

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF THOMAS JOSEPH	*	BEVERAGE HEARING BOARD
QUICK ON BEHALF OF THE LOFT	*	FOR
WINE & SPIRITS, LLC, t/a THE LOFT	*	HOWARD COUNTY, MARYLAND
WINE & SPIRITS, FOR A NEW CLASS	*	
CLASS A-1 BEER, WINE, AND LIQUOR	*	Case No.: 18-31
7-DAY OFF-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 July 24, July 26, and August 7, 2018, the Hearing Board heard the application of Thomas Joseph Quick (“Applicant”), on behalf of The Loft Wine & Spirits, LLC, t/a The Loft Wine & Spirits (“The Loft”), for a new Class A-1 Beer, Wine, and Liquor 7-day off-sale license and refillable container permit for a 9,930-square foot package goods store located at 8855 McGaw Road, Columbia Maryland 21045. The hearing was properly advertised and the property posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland.

The Applicant was represented by Thomas Meachum, Esquire. Steven Wise, Esquire, representing The Perfect Pour, appeared in opposition to the application. Several other individuals appeared, some in support and some in opposition. Board member Charlie Sung recused himself from the case.

All the documents on file were incorporated into the record by reference, including the records from the 2012 and subsequent applications before the Boards for a license at

8855 McGaw Road.

## SUMMARY OF TESTIMONY

### July 24, 2018 Public Hearing

Meg Boyd was sworn and testified that she is in support of this application because of the convenience of having a liquor store next to a grocery store and because of her support for the applicant in this case. Ms. Boyd testified that Mr. Quick is very involved in the community and she supports him in this proposed business.

Julie Hickey was sworn and testified that she supports Mr. Quick and that she believes approval of this application would provide one-stop shopping for groceries and alcohol, which would save time and be efficient.

David Rowlett was sworn and testified in support, stating that it would be in the County's best interests to support this business. Mr. Rowlett testified that this location would feature local products and the larger space would allow Mr. Quick to expand his inventory and keep costs competitive.

Wayne Clarke was sworn and testified that the proposed store would be convenient to his work and would probably be more affordable than other liquor stores in the area. Mr. Clarke testified that he shops at Mr. Quick's current liquor store, Cindy's Skylight Liquors ("Cindy's") and that Mr. Quick provides good customer service, prices, value, atmosphere, and a great selection.

Gloria Larkin was sworn and testified that she supports this proposal as well as the Quick family. She testified that she values the one-stop shopping concept and it would serve the community and benefit East Columbia and local brewers.

Nikki Marlatt-Young was sworn and testified that she frequents Cindy's and their

store is always immaculate with a well-maintained parking lot and building. She said that Mr. and Mrs. Quick are good business owners and neighbors in the Elkridge area, and that the proposed liquor store will benefit the Columbia area.

Other supporters of the application who were in the audience stood up to show their support for the application.

Tom Quick, 100% owner and sole licensee for The Loft, was sworn and testified that he wants the opportunity to lease space for a new liquor store at the proposed location. Mr. Quick testified that the proposed store will be 9,930 square feet and will be a premier liquor store offering an innovative shopping experience in Howard County without putting other liquor stores out of business.

Mr. Quick described his background and testified that he has been the current owner and operator of Cindy's Skylight Liquors for the last 15 years, however, he needs more room to expand his business, and in April of 2014, he hired a commercial real estate agent to negotiate a lease with Wegmans, who will be the landlord, to open a new liquor store.

Mr. Quick testified that he has lived in Howard County for over 23 years and is a registered voter. He stated that, based on experience, he believes having a liquor store near a grocery store would be beneficial to his business. He testified that he is alcohol awareness certified, is a registered voter and has never had any alcohol violations. Mr. Quick testified that he gives extensive training to his employees, and offers them employee benefits and excellent working conditions. Mr. Quick stated that he offers health insurance, paid vacation, and a retirement account with company match to his employees, and stated that he gives back to the community and non-profits with donations and support.

Mr. Quick testified that he wants this proposed liquor store to be clean and organized

with wide aisles and no clutter. He submitted the following exhibit into the record:

**Applicant's Exhibit No. 1 – floorplan for The Loft**

Mr. Quick testified that the entrance to the proposed liquor store is located on the second floor of the parking garage and that there will be no access to the grocery store from the liquor store. He testified that the aisles will be 5-1/2 to 6 feet wide and displays will be short to provide an openness to the store.

Mr. Quick testified that there will be a wine room that is temperature controlled for high-end wine as well as a permanent alcohol tasting station for wine. He will have a 15-foot cooler to allow customers to have a wide range of cold choices and will offer products not currently available at other liquor stores. Mr. Quick testified that he will offer wine growlers or tap wine, similar to beer, and will offer a huge selection of wine and beer at great prices. He testified that all wine will be stored at appropriate temperatures.

Mr. Quick testified that his staff will be knowledgeable and helpful and will be able to explain products to the customers and assist them to their cars with their purchases. He testified that his store will offer a free chilling service for customers and will also offer classes to educate customers about wine and beer.

Mr. Quick offered into evidence 2 petitions: – one signed at Cindy's and one signed at the Wegmans' Grocery Store.

**Applicant's Exhibit No. 2 – Petition in support signed by customers at Cindy's Skylight Liquors (250 signatures)**

**Applicant's Exhibit No. 3 – Petition in support signed by customers from Wegmans**

A party in opposition objected to the introduction of the Petitions as evidence. After discussion with counsel, the Board accepted the petitions as exhibits and noted they would

give them the weight they deserved. A Board member asked people in the audience to stand up if they signed the petition and several people stood. Mr. Quick testified that a Wegmans employee collected the signatures from the Wegmans' customers. ✓

Mr. Quick testified that the proposed store will be like no other in Howard County and that he will be offering different products. Mr. Quick testified that under his lease, he is in exclusive possession of the premises and can set hours of operation that may differ from those of Wegmans. He also testified that he is responsible for all repairs. Mr. Quick stated that there are other liquor stores next to grocery stores in Howard County.

Under cross examination by opposition counsel, Steven Wise, Mr. Quick testified that he owns 100% of Cindy's Skylight Liquors, however, will disassociate with Cindy's prior to receiving The Loft license. Mr. Quick stated that he was interested in the Wegmans location and signed a sublease negotiated in 2014 with Wegmans for 10,000 square feet.

Mr. Wise questioned Mr. Quick about the sublease with Wegmans and Mr. Quick stated that the real property taxes would be paid by the landlord. He stated that there were no common area maintenance fees and that Wegmans would cover snow plowing, cleaning ✓ the parking lot, and repairs to anything outside of the building and that this was a "full-service lease." Mr. Quick stated that Wegmans will cover utility bills referred to Section 5.3 of the sublease, which provides that the landlord will furnish heating, air conditioning, electric, and water to the premises. ✓

Mr. Quick stated that he is not sure who will bear the cost for liability insurance or ✓ property insurance covering store fixtures. Mr. Quick testified that the tenant is responsible for improvements, additions, and the computer system. He stated that Wegmans will own the coolers and other fixtures in the store. ✓

Mr. Quick testified that his business and Wegmans are housed within the same main structure and that there are no other stores. He said that the street address of the proposed store is the same as Wegmans. He stated that bathrooms are not part of the licensed premises because including them would go over the 10,000 square-foot limit for Class A licenses in Howard County. The freight elevator is also not included in the lease area, but is dedicated to his use. He stated that there is shared parking.

Mr. Quick testified that there are no other agreements with Wegmans. There are no advertising agreements and he will be the employer and do the hiring of his employees. He stated that Wegmans did host a meet and greet with him and 100-200 of its best customers.

Referencing the floorplan, Mr. Quick clarified that the location of the store will be on the right side, facing Wegmans. Mr. Quick clarified that the bathrooms are not part of the licensed premises and neither is the hallway to the elevator, which goes to the loading dock. Mr. Quick testified that they will be using that area, however, will not be leasing it.

Questioned by the Board members, Mr. Quick clarified the following:

- The freight elevator is dedicated for his use, but is not exclusive to his use.
- The post office has not given this store a different address from Wegmans.
- The lease covers everything and the cost is approximately \$43 per square foot. The cost of Cindy's Skylight Liquors is approximately \$30 per square foot.
- This lease is a 5-year lease.
- Mr. Quick used a real estate person, Mr. Nevin, to negotiate the lease.
- At Cindy's, they have up to 12 employees, 8 of which are full time and receive health insurance.

Mr. Quick stated that Wegmans and his proposed space are located in the same building, however, they are completely separate entities/businesses and that they will not be

working together. He believes that a liquor store goes well with a grocery store.

Upon Board questioning, Mr. Quick stated that he does not yet have a price list for alcohol to be sold, but he will offer very competitive pricing and quantity deals. He stated that there are thousands of products available for his purchase, however, he will only be purchasing some of the special deals that are available. He stated that generally, when purchasing a product in quantity, you can obtain the lowest price. He stated that Wegmans would have no say in his product line.

Mr. Quick clarified that Science Fiction, LLC, owns the real property that Wegmans is located on and that Wegmans took care of obtaining the appropriate zoning for the liquor store at this location.

Mr. Quick clarified that the existing interior front staircase from Wegmans to the proposed liquor store will be removed. He indicated that there is a back staircase which would be used as a fire exit only.

Mr. Quick stated that his product line will include fine wines which are high end and he will be able to offer a large selection. He stated that he will stock 100% of the products from local Howard County breweries and wineries and that he plans to have wine growlers on the day his store opens.

Upon questioning by the Board's counsel, Mr. Quick clarified and corrected some of his answers on the liquor application, including previous employment and the status of his wife's ownership interest in his current liquor store.

Mr. Quick testified that he has been engaged as a commercial real estate broker since 2015 and this information was not included in his background application as he did not think it was necessary as he was self-employed. He stated that the floorplan was prepared by both

Wegmans and himself and that the vestibule will be closed off when it is time for build out and he is not sure how long that will take.

Mr. Quick stated that he has not talked to Wegmans about club card usage or coordinating sales and that Wegmans shoppers will not be given any special privilege at his store. Mr. Wise asked Mr. Quick about his plans to carry Wegmans brand wine if offered and Mr. Quick stated that he may if it was a good business decision, but that he would purchase it through a distributor.

Due to scheduling issues and upon agreement by the parties, Donald Barrick, an opposition witness, was called out of order. He was sworn and testified that he is a commercial real estate broker for BAF Group on Main Street in Ellicott City and works with businesses and individuals to relocate their businesses. Mr. Barrick testified that he has been in the commercial real estate field since 1984 and has experience negotiating and dealing with commercial and retail and office leases, including leases for liquor and package good stores. The following exhibit was offered and accepted by the Board:

**Protestant's Exhibit 1: Resume for Donald Barrick**

Mr. Barrick testified that he has reviewed the 2014 sublease between The Loft and Wegmans. He explained that a "triple net" lease is common in the retail industry and is comprised of a combination of rent, along with common area maintenance, real estate taxes, and building insurance. He testified that he has not seen a full-service type of lease used in the retail context and that it is not consistent with a retail environment where things like refrigeration is used, because the landlord would pay for that cost. He stated that according to Exhibit B in the lease, there is some uncertainty as to what fixtures are included. He said that usually a leased area comes as a shell and the tenant puts everything into the space

including shelving, flooring, and coolers, which are substantial expenses. Mr. Barrick testified that a full-service lease is uncommon in commercial retail spaces and he has only seen this type of lease in high-end office leases. Mr. Barrick stated that this lease is an incredible advantage to the tenant - that there is no personal guarantee, no deposit, no first, and last month rent required and the rent is modest.

Pursuant to Board questioning, Mr. Barrick stated that he has represented both tenants and landlords including those related to liquor stores and clarified that there is nothing unlawful about offering a full-service lease agreement.

Mr. Barrick testified that he is not aware if there are separate utility meters for Wegmans and the proposed The Loft or if coolers and fixtures are already on site. Mr. Barrick estimated that from his experience and in researching a database, the price for a full-service lease in this area would be between \$35 and \$58 per square foot, but adding the fixtures to this cost would add an additional \$9 to \$15 per square foot. He testified that the lease was negotiated four years ago and at that time the price for the base rent was a good base rent, but a triple net was not involved in that nor the cost of the build out. The lease also did not include the sharing of costs for the use of the bathroom and corridor.

Mr. Barrick testified that he was not being paid for his testimony and that he has not previously been involved with Wegmans.

At the conclusion of the hearing, the Board requested that the Applicant provide the Master Lease for the property and a representative of Wegmans to testify to the building alterations that would take place to accommodate the proposed liquor store.

#### **July 26, 2018 Public Hearing**

On July 26, 2018, the Applicant continued his case. Mr. Thomas L. Fidler, Jr.,

Executive Vice President and principal of MacKenzie Commercial Real Estate Services, was sworn and testified that he has 25 years of experience in the commercial retail industry. He submitted the following exhibits for the record:

**Applicant's Exhibit 4 – Professional biography of Thomas Fidler**

**Applicant's Exhibit 5 – Marketing study packet**

Mr. Fidler testified about the marketing study showing results within a 5-mile radius of the proposed store including testimony about other liquor stores located within a 5-mile radius; population growth from 2010-2017; median income; expenditures on food and beverage; employee density; percentage of Wegmans' customers by zip code and projected population growth from 2017-2022.

Mr. Fidler offered into evidence, Exhibit 6, a synopsis of the statistics that went into preparing Exhibit No. 5. After objection by Mr. Wise that the report should have been submitted to the Board in advance of the hearing, pursuant to the prior agreement of the parties, and Mr. Meachum's response that the presentation was not a "report," the following Exhibit was admitted into the record:

**Applicant's Exhibit 6 – Demographic and Income Profile**

Mr. Fidler testified about consumers, how they shop and the changes over the years related to experience, choice, and convenience. He stated that shoppers are looking for one-stop shopping and the proposed liquor store is a necessary accommodation to the public in the greater Columbia area and he supports the approval of this application. Mr. Fidler explained that concerning the Columbia Wine application for the same space in May 2012, the marketing study was hypothetical at that time as information was not available because Wegmans was not yet open. Mr. Fidler testified that consumers have changed how they shop

and he believes that the Board should consider the need and accommodation criteria.

Mr. Fidler testified that he has seen other “full-service” or “gross” leases that include coolers, and other fixtures. He stated that there is only one electric meter for the entire property and it would be very expensive to break that into two meters. He testified that the public bathrooms are not exclusive to the tenants, they are a shared area.

Mr. Fidler testified on cross that he received proprietary data from Wegmans about its customer demographics.

### **Protestants’ Case in Chief**

Barry Coughlin, owner of The Perfect Pour, was sworn and testified that he is familiar with the terms of the proposed lease and that he pays considerably more at his liquor store. He stated that his lease is a triple net lease and is \$48 per square foot with an additional CAM (common area maintenance) fee of \$9.67 per square foot, plus \$26,000 per year in electric costs. He indicated that coolers and shelving at The Loft probably costs hundreds of thousands of dollars and are included in the lease, but he had to sign a contract to purchase his shelving and coolers separate from his lease.

Mr. Coughlin testified that the proposed liquor store will impact him negatively and be a disadvantage to him as The Loft would have lower operating costs. He also stated that some liquor stores were missing on the list provided by Mr. Fidler of liquor stores within a 5-mile radius from the submit property, which included Owen Brown Liquors, US 1 Liquors, Crestmount, Lark Brown and Mel’s Liquors. Mr. Coughlin submitted the below exhibit into the record:

**Opposition’s Exhibit 2 – A list of stores not included in Mr. Fidler’s list of liquor stores in a 5-mile radius.**

Mr. Coughlin testified that The Perfect Pour has been in business for approximately 12 years and he has 13 full-time and 4 part-time employees. He offers them a pension plan and vacation, however, does not offer health insurance. Mr. Barry testified that The Perfect Pour offers 3,000 craft beers and he supports breweries from Howard County. He also indicated that his sales have decreased over the past 2 years and there is no need for a new liquor store in the area. On cross, Mr. Coughlin stated that he was not aware of a liquor store that had closed because a new liquor store had opened. He stated that he is near a grocery store called Trader Joe's, and they share a sign with other tenants, but that Trader Joe's is not his landlord.

Mr. Coughlin testified that alcohol consumption has gone down over the last few years and his sales have declined. He stated that he did not believe the transaction between The Loft and Wegmans was "arms-length," citing the unusual benefits in the lease, particularly the provision of coolers, which are very expensive. He said his 12 coolers cost him \$76,000.

Pravin Ponnuri, a concerned citizen and community activist, was sworn and testified that he lives approximately 6 miles from the proposed property and feels that opening a large liquor store in the area could put smaller family-owned liquor stores out of business. He believes there is an over saturation of liquor stores in the vicinity and that children should not be over-exposed to alcohol.

Tom Yates, owner of Petite Cellars, was sworn and testified that he lives about 8-10 miles from the proposed property and feels that Wegmans wants their own liquor store. He referenced the Wegmans in Hunt Valley, in Baltimore County, that is associated with a nearby liquor store that sells Wegmans products and uses Wegmans signage. He alleged that

members of the Wegmans family bought 51% of that liquor store after the license was granted. Mr. Yates believes that the proposed liquor store would be a blatant violation of the State law prohibition of a Class A license being “in conjunction with” a grocery store. Mr. Yates testified that there will be deliveries at the loading dock which is part of Wegmans, which would be a direct violation of the spirit of the law to keep grocery stores at arms length.

Jack Milani was sworn and stated that he is testifying as a Howard County resident but that he is legislative director of the Maryland State Licensed Beverage Association (MSLBA) and owns a liquor license in Baltimore County. Mr. Milani referenced an alcohol and tax report from the Comptroller’s office covering 2012 to 2017, showing a reduction in the quantity of alcohol sold in the State, and stated that he does not see a need for this proposed liquor store. Mr. Milani testified that he has been involved with liquor stores that are owned by grocery stores and has grave concerns that this is a 5-year lease and a possible placeholder for Wegmans. Mr. Milani testified that this is not a normal transaction, that there are no unmet needs, and need was not proven. He said there were five liquor stores that were left out of the presentation by Mr. Fiddler and that in all his years in the business he has never seen a landlord perform a build-out for a tenant.

Ashish Parikh, was sworn and testified that he lives less than 5 miles from the proposed site and believes that convenience is not a priority for a liquor store and restrictions are needed. He testified that all Village Centers in Columbia have a liquor store and they fulfill the needs of the community.

**August 7, 2018 Public Hearing**

As agreed by the parties, an affidavit was entered into evidence from Detective Mark

Baxter included a report that he prepared showing all liquor stores located within a 6-mile radius. Board Exhibit #1.

Ralph Uttaro, of Rochester, New York, was sworn and testified that he is a representative of Wegmans Food Markets and Senior Vice President of Real Estate and Development and has been with the company for 34 years. He testified that he is familiar with this location and was involved with selecting the site, the land lease, zoning approvals, and design of the store. Mr. Uttaro testified that members of his staff were involved with configuration of the first and second floors and how it would be laid out. Mr. Uttaro testified that additional changes needed to the premises would cost hundreds of thousands of dollars and would take approximately four months to complete, after a building permit was issued.

Mr. Uttaro testified that there are plans to eliminate the current staircase and relocate it to the other side of the building and to build a wall between the liquor store and Wegmans so that there is no physical connection between the two stores. He said that the changes to the 2015 floorplan to eliminate an interconnection between the proposed store and Wegmans was as a result of feedback from the Board and the concern that an interconnection would violate Maryland law. Mr. Uttaro clarified that the only way for the customer to access the liquor store would be to exit Wegmans on the upper level and to go outside to access the entry to the liquor store.

Mr. Uttaro testified that Wegmans does not own the land where their store is located, but has a long-term ground lease on the property. Mr. Uttaro testified that Wegmans was responsible for the local government approvals and constructing the building. He stated that the landlord is Science Fiction, LLC and that Wegmans has no employees that are part of

that LLC. He affirmed that there is no relationship between Wegmans and the proposed liquor store other than a landlord/tenant relationship.

