

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF ROMMEL	*	
CUSTODIO PACHOCA AND LIMARIST	*	BEVERAGE HEARING BOARD
ELIZABETH RIVERA ON BEHALF OF	*	
EIDOS ENTERPRISES, LLC, t/a LOS	*	FOR
COMPADRES FOR A TRANSFER OF	*	
CLASS B BEER, WINE, AND LIQUOR	*	HOWARD COUNTY, MARYLAND
7-DAY ON-SALE LICENSE	*	
	*	Case No. 15-44
	*	

DECISION AND ORDER

The Board of License Commissioners for Howard County, Maryland (the "Liquor Board"), pursuant to Rule 1.02(A) of the Liquor Board Rules and Regulations, has delegated the authority to hear and decide cases to the Alcoholic Beverage Hearing Board for Howard County, Maryland (the "Hearing Board").

On September 1 and 29, 2015, the Hearing Board heard the application of Rommel Custodio Pachoca and Limarist Elizabeth Rivera ("Applicants"), on behalf of Eidos Enterprises, LLC, t/a Los Compadres ("Eidos Enterprises, LLC"), for a transfer of a Class B Beer, Wine, and Liquor 7-day Off Sale License held by Asha Tschand on behalf of Sedona Café & Grill, LLC, t/a Sedona Grill, for a 1,482 square foot restaurant located at 10805 Birmingham Way, Woodstock, Maryland 21163. The application complied with the advertising requirements of Article 2B of the Annotated Code of Maryland. The Applicants were not represented by an attorney. There were no protestants who appeared in opposition to the application.

All the documents on file were incorporated into the record by reference. These include the following: a cover sheet for the application of Eidos Enterprises, LLC; the application;; a

copy of the floor plan; a copy of the Alcoholic Beverage License Management Agreement for Eidos Enterprises, LLC; a letter dated April 8, 2015, from the Maryland State Department of Assessment and Taxation, confirming the acceptance of Eidos Enterprises, LLC; a copy of the Articles of Organization for Eidos Enterprises, LLC; a copy of the Operating Agreement of Eidos Enterprises, LLC; a copy of the background questionnaires for the Applicants; copies of the receipts from the Department of Public Safety and Correctional Services for the Applicants, dated April 3, 2015; copies of BEST Alcohol Awareness Training for the Applicants; copies of the driver's license and record of the Applicants from the Maryland Motor Vehicle Administration; a copy of the Certificate of Birth for Rommel Custodio Pachoca; a copy of the Voter Registration Record for Rommel Custodio Pachoca; a copy of the Maryland Certificate of Live Birth for Limarist E. Rivera; a letter dated May 29, 2015, from the Comptroller of Maryland enclosing the Bulk Transfer Permit; a memorandum dated July 31, 2015, from the Liquor Board to the Alcoholic Beverage Inspector, the Department of Inspections, Licenses, and Permits, the Bureau of Environmental, the Department of Planning and Zoning, and the Fire Marshal; the background investigations of the Applicants by the Alcoholic Beverage Inspector dated August 27, 2015; a memorandum dated August 11, 2015, from the Department of Planning and Zoning; an email dated August 13, 2015, from the Office of the Fire Marshal; a letter dated July 31, 2015, to the Department of Finance; a letter dated August 4, 2015, from the Department of Finance; a letter dated July 31, 2015, to the Comptroller of Maryland; a letter dated August 6, 2015, from the Comptroller of Maryland; a fax transmission to the Rommel Custodio Pachoca enclosing a letter dated July 31, 2015, with notification of the hearing date and the necessity to advertise; the certification of advertisement from the Howard County

Times and the Baltimore Sun; and an email dated August 13, 2015 from the Alcoholic Beverage Inspector stating the premises had been posted.

SUMMARY OF TESTIMONY

Rommel Pachoca, Member and 50% shareholder of Eidos Enterprises, LLC, t/a Los Compadres, was sworn and testified that he has lived in Howard County for 16 years, and that he is a registered voter. Mr. Pachoca testified that he is currently employed with the United States Department of Justice, as a paralegal. Mr. Pachoca testified that he has reviewed the rules and regulations governing the sale of alcoholic beverages with Martin Johnson. Mr. Pachoca testified that they are applying for a transfer of the liquor license for Sedona Café & Grill, because the prior owner had health problems. Mr. Pachoca testified that there has been a restaurant at that location since 2011, and that the customers in the area enjoy having a restaurant there. Mr. Pachoca testified that he feels the restaurant is an accommodation to the public, and that it does not negatively impact the community. Mr. Pachoca testified that he and Limarist Rivera are fit and proper persons to hold a liquor license. Mr. Pachoca testified that the traffic for the restaurant does not interfere with the other businesses in the area, and that there is adequate lighting and parking.

Mr. Pachoca testified that he will be a responsible resident agent, and that he will be at the restaurant approximately 20 to 30 hours per week in the evenings, and on Saturday and Sunday. Mr. Pachoca testified that they plan to have all the employees alcohol awareness certified.

