bill 21-0014R—Approval for the Exchange of a Class B-D-7 License to Class A-7 License-2733 Pennsylvania Avenue | | |

DATE:

TO

The Honorable President and
Members of the City Council
City Hall, Room 400

March 5, 2021

Position: Does Not Oppose

The Department of Finance is herein reporting on City Council Bill 21-0014R, the purpose of which is to approve the exchange of a Class B-D-7 License to a Class A-7 License for 2733 Pennsylvania Avenue.

Background

The passage of Senate Bill 519, Baltimore City-Alcoholic Beverages-Class A-7 License, in the 2018 Maryland General Assembly session authorized the Baltimore City Board of License Commissioners to issue a Class A-7 license. A Class A-7 License authorizes the sale of beer, wine, and liquor from 9:00am to 10:00pm Monday through Sunday and prohibits on-site consumption. The current license for 2733 Pennsylvania Avenue, Class B-D-7, authorizes the sale of beer, wine, and liquor for on- and off-premises consumption from 6:00am to 2:00am.

Fiscal Impact

The annual license fee for an A-7 license is \$1,500, compared to \$1,320 for a Class B-D-7 License. The City will receive an additional \$180 from this license change. While the license change reduces hours of operation, the City does not receive sales revenue from these purchases.

Conclusion

This bill approves the exchange of a Class B-D-7 License to a Class A-7 License for 2733 Pennsylvania Avenue, as authorized by the Maryland General Assembly. There is minimal fiscal impact of this license change.

For the reasons stated above, the Department of Finance does not oppose City Council Bill 21-0014R.

cc: Henry Raymond
Natasha Mehu
Nina Themelis