Mr. Uttaro testified that the loading dock area on the side of the Wegmans' building closest to the liquor store will be dedicated, but not exclusively, to deliveries for the liquor store. Deliveries will be received at the loading dock and will come into a shared area of the store, part of the backroom of the Wegmans store, up a freight elevator, thru a corridor, and into the licensed premises. Mr. Uttaro stated that the freight elevator and corridor are not reflected on the floorplan because those areas are not part of the licensed premises. Mr. Uttaro stated that he was not sure about the logistics of how quickly alcohol deliveries would be moved from the loading dock area to the liquor store. He said that the intent was that the loading dock itself would be only for alcohol deliveries, with food store deliveries occurring at other loading docks.

Mr. Uttaro was asked about the address of the Wegmans store and stated that it was 8855 McGaw Road. He said he could not explain the discrepancy of why the sublease refers to 8851 McGaw Road. He said the County usually sets the address and it changes sometimes. Mr. Uttaro stated that he had no control over the address for The Loft and does not know if The Loft would have a separate address from Wegmans.

Mr. Uttaro testified that the floorplan for The Loft was prepared by the Wegmans' design group and that they routinely prepare floor plans for tenants. The Board asked whether Wegmans had paid for any of the costs of bringing the liquor license application. Mr. Uttaro stated that he was not aware of any such payments.

Mr. Uttaro testified that the sublease for a liquor store at this location was drawn up four years ago and there have been no changes in the lease terms, including price, since that

time. He testified that if this application is approved, more money will be spent preparing this location. He stated that he thought the location had less value now that there would be no interconnection between the stores. Mr. Uttaro testified that this will be a full-service lease rather than a triple net lease and will include insurance and taxes. He stated that it would be hard to split taxes and utilities and whenever Wegmans has tenants in a single building they tend not to do triple net leases and they have dozens of other full service leases throughout the chain. Mr. Uttaro clarified that Wegmans' leases to other businesses in shopping centers including Target, Best Buy, TJ Maxx, and about 10% of those businesses have a full-service lease. He stated that if this application is approved, the terms of the lease will not change or be renegotiated. He said that most of their leases for businesses this close in proximity to a Wegmans do not have renewal options.

Mr. Uttaro testified that it is Wegmans' long-term goal for this space to have a tenant that complements their business and he considers wine sales as complementary to their business. He stated that a high-quality wine shop would increase their sales and enhance their business. Mr. Uttaro also testified that there will be no profit sharing between Wegmans and the proposed liquor store and they would have a strictly landlord/tenant relationship. He said that he was not involved in product selection, but thought that some liquor stores with Wegmans' leases carried Wegmans' "proprietary" labels, but clarified that there are no Wegmans branded wine products, although there are some labels that Wegmans has exclusive rights to through distribution channels.

The Board asked whether there are any liquor stores that Wegmans owns. Mr. Uttaro stated that in Virginia, Pennsylvania, and Massachusetts, grocery stores can sell wine and beer and Wegmans hold licenses for that. In New Jersey, Wegmans owns two licenses. The

Board asked about Wegmans involvement with a liquor store at its Hunt Valley location. Mr. Uttaro indicated that a Wegmans' family member was one of the owners of that liquor store but that the two stores, were not operated together in anyway.

Mr. Uttaro testified that this would be a 5-year lease and that they were searching for a high-quality owner and after five years, if this liquor store is not operating well, then the lease would not be renewed and a new operator would be pursued. He stated that there is no intention to sublease any other space on the property to another tenant.

He clarified that the coolers in the liquor store would be owned by Wegmans, not the tenant, and that any fixtures in the space would belong to Wegmans. Mr. Uttaro said he did not know the cost to outfit the store. Mr. Uttaro stated that Exhibit 1 is the floorplan as proposed and even though employees of The Loft would use the bathrooms, the bathrooms are not part of the leased area. Customers would be directed to use the bathrooms located inside the Wegmans supermarket. He said the freight elevator is shared spaced that is dedicated for deliveries to the liquor store, but would be used by Wegmans to get equipment to the mechanical room on the second floor. Mr. Uttaro testified that the area where alcohol is stored would be locked and the back door into the liquor store would also be locked.

Mr. Uttaro testified that Wegmans' lease with Science Fiction, LLC, is a simple ground lease. He indicated that The Loft would be allowed to place a sign in front of its store near their entrance, but not next to the Wegmans' sign.

On cross examination, Mr. Uttaro was asked whether, if the 2014 sublease with The Loft was renegotiated today, the rents would be higher. Mr. Uttaro stated that was not necessarily the case because there is a lot of vacancy in Howard County retail. He said that Mr. Quick has spent a lot of time working on this proposal and Wegmans has been

cooperating with him and there is no need to renegotiate the lease. He said that he was not aware of any discussions regarding a Wegmans' family member eventually becoming an owner of the proposed liquor store and they are committed to a relationship with Mr. Quick.

Mr. Uttaro was asked whether he considered the liquor store's use of the freight elevator to be "in conjunction with" the supermarket, he said no. He acknowledged that the freight elevator was "on the premises" of the supermarket, but that he considered the premises of the liquor store to be the proposed licensed area and that Wegmans had no access to that area. He stated that the elevator area was akin to a mall where there are common passage ways. He said that a common-sense interpretation of the statutory prohibition involved situations where there was a joint operating need or businesses were operating in the same space and here that was not the case. He explained that there is a locked door between the common area and the proposed liquor store area.

Mr. Quick was called to testify in rebuttal. Mr. Quick testified that he has spent approximately \$40,000 to date and hundred of hours on this proposal and expects to spend much more on equipment and inventory and that this is not the sweetheart deal that the opposition suggested. The following additional exhibits were introduced into evidence:

**Applicant's Exhibit 8 – Lease negotiations document**

**Applicant's Exhibit 9a&b – State Comptroller's reports for 2012 and 2017**

**Applicant's Exhibit 10 – compilation showing gallons per capita from 2012 to 2017**

Mr. Quick testified, in rebuttal to Mr. Milani's testimony, that the number of gallons of beer has gone down and they are now selling more wine. He commented on the map showing other liquor stores in the vicinity and feels that this shows a need for a liquor store

in this location. Mr. Quick commented about the “arms length” testimony and stated that there are no other contracts, verbal or written, between him and Wegmans. Mr. Quick testified that he feels that he can recoup the money he is putting into this store in a 5-year period. The following exhibit was submitted into the record:

**Applicant’s Exhibit 11 – Decision and Order for JJ Liquors which was approved in November 2017.**

Mr. Quick testified that the liquor store will have many shelves where much inventory will be stored and that he is aware that he cannot store inventory on unlicensed premises. Mr. Quick testified that it is his understanding that the issue of “on the premises” is addressed by construction of the wall and by not allowing any internal access to Wegmans by the public. He believes the “in conjunction with” language is not an issue as there is an arms-length transaction with Wegmans and that the liquor store is completely separate from the grocery store and they will not be working together.

Mr. Quick testified that if this application is approved, he would sell Cindy’s as he understands he cannot hold two licenses for a package goods store. It would take some time to sell Cindy’s and build out The Loft.

**DECISION**

This case presents an issue of first impression for the Hearing Board; whether a liquor store, physically separate from, but located on the second floor of a building that contains a supermarket, which operates as the liquor store’s landlord, implicates the prohibition of MD CODE ANN., ALC. BEV § 4-205(b), which provides:

(b) A local licensing board may not issue a Class A, Class B, or Class D beer license, beer and wine license, or beer, wine, and liquor license for use in conjunction with or on the premises of:

(1) a chain store;

- (2) a supermarket; or
- (3) a discount house.

Based on the evidence presented at the hearing, and for the reasons that follow, the Hearing Board finds that the proposed liquor store does not implicate the prohibitions of § 4-205(b), and the application and Applicant otherwise meet the requirements of State and local law, and, therefore, the license is granted.

### FINDINGS OF FACT

1. The Hearing Board finds that Thomas Joseph Quick, on behalf of The Loft Wine & Spirits, LLC, t/a The Loft Wine & Spirits, has applied for a new Class A-1 Beer, Wine, and Liquor 7-day off-sale license and refillable container permit for a 9,930-square foot package goods store located at 8855 McGaw Road, Columbia, Maryland 21045.

2. The Hearing Board finds that State law requires that the Board consider whether the grant of the license is necessary for the accommodation of the public, whether the proposed licensees are fit and proper, the number and location of existing licenses and the potential effect on existing licenses, the commonality or uniqueness of the products and service offered by the applicant's business, and the impact on the welfare of the community if the license were granted. ALC. BEV. § 4-210(a).

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

4. The Hearing Board finds that Thomas Joseph Quick has been a Howard County resident for more than two years, is a registered voter, and a 100% shareholder of The Loft Wine & Spirits.

5. The Hearing Board finds that the proposed liquor store would be one of the

largest stores in Howard County and would have an extensive inventory, including high-end wines.

6. The Hearing Board finds that there is not another liquor store in the immediate vicinity of the proposed store.

7. The Hearing Board finds that there was minimal, inconclusive evidence about the impact of the proposed store on existing licensees.

8. The Hearing Board finds that the proposed liquor store will offer convenience for consumers in a heavily trafficked retail area.

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

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

11. The Hearing Board finds that Wegmans is a "supermarket" as that term is used in § 4-205(b).

12. The Hearing Board finds that Wegmans will be the landlord of the proposed liquor store.

13. The Hearing Board finds that the proposed liquor store is physically separate from Wegmans and may only be entered by the public from a separate exterior entrance.

14. The Hearing Board finds that Wegmans has no direct financial interest in the liquor store, nor does Wegmans exercise any management control over the liquor store operations or premises.

15. The Hearing Board finds that Mr. Quick has no direct financial interest in Wegmans.

16. The Hearing Board finds that the proposed license will not be operated “in conjunction with or on the premises of” a supermarket.

### CONCLUSIONS OF LAW

1. The Hearing Board concludes that Thomas Joseph Quick, on behalf of The Loft Wine & Spirits, LLC, t/a The Loft Wine & Spirits, has applied for a new Class A-1 Beer, Wine, and Liquor 7-day off-sale license and refillable container permit for a 9,930-square foot package goods store located at 8855 McGaw Road, Columbia, Maryland 21045.

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 Thomas Joseph Quick 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, pursuant to the 21<sup>st</sup> Amendment of the U.S. Constitution and Maryland law, the Board has significant discretion in determining the public “need” for a license. *Bd. of License Comm’rs. For Washington Cty. v. Foxshire Liquors, LLC*, No. 1485, 2016 WL 7079613 (Md. Ct. Spec. App. Dec. 5, 2016); *Shore Stop of Trappe, LLC v. Bd. of Liquor License Comm’rs*, No. 20-C-08-006484, 2009 WL 6046943 (Md.Cir.Ct. Apr. 6, 2009).

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

6. The Hearing Board concludes that the granting of this application, under the conditions provided for herein, will not unduly disturb the peace and safety of the neighborhood.

7. The Hearing Board concludes that the facts demonstrate that the proposed liquor store will not be operated “in conjunction with or on the premises of” Wegmans.

8. The Hearing Board concludes that the mere status of a supermarket as a landlord does not implicate the prohibitions of § 4-205(b). Although a lease with revenue sharing provisions might implicate the “in conjunction with” prohibition, that is not the case here. Here, the terms of the lease indicate an “arms-length” transaction, with the proposed liquor store being owned and operated as a completely separate business from Wegmans.

9. The Hearing Board concludes that the term “premises,” as it is used in § 4-205(b), means the area where business activity occurs. Thus, just as the licensed premises of a liquor store is the area where alcohol storage and sales may occur, the premises of a supermarket is the area where the storage and sale of groceries is transacted. Here, alcohol sales and storage and grocery sales and storage will occur on separate premises. Mere proximity is not enough to implicate the prohibition. If it were, numerous liquor stores located in shopping centers near, or adjacent to, supermarkets would be prohibited, and the Board takes notice of the fact that there are numerous shopping centers throughout the State that include a supermarket and a liquor store.

10. Similarly, the Hearing Board concludes that the existence of shared, unlicensed common space is not uncommon and does not implicate the prohibition of § 4-205(b). The transitory movement of alcohol across a public sidewalk or through the common space of a shopping center does not require that those areas be licensed. However, the Board notes that any storage of alcohol in such areas would require that the areas be licensed. Here, the testimony is that there would be no alcohol storage, sales, or service in the common areas. Use of the common areas for alcohol storage, sales, or service would be

a violation of alcoholic beverage law and would subject the license to revocation, as would any combined business activity between The Loft and Wegmans.

**ORDER**

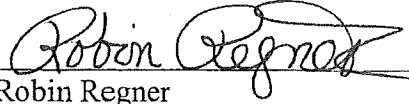
For the foregoing reasons, it is this 20<sup>th</sup> day of December 2018, by the Alcoholic Beverage Hearing Board of Howard County, **ORDERED**, that the application of Thomas Joseph Quick, on behalf of The Loft Wine & Spirits, LLC, t/a The Loft Wine & Spirits, for a new Class A-1 Beer, Wine, and Liquor 7-day off-sale license and refillable container permit for a 9,930-square foot package goods store located at 8855 McGaw Road, Columbia, Maryland 21045, 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 consent to the terms and conditions of this Decision and Order; and
- (c) That Thomas Joseph Quick cease his interest and involvement in Cindy's Skylight Liquors prior to obtaining the license for The Loft; and
- (d) That the construction of the premises be as depicted in the plans and testimony presented at the hearings, including that there be only one public entrance to the proposed liquor store that is completely separate from any entrance to Wegmans and accesses the exterior of the building only, and that there be no interconnection or means of access or egress between the proposed store and Wegmans, except for temporary emergency egress required by law; and
- (e) That final as-built floor plans be submitted to the Hearing Board; and
- (f) That any changes to the lease between The Loft and Wegmans be communicated

- immediately to the Hearing Board along with a copy of the new lease; and
- (g) That no alcohol be present in the common areas of the building unless attended at all times by liquor store employees; and
  - (h) That the Applicant satisfies any requirements necessary to obtain the license by May 31, 2019, unless that deadline is extended by the Board upon good cause shown; and
  - (i) Failure to comply with these conditions shall render this Proposed Decision and Order null and void.

ATTEST:

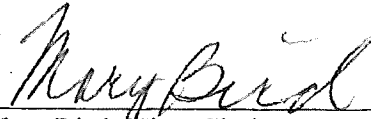
ALCOHOLIC BEVERAGE HEARING  
BOARD OF HOWARD COUNTY,  
MARYLAND



Robin Regner  
Board Administrator

DISSENT

Heather Gaetano, Chairperson

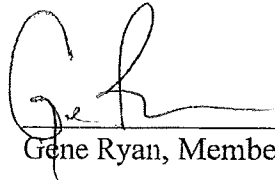


Mary Bird, Vice-Chairperson

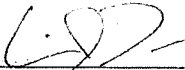
REVIEWED BY HOWARD COUNTY  
OFFICE OF LAW  
GARY W. KUC  
COUNTY SOLICITOR



Charles C. Feaga, Member



Gene Ryan, Member



Lewis Taylor, Esquire  
Senior Assistant County Solicitor

RECUSED

Charley C. Sung, Member

**LOFT WINE & SPIRITS  
EXHIBIT LIST  
August 7, 2018**

**Applicant:**

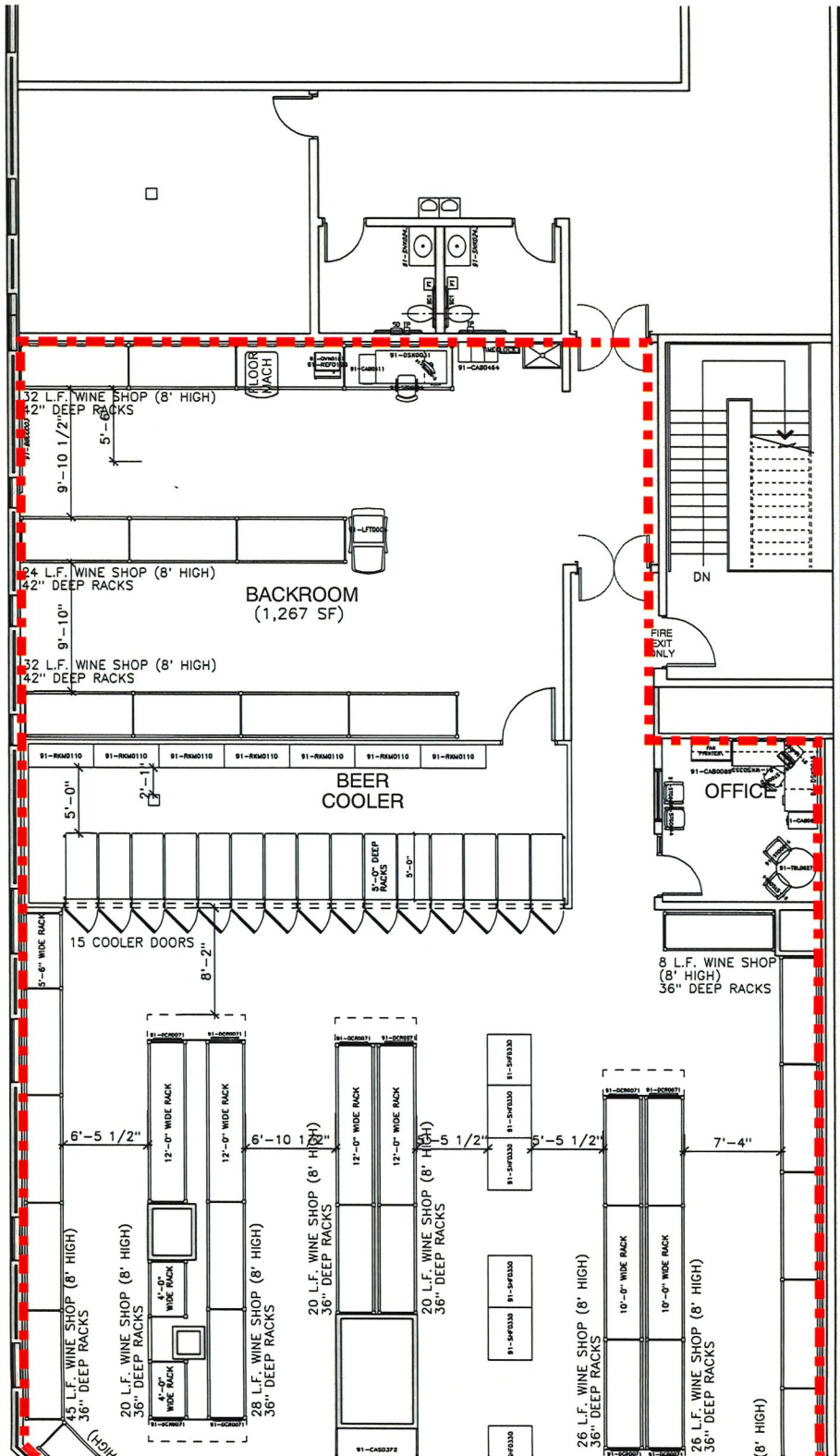
1. Floor Plan of Licensed Premise
2. Petition in support of The Loft – signed at Cindy’s Skylight Liquors
3. Petition in support of The Loft – signed at Wegman’s
4. Resume of Tom Fidler, Commercial Real Estate Services
5. Marketing Study Packet – showing nearby liquor stores, population growth, median income, expenditures on food/beverage, employee density, wegmans customers
6. Demographic and Income Profile
7. Existing Floorplans – 3 pages
8. Lease Negotiations from Tom Quick’s Perspective
- 9A Alcohol & Tobacco Tax Annual Report – Fiscal Year 2012
- 9B Alcohol & Tobacco Tax Annual Report – Fiscal Year 2017
- 10 Howard County Alcohol Consumption per capita
- 11 Decision & Order for JJ Liquors, LLC. for New Class A BWL 7-day off sale license dated 11/14/17.

**Opponents:**

1. Resume of Donald M. Barrick, Real Estate Broker
2. List of Liquor Stores within 1, 3, and 5-mile radius not on marketing study list

**Board Exhibit:**

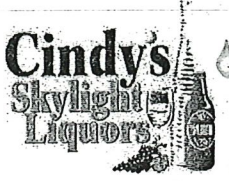
1. Report from Liquor Inspector Mark Baxter – Class A Licensed Establishments within 6-mile Radium of proposed site



**#47 Columbia Wine**  
**9,930 SF**

07.01.15  
 NOT TO SCALE

-----  
**LICENSED  
 PREMISE  
 BOUNDARY  
 LINE**



Help us bring a new liquor store to the Wegmans complex in Columbia!

