

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF DAWN CRIKET	*	BEVERAGE HEARING
ALEXANDER ON BEHALF OF	*	BOARD FOR
ALGITS, INC. T/A NINJABE FOR A	*	HOWARD COUNTY, MD
NEW CLASS B, BEER, WINE &	*	
LIQUOR 7-DAY ON SALE LICENSE	*	Case No.: 20-16

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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 May 12, 2020, the Hearing Board heard the application of Dawn Cricket Alexander (“Applicant”) on behalf of Algits, Inc. t/a Ninjabe (“Ninjabe”) for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 22,533-square foot facility located at 9301 Snowden River Parkway, Columbia, Maryland 21046.

The hearing was properly advertised, and the property was posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicant was not represented by counsel. There were no protestants who appeared in opposition to the application.

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

SUMMARY OF TESTIMONY

Dawn Alexander, proposed licensee and 100% owner of the company, was sworn and testified that this existing establishment is committed to fun, functional fitness. Ms. Alexander testified that Ninjabe has been in operation since 2017, accommodates the public’s desire, and does not have a negative effect on the surrounding neighborhood or other nearby businesses. Ms. Alexander stated that the surrounding area is zoned for commercial and retail use with no nearby

residences. Ms. Alexander testified that there is adequate lighting and parking and that the sidewalks, parking and entrance to the facility are accessible to those with disabilities.

Ms. Alexander offered four exhibits which were accepted into the record by the Board:

1. Alcohol Awareness Certificate for Dawn Alexander
2. Floorplan of Ninjabe
3. Photographs of the facility
4. Diagram of I-golf area

Ms. Alexander testified that she is fit and proper and committed to functional fitness for all ages and that the theme for this facility is the ninja warrior culture. Ms. Alexander stated that Ninjabe will offer an open gym, classes, and other special events that will encourage physical activity. Ms. Alexander described Ninjabe as a community center and an indoor sports-competition venue which includes a ninja warrior course, I-golf simulation area, and Zen room. Ms. Alexander testified that the full screen I-golf simulation area of this facility is the only location in Howard County offering this concept. Ms. Alexander testified that I-golf is a virtual simulator that reproduces virtual golf courses from around the world.

Ms. Alexander testified that she is an athlete and an educator and has a Bachelor's degree in Government, an MBA, and a Master's certificate in Project Management. Ms. Alexander stated that she serves on several organizations, local non-profit boards, supports the community with donations and activities, and will also participate in any recycling programs.

Ms. Alexander testified that she is alcohol awareness certified and has studied the Liquor Board Rules and Regulations and will abide by them. Ms. Alexander stated that she will have 30 employees who will be trained and required to read and sign that they have received a copy of an alcohol service policy. Ms. Alexander testified that all managers and staff that are involved with

alcohol service will be alcohol awareness certified within a short time of being hired. Ms. Alexander stated that the policy of Ninjabe will be that anyone appearing to be under the age of 40 years old will be required to provide identification and that vertical licenses will not be accepted. Ms. Alexander testified that anyone appearing to be intoxicated will not be served alcohol.

Ms. Alexander testified that the planned seating includes 9 tables with chairs in the I-golf section, 4 chairs at the bar in the I-golf section, 8 seats in the Zen room and 3 Group rooms with bench and table seating. Ms. Alexander stated that no alcohol will be permitted in the ninja warrior activity section except during tournaments and that participants in competitions are not permitted to consume alcohol. Ms. Alexander testified that plastic cups will be used to serve alcohol and that she plans to utilize Maryland breweries and will start with domestic beer and wine.

Ms. Alexander testified that the hours of operation will be Monday through Thursday from 11 a.m. to 8 p.m.; Friday from 11 a.m. to 10 p.m.; Saturday from 7 a.m. to midnight; and Sunday from 7 a.m. to 8 p.m. with some special programs and late-night activities that do not include alcohol. Ms. Alexander stated she would notify the Liquor Board about such events.

Ms. Alexander testified that she is also the general manager and will work at Ninjabe 40 hours or more per week along with another manager who is also alcohol awareness certified. Ms. Alexander testified that she is involved with schools, including school field trips to Ninjabe, with Howard County Recreation and Parks programs, and is in partnership with PTAs, i.e., holding fundraising activities and silent auctions. Ms. Alexander stated that her former business partner, April Giles, does not currently have an interest in the business. However, Ms. Alexander noted that Ms. Giles had the initial artistic vision for Ninjabe, developed fitness games, and conducted technology comparisons so that equipment will meet safety standards. Ms. Alexander confirmed

that Ninjabe is not a franchise.

