

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF CHARLES SAVILLE	*	BEVERAGE HEARING BOARD
JOHNSON, JR., FLOREAL PEDRAZO	*	FOR
PERDIGONES, AND ELANA ROSE	*	HOWARD COUNTY, MARYLAND
LADEUIL ON BEHALF OF SOFIVE	*	
COLUMBIA, LLC T/A SOFIVE FOR A	*	Case No.: 19-27
NEW CLASS B BEER AND WINE,	*	
7-DAY ON-SALE LICENSE	*	

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 June 11, 2019, the Hearing Board heard the application of Charles Saville Johnson, Jr., Floreal Pedrazo Perdigones, and Elana Rose Ladeuil (“Applicants”) on behalf of Sofive Columbia, LLC t/a Sofive (“Sofive”) for a new Class B Beer and Wine 7-day on-sale license for a 6,210 square foot restaurant located at 7125 Columbia Gateway Drive, Suite 105, Columbia, MD 21046.

The hearing was properly advertised and the property posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicants were represented by Thomas Meachum, Esquire. There were no protestants who appeared in opposition to the application.

All the documents on file were incorporated into the record by reference.

As a preliminary matter, Thomas Meachum requested that the application be amended from a Class D to a Class B license as there will be less alcohol sold than food sold

at this facility. The board voted to grant the request to amend the Class D license that was originally requested and advertised to a Class B license.

SUMMARY OF TESTIMONY

Floreal Pedraza Perdigones, proposed licensee and authorized member of Sofive of Columbia, LLC, was sworn and testified that he has previous experience in the sale of alcohol. Mr. Perdigones testified that he currently manages the Rockville Sofive facility where they sell alcohol and there have been no violations in the three months that they have been in operation. Mr. Perdigones stated that the average daily receipts show the sale of food to be 60% and the sale of alcohol to be 40% at the Rockville facility and expects the percentage to be consistent in the Columbia Sofive.

Mr. Perdigones testified that Sofive is an indoor state-of-the-art soccer facility that hosts leagues and tournaments and they sell food and snacks as well as beer and wine. He stated that there are five Sofive locations and there has never been a violation of the alcoholic beverage laws at any of the facilities. Mr. Perdigones testified that the floorplan shows the proposed licensed premises marked with red on the plan and the other areas are fields and lockers, etc.

Mr. Perdigones testified that he is the general manager of the Sofive Columbia location and is responsible to hire, supervise, and train staff. He stated that he is also general manager for the Sofive Rockville location, however, has trained someone else to manage the facility in Columbia when he is not available.

Mr. Perdigones testified that he plans to be at the Columbia facility quite often to make sure everything is operating properly. He stated that the hours of operation will be 9 a.m. to 1 a.m. Monday through Sunday and there will be three managers and two service

representatives on site at any given time. Mr. Perdigones testified that he is alcohol awareness certified and it is mandatory that all managers and staff that deal with alcohol be alcohol awareness certified as well. He stated that there will be an orientation for the employees on how to serve alcohol.

Mr. Perdigones testified that there will be someone responsible to canvas the area to make sure that anyone consuming alcohol stays in the area labeled for alcohol consumption. He stated that several signs are present indicating areas where alcohol is allowed to be consumed, which area totals 6,000 square feet of the total 55,000-square foot building. He described that in order to get into the field area, patrons must go through a door and signs will be posted to remind people that no alcohol can leave the licensed area.

Mr. Perdigones testified that youth leagues will use the facility in the morning and early evening and that adults will use the facility after 5 or 6 p.m. Mr. Perdigones testified that alcohol is only available for sale after 4 p.m.

Mr. Perdigones testified that he has no financial interest in the organization, but can grow with the company and gets a salary and bonus with increased sales. Mr. Perdigones testified that he has read and understands the Liquor Board rules and regulations and will abide by them.

Applicants' Exhibit #1 was submitted into the record:

#1 - Alcohol Awareness Certification for Floreal Pedraza.

Charles Saville Johnson, Jr., proposed resident agent, was sworn and testified that he has resided in Howard County for 23 years, is a registered voter, an authorized person, and a 10% interest holder of the LLC.

Mr. Johnson testified that he has been a resident agent for over a year on two other

liquor licenses in Howard County - Squisito Pizza and Pasta and Meatballs, Etc., and that there have been no violations during that time. He testified that he has visited these locations at least once a month to check employee records, employee training, and to observe and look for any violation of alcohol law and plans to do the same at this proposed facility. Mr. Johnson testified that at first, he plans to visit Sofive weekly to meet with the General Manager, to ask about employee training, to look through records and required paperwork and to make sure that patrons drinking alcohol appear to be of proper age.