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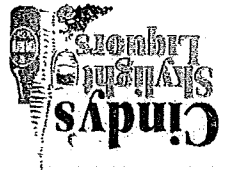
Name	Address and Email	Signature
USA Drabic	5943 Fourlee Rd Elkridge MD 21025	<i>[Signature]</i>
Brian Lynch	6721 Hunter Rd Elkridge MD 21025	<i>[Signature]</i>
John Bernas	1920 Lincoln Ave Halethorpe MD 21227	<i>[Signature]</i>
Terri Torrez	933 Grovehill Rd Halethorpe MD 21227	<i>[Signature]</i>
Tom Gajewski	4877 Montgomery Rd E.C. MD 21043	<i>[Signature]</i>

BLC/ABHB

The Loft

Applicant/Protestant

Exhibit # 2 Date 7/24/18



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Name	Address and Email	Signature
Katherine McCreary	6221 Latchell Pt. Elkridge MD 21075 swarsimon@aol.com	<i>Katherine McCreary</i>
Betsy McCreary	8363 Bluebird Way Units B Lot 10n, VA 22079 Betsyms81@aol.com	<i>Betsy McCreary</i>
Jacquelyne Donnelly	8 Ingate Terrace Halethorpe, MD 21227 jackiedonnelly@gmail.com	<i>Jacquelyne Donnelly</i>
Sarah Poplawski	7051 Golden Crest Elkridge MD 21075	<i>Sarah Poplawski</i>



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Name	Address and Email	Signature
Mark Prem	1463 Mardor LN Hanover MD 21075 premmark@yahoo.com	
Penny Lemmelman	1731 Arlington Ave. Hickory, MD 21027	
Robin Weidner	6022 Hunt Club Rd Elkridge, Md 21075	
Tyroni Queen	5926 Rowanberry Dr Elkridge MD 21075	
Jered Yecker	2011 Durham Rd York PA 17402	
Rep Breathouse	1704 Arlington Ave Relay MD 21227	
<del>Ris Barrett</del> Clifford	7310 Summer Cypress Elk, MD 21075	
Cheryl Mann	6112 Old Wash Rd Elkridge 21075	



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Name	Address and Email	Signature
Karen Huffman	6661 Hunter Rd Elkridge md 21075 Khuffman71@ComCast.net	
Johnathan Huffman	6661 Hunter Rd Elkridge md 21075 Steelers.435@gmail.com	
Dennis Huffman	6661 Hunter Rd Elkridge md 21075 dhuffman38@Comcast.net	
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Danna Vonella	6103 Arrowood Ct Herron MD 21076 donna07@gmail.com	
Karen Lisle	5793 Elkridge Heights Rd Elkridge MD 21075	
Amanda Gretz	K-lisle@hotmail.com 7192 Collingwood Ct Elkridge	
Bryan Jones	6001 Brennan dr. Elkridge md 21075	
Barbara Beckin	6209 Summer Home Terr Elkridge MD 21075	



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Name	Address and Email	Signature
Greg Norman	11604 11th Patent Phony apt 104 Columbia, MD 21044	
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Michael Rehbein	JRehbein602@gmail.com	
Jim Morris	james.c.morris@verizon.net	
Tameka Jones	tameka.jones1027@gmail	



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Name	Address and Email	Signature
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Jack Scanlon	nodrac55@gmail.com	
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Claire Scindler	clairebema4@yahoo.com	



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Name	Address and Email	Signature
James Hanke	5007 Windpower Way 21043	
Patricia Franklin	drpsfranklin@gmail.com	
ROBERT O. Fauce	6304 SHILLEY CT ROFAUCER87@gmail.com	
Brandon Leek	Brandon103a@gmail.com	
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Paul S. George	144 SANFORD AVE 21228 clynngeorge@yahoo.com	
Bryon A Bumpus	BBumpus@WRALIP	
mild E michael Sigan		



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Name	Address and Email	Signature
Kathleen Greathouse	1707 Arlington Ave kathleenntel@comcast.net	
Ruth Grull	10813 Olde Woods Way 21044 Write.ruth@hotmail.com	
Tiffany O'Blase	9441 Guilford rd Jesup MD	
Elizabeth Harrigan	5550 Carrille Ave Hateforthorpe, MD 21227 lisa.harrigan@verizon.net	
Maureen Harrigan	6092 Augustine Ave Elkridge, MD 21075 mo_harrigan@verizon.net	
Rich Meeks	6636 Washington Blvd Elkridge, Md	
Colin Kinder	6080 Adcock Ln Hanover MD 21076 colinkinder@gmail.com	
J Mc DONNE II	jeffemcdonnell@comcast.net	
M. K. GERSBY	211 BANK DR. ELK RIDGE, Md.	



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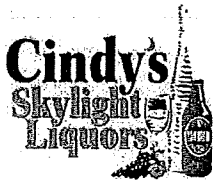
Name	Address and Email	Signature
Rebecca McAfee	1638 TALL PIN OAK Elkridge 21075	
"Sueddizicon"	139 Brechfield Ave	
Susan Ralko Susan Ralko	5614 Kallen Ct 21227	
deborah Johns	1016 Flower Dr 21227	
Corey Merrills	6215 Sandpiper Ct #103 Elkridge MD 21075 emericauited@gmail.com 7086 Ducketts Camp	
Marcus Mueller	21075 Elkridge, MD	
Alain Pfanner	4945 Tulip Ave Halethorpe MD 21227	
Rosaline Mingo	6261 Greenfield Rd 406	
DeAnna Sanders	7312 Waldman Ave Sparrows Point MD 21219	



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Name	Address and Email	Signature
Ashley Brown	Ashleymbob@gmail.com	
Melinda Fletcher	10409 Luke Ann Dr HARZLER MD 21074	
Alex Badala	alex154@gmail.com	
Kriszy Kuhn	kriszykuhn@kdh.com	
J. Shae		for shae
Robert Cooley	4722 Dubuque roday@wvnet.com	
Caylyn Eckley	caylyneckley@aol.com	
Audrey Suhr	Elkridge, MD	
ROL ANDERS	6021 Old Lawryes Elkridge MD	
Shannon		



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Name	Address and Email	Signature
Stephanie Roberts	Stephanie17@gmail.com	
John Moore	jfmrd19@verizon.net	
Joshua Shipley	jms0690@gmail.com	
Mary Gill	NONE	
Matt Pente	MattPente@ycho.com	
Charles Boyd	27 1st Ave BWI. MD 21227	
Cindy McDannell	busybeadl@msn.com	
Stephen Wright		
Megan Kebab		
Chris Cupate	6019 Honner Rd.	



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Name	Address and Email	Signature
David Foster UPS	1075 DOWNTOWN Rd ARbutus MD 21227	
Robins Lewis	RTLEWISO403@ GMAIL.COM	
Erin Fredrickson	ejbreddy816@ yahoo.com	
Rick Trnoff	RTTrnoff@DWER 87.046	
Michael Collins	7114 Daniel John Dr. Elkridge, MD 21075 collins.michael.23@gmail.com	
Matt Lipicki	6231 OLD WASHINGTON RD ELKRIDGE MD 21075	
IAN O'CONNOR	6380 Hanover Rd	
Jennifer Lefever	6114 Fairbourne Ct Hanover, MD 21076	
Jerry Lefever	6114 Fairbourne Ct Hanover, MD 21076	
Ash Trantz	6313 Tamar Drive Columbia, MD	



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Name	Address and Email	Signature
Bill Snyder	7925 MAYFIELD AVE ELK RIDGE MD	
Carlisa Hernandez Chef Vital	640 Stamford RL Baltimore, MD	
Antonette Holmes	6187 Wegmans Lane Columbia, MD aandwholmes@comcast.net	
Casey Richardson	5900 Sandy Ridge Ct Elkridge MD 21075 calyri@gmail.com	
Dan Dzikowski	1109 Raven Dr Halethorpe MD 21227	
Andrea Meeko	4 Fallen Tree D Halethorpe MD 21227	
Jane Shilling	5969 Setter Drive Elkridge MD 21075	
Mandy Robins	1512 Woodside Ave Halethorpe MD 21227	
Mary Pfl	6308 Shipley Ct Hanover MD 21076	
DALE SCHUMACHER	6581 Belmont Wks Elkridge 21075	



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Name	Address and Email	Signature
Jharon Osherty - Ritter	6042 River Birch Ct Hanover, MD 21076 sdrepa@aol.com	
Berni Moore	bmooney377 @hotmail.com	
Audrey Travitz	6313 Tamar Drive Columbia, MD 21045	
Tyler Mills	6572 Ducketts Lane	
Kelly Bryant	6914 Norwood Ferry Elkridge, MD 21075	
Charlene Daniel Green	6443 Skipton Dr Hanover MD 21076	
Patrick Green	6443 Skipton Dr Hanover, MD 21076	
James Travitz	6313 Tamar Drive Columbia, MD 21045	
Carla Grant	6731 Greenfield Rd Elkridge MD 21075	
ROBERT LOCKETT	7250 Darby Downs Unit D Elkridge robert.lockett@hclibrary.org	



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Name	Address and Email	Signature
Joe Reink	6018 Hunt Club Rd Elkridge MD 21075	
Sam K M	6262 Fairview Ct. 21076	
Kim Winters	5709 Mineral Ave Halethorpe MD 21227 KIMDWINTERS@VERIZON.NET	
Bradley Adams	6341 Lingers Hill Rd Elkridge MD 21075 adams.bradley130@gmail.com	
Paulette Lyon	7056 EASTERN AVE NW #308 WDC 20012	Paulette Lyon
John Danchar	9260 Runsey Rd Columbia MD 21045	
Geoff Pickett	6480 Abel St Elkridge MD 21075	
Rebecca Lufedejn	6912 Norwood Ferry Elkridge MD 21075	
Kassie Bordonie	6298 Old Washington Rd Elkridge MD 21075	
Julie Merson	5950 Monnie View Lane Elkridge MD 21075	Julie Merson



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Name	Address and Email	Signature
MARGARET RITA CHELTON	6050 OLD WASHINGTON RD. ELKRIDGE, MD 21075	Margaret Rita Chelton
Mike Smith	6109 Davis Ave Elkridge, MD 21075	Mike Smith
Diane Hodges	420 Cleveland Rd Linthicum, MD 21090	Diane Hodges
Margaret Wolters	5178 Phanton Ct Columbia, MD 21044	M. J. Wolters
Rebekah Allen	1317 German Drive Hanover MD 21076	Rebekah Allen
Carol Allen	1317 German Drive Hanover MD 21076	Carol Allen
Nick Glorioso	1183 Circle Drive 21227	Nick Glorioso
Kevin Konopack	6305 MEKLE Way 21227	Kevin Konopack
Dawn Serio	1404 Woodbridge Ave 21227	Dawn Serio
Gary Grubb	6064 Tomney Ln Elkridge, MD 21075	Gary Grubb



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Name	Address and Email	Signature
Chas Shick	567 Wyndholme Wy, Elkridge, MD, 21075	
Jordan Travitz	6313 Tamar Drive Columbia MD, 21045	
Christine Dailey	daileychristine15@gmail.com	
M. Silseth	Mary Silseth 1811@gmail.com	
Todd Matson	6002 Rock Glen Elkridge Md	
	6320 Hanover Rd Hanover, MD 21076	
	7010 Salthmore Street Hanover md 21074	
Daniel Kelick	6440 Ryan Avenue Hanover, MD 21076	
Michael Power	6 Dalecrest Ct. Timonium, MD 21093	
Carol Allen	1317 B Herman Drive Hanover, Md 21076	



Help us bring a new liquor store to the Wegmans complex in Columbia!


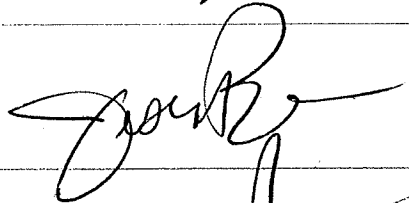
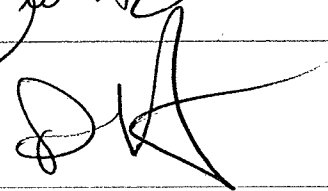
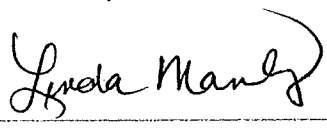

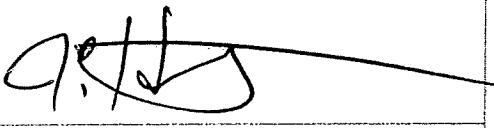



The Quick family wants to bring the same service and selection you enjoy at Cindy's to the vacant retail space above the Columbia Wegmans. We know the store will be unlike any other in this area, but first it must be approved by the Howard County Liquor Board. If you would enjoy the convenience of a quality liquor store in the East Columbia area and would like the Howard County Liquor Board to approve the request, please sign our petition. Thanks for your support!

Name	Address and Email	Signature
Greg Jones	6063 Ashburn Rd Hanover, MD jones003@earthlink.net	
Craig Talley	6022 JOSEPH SCOTT DR. ELKRIDGE MD 21075 CRAGTALLEY7@YAHOO.COM	
Lue Rowan	1300 SUMMIT AVE CATONSVILLE MD 21228	
Gregory Lohn	6392 Forest Elkridge	
Fied Rose	1401 WAIL ST PXSANDWA, Md	
Mack Knight	6018 Old Washington Rd. Elkridge, md 21075	
Bridget Gallamez <del>Bridget Gallamez</del>	6270 Old Washington Rd. Elkridge md 21075	
Anne Kellum	6834 Montgomery Rd Elkridge md 21075	
GREG ROEMER	313 12TH ST WINDBER, PA 15963	
JEFF McDONNELL	6245 FAIRBOURNE CT HANOVER MD	



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Name	Address and Email	Signature
Patrick Jordan	6287 Patuxent Quarter Rd PatrickJordan56@gmail.com	
Jessica Ball	jeso88@gmail.com 8217 Lincoln Drive Jessup MD	
Derrick Harding	3412 Bero Rd Halethorpe MD 21227 HeatherWhite2118@hotmail.com	
Heather White	6445 Abel St. Sakridge MD	Heather White 
Linda Jenkins	6719 Bunsbridge Hart Ct Elkridge MD 21075	
Kim Dorsug	6336 Washington Blvd Elkridge	
Jay Hunter	5833 Timber View Dr Elkridge, MD 21075	
C. Filbert	2502 Glenb Ave Baltimore, MD 21227	
T. Patti	6546 Huntshire Dr Elkridge, MD 21075	



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Name	Address and Email	Signature
Van Weersd	6485 Anderson Ave, Hanover	
JON DEAN	1600 LINDEN LANE ZELAH, MD	
Ashlin Breitenbuecher	6925 Little Brocks Ct Elkridge MD 21075 ashlinbreit2550@hotmail.com	
Allison & Karen Schutte	8311 Silver Trumpet Dr, Columbia MD 21045 Allyschutte23@yahoo.com	
Anna Hunt	6280 Woodburn Ave Elkridge, MD 21075	
DAVID KOROWG	5984 SETTER DR. ELK RIDGE MD 21075	
Mary Bunting	4404 Ridge Ave Baltimore 21227 mary.bunting@gmail.com 3727@gmail.com	
MARK SPINAWAY	39 HELMSMAN CT ESSEX, MA 21001	
KARL JONES	7355 TRANSFER RD EUMONT CITY, MD	
Dawn Lang	Hill side motel	



Help us bring a new liquor store to the Wegmans complex in Columbia!

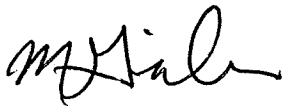

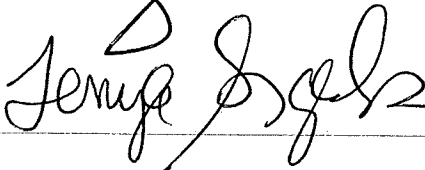






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Name	Address and Email	Signature
Monta Kliching	5034 Vanbyc Point Rd Columbia MD 21044	
Pam Poolson	0423 Kristin Dr. Hanover, MD 21076	
Leo Robles	627A Sandalwood Ct Elkridge MD 21075 leonardo.robles@hwfincil.com	
Joseph Price	639 Old Washington Rd Elkridge, MD 21075	
Freeman Dowd	5822 Diggers Ln Elkridge MD 21075	
Michelle Pickens	26 Ramsgate Ct Halethorpe, MD 21227	
Andrew Francis	5929 MAIN ST ELKRIDGE, MD 21075	
Annmpay Karin	4129 BRITT DR ELLCOTT UH 21043	
Carl Hudson	6554 BELMONT WOODS RD ELKRIDGE, MD 21075	
Stephanie Hudson	6554 Belmont woods Rd Elkridge, MD 21075 bennetts103@yahoo.com	



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Name	Address and Email	Signature
Martin Giuliano	6036 Claude Drive	
Louis Sigalas	5214 NEW PROSPECT LOUANTSIG2@GMAIL.COM	
Tonga Sigalas	5214 New Prospect & TONSIG3@GMAIL.COM	
Alanson Searcy	6122 Clements Lane Elkridge MD 21075	
Caroline DeCarlo	6188 Old Washington Rd. Elkridge MD 21075 caroline.a.decarlo@gmail.com	
Charles VanNort	6888 Old Washington Elkridge MD	
Ron Campbell	6165 DOWNS AVE Elkridge MD 21075	
Unah Stanton	Elkridge MD	
Kaci Thomas	6705 Loves Lane, Elkridge MD	
Charles Starkey	3 Mayton Ct starkey311@gmail.com	



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Name	Address and Email	Signature
John Daniello	9626 Hastings Dr, Columbia, MD, 21046 / jjdaniello@gmail.com	
Stephen Hardesty	6214 HANOVER RD HANOVER MD 21026	
E. Drewes	6123 Fairbourne Ct. HANOVER RD 21076	drweme@yahoo.com
Ashley Reed	5803 Rowanberry Dr Elkridge MD 21075	
Brandon Yarbrough	2050 Northeast Ave Halethorpe, MD 21227	
Rachel Hinkle	2050 Northeast Ave Halethorpe, MD 21227	
James Bennett	1226 Poplar Ave Arbutus, MD 21227	
Suzanne Silver	6154 Rockburn Hill Rd. ELKridge 21075	
Stephen Trout	1186 Oakwood Court Halethorpe MD 21075	
Jesse Wimer	5869 Maple St Elkridge MD 21075	



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Name	Address and Email	Signature
Melissa Wallace	mwallace234@aol.com	
Sorcha Chepe	sach16@uncc.edu	
Christine Ryan	crocra@comcast.net	Christine Ryan
David Sims	973 985-2509	
George Jones	George.Jones@msn.com	
Kari Reitz	karireitz@gmail.com	
Taylor Grable	taygrablegd@gmail.com	
Andrew Metzger	drewsmetzger@gmail.com	
Dennis Mutyaga	Denichmutya@gmail.com	
Loretta Metzger	lsmetzger@gmail.com	



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Name	Address and Email	Signature
Nicole Nicholson	6220 Sandriest Ct Elkridge, MD 21075	
AQUINO, JUDY	nnicholson49@gmail.com 6122 Old Wadington Rd Elkridge MD 21075	
JEFF JAMES	5802 HUNT CLUB RD ELKRIDGE, MD 21075	
Andi Greenke	andigee1@ yahoo.com	
Teresa Bonny	tsmb32@yahoo.com	Teresa Bonny
Michael Schwagel	mischwagel@gmail.com	
Laura Grete	7726 Collingwood Ct Elkridge MD	
Eliot Weil	eweil38@gmail.com	
Guy Titsworth	andy.titsworth @gmail.com	
Andrew Cron	5966 Bennie View Elkridge	



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Name	Address and Email	Signature
Deanna Lutz	6680 Hunter Rd Elkridge, MD 21075 dblutz@aol.com	
Brad Lutz	6680 Hunter Rd Elkridge MD 21075 blutz4570@gmail.com	
Roger Bell	5624 Stevens Forest Rd Columbia MD 21045	
Brittney Bennett	5860 Chipwood Ct. Elkridge MD 21075 britt365@gmail.com	
Jake Pasanen	7115 Station House Rd Elkridge MD 21075 jacob.pasanen@gmail.com	
Mary Keenan	1253 Birch Ave Halethorpe MD 21227 mkeenan1@umbc.edu	
Jason McClure	6710 Burnbridge Huntct Elkridge MD 21075 jmcclure77@gmail.com	
Collin Smith	colliniansmith@gmail.com	
Meg Giff	6315 Virginia Pine Place Elkridge MD 21075 mczakob617@live.com	
Nicole Cowling	6746 Ducketts Ln Elkridge, MD 21075	



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Name	Address and Email	Signature
Franca Paplauckas	7018 Golden Crest Elkridge MD 21075	<i>Franca Paplauckas</i>
Bryan Bumpus	674 AT HOLE AVE Elkridge	<i>Bryan Bumpus</i>
<i>Wendy Bumpus</i> Hannah Ashley Raabe	<i>Wendy Bumpus</i> hannah.howard@yahoo.com 6888 Tasker Falls Elkridge Goalie_lax@msn.com	<i>Hannah</i> <i>Ashley Raabe</i>
Hayley Kline	3416 Dunnington Rd Beltsville, MD 20705	<i>Hayley Kline</i> klineh@gmail.com
Terri Stellwagen	854 Reele Rd Severn, MD 21144	<i>Terri Stellwagen</i> terrimdaniels@gmail.com
Stacy White	6166 Lawyers Hill Rd Elkridge, MD 21075 beachlover457@gmail.com	<i>Stacy White</i>
Charles White	6166 Lawyers Hill Rd Elkridge, MD 21075	<i>Charles White</i>
Karen Lynch	6721 Hunter Rd, 21075 geminiye@gmail.com	<i>Karen Lynch</i>



**PETITION**

We support the application of The Loft Wine & Spirits for a new Class A (Beer, Wine & Liquor) package store license at 8855 McGaw Road, Columbia. We believe that the area is not adequately served by existing stores, and would welcome the choice to shop at a new store.