Ms. April Giles testified that the maximum capacity of this facility is 646 people. Ms. Giles testified that Ninjabe has held corporate and private events and will be focused mainly on fitness activities, I-golf and ninja warrior games.

Martin Johnson, liquor consultant to Dawn Alexander and former police officer and Liquor Board Inspector, was sworn and testified to the authenticity of the photographs in Exhibit C as he took them. Mr. Johnson testified that he feels the Class B requested license class is correct as he is confident that more money will come from the sale of food than from the sale of alcohol, but the Class could be changed to a Class D at a later time if necessary.

Mr. Johnson testified that this application requested a Beer, Wine, and Liquor license because there may be some wine sold that may have an alcohol content of more than 15.5% which would require a license for Liquor. Mr. Johnson testified that this facility is similar to other facilities approved by the Hearing Board, such as the Soccer Dome, Circle D Tennis Club, Stumpy's Hatchet House and six outdoor golf courses, and that food would be packaged snacks, food delivery services, or that people may be permitted to bring in their own food. Ninjabe may also consider allowing food trucks for certain events. Mr. Johnson testified that he and Ms. Alexander have contacted Detective Mark Baxter to ask him to evaluate the plans and to ask him for advice and suggestions.

Arielle Karp, nearby resident was sworn and testified that she supports Ninjabe and has attended events at this facility in the past. Ms. Karp testified that she would like to have alcohol beverage service available at this facility.

Bernard Leipold is an employee at Ninjabe and was sworn and testified that he is familiar with the facility and the equipment. Mr. Leipold testified that the owner and facility are very

organized and that many patrons of this facility request that alcohol beverages be made available. Mr. Leipold stated that the patrons are looking for a place to have alcohol beverages after working out at the facility.

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicant waived her 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 Dawn Cricket Alexander, on behalf of Algits, Inc. t/a Ninjabe, has applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 22,533-square foot facility located at 9301 Snowden River Parkway, Columbia, Maryland 21046.
2. The Hearing Board finds that the Applicant is a fit and proper person to hold an alcoholic beverage license.
3. The Hearing Board finds that Dawn Cricket Alexander is a Howard County resident, is a registered voter, and has a 100% financial interest in the business.
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 that Dawn Cricket Alexander, on behalf of Algits, Inc. t/a Ninjabe, has applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 22,533-square foot facility located at 9301 Snowden River Parkway, Columbia, Maryland

21046.

2. The Hearing Board concludes that the Applicant is a fit and proper person to hold an alcoholic beverage license.

3. The Hearing Board concludes that Dawn Cricket Alexander is a Howard County resident, is a registered voter, and has a 100% financial interest in the business.

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

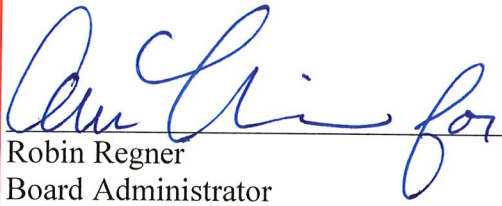
5. The Hearing Board concludes that the granting of this application would not unduly disturb the peace and safety of the neighborhood.

ORDER

For the foregoing reasons, it is this 9th day of July, 2020, by the Alcoholic Beverage Hearing Board of Howard County, **ORDERED**, that the application of that Dawn Cricket Alexander, on behalf of Algits, Inc. t/a Ninjabe, for a new Class B Beer, Wine and Liquor 7-day on-sale license for a 22,533-square foot facility located at 9301 Snowden River Parkway, Columbia, Maryland 21046, be and the same is hereby **GRANTED**, subject to the following conditions:

- (a) That the Applicant complies with all State and County laws and regulations; and
- (b) That the Applicant satisfies any requirements necessary to obtain the license by October 2, 2020, 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:


Robin Regner
Board Administrator

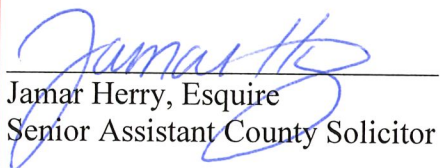
**ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND**


Mary Bird, Chairperson


Harry Evans, Vice Chairperson

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


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Charley C. Sung, Member