

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF PETER BRETT	*	BEVERAGE HEARING BOARD
MEHRBERG AND GABRIEL LEVINE	*	FOR
SMITH ON BEHALF OF URBAN	*	HOWARD COUNTY, MARYLAND
PLATES ABC COLUMBIA, LLC, t/a	*	
URBAN PLATES, FOR A NEW CLASS	*	Case No.: 18-19
B BEER, WINE, AND LIQUOR 7-DAY	*	
ON-SALE LICENSE	*	

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### **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 March 13, 2018, the Hearing Board heard the application of Peter Brett Mehrberg and Gabriel Levine Smith (“Applicants”), on behalf of Urban Plates ABC Columbia, LLC, t/a Urban Plates (“Urban Plates”), for a new Class B Beer, Wine, and Liquor, 7-day on-sale license for a 5,200-square foot restaurant with a 694-square foot outdoor patio, located at 10300 Little Patuxent Parkway, Space 3035, Columbia, Maryland 21044. 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 Leanne M. Schrecengost, Esquire. There were no protestants who appeared in opposition to the application.

### **SUMMARY OF TESTIMONY**

Peter Brett Mehrberg, Executive Vice President, member and authorized person of Urban Plates, was sworn and testified that he has worked with Urban Plates for five years and has no felony convictions. Mr. Mehrberg testified that he is responsible for real estate

development and legal issues. Mr. Mehrberg testified that there are thirteen Urban Plates locations in California and the proposed restaurant in Columbia would be the second one on the east coast. He stated that this restaurant would be located at The Mall in Columbia and that this is a good location and a good fit as determined by an outside analytical firm, which used mapping software and demographics in their analysis.

Mr. Mehrberg testified that this restaurant is a unique, casual restaurant with food made from scratch and includes salads and 15-16 side dishes, served in a cafeteria-style setting with servers. He stated that the restaurant will be affordable, at a cost of \$10-12 per plate, and will be attractive to families with kids and seniors. Mr. Mehrberg testified that alcohol will be ordered at a separate station and he anticipates that Urban Plates will have alcohol sales of approximately 3% to 3.5%. Mr. Mehrberg testified that there will be approximately 75 employees and only 10 will be involved with alcohol sales. All managers will be alcohol awareness certified and they will train other employees using an extensive training program. Mr. Mehrberg stated that anyone who appears to be under the age of thirty will be carded and vertical IDs will not be accepted. He testified that employees will monitor anyone drinking alcohol on the outdoor patio.

Gabriel Levine Smith, proposed resident agent and 10% shareholder, was sworn and testified that she has been a resident of Howard County since 2008, is registered to vote, is alcohol awareness certified and has no felony convictions. Mrs. Smith testified that she has read and understands the Liquor Board Rules and Regulations and will abide by them. She stated that she plans to visit the restaurant about once per month and that if she sees any violations, she will notify the manager on duty.

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 Peter Brett Mehrberg and Gabriel Levine Smith on behalf of Urban Plates ABC Columbia, LLC, t/a Urban Plates, has applied for a new Class B Beer, Wine, and Liquor, 7-day on-sale license for a 5,200-square foot restaurant with a 694-square foot outdoor patio, located at 10300 Little Patuxent Parkway, Space 3035, Columbia, Maryland 21044.

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 Gabriel Levine Smith has been a Howard County resident for more than two years, is a registered voter, and a 10% shareholder of Urban Plates.

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 Peter Brett Mehrberg and Gabriel Levine Smith on behalf of Urban Plates ABC Columbia, LLC, t/a Urban Plates, have applied for a new Class B Beer, Wine, and Liquor, 7-day on-sale license for a 5,200-square foot restaurant with a 694-square foot outdoor patio, located at 10300 Little Patuxent Parkway, Space 3035,

Columbia, Maryland 21044.

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 Gabriel Levine Smith 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 will not unduly disturb the peace and safety of the neighborhood.

**ORDER**

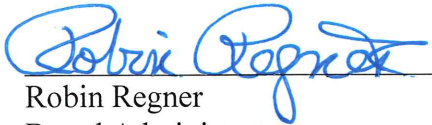
For the foregoing reasons, it is this 5<sup>th</sup> day of June, 2018, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Peter Brett Mehrberg and Gabriel Levine Smith on behalf of Urban Plates ABC Columbia, LLC, t/a Urban Plates, for a new Class B Beer, Wine, and Liquor, 7-day on-sale license for a 5,200-square foot restaurant with a 694-square foot outdoor patio, located at 10300 Little Patuxent Parkway, Space 3035, Columbia, Maryland 21044, 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 September 5, 2018, 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

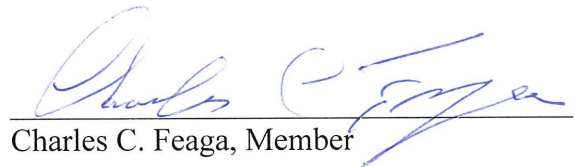


Heather Gaetano, Chairperson

ABSENT AT TIME OF SIGNING

Mary Bird, Vice-Chairperson

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



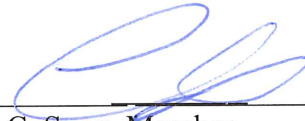
Charles C. Feaga, Member

ABSENT

Gene Ryan, Member



Lewis Taylor, Esquire  
Senior Assistant County Solicitor



Charley C. Sung, Member