Signature	Print Name	Address
	Brittany Moise	branderson2006@hotmail.com
	Stephanie Anderson	SM.msrk@gmail.com
	PHILIP CROMWELL	PHILIPCROMWELL@gmail.com
	Nancy Borsh	nsborsh@verizon.net
		Dawn 81644@Veri-com.net
	Amanda Schiente	amanda.schiente@yahoo.com
	Jessica Lynch	jessldg77@gmail.com
	Adrienne Bennett	albennett1@msu.com
	Ana Velasquez	7611 Mandrake Ct. #151 Elbridge MD
	Elana Lewis	elclaw@msu.edu
	DAN KUHN	agnosticdan@yahoo.com
	Jared Smith	JSkids@gmail.com
	Shelli Marshall	Shellidance@yahoo.com
	Michael In	mpinwin1229@gmail.com
	Steve Maldon	9114 E. St. James Dr. Ellicott City
	Kevin Daniels	5633 Columbia Road Columbia MD
	Valerie Middleton	6566 Huntshire Dr Elbridge MD
	Christina B. Pate	5011 Paul Martin Dr. Ellicott City MD
	Jennifer Demark	6028 Holland Ct 21044
	Kevin Clason	6817 Grand River Way, Columbia
	Blakely Pometto	blakely.pometto@gmail.com
	Garland L. Coburn	1472 Bradleyhoop Ste Byrnes MD 21061
	James Heber	6254 Custer Ave Columbia MD 21046

BLC/ABHB

The Loft

Applicant/Protestant

## PETITION

We support the application of The Loft Wine & Spirits for a new Class A (Beer, Wine & Liquor) package store license at 8855 McGaw Road, Columbia. We believe that the area is not adequately served by existing stores, and would welcome the choice to shop at a new store.

Signature	Print Name	Address
	Anna Schmitt	6508 Ducketts Ln. Elkridge MD
	Michelle Green	8445 Oakton Ln <sup>4B</sup> , Ellicott City, MD
	B. BERGER	5295 RIDERMARK COL.
	Edgar Medina	6152 Regent Park Rd
	CHRIS FRANCIS	216 SHADY NOOK CT. CATERPOLE MD
	Jackie Brewer	10720 Pyramid Way Columbia
	TERRY KUHN	8829 SHINING CLEANS WAY COLUMBIA.
	Laura Stitzinger	8495 Reservoir Rd, Fulton, MD 20759
	Jonathan Stitzinger	8495 Reservoir Rd. Fulton, MD 20759
	Annabelle Perez	7655 Stony Creek Ln, Ellicott City, MD 21043
	Denise Petrusic	10464 Owen Braun Rd, Columbia MD 21044
	Sandra Shroder	10118 Cape Ann Dr. Columbia 21046
	Mahesh Raju	11414 CHOPTANK ST. FULTON, MD 20759
	Keren Kumbhar	8145 Winding Ross Way, Ellicott City, MD
	Kim R. Glinke	4353 Spring Water Path, Jessup Md 20794 21043
	Anthony Scalora	7091 Garden Walk, Columbia, MD 21044
	Joe Duckworth	2629 Thoreboat Rd. EC MD 21042
	Lauren O'Connell	imopatika@gmail.com
	Megan McCawley	5225 Hillmont Ct Ellicott City MD 21043
	Brian Tilly	4707 Wooded Pt EC 21042
	Dwanna Maue	9391 Margans Landing Blvd, EC
	Milton Gendle	9810 Soapstone Trail 21043
	Heather Medina	9300 Daly Ct Laurel MD 20723

## PETITION

We support the application of The Loft Wine & Spirits for a new Class A (Beer, Wine & Liquor) package store license at 8855 McGaw Road, Columbia. We believe that the area is not adequately served by existing stores, and would welcome the choice to shop at a new store.

Signature	Print Name	Address
	Michael Perez	9110 Blues Aly, Q Laurel MD 20723
	Thamiya Keen	1242 Greystone Rd Asbestos MD 21027
	HARRIETTA OWENS	VAPYI29@gmail.com
	Amber Daniels	5633 Columbia Rd Columbia MD
	Ethan Urbansky	6280 Holland Ct. Col. MD 21044
	Logan Karwood	1637 Wind Underway 21045
	Barbara Parker	6581 Belmont Woods Rd Elkridge 21075
	Stephen Roth	8325 Savage Gullford Rd, Savage MD 20763
	Ashley Ramos-Coleman	1476 Braden Loop Glen Burnie, MD 21061
	Conrad R. W. ...	7233 Procopio Circle 21046
	Thomas Kuzakovic	6508 Dicketts Lane Elkridge MD 21075
	Ken Leonardson	1797 Sea Pine Cir. Severn MD 21144
	Rob Tillott Jr.	6208 Galloway Lane 21075
	Melissa Berger	1705 Chesberg St. 20905
	Sarah Connally	6152 Regent Park Rd. 21228
	BALPREET BRAMH	9819 TENNEY CT 21042
	LAUREN FRANEY	216 SHADY NOOK CT, 21228
	John Stent	1 Aldenhaw, Chevy Chase, MD 20915
	DENNIS PEREZ	STONY CREEK LN
	Karen Blikerstaff	5917 Deborah Jean Dr. Elkridge 21075
	Deandrew Bell	91647 Hurstborne Rd. Columbia, MD 21046
	SANDRA PETR	78 N PROSPECT AVE CATONSVILLE MD 21228
	MANUEL GEREZ	2007 PENNIS AVE, SILVER SPRING, MD

## PETITION

We support the application of The Loft Wine & Spirits for a new Class A (Beer, Wine & Liquor) package store license at 8855 McGaw Road, Columbia. We believe that the area is not adequately served by existing stores, and would welcome the choice to shop at a new store.

Signature	Print Name	Address
	Tracy Firsiroti	10011 Kinnear Ct.
	Anthony Solar	7091 GARDEN WALK Columbia, Md
	Rosa Guarino	6108 Little Foxes Run
	Tisk McCawley	5325 Hillmont Ct E.C.
	Brooke Thompson	4021 Regent Park Rd Catonsville
	Elysa Ordeanu	4702 Woodland Rd. EC.
	Doreen McWain	4602 Smoky Weatherly Way EC 21042
	Shari McWain	8701 Castlecock Ct, Laurel, MD 20723
	Randall M. Burnett	409 Westside Blvd, Catonsville MD 21228
	Christopher Richardson	6899 Garland Lane, Columbia MD 21045.
	Ben Korman	5589 Vanuxem Blvd Col. Md 21044
	Gina Smowitz	4334 EGGHAT WOODWAY MD 21043.
	Kristin M. Gryn	7017 Mandrake Court Ellicott City
	Charles Little	71113 Early Spring Way
	Jennifer Walton	j1wuzzy99@aol.com
	Kirsten Peck	8326 Columbia MD 21045
	Brad Nelson	4948 Snowy Reach Col md 21044
	Star Bogenschute	9020 Constant Crse, Columbia, MD 21046
	Corey Carlson	16 Sandely Ct, Hallettsville md 21277
	YALINA CRUI	9655 Vast Road D.C. 21045
	GUST MITCHELL	" " " " "
	A Kodys	4220 Eagles Wing Ct. E.C. 21040
	William Osburn	8053 Four Quarter Rd, Ellicott City, MD 21043







# TOM FIDLER

EXECUTIVE VICE PRESIDENT/PRINCIPAL

111 S. Calvert Street, Suite 2800  
 Baltimore, Maryland 21202  
 410.494.4860  
 tfidler@mackenziecommercial.com



Tom Fidler serves as Executive Vice President and Principal of MacKenzie Commercial Real Estate Services, LLC and Executive Vice President and Principal of MacKenzie Retail, LLC, where he oversees a department of ten. Tom has been with the company's Lutherville office since December 1996. Tom specializes in commercial leasing, development and advisory services, and has been involved in some of the area's most prestigious projects. During his tenure with MacKenzie, Tom has sold or leased more than 2.4 million square feet of real estate, working with such clients as Upper Chesapeake Health, Hill Management Services, Inc., The Mills Corporation, Smith & Hawken, Applebee's Restaurants, TGIFriday's, and DuClaw Brewery. To date, Tom has participated in real estate transactions totaling over \$1 billion in market value. Considered a professional expert, Tom is frequently referenced in both regional and national publications, a featured speaker at industry associations meetings, and a valuable resource to local Economic Development offices. His understanding of retail business, consumer profiles and demographic data, along with his commitment to client success has proven to be invaluable to various clients.

## Represented Clients/Transactions

- > Ambulatory Care Center \$21 million
- > Physicians Pavilion II \$18 million
- > HMH Replacement Campus \$14.9 million
- > Centre at Golden Ring \$35 million
- > Centre at Glen Burnie \$48 million
- > Centre at Laurel \$21 million
- > Centre at Forestville \$42 million
- > Bel Air Plaza 235,000 sf
- > Freedom Federal Credit Union Headquarters 13,000 sf
- > Power Plant Live! 163,000 sf
- > Boulevard at Box Hill 368,000 sf
- > "Bayriver" 984,000 sf
- > Chesapeake Overlook 304,000 sf
- > Greenebaum Enterprises
- > Petrie Ross Ventures
- > Freedom Federal Credit Union
- > Hill Management Services, Inc.
- > Merritt Properties, Inc.
- > Kimco Realty Corporation

## Industry Achievements

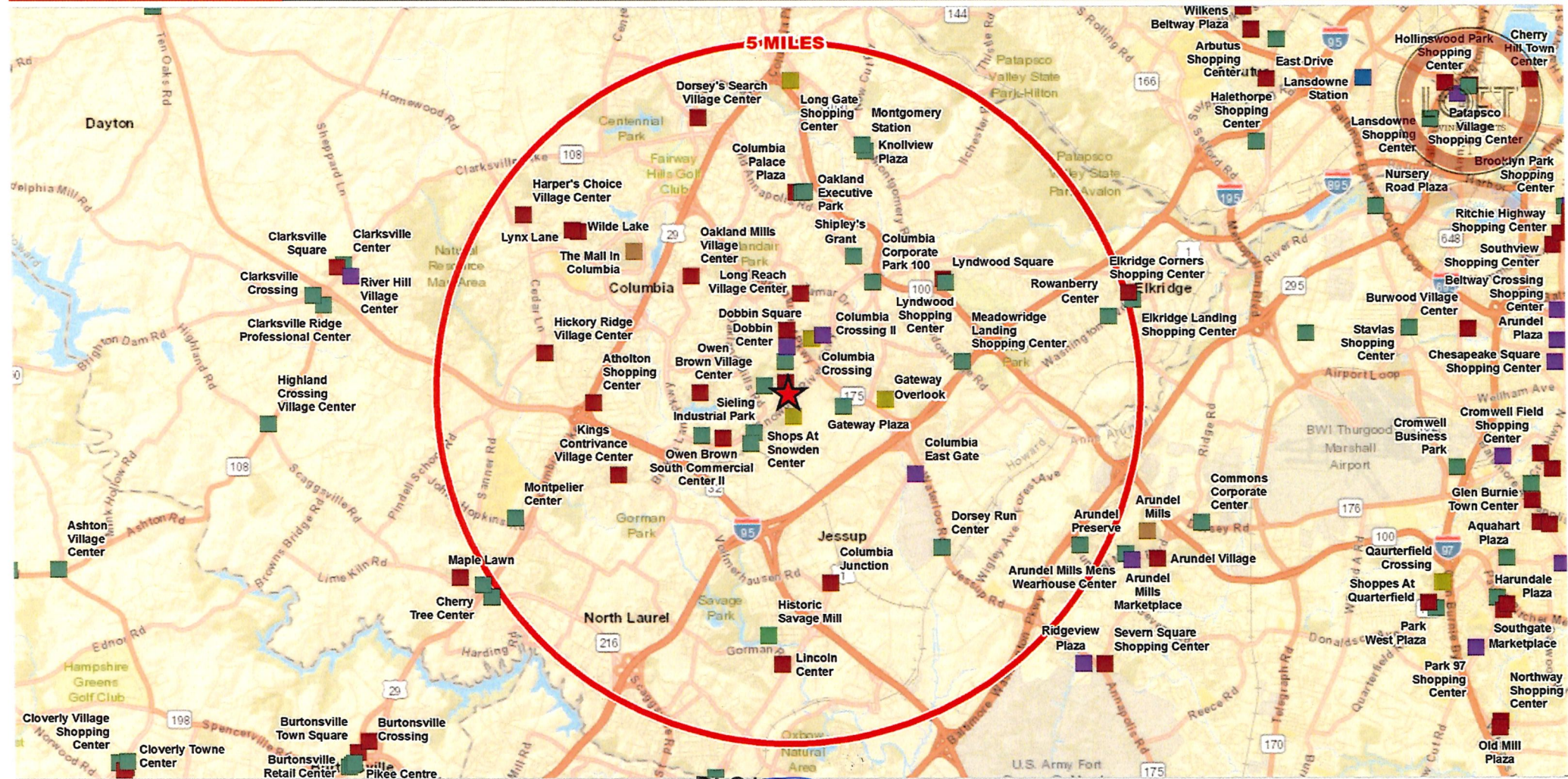
- > "Retail Deal of the Year"- Baltimore Business Journal - 2009
- > "Heavy Hitters Award" by the Baltimore Business Journal - 2000, 2002, 2004, 2006-2014
- > "40 under 40 - One of Greater Baltimore's Emerging Leaders" by the Baltimore Business Journal - 2003
- > "Broker of the Year" - MacKenzie Companies - 2003, 2004, 2006, 2007, 2010, 2011
- > CoStar's "Top Brokers in Retail Transactions"- 2006, 2009-2014
- > Book of Lists, "Real Estate Deal of the Year" by the Baltimore Business Journal 2009, 2010
- > "Retail Deal of the Year"- Baltimore Economic Development - 2000
- > I95 Magazine - Featured Cover "The Billion Dollar Man"

## Professional Memberships

- > International Council of Shopping Centers
- > Government Affairs Comm.
- > Harford County Public Schools/ Board of Education, 2003 - 2008
- > Maryland Association of Board of Education, 2004 - 2008
- > Maryland Association of Higher Education, 2004 - 2010
- > Upper Chesapeake Health Foundation, 2002 - present
- > US Army Alliance
- > Commissioner - Harford County Liquor Board