Mr. Johnson testified that he is alcohol awareness certified and that he has read and understands the Liquor Board Rules and Regulations and will abide by them.

Applicants' Exhibit #2 was submitted into the record:

#2 - Alcohol Awareness Certification for Charles Johnson.

Upon questioning by the Board, it is Mr. Johnson's understanding that as resident agent, his main role as an inspector is to make sure everything is running smoothly. Mr. Meachum explained that Mr. Johnson is a series B member of the LLC, an authorized person and a 10% interest holder.

Elana Rose Ladeuil, officer with Sofive Inc. and managing member of Sofive Columbia, LLC, was sworn and testified that she has had experience with five other Sofive facilities on the east coast and that there have been no alcohol violations at these locations. She stated that she does not have a day-to-day presence at these facilities and that decisions are made by those employees on site, however, she visits the centers four to five times per year to make sure that policies are being put into place and that facilities are running smoothly.

Ms. Ladeuil testified that she has taken the alcohol awareness course and has read

and reviewed the Liquor Board rules and regulations and will abide by them.

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicants waived their right to request the Liquor Board to hear the case.

Based on the evidence presented at the hearing, the Alcoholic Beverage Hearing Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Hearing Board finds that Charles Saville Johnson, Jr., Floreal Padrazo Perdigonos, and Elana Rose Ladeuil on behalf of Sofive Columbia, LLC t/a Sofive have applied for a new Class B Beer and Wine, 7-day on-sale license for a 6,210 square foot restaurant located at 7125 Columbia Gateway Drive, Suite 105, Columbia, MD 21046.

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 Charles Saville Johnson, Jr. has been a Howard County resident for more than two years, is a registered voter, and has a 10% financial interest in Sofive.

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 of the neighborhood.

CONCLUSIONS OF LAW

1. The Hearing Board concludes that Charles Saville Johnson, Jr., Floreal Pedrazo Perdigonos, and Elana Rose Ladeuil on behalf of Sofive Columbia, LLC t/a Sofive have applied for a new Class B Beer and Wine, 7-day on-sale license for a 6,210 square foot

restaurant located at 7125 Columbia Gateway Drive, Suite 105, Columbia, MD 21046.

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 Charles Saville Johnson, Jr. meets the requirements of Rules 1.10(S), 1.10(T), and 2.06, 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 this application would not unduly disturb the peace and safety of the neighborhood.

ORDER

For the foregoing reasons, it is this 9th day of July, 2019, by the Alcoholic Beverage Hearing Board of Howard County, **ORDERED**, that the application of Charles Saville Johnson, Jr., Floreal Pedraza Perdigones and Elana Rose Ladeuil on behalf of Sofive Columbia, LLC t/a Sofive for a new Class B Beer and Wine, 7-day on-sale license for a 6,210 square foot restaurant located at 7125 Columbia Gateway Drive, Suite 105, Columbia, MD 21046, be and the same is hereby **GRANTED**, subject to the following conditions:

- (a) That the Applicants comply with all State and County laws and regulations; and
- (b) That the Applicants satisfy any requirements necessary to obtain the license by October 9, 2019, unless that deadline is extended by the Board upon good cause shown; and
- (c) Failure to comply with these conditions shall render this Proposed Decision and Order null and void.


ATTEST:

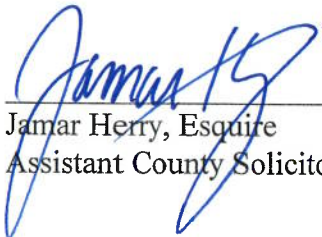
ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND

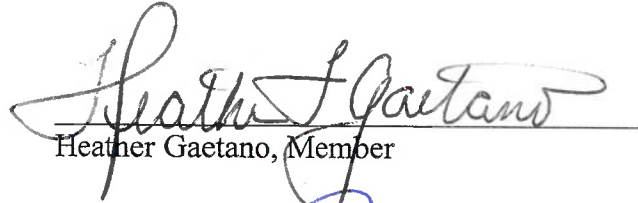

Robin Regner
Board Administrator

ABSENT AT TIME OF SIGNING
Gene Ryan, Chairperson

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

ABSENT
Mary Bird, Vice Chairperson

Harry Evans, Member


Jamar Herry, Esquire
Assistant County Solicitor


Heather Gaetano, Member


Charley C. Sung, Member