Limarist Rivera, also known as Liz, was sworn and testified that she has seven years of experience in the restaurant business, and that she has reviewed the rules and regulations governing the sale of alcoholic beverage with Martin Johnson. Ms. Rivera testified that she is

alcohol awareness certified. Ms. Rivera testified that she will be at the restaurant approximately 45 to 50 hours per week.

Ms. Rivera testified that the hours of operation will be Sunday through Wednesday from 11:00 A.M. to 9:00 P.M., and Thursday through Saturday 11:00 A.M. to 10:00 P.M. Ms. Rivera testified that they will request identification from anyone who appears to be under the age of 40. Ms. Rivera testified that all three employees and the manager will be alcohol awareness certified.

The following Exhibits were entered into the record:

- Exhibit #1 - photographs
- Exhibit #2 - menu
- Exhibit #3 - training certificate for Limarist Rivera, Rommel Pachoca, Zachary Rivera, Cassandra Seda, Ishmail Mustapha, Kelsey Trot, and Margie Cole from Martin Johnson
- Exhibit #4 - policy manual for Los Compadres

FINDINGS OF FACT

1. The Hearing Board finds that Rommel Custodio Pachoca and Limarist Elizabeth Rivera on behalf of Eidos Enterprises, LLC, t/a Los Compadres, have applied for a transfer of a Class B Beer, Wine, and Liquor 7-day Off Sale License held by Asha Tschand on behalf of Sedona Café & Grill, LLC, t/a Sedona Grill, for a 1,482 square foot restaurant located at 10805 Birmingham Way, Woodstock, Maryland 21163. .
2. The Hearing Board finds that the Applicants are fit and proper persons to hold an alcoholic beverage license.
3. The Hearing Board finds that Rommel Custodio Pachoca has been a Howard County resident for more than two years, is a registered voter, and a 50% shareholder of Eidos Enterprises, LLC, t/a Los Compadres.

4. The Hearing Board finds that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board finds that the granting of this application will not unduly disturb the peace and safety of the residents in the neighborhood.

CONCLUSIONS OF LAW

1. The Hearing Board concludes that Rommel Custodio Pachoca and Limarist Elizabeth Rivera on behalf of Eidos Enterprises, LLC, t/a Los Compadres, have applied for a transfer of a Class B Beer, Wine, and Liquor 7-day Off Sale License held by Asha Tschand on behalf of Sedona Café & Grill, LLC, t/a Sedona Grill, for a 1,482 square foot restaurant located at 10805 Birmingham Way, Woodstock, Maryland 21163. 2. The Hearing Board concludes that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board concludes that Rommel Custodio Pachoca meets the requirements of Rules 1.09(T), 1.09(U), 2.06, and 2.10 of the Liquor Board Rules and Regulations concerning resident agent qualifications.

4. The Hearing Board concludes that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board concludes that the granting of the application will not unduly disturb the peace and safety of the residents in the neighborhood.

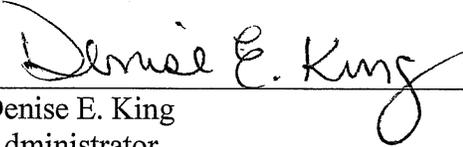
ORDER

For the foregoing reasons, it is this 13th day of October, 2015, by the Alcoholic Beverage Hearing Board of Howard County, Maryland **ORDERED** that the application of Rommel Custodio Pachoca and Limarist Elizabeth Rivera on behalf of Eidos Enterprises, LLC, t/a Los Compadres, for a transfer from Asha Tschand on behalf of Sedona Café & Grill, LLC, t/a Sedona Grill, for a 1,482 square foot restaurant at 10805 Birmingham Way, Woodstock, Maryland 21173, be and the same is hereby **GRANTED** subject to the following conditions:

1. That this **PROPOSED DECISION AND ORDER** shall become final when the Applicants obtain the license and comply with the following conditions:
 - (a) That the Applicants comply with all State and County rules and regulations; and
 - (b) Failure to comply with these conditions and obtain the license by November 30, 2015, shall render this Proposed Decision and Order null and void.

ATTEST:

ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND

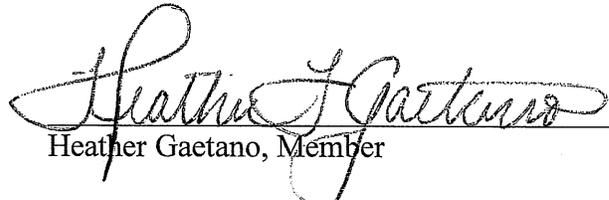

Denise E. King
Administrator


Mary Bird, Chairperson


Harry Evans, III, Vice-Chairperson

REVIEWED BY HOWARD COUNTY
OFFICE OF LAW
GARY W. KUC
COUNTY SOLICITOR


Charles C. Feaga, Member


Heather Gaetano, Member


Lewis Taylor, Esquire
Assistant County Solicitor


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