# Retail Centers

8855 McGaw Road, Columbia, MD 21045



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BLC/ABHB

*The Loft*  
Applicant/Protestant

Exhibit # 5 Date 7-26-18

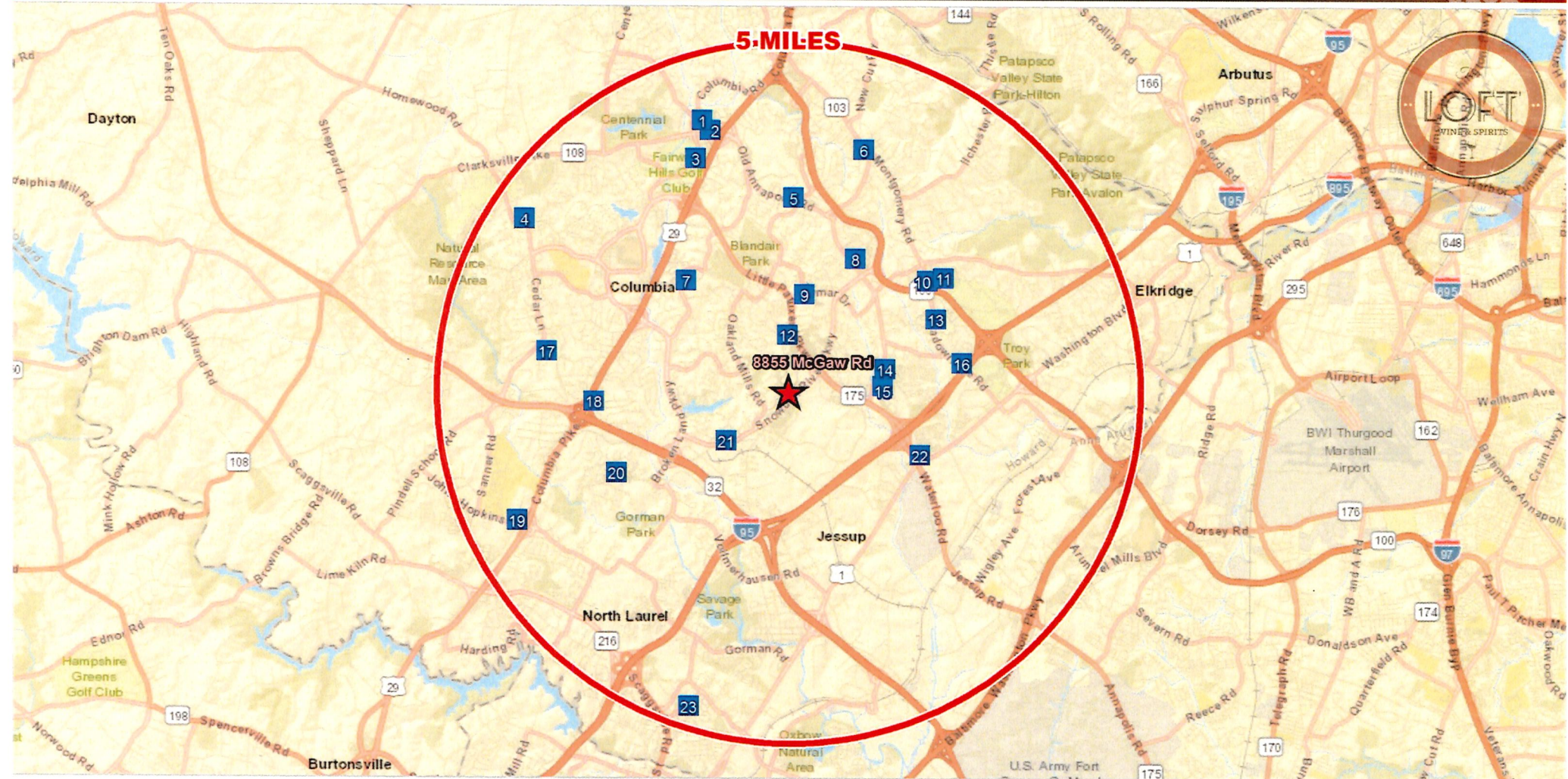


# Liquor Stores

8855 McGaw Road, Columbia, MD 21045



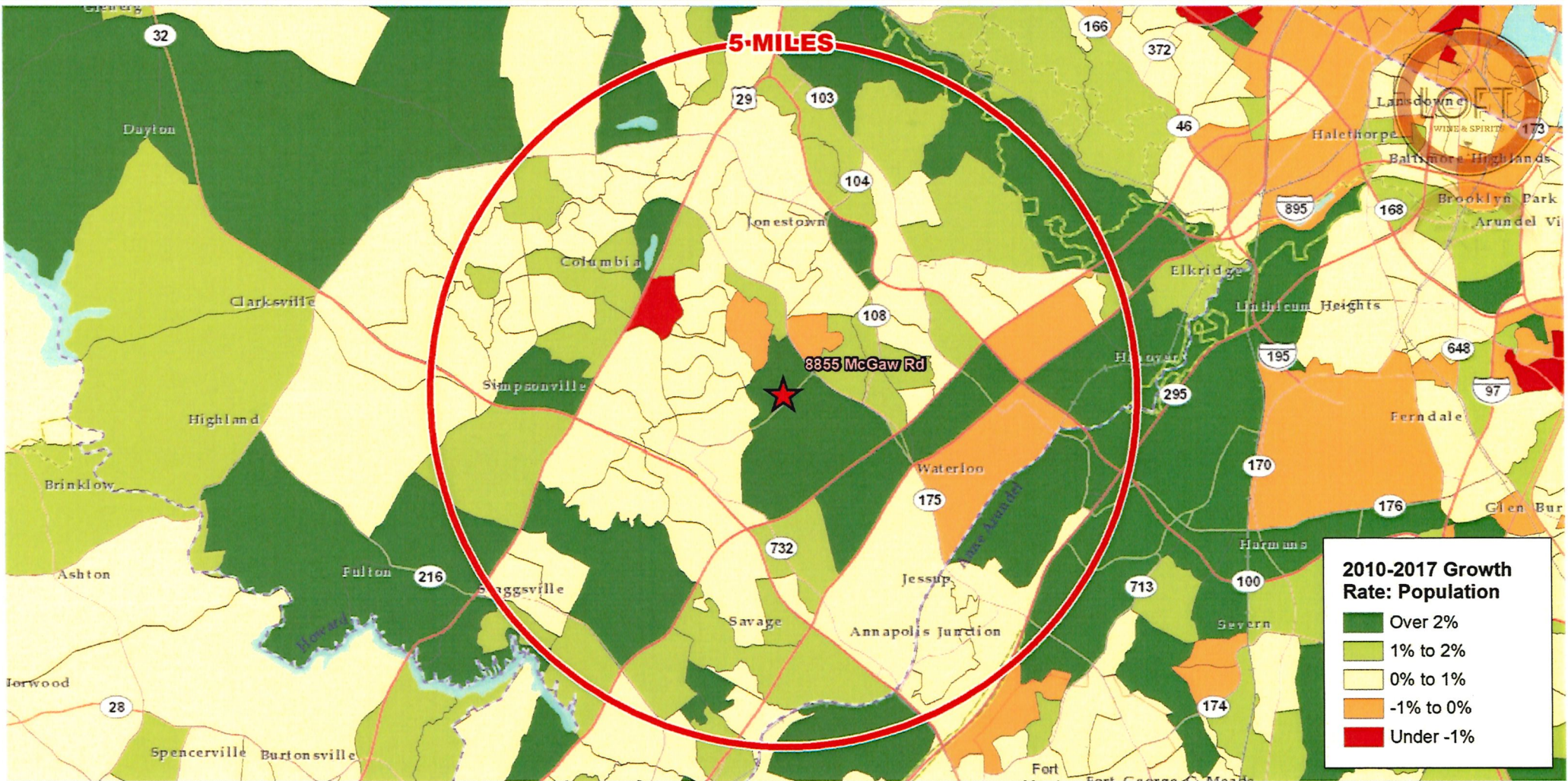
**5-MILES**



<b>MAP ID</b>	<b>LIQUOR STORE</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>STATE</b>
1	DORSEY'S SEARCH WINE & SPIRITS	DORSEY HALL DR	ELLICOTT CITY	MD
2	ALLVIEW LIQUORS	OLD ANNAPOLIS RD	ELLICOTT CITY	MD
3	ABSOLUTELY WINE OR SPIRIT	VILLAGE CENTER DR	COLUMBIA	MD
4	HARPERS CHOICE LIQUORS	HARPERS FARM RD	COLUMBIA	MD
5	COLUMBIA PALACE WINE & SPIRITS	CENTRE PARK DR	COLUMBIA	MD
6	KELLY'S LIQUOR	MONTGOMERY RD	ELLICOTT CITY	MD
7	OAKLAND MILLS LIQUOR	ROBERT OLIVER PL	COLUMBIA	MD
8	ANGELS CUT WINE & SPIRITS	RICHARDS VALLEY RD	ELLICOTT CITY	MD
9	RICHBURN DISCOUNT LIQUORS	FORELAND GARTH	COLUMBIA	MD
10	103 WINE & SPIRITS	MEADOWRIDGE CENTER DR	ELKRIDGE	MD
11	LYNDWOOD SQUARE WINE & SPIRITS	MARSHALEE DR	ELKRIDGE	MD
12	DOBBIN SQUARE LIQUORS LLC	DOBBIN CENTER WAY	COLUMBIA	MD
13	TROY FARMS LIQUORS	MEADOWRIDGE RD	ELKRIDGE	MD
14	TWISTED CORK	OLD WATERLOO RD	ELKRIDGE	MD
15	PERFECT POUR	MARIE CURIE DR	ELKRIDGE	MD
16	ELKRIDGE WINE & SPIRITS	HUNTSHIRE DR	ELKRIDGE	MD
17	DECANTER FINE WINES	FREETOWN RD	COLUMBIA	MD
18	COLUMBIA FINE WINE & SPIRITS	SHAKER DR	COLUMBIA	MD
19	MONTPELIER LIQUORS	MONTPELIER RD	LAUREL	MD
20	KINGS CONTRIVANCE LIQUOR SHOP	GUILFORD RD	COLUMBIA	MD
21	SNOWDEN RIVER LIQUORS	SNOWDEN RIVER PKWY	COLUMBIA	MD
22	JESSUP DISCOUNT LIQUOR	WASHINGTON BLVD	ELKRIDGE	MD
23	ALL SAINTS LIQUORS LLC	ALL SAINTS RD	LAUREL	MD

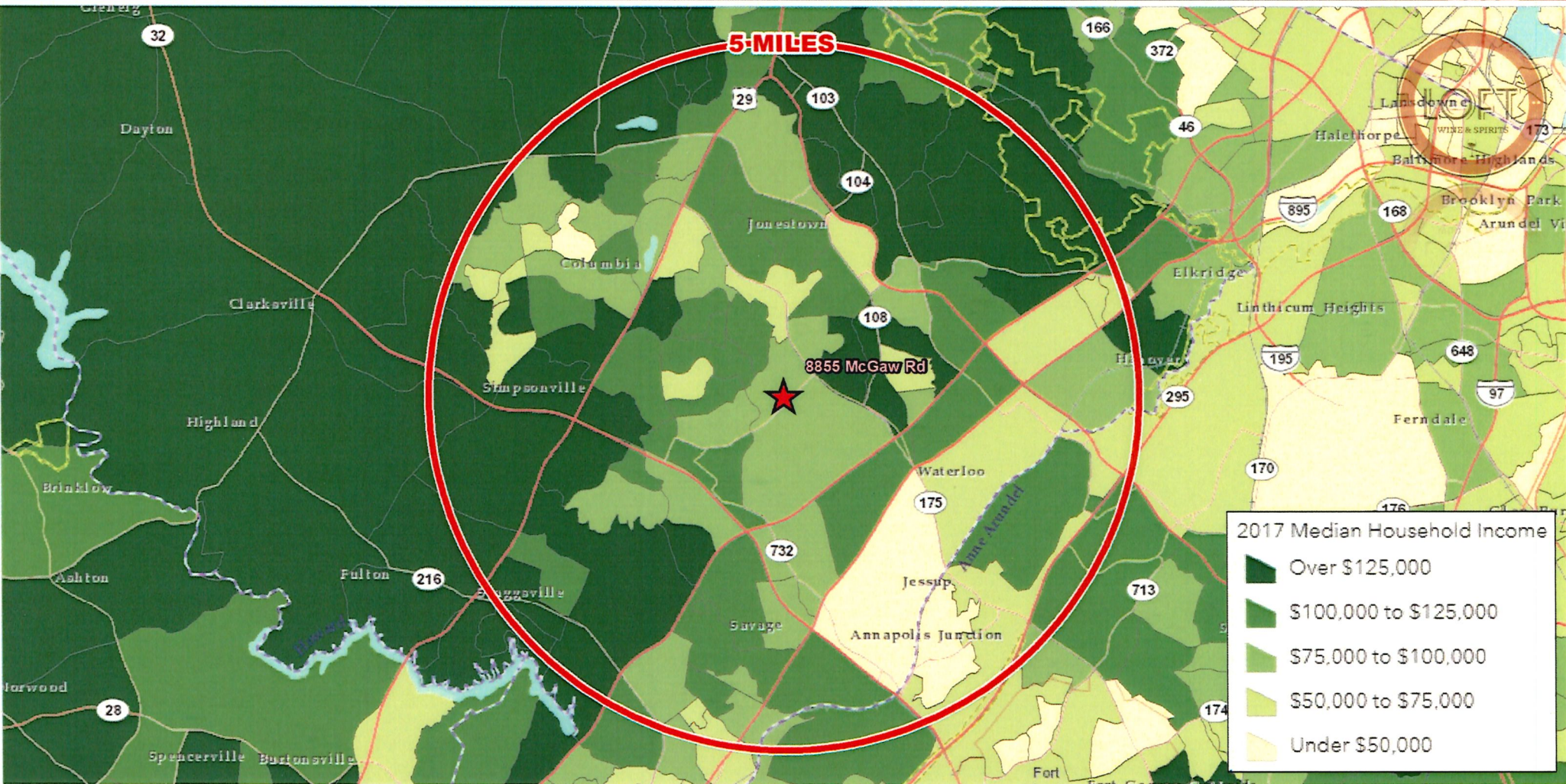
# Population Growth 2010-2017

8855 McGaw Road, Columbia, MD 21045



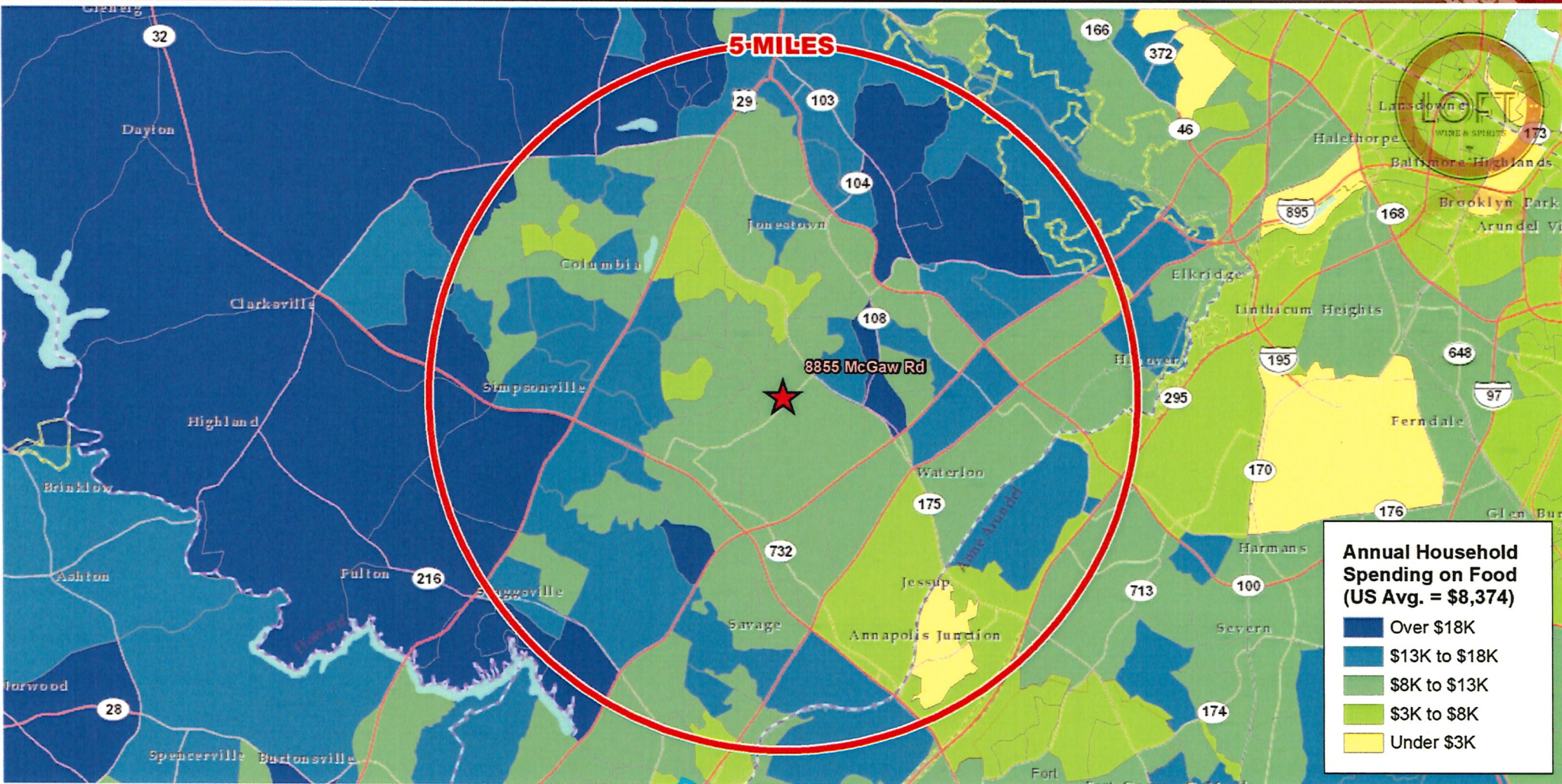
# Median Income

8855 McGaw Road, Columbia, MD 21045



# Expenditures on Food and Beverage

8855 McGaw Road, Columbia, MD 21045



**Annual Household Spending on Food (US Avg. = \$8,374)**

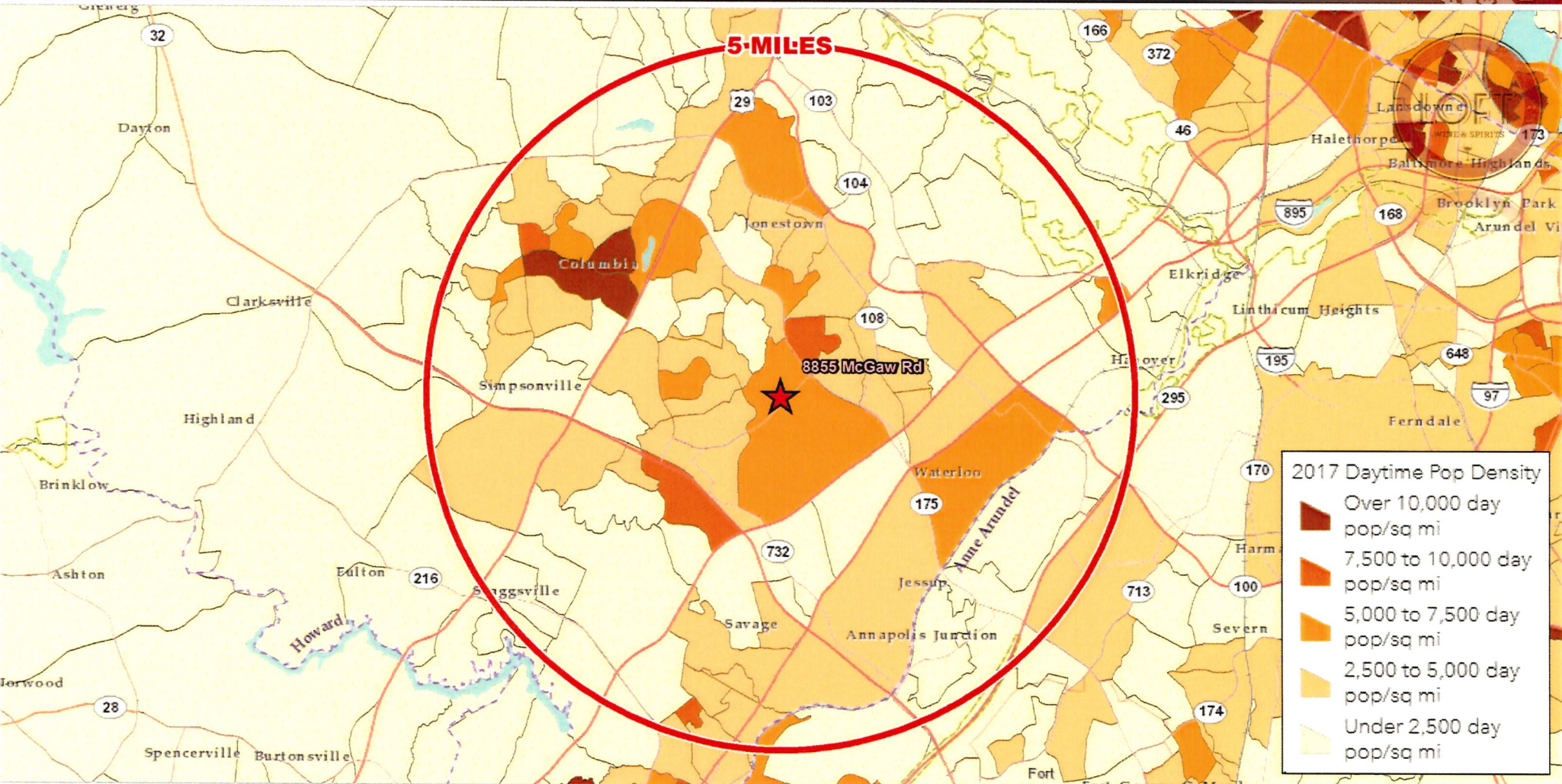
- Over \$18K
- \$13K to \$18K
- \$8K to \$13K
- \$3K to \$8K
- Under \$3K

This map was created using data from the U.S. Census Bureau. The content was compiled by Datastory Consulting, LLC ("Datastory"). Datastory uses a geographical representation of real world conditions, with data of public domain or reviewed or aggregated with Datastory. The content is not Datastory, but consists of data that is collected or derived from public sources. Datastory does not warrant, represent or guarantee the accuracy, completeness or currency of any of the content. The content may contain errors and may not be current. Any use of the content is done at your own risk. However, Datastory believes that the content constitutes the best and most accurate data available in the marketplace.



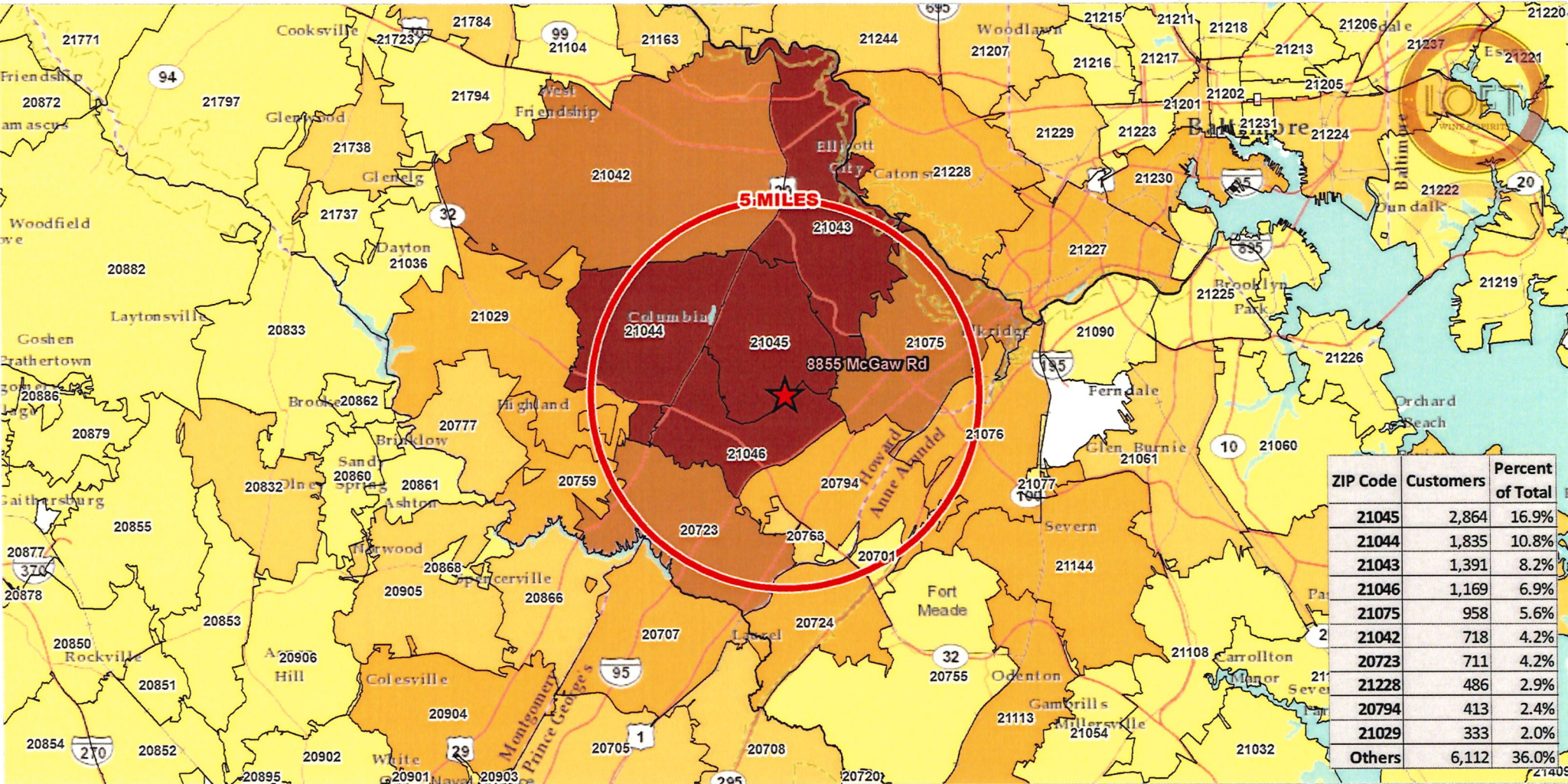
# Employee Density

8855 McGaw Road, Columbia, MD 21045



# Wegmans Customers

8855 McGaw Road, Columbia, MD 21045



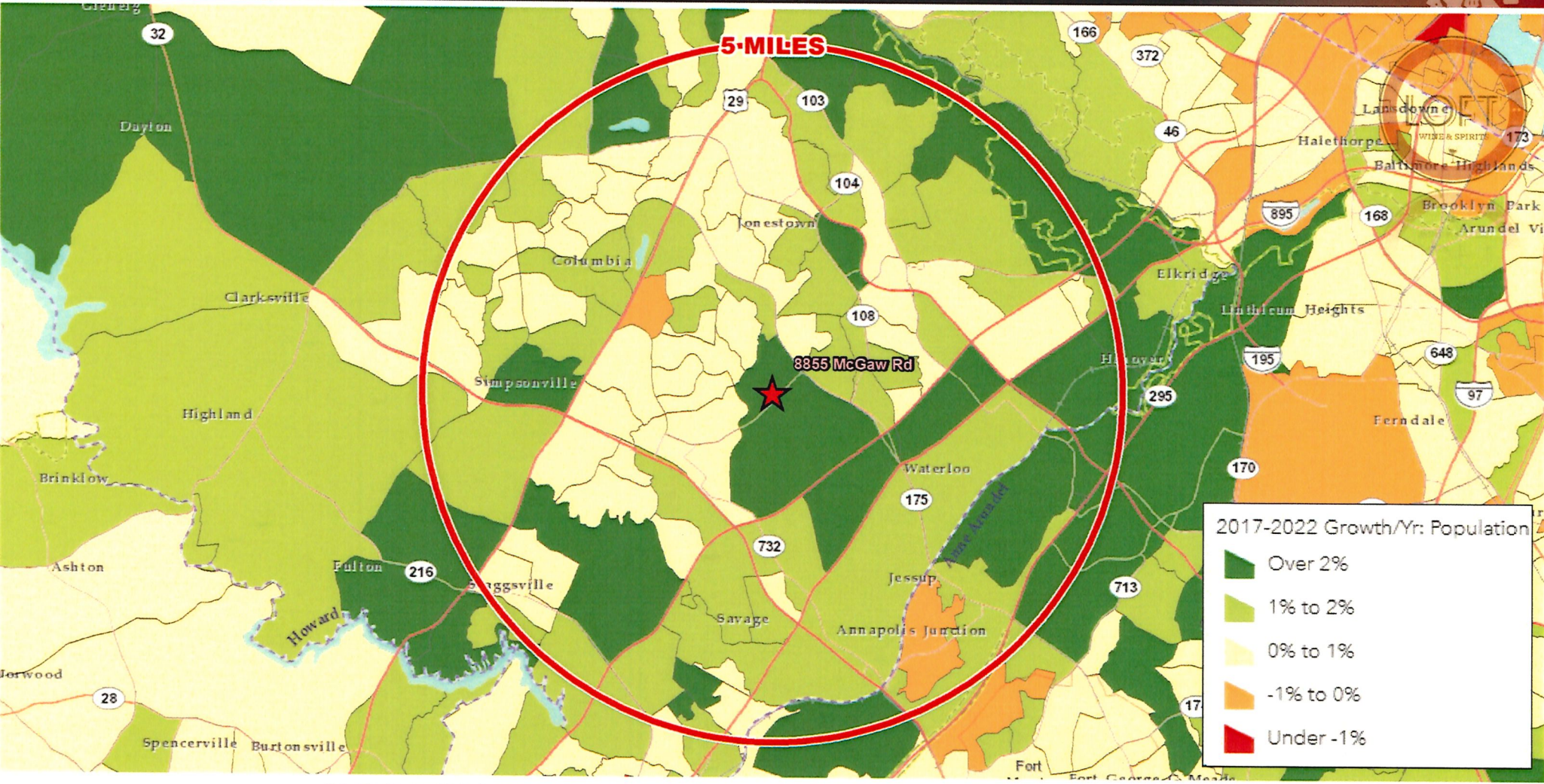
ZIP Code	Customers	Percent of Total
21045	2,864	16.9%
21044	1,835	10.8%
21043	1,391	8.2%
21046	1,169	6.9%
21075	958	5.6%
21042	718	4.2%
20723	711	4.2%
21228	486	2.9%
20794	413	2.4%
21029	333	2.0%
Others	6,112	36.0%

This map was prepared using the following information: The content was compiled by Datastory consulting, LLC. Datastory consulting uses a geographical representation of real world conditions, with input from various sources, including government and business. The content is not intended to be used for any purpose other than as a general guide. Datastory consulting does not control or guarantee the data, accuracy, timeliness, completeness or currency of any of the content. The content may contain errors and does not constitute an offer of any financial product. Datastory consulting is not responsible for the content or the use of the content. The content is provided as is, without any warranty, express or implied. Datastory consulting is not responsible for the content or the use of the content. The content is provided as is, without any warranty, express or implied.



# Projected Population Growth 2017-2022

8855 McGaw Road, Columbia, MD 21045



7/26/18 Ap. Ex. 6

Demographic and Income Profile

8855 McGaw Rd, Columbia, Maryland, 21045  
 Drive Time: 15 minute radius

Prepared by Esri  
 Latitude: 39.18692  
 Longitude: -76.81926

Summary	Census 2010	2018	2023
Population	237,498	272,367	293,989
Households	87,609	99,586	107,267
Families	60,411	67,783	72,607
Average Household Size	2.63	2.67	2.68
Owner Occupied Housing Units	59,799	65,554	71,089
Renter Occupied Housing Units	27,810	34,033	36,178
Median Age	36.2	37.6	38.4
Trends: 2018 - 2023 Annual Rate	Area	State	National
Population	1.54%	0.68%	0.83%
Households	1.50%	0.62%	0.79%
Families	1.38%	0.55%	0.71%
Owner HHs	1.63%	0.88%	1.16%
Median Household Income	1.72%	2.94%	2.50%

Households by Income	2018		2023	
	Number	Percent	Number	Percent
<\$15,000	4,556	4.6%	4,312	4.0%
\$15,000 - \$24,999	3,592	3.6%	3,132	2.9%
\$25,000 - \$34,999	4,152	4.2%	3,359	3.1%
\$35,000 - \$49,999	6,460	6.5%	5,307	4.9%
\$50,000 - \$74,999	14,376	14.4%	12,970	12.1%
\$75,000 - \$99,999	13,412	13.5%	14,123	13.2%
\$100,000 - \$149,999	22,831	22.9%	27,121	25.3%
\$150,000 - \$199,999	14,515	14.6%	16,929	15.8%
\$200,000+	15,691	15.8%	20,015	18.7%
Median Household Income	\$104,652		\$113,985	
Average Household Income	\$129,131		\$147,650	
Per Capita Income	\$47,463		\$54,107	

Population by Age	Census 2010		2018		2023	
	Number	Percent	Number	Percent	Number	Percent
0 - 4	15,840	6.7%	16,346	6.0%	17,716	6.0%
5 - 9	16,386	6.9%	17,514	6.4%	17,768	6.0%
10 - 14	16,555	7.0%	18,581	6.8%	18,416	6.3%
15 - 19	15,297	6.4%	16,781	6.2%	17,227	5.9%
20 - 24	13,850	5.8%	16,403	6.0%	15,674	5.3%
25 - 34	36,399	15.3%	39,821	14.6%	45,161	15.4%
35 - 44	37,419	15.8%	40,141	14.7%	44,188	15.0%
45 - 54	37,897	16.0%	39,281	14.4%	39,374	13.4%
55 - 64	26,055	11.0%	34,079	12.5%	36,408	12.4%
65 - 74	13,119	5.5%	20,994	7.7%	25,474	8.7%
75 - 84	6,132	2.6%	8,966	3.3%	12,486	4.2%
85+	2,548	1.1%	3,459	1.3%	4,097	1.4%

Race and Ethnicity	Census 2010		2018		2023	
	Number	Percent	Number	Percent	Number	Percent
White Alone	137,115	57.7%	137,646	50.5%	133,330	45.4%
Black Alone	53,151	22.4%	66,161	24.3%	74,055	25.2%
American Indian Alone	840	0.4%	916	0.3%	938	0.3%
Asian Alone	30,997	13.1%	46,672	17.1%	60,131	20.5%
Pacific Islander Alone	133	0.1%	214	0.1%	255	0.1%
Some Other Race Alone	5,799	2.4%	7,981	2.9%	9,840	3.3%
Two or More Races	9,464	4.0%	12,778	4.7%	15,440	5.3%
Hispanic Origin (Any Race)	16,460	6.9%	22,877	8.4%	28,257	9.6%

Data Note: Income is expressed in current dollars.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2018 and 2023.

# Demographic and Income Profile

8855 McGaw Rd, Columbia, Maryland, 21045  
 Drive Time: 20 minute radius

Prepared by Esri  
 Latitude: 39 18692  
 Longitude: 76 81926

Summary	Census 2010	2018	2023
Population	536,978	598,710	633,991
Households	196,976	216,928	228,828
Families	134,617	147,075	154,661
Average Household Size	2.65	2.69	2.71
Owner Occupied Housing Units	130,816	140,799	150,712
Renter Occupied Housing Units	66,160	76,129	78,116
Median Age	36.0	37.5	38.3
<b>Trends: 2018 - 2023 Annual Rate</b>	<b>Area</b>	<b>State</b>	<b>National</b>
Population	1.15%	0.68%	0.83%
Households	1.07%	0.62%	0.79%
Families	1.01%	0.55%	0.71%
Owner HHs	1.37%	0.88%	1.16%
Median Household Income	2.39%	2.94%	2.50%

Households by Income	2018		2023	
	Number	Percent	Number	Percent
<\$15,000	12,466	5.7%	11,537	5.0%
\$15,000 - \$24,999	9,950	4.6%	8,576	3.7%
\$25,000 - \$34,999	10,627	4.9%	8,571	3.7%
\$35,000 - \$49,999	18,317	8.4%	15,122	6.6%
\$50,000 - \$74,999	33,507	15.4%	30,314	13.2%
\$75,000 - \$99,999	29,639	13.7%	31,075	13.6%
\$100,000 - \$149,999	46,308	21.3%	55,055	24.1%
\$150,000 - \$199,999	27,360	12.6%	32,041	14.0%
\$200,000+	28,740	13.2%	36,523	16.0%
Median Household Income	\$93,711		\$105,472	
Average Household Income	\$118,036		\$136,166	
Per Capita Income	\$43,197		\$49,564	

Population by Age	Census 2010		2018		2023	
	Number	Percent	Number	Percent	Number	Percent
0 - 4	36,538	6.8%	36,407	6.1%	38,718	6.1%
5 - 9	36,255	6.8%	38,392	6.4%	38,292	6.0%
10 - 14	36,133	6.7%	39,898	6.7%	39,235	6.2%
15 - 19	36,259	6.8%	37,962	6.3%	38,678	6.1%
20 - 24	35,227	6.6%	38,217	6.4%	36,560	5.8%
25 - 34	80,300	15.0%	86,825	14.5%	94,654	14.9%
35 - 44	79,047	14.7%	83,320	13.9%	91,485	14.4%
45 - 54	84,151	15.7%	82,644	13.8%	80,920	12.8%
55 - 64	59,421	11.1%	76,359	12.8%	78,811	12.4%
65 - 74	29,862	5.6%	47,616	8.0%	57,633	9.1%
75 - 84	16,256	3.0%	21,329	3.6%	28,421	4.5%
85+	7,528	1.4%	9,739	1.6%	10,586	1.7%

Race and Ethnicity	Census 2010		2018		2023	
	Number	Percent	Number	Percent	Number	Percent
White Alone	293,187	54.6%	292,944	48.9%	284,024	44.8%
Black Alone	146,166	27.2%	171,074	28.6%	185,009	29.2%
American Indian Alone	1,793	0.3%	1,970	0.3%	2,057	0.3%
Asian Alone	59,358	11.1%	83,801	14.0%	103,933	16.4%
Pacific Islander Alone	376	0.1%	502	0.1%	560	0.1%
Some Other Race Alone	16,395	3.1%	22,531	3.8%	27,629	4.4%
Two or More Races	19,702	3.7%	25,889	4.3%	30,777	4.9%
Hispanic Origin (Any Race)	41,138	7.7%	57,252	9.6%	70,896	11.2%

Data Note: Income is expressed in current dollars.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2018 and 2023.

# Demographic and Income Profile

8855 McGaw Rd, Columbia, Maryland, 21045  
 Drive Time: 30 minute radius

Prepared by Esri  
 Latitude: 39.18692  
 Longitude: 76.81926

Summary	Census 2010	2018	2023
Population	1,519,146	1,624,839	1,686,311
Households	570,086	603,752	624,383
Families	365,118	383,629	395,736
Average Household Size	2.60	2.63	2.64
Owner Occupied Housing Units	343,491	357,783	375,710
Renter Occupied Housing Units	226,595	245,969	248,673
Median Age	36.1	37.6	38.5
<b>Trends: 2018 - 2023 Annual Rate</b>	<b>Area</b>	<b>State</b>	<b>National</b>
Population	0.75%	0.68%	0.83%
Households	0.67%	0.62%	0.79%
Families	0.62%	0.55%	0.71%
Owner HHs	0.98%	0.88%	1.16%
Median Household Income	3.00%	2.94%	2.50%

Households by Income	2018		2023	
	Number	Percent	Number	Percent
<\$15,000	58,006	9.6%	53,463	8.6%
\$15,000 - \$24,999	40,766	6.8%	35,648	5.7%
\$25,000 - \$34,999	40,571	6.7%	33,249	5.3%
\$35,000 - \$49,999	60,843	10.1%	50,693	8.1%
\$50,000 - \$74,999	97,374	16.1%	89,356	14.3%
\$75,000 - \$99,999	78,274	13.0%	83,769	13.4%
\$100,000 - \$149,999	108,028	17.9%	130,926	21.0%
\$150,000 - \$199,999	57,668	9.6%	68,176	10.9%
\$200,000+	62,187	10.3%	79,071	12.7%
Median Household Income	\$76,040		\$88,159	
Average Household Income	\$101,037		\$118,016	
Per Capita Income	\$37,988		\$44,124	

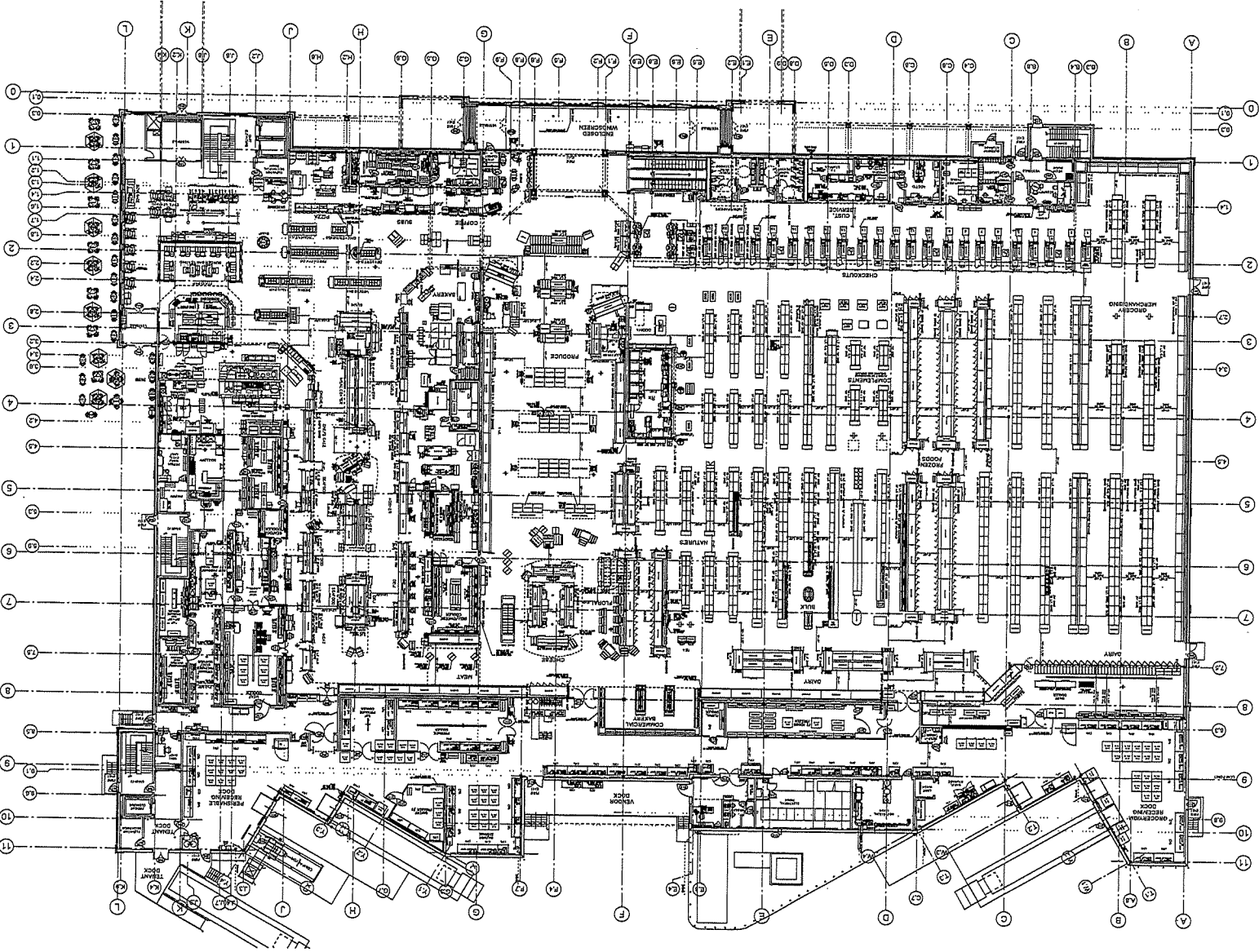
Population by Age	Census 2010		2018		2023	
	Number	Percent	Number	Percent	Number	Percent
0 - 4	101,488	6.7%	97,058	6.0%	100,872	6.0%
5 - 9	95,736	6.3%	100,286	6.2%	98,400	5.8%
10 - 14	95,531	6.3%	102,039	6.3%	100,880	6.0%
15 - 19	100,856	6.6%	98,398	6.1%	100,346	6.0%
20 - 24	110,700	7.3%	107,792	6.6%	102,466	6.1%
25 - 34	232,725	15.3%	248,312	15.3%	254,819	15.1%
35 - 44	209,492	13.8%	216,588	13.3%	237,860	14.1%
45 - 54	228,552	15.0%	213,415	13.1%	206,891	12.3%
55 - 64	171,153	11.3%	206,617	12.7%	207,312	12.3%
65 - 74	91,583	6.0%	136,702	8.4%	159,934	9.5%
75 - 84	55,622	3.7%	65,866	4.1%	83,380	4.9%
85+	25,708	1.7%	31,766	2.0%	33,152	2.0%

Race and Ethnicity	Census 2010		2018		2023	
	Number	Percent	Number	Percent	Number	Percent
White Alone	732,617	48.2%	728,447	44.8%	712,351	42.2%
Black Alone	539,673	35.5%	579,067	35.6%	600,237	35.6%
American Indian Alone	6,398	0.4%	6,812	0.4%	7,107	0.4%
Asian Alone	114,139	7.5%	148,936	9.2%	177,498	10.5%
Pacific Islander Alone	1,053	0.1%	1,267	0.1%	1,388	0.1%
Some Other Race Alone	74,697	4.9%	96,820	6.0%	114,043	6.8%
Two or More Races	50,569	3.3%	63,490	3.9%	73,689	4.4%
Hispanic Origin (Any Race)	158,736	10.4%	207,669	12.8%	247,927	14.7%

Data Note: Income is expressed in current dollars.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2018 and 2023.

APP. EX 7



DATE: 047  
A100

**McQuinn**  
Architectural Firm  
1000  
1000

DESIGN/CONSTRUCTION BOARD  
MEMBERSHIP NUMBER: 1000  
EXPIRES: 1000

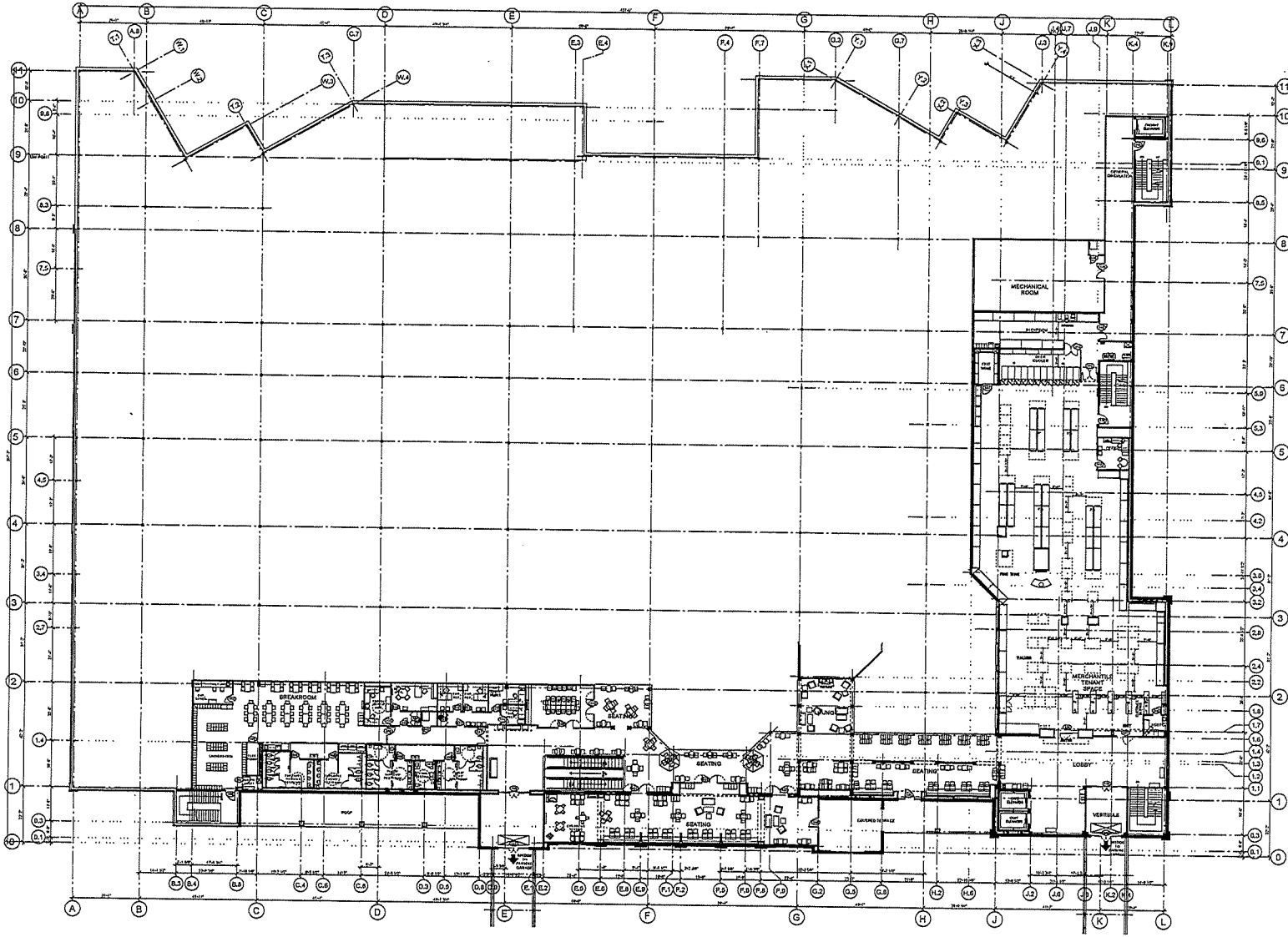
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SCALE: 1000  
DRAWN BY: 1000  
CHECKED BY: 1000  
APPROVED BY: 1000

REVISIONS

NO.	DATE	DESCRIPTION

COLUMBIA #47  
FIRST FLOOR EQUIPMENT PLAN  
PRELIMINARY STAIR LAYOUT





COLUMBIA #47  
MEZZANINE EQUIPMENT PLAN  
OVERALL PLAN

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	07/27/18
2	ISSUED FOR PERMITS	07/27/18
3	ISSUED FOR PERMITS	07/27/18
4	ISSUED FOR PERMITS	07/27/18
5	ISSUED FOR PERMITS	07/27/18
6	ISSUED FOR PERMITS	07/27/18
7	ISSUED FOR PERMITS	07/27/18
8	ISSUED FOR PERMITS	07/27/18
9	ISSUED FOR PERMITS	07/27/18
10	ISSUED FOR PERMITS	07/27/18
11	ISSUED FOR PERMITS	07/27/18

REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	07/27/18
2	ISSUED FOR PERMITS	07/27/18
3	ISSUED FOR PERMITS	07/27/18
4	ISSUED FOR PERMITS	07/27/18
5	ISSUED FOR PERMITS	07/27/18
6	ISSUED FOR PERMITS	07/27/18
7	ISSUED FOR PERMITS	07/27/18
8	ISSUED FOR PERMITS	07/27/18
9	ISSUED FOR PERMITS	07/27/18
10	ISSUED FOR PERMITS	07/27/18
11	ISSUED FOR PERMITS	07/27/18

PROJECT NO. 047  
JOB NO. A101

DATE: 07/27/18

DESIGNER: [Signature]

CHECKED: [Signature]

DATE: 07/27/18

PROJECT NO. 047  
JOB NO. A101

DATE: 07/27/18



KEY PLAN

Lease Negotiations from Tom's Perspective

Year Space (sf)	Cindy's 2012 5600	Proposed 2013 9930	Cindy's 2017 5600
Rent w/CAMS	\$ 157,995.11	\$ 430,000.00	\$ 181,407.97
Utilities	\$ 27,891.26	\$ -	\$ 25,393.28
Total	<u>\$ 185,886.37</u>	<u>\$ 430,000.00</u>	<u>\$ 206,801.25</u>
\$/per sq/ft	<u>\$ 33.19</u>	<u>\$ 43.30</u>	<u>\$ 36.93</u>
Build out in 2008	\$ 99,476.26		\$ 115,320.25 3% annual increase
Build out/sq/ft	\$ 3.55		\$ 4.12
\$/psf with Buildout	<u>\$ 36.75</u>	<u>\$ 43.30</u>	<u>\$ 41.05</u>

BLC/ABHB

The Loft

Applicant/Protestant

Exhibit # 8 Date 8/7/18

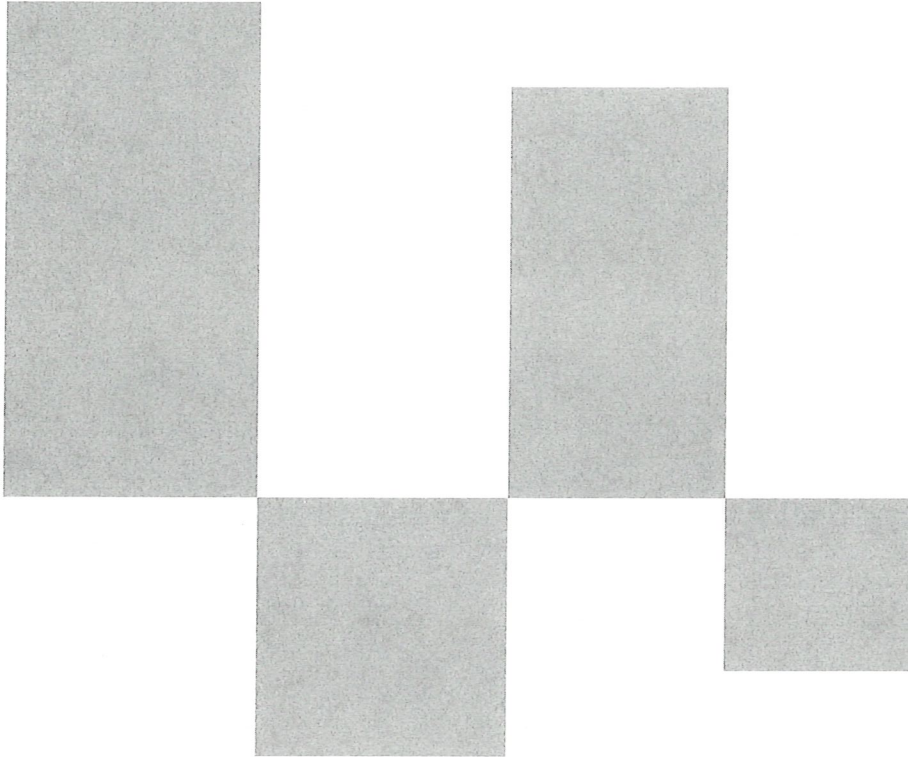
Lease Negotiations from Tom's Perspective

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Lease Negotiations from Tom's Perspective

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9A



# ALCOHOL & TOBACCO TAX ANNUAL REPORT

Fiscal Year 2012

BLC/ABHB

Loft



Applicant/Protestant

Exhibit # 9A Date 8/7/18

*Peter Franchot*  
Comptroller of Maryland

# PER CAPITA CONSUMPTION - ALCOHOLIC BEVERAGES

Per Capita Gallons				Per Capita Gallons			
County	<u>Distilled</u>			County	<u>Distilled</u>		
	<u>Spirits</u>	<u>Wine</u>	<u>Beer</u>		<u>Spirits</u>	<u>Wine</u>	<u>Beer</u>
Allegany	1.71	1.35	24.19	Harford	1.47	2.35	17.14
Anne Arundel	2.16	3.93	20.59	Howard	1.46	3.01	12.78
Baltimore	1.87	2.70	16.25	Kent	2.26	3.78	23.95
Baltimore City	2.32	2.27	19.13	Montgomery	1.04	2.49	9.78
Calvert	1.83	2.70	20.59	Prince George's	1.77	1.64	14.69
Caroline	1.37	1.38	20.85	Queen Anne's	2.02	1.79	24.32
Carroll	1.55	2.62	19.15	St. Mary's	1.59	1.24	19.37
Cecil	5.79	3.22	27.37	Somerset	1.06	1.24	15.07
Charles	2.05	1.71	16.42	Talbot	2.33	5.85	20.01
Dorchester	1.65	1.86	22.32	Washington	1.88	1.70	21.10
Frederick	1.67	2.57	18.28	Wicomico	1.09	1.92	20.20
Garrett	2.29	2.43	26.74	Worcester	4.26	5.15	56.44

**Note:**  
 These figures are based on deliveries to retail licensees in the subdivisions by Maryland wholesaler licensees.

# CIGARETTE SALES STATEWIDE

Cigarettes (Packs of 20)\*

200,775,000

Note: Sales by political subdivisions are not available for cigarettes

## WHOLESALE ALCOHOLIC BEVERAGES SALES

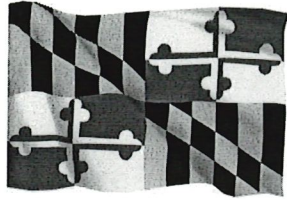
### Deliveries Statewide

### Total Gallons

Distilled Spirits	10,527,394
Wine	14,648,658
Beer	98,233,924

### Deliveries by Political Subdivision

	<u>Distilled Spirits</u>	<u>Wine</u>	<u>Beer</u>
Allegany	127,965	100,595	1,806,842
Anne Arundel	1,175,100	2,138,365	11,208,199
Baltimore	1,514,371	2,187,876	13,163,860
Baltimore City	1,436,183	1,408,708	11,850,780
Calvert	163,695	240,590	1,837,576
Caroline	45,046	45,657	687,731
Carroll	258,749	439,011	3,204,300
Cecil	588,327	327,242	2,783,816
Charles	306,445	255,190	2,448,686
Dorchester	54,014	60,872	728,384
Frederick	396,243	608,428	4,326,815
Garrett	68,702	73,012	803,603
Harford	361,314	580,098	4,225,925
Howard	427,829	883,630	3,746,164
Kent	45,749	76,341	483,829
Montgomery	1,026,467	2,463,593	9,677,879
Prince George's	1,539,243	1,432,824	12,795,322
Queen Anne's	97,850	170,506	1,176,074
St. Mary's	170,779	192,663	2,081,834
Somerset	27,994	32,770	397,059
Talbot	88,636	222,435	760,922
Washington	278,861	252,214	3,127,132
Wicomico	108,260	190,610	2,003,599
Worcester	219,570	265,429	2,907,596
<b>TOTALS</b>	<b>10,527,394</b>	<b>14,648,658</b>	<b>98,233,924</b>



COMPTROLLER  
*of* MARYLAND  
*Serving the People*

#98

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# Alcohol & Tobacco Tax Annual Report

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Fiscal Year 2017



BLC/ABHB

LOFI

Applicant/Protestant

Exhibit # 96 Date 8/7/18

*Peter Franchot*

Comptroller of Maryland

## PER CAPITA CONSUMPTION ALCOHOLIC BEVERAGES

<u>Per Capita Gallons</u>				<u>Per Capita Gallons</u>			
<u>County</u>	<u>Distilled Spirits</u>	<u>Wine</u>	<u>Beer</u>	<u>County</u>	<u>Distilled Spirits</u>	<u>Wine</u>	<u>Beer</u>
Allegany	1.73	1.43	22.96	Harford	1.66	2.49	16.30
Anne Arundel	2.35	4.11	18.94	Howard	1.60	2.95	11.26
Baltimore City	2.33	2.50	16.40	Kent	2.65	4.06	22.48
Baltimore	2.01	2.68	14.57	Montgomery	1.07	2.40	9.51
Calvert	2.10	2.81	19.80	Prince George's	1.81	1.66	13.01
Caroline	1.57	1.48	20.15	Queen Anne's	2.25	1.78	23.10
Carroll	1.70	2.78	18.36	St. Mary's	1.67	1.11	18.09
Cecil	2.96	3.19	25.92	Somerset	0.98	1.11	13.75
Charles	2.11	1.72	13.89	Talbot	2.63	5.89	20.72
Dorchester	1.87	2.07	22.11	Washington	2.06	1.74	18.95
Frederick	1.89	2.72	17.86	Wicomico	1.12	1.70	18.21
Garrett	2.50	2.64	27.17	Worcester	5.43	5.49	54.31

**Note:**

These figures are based on deliveries to retail licensees in the subdivisions by Maryland wholesaler licensees.

## CIGARETTE SALES STATEWIDE

Cigarettes (Packs of 20)\*

175,778,000

Note: Sales by political subdivisions are not available for cigarettes

## WHOLESALE ALCOHOLIC BEVERAGES SALES

### Deliveries Statewide

### Total Gallons

Distilled Spirits	11,186,737
Wine	15,351,449
Beer	92,519,785

### Deliveries by Political Subdivision

	<u>Distilled Spirits</u>	<u>Wine</u>	<u>Beer</u>
Allegany	125,183	103,923	1,665,252
Anne Arundel	1,323,333	2,317,182	10,688,596
Baltimore City	1,449,580	1,554,485	10,199,684
Baltimore	1,674,442	2,226,456	12,110,612
Calvert	189,941	254,439	1,794,019
Caroline	51,088	48,272	656,360
Carroll	284,987	466,152	3,077,133
Cecil	303,429	326,215	2,653,571
Charles	329,625	268,384	2,168,524
Dorchester	60,610	66,978	716,062
Frederick	462,723	666,358	4,382,596
Garrett	73,639	77,698	800,565
Harford	414,827	622,708	4,080,338
Howard	501,667	925,111	3,527,493
Kent	52,425	80,271	444,786
Montgomery	1,116,978	2,494,329	9,893,598
Prince George's	1,644,361	1,506,951	11,832,392
Queen Anne's	110,091	175,892	1,129,642
St. Mary's	191,201	203,163	2,069,391
Somerset	25,238	28,641	354,412
Talbot	98,590	220,839	777,231
Washington	308,566	259,919	2,834,326
Wicomico	114,214	174,260	1,863,907
Worcester	280,000	282,823	2,799,297
<b>TOTALS</b>	<b>11,186,737</b>	<b>15,351,449</b>	<b>92,519,785</b>

Drinks per Gallon (128oz)	
Beer (12oz)	10.66
Wine (5oz)	25.6
Liquor (1.5oz)	85.33

PER CAPITA

Howard County Alcohol Consumption Per Capita Gallons				Howard County Alcohol Consumption Per Capita Drinks			
	2012 Gallons	2017 Gallons	% Change		2012 Drinks	2017 Drinks	% Change
Beer	12.78	11.26	-11.89%	Beer	136	120	-11.89%
Wine	3.01	2.95	-1.99%	Wine	77	76	-1.99%
Liquor	1.46	1.6	9.59%	Liquor	125	137	9.59%
<b>Total</b>	<b>17.25</b>	<b>15.81</b>	<b>-8.35%</b>	<b>Total</b>	<b>338</b>	<b>332</b>	<b>-1.71%</b>

TOTAL GALLONS

Howard County Alcohol Consumption Total Gallons Sold				Howard County Alcohol Consumption Total Drinks Sold			
	2012 Gallons	2017 Gallons	% Change		2012 Drinks	2017 Drinks	% Change
Beer	3,746,164	3,527,493	-5.84%	Beer	39,934,108	37,603,075	-5.84%
Wine	883,630	925,111	4.69%	Wine	22,620,928	23,682,842	4.69%
Liquor	427,829	501,667	17.26%	Liquor	36,506,649	42,807,245	17.26%
<b>Total</b>	<b>5,057,623</b>	<b>4,954,271</b>	<b>-2.04%</b>	<b>Total</b>	<b>99,061,685</b>	<b>104,093,162</b>	<b>5.08%</b>

BLC/ABHB

The Loft

Applicant/Protestant

Exhibit # 10 Date 8/7/18

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF JASON CHANG	*	BEVERAGE HEARING BOARD
ON BEHALF OF JJ LIQUORS, LLC	*	FOR
t/a JJ LIQUORS, FOR A NEW	*	HOWARD COUNTY, MARYLAND
CLASS A BEER, WINE, AND LIQUOR	*	
7-DAY OFF SALE LICENSE	*	Case No.:17-43
	*	

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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 October 10, 2017, the Hearing Board heard the application of Jason Chang ("Applicant"), on behalf of JJ Liquors, LLC t/a JJ Liquors, for a new Class A, Beer, Wine, and Liquor 7-day off sale license, for a 4,000-square foot package goods store located at 10010 Baltimore National Pike, Suite B110, Ellicott City, Maryland 21042.

The hearing was properly advertised and the property posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicant was 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.

**SUMMARY OF TESTIMONY**

Jason Chang, 100% owner, sole applicant and proposed resident agent, was sworn and testified that he has resided in Howard County for 17 years and is familiar with the rules and

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Applicant/Protestant

Exhibit # 11 Date 8/7/18

regulations governing the sale of alcoholic beverages and will abide by them. Mr. Chang stated he is TAM certified and has experience serving alcohol from working at various restaurants. He testified that he has been a licensee at restaurants in Clarksville and in Baltimore City and there have been no alcohol violations at these locations during his tenure.

Mr. Chang testified that he plans to work at the store full time and will employ 3 additional staff with 2 employees on duty at all times, including a manager. All staff will be TAMs certified and will be provided with written policies that they will be required to read and sign. Mr. Chang testified that there was a liquor store at this location previously and that he wants to reopen the liquor store, which is located in the Enchanted Forest shopping center next to a grocery store. He stated that he plans to sell beer, wine, spirits, snacks and some high-end products to meet consumer's needs and that he feels that this establishment will be beneficial to the community. Mr. Chang also testified that he will support charity events in the community. He stated that the hours of operation will be from 9 a.m. to 11 p.m., seven days per week, subject to change.

Mr. Chang testified that after this license is approved, he will cease being a licensee for a restaurant located in Baltimore City.

Scott Selman, representing the landlord, Kimco Realty, was sworn and testified that he has been in commercial real estate for 30 years and is involved with leasing property in the entire Enchanted Forest shopping center. Mr. Selman testified that this location was the site of a liquor store for 14 years under different owners and the store was very successful and a benefit to the community. Mr. Selman testified that he did a thorough, comprehensive review of Mr. Chang as a proposed tenant and feels Mr. Chang is an excellent choice to run this

liquor store.

The following exhibits were introduced into evidence at the hearing:

1. Site plan of shopping center with list of current tenants and available spaces for rent.
2. Decision and Order dated 10/4/02 from the Board of License Commissioners for Howard County approving the application of Grace O. Yun on behalf of Normandy, LLC t/a Enchanted Forest Wine & Spirits.
3. Decision and Order dated 7/17/08 approving a transfer from Grace O. Yun to Connie Aaronson and Richard Zahn, Sr., on behalf of Enchanted Forest W&S, LLC, t/a Enchanted Forest Wine and Spirits.
4. Certificate of Death for Richard Stansbury Zahn, Sr., previous owner of Enchanted Forest Wine and Spirits.
5. An e-mail Richard Zahn dated March 8, 2017 to the Liquor Board Administrator stating that Enchanted Forest Wine & Spirits ceased operations on July 1, 2016.

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicant waived his 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 Jason Chang, on behalf of JJ Liquors, LLC t/a JJ Liquors, has applied for a new Class A, Beer, Wine, and Liquor 7-day off sale license, for a 4,000-square foot package goods store located at 10010 Baltimore National Pike, Suite B110, Ellicott City, Maryland 21042.
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 Jason Chang has been a Howard County resident for more than two years, is a registered voter, and a 100% shareholder of JJ Liquors, LLC t/a JJ Liquors.

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 the application will not unduly disturb the peace and safety of the residents of the neighborhood.

#### **CONCLUSIONS OF LAW**

1. The Hearing Board concludes that Jason Chang, on behalf of JJ Liquors, LLC t/a JJ Liquors, has applied for a new Class A, Beer, Wine, and Liquor 7-day off sale license, for a 4,000-square foot package goods store located at 10010 Baltimore National Pike, Suite B110, Ellicott City, Maryland 21042.

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 Jason Chang 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 the application would not unduly disturb the peace and safety of the neighborhood.

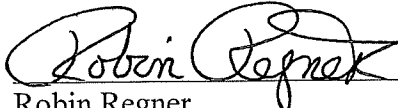
**ORDER**

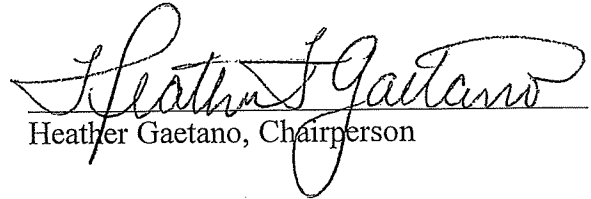
For the foregoing reasons, it is this 14<sup>th</sup> day of November 2017, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Jason Chang, on behalf of JJ Liquors, LLC t/a JJ Liquors, for a new Class A, Beer, Wine, and Liquor 7-day off sale license, for a 4,000-square foot package goods store located at 10010 Baltimore National Pike, Suite B110, Ellicott City, Maryland 21042 be and the same is hereby **GRANTED**, subject to the following conditions:

- (a) That the Applicant comply with all State and County laws and regulations; and
- (b) That the Applicant provide evidence that he has been removed from any other alcoholic beverage license; and
- (c) That the Applicant satisfy any requirements necessary to obtain the license by February 14, 2018, unless that deadline is extended by the Board upon good cause shown; and
- (d) 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

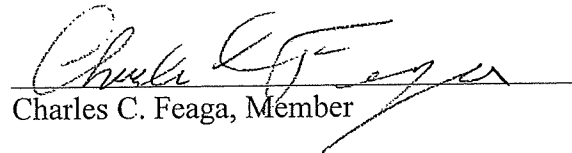
  
Robin Regner  
Acting Administrator

  
Heather Gaetano, Chairperson

ABSENT


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  
Assistant County Solicitor

  
Charley C. Sung, Member

**Donald M. Barrick**  
34 Old Granary Court, Catonsville, Maryland 21228  
Telephone: (410) 715-0700 \* FAX: (410) 510-1130  
E-Mail: combroker@bafgroup.com

BLC/ABHB

*The Loft*

Applicant/Protestant

Exhibit # 1 Date 7/24/18

**Experience**

**The BAF Group LLC – Ellicott City, MD**

Principal and Broker of Record (4/02 to Present). Initiated and built direct operations of modest Commercial Real Estate/Business Brokerage. Have performed Site Selection and Lease/Property Purchase Acquisitions for a number of corporate entities with varying property needs.

**Century 21 H.T. Brown Real Estate - Columbia, MD**

Associate Broker (7/96 to 4/02). Provide a number of consultative tasks, principally involving the brokering of Commercial Real Estate for Retail and Office clientele.

**American Properties, Inc. - Columbia, MD**

Managing Director (12/94 to 9/96). On behalf of the ownership – Orion Construction (below) – acted as the Managing Director, overseeing the operations, regulatory and strategic planning for this Real Estate Brokerage, then the largest independent agency of its kind, in Howard County. Responsibilities included Company site selection, lease negotiation and periodic supervision of the physical properties of several offices. Successful completion of the assignment resulted in the sale to O’Conor Piper and Flynn, now Coldwell Banker Residential Services.

**Orion Construction - Columbia, MD**

Internal Consultant (12/91 to 9/96). Conducted a variety of tasks, including execution of duties related to several start-up projects.. These included research, business negotiations and acquisition activities as well as site selection and lease negotiation. Heavy emphasis was placed on learning, researching and reporting on business trends in the target market.

**Atlantic Management Resources, Inc. - Abingdon, MD**

Consultant (9/88 to 12/91). Provided consulting services to various hospitals, including the Johns Hopkins Hospital, in Baltimore, Maryland, predominately dealing with marketing and promotional efforts.

**Staff Builders Health Care Services - New York, NY**

Regional Manager (1/86 to 9/88) for this National home health and staffing company. Directed operational activities for a nine (9) branch, multi-state region; led the company in 1986 regional revenue growth; trained and supervised an internal staff of 45 personnel, and field outside personnel of in excess of 1200 professional and ancillary staff.

**Millman and Associates - Baltimore, MD**

Consultant (9/85 to 1/86) providing contractual consulting services to various-sized entities, for start-up and troubleshooting projects.

**Professional Nurses Bureau - Northbrook, IL**

Regional Manager (1/79 to 9/85), performing all market expansion, site selection and operations trouble-shooting, for this division of a FORTUNE 500 conglomerate. Assisted with the acquisition of the Company, and led in 1979 regional revenue growth; authored the company's first policies/procedures manuals and training systems; developed and implemented the industry's first attempts to financially justify itself, as a marketing strategy, performed all strategic office site selections and lease negotiations..

**Thompson Recruitment Advertising - Baltimore, MD**

Account Executive (9/77 to 1/79). Increased revenues and expanded a new market in Pittsburgh.

**University of Maryland - Baltimore, MD**

Consultant for Professional Recruitment (6/76 to 9/77), contracted to design and implement a highly successful marketing plan to recruit and retain professional staff.

Staff Builders Health Care Services - Baltimore, MD

Director (6/74 to 6/76), introducing contractual staffing and skilled home care to most of the Baltimore metropolitan market. Researched, developed and executed office expansion into three (3) additional sub-markets.

**Education**

Towson State University: B.S. - Psychology.

University of Baltimore: M.B.A. - Degree Candidate.

**Other Experience**

Howard County Autism Society (2017 to present): Member of the Board of Directors and Director of the Development Committee.

Greater Arbutus Business Association (2015 to 2018): Member of the Board of Directors.

Maryland REALTORS Global Business Committee (2015 to present): Chairperson since October 2017; initiated efforts to build a relationship with the State of Maryland's Sister State program with the Anhui Province, China.

Maryland REALTORS Commercial Alliance (2011 to present): Member. Dealing with training and continuing education for the Association's Commercial Members.

Maryland Business Brokers Association (2011 to present): Member.

National Association of Realtors/Maryland Association of Realtors/Greater Baltimore Board of Realtors (2001 to Present): Member of these Real Estate associations.

International Business Brokers Association (2006 to 2010): Member of this trade association, comprised of brokers involved in the sale of small to medium-sized businesses.

WichiTech Industries, Inc. (1992 to 1994): Member of the Board of Directors for this manufacturer of computerized devices that aid in curing repairs on advanced composite structures.

American Properties, Inc. (1992 to 1997): Member, Board of Directors.

Maryland Health Services Cost Review Commission (February, 1988): Provided testimony to compare the costs of temporary staffing to those of maintaining hospital-based employees. This testimony was cited by the Commission, in its final report.

RN Magazine, Recruitment Seminars (1978 and 1980): Appeared as a lecturer for groups of 75 to over 300 CEO and top-level management staff, teaching various aspects of recruitment and retention. Emphasized personal interaction and sales-orientation, rather than passive promotional efforts.

Prime National Publishing (1978 to 1986): Performed various marketing roles for the Company's trade shows= events in a consulting capacity, the chief of which was to appear in more than 75 television and radio interviews.

Home Health and Staffing Services Association (1983): Member, Board of Directors of this National trade association.

**Liquors Stores Within 1, 3 and 5 mile radius of  
Proposed Wegmans Location (8855 McGaw Road, Columbia)  
Measured in a Straight Line using Google Maps**

Within 1 mile

1. Dobbin Square Liquors (.8)

Within 3 miles (not on Applicant's List)

1. Owen Brown (1.1)
2. Snowden River (1.1)
3. Perfect Pour (1.2)
4. Twisted Cork (1.4)
5. Jessup Discount Liquors (2.1)
6. Richburn (2.1)
7. Crestmount (2.1)
8. US 1 Liquors (2.2)
9. Lark Brown (2.2)
10. Oakland Mills (2.2)
11. Troy Farms (2.3)
12. Elkridge W&S (2.5)
13. Angel's Cut (2.5)
14. Kings Contrivance (2.6)
15. 103 W&S (2.6)
16. Columbia Fine W&S (2.7)
17. Columbia Palace (2.8)

Within 5 miles

1. Mel's Liquors (3.1)
2. Decanter Fine Wines (3.4)
3. Kelly's Liquors (3.6)
4. Absolutely Wine (3.7)
5. Allview Liquors (3.8)
6. Dorsey's Search (4.0)
7. Montpelier Liquors (4.2)
8. Lyndwood Square (4.4)
9. Harper's Choice (4.5)
10. All Saints (4.6)

BLC/ABHB

~~The Loft~~  
Applicant/Protestant

Exhibit # 2 Date 7-26-18

BD Ex 1






Google Earth

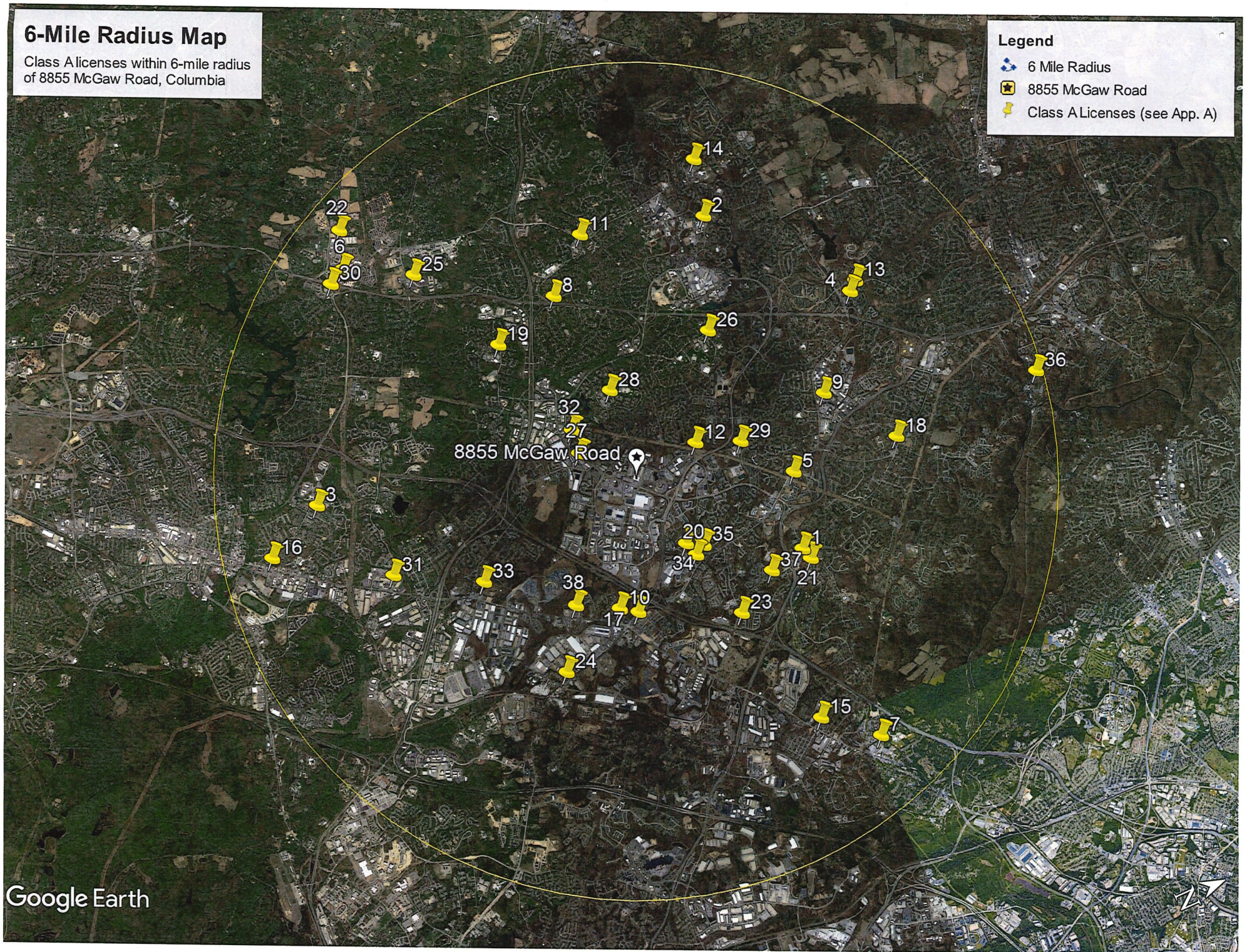
© 2018 Google

# 6-Mile Radius Map

Class A licenses within 6-mile radius of 8855 McGaw Road, Columbia

## Legend

-  6 Mile Radius
-  8855 McGaw Road
-  Class A Licenses (see App. A)



**APPENDIX A – Driving Distances of Class A Licensed Establishments within 6-mile Radius of 8855 McGaw Road, Columbia, MD**

<b>MAP #</b>	<b>ESTABLISHMENT NAME</b>	<b>DRIVING DISTANCE (miles)</b>
1	103 Wine & Spirits	3.6
2	Absolutely Wine & Spirits	5.3
3	All Saints Liquors	7.2
4	Allview Liquors	6.2
5	Angels Cut Wine & Spirits	2.5
6	Cherry's Liquors	7.6
7	Cindy's Skylight Liquors	6.5
8	Columbia Fine Wine & Spirits	4.1
9	Columbia Palace Wine & Spirits	3.5
10	Crestmount Wine & Spirits	2.7
11	Decanter Fine Wines	5.7
12	Dobbin Square Liquors	0.9
13	Dorsey Search Wine & Spirits	6.3
14	Harper's Choice Liquors	6.0
15	Harwood Convenience	5.7
16	Island Liquors	6.7
17	Jessup Discount Liquors	3.4
18	Kelly's Liquors	5.6
19	Kings Contrivance Liquor Shop	3.7
20	Lark Brown Liquors	2.1
21	Lyndwood Square Wine & Spirits	3.8
22	Maple Lawn Wine & Spirits	7.8
23	Meadowridge Liquors	3.6
24	Mel's Liquors	3.8
25	Montpelier Liquors	6.1
26	Oakland Mills Liquors	3.5
27	Oakland Mills Wine & Spirits	1.1
28	Owen Brown Wine & Spirits	1.9
29	Richburn Liquors	2.0
30	Roundabout Fine Wine & Spirits	7.5
31	Savage Liquors	5.0
32	Snowden River Liquors	1.6
33	Star Liquors	4.0
34	Perfect Pour	1.9
35	Twisted Cork	2.3
36	Wine Bin	7.9
37	Troy Farms Liquors	3.6
38	U.S. 1 Liquors	3.3

## METHODOLOGY

This report was prepared by Detective Mark Baxter on August 1, 2018.

The following processes were used to acquire and analyze the data presented:

- Class A licensed establishment information and addresses were obtained from the Liquor Board Administrator
- Google Earth Pro was used to illustrate a 6-mile radius boundary from the proposed establishment at 8855 McGaw Road, Columbia
- Addresses of Class A licensed establishments were entered into Google Earth Pro
- Class A licensed establishments that fell within the 6-mile radius boundary were plotted on Google Earth Pro
- A map was printed to illustrate these locations within Google Earth Pro

To acquire the driving distances from the proposed establishment at 8855 McGaw Road, Columbia, the Google Maps "Directions" feature was utilized:

- The location of the proposed establishment, 8855 McGaw Road, Columbia, MD, was entered as the starting location
- Each of the Class A licensed establishments that fell within the 6-mile radius map were individually, and separately entered as the ending location
- For each set of directions displayed from the proposed establishment to each respective Class A licensed establishment, the mileage from the shortest route was recorded in Appendix A

IN THE MATTER OF THE \* BEFORE THE ALCOHOLIC  
APPLICATION OF THOMAS JOSEPH \*  
QUICK ON BEHALF OF THE LOFT \* BEVERAGE HEARING BOARD  
WINE & SPIRITS, LLC, t/a THE LOFT \*  
WINE & SPIRITS, FOR A NEW \* FOR HOWARD COUNTY, MARYLAND  
CLASS A-1 BEER, WINE, AND LIQUOR \*  
7-DAY OFF-SALE LICENSE \* Case No.:18-31

\*\*\*\*\*

**AFFIDAVIT OF ALCOHOLIC BEVERAGE INSPECTOR**  
**DETECTIVE MARK BAXTER**

I, Detective Mark Baxter, Alcoholic Beverage Inspector for the Howard County Board of License Commissioners, am over the age of eighteen, competent to testify, and have personal knowledge of the following.

1. On August 2, 2018, I prepared the attached report, as described therein, on the number and location of Class A licensed establishments within a six-mile radius of the proposed location in the above captioned case.

OATH

I solemnly affirm under penalty of perjury that the foregoing is true and correct.

8/6/18  
Date

  
\_\_\_\_\_  
Det. Mark Baxter  
Alcoholic Beverage Inspector