

IN THE MATTER OF \* BEFORE THE ALCOHOLIC  
 THE APPLICATION OF MICHELLE \*  
 GORMAN PALMER ON BEHALF OF \* BEVERAGE HEARING BOARD  
 COLUMBIA URBAN BAR-B-QUE, LLC, \*  
 t/a URBAN BAR-B-QUE, FOR A NEW \* FOR  
 CLASS B BEER AND LIGHT WINE \*  
 7-DAY ON-SALE LICENSE \* HOWARD COUNTY, MARYLAND

\* Case No.: 15-56

\*\*\*\*\*

**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 December 8, 2015, the Hearing Board heard the application of Michelle Gorman Palmer (the “Applicant”), on behalf of Columbia Urban Bar-B-Que, LLC, t/a Urban Bar-B-Que (“Columbia Urban Bar-B-Que, LLC”), for a new Class B Beer and Light Wine, 7-day on-sale license for a 2,300 square foot restaurant with a 650 square foot outdoor patio located at 5715 Richards Valley Road, Ellicott City, Maryland 21043. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicant was represented by Robert J. Kim, Esquire. There were no protestants who appeared in opposition to the application.

All the documents on file were incorporated into the record by reference. These include the following: a letter dated September 17, 2015, from the attorney for the Applicant; the application; a copy of the Limited Liability Company Operating Agreement for Columbia

Urban Bar-B-Que, LLC; a copy of the status of the Articles of Organization for Columbia Urban Bar-B-Que, LLC from the Maryland Department of Assessments and Taxation dated April 30, 2015; a copy of the Articles of Organization of Columbia Urban Bar-B-Que, LLC; the background investigation questionnaire for the Applicant; a copy of the criminal history check of Maryland's Criminal Justice Information System for the Applicant; a copy of the BEST Alcohol Awareness Training certification for the Applicant; a copy of the floor plan; a copy of the First Amendment to Operating Agreement by Unanimous Consent for Columbia Urban Bar-B-Que, LLC; emails dated October 8, 2015, October 9, 2015, October 13, 2015, October 15, 2015, and November 9, 2015, between the attorney for the Applicant, and the attorney for the Liquor Board; a memorandum dated November 2, 2015, from the Liquor Board to the Alcohol Beverage Inspector, the Department of Inspections, Licenses, and Permits, the Bureau of Life Safety, the Bureau of Environmental Health, the Department of Planning and Zoning, and the office of the Fire Marshal; the background investigation for the Applicant from the Alcohol Beverage Inspector, dated December 1, 2015; an email dated November 6, 2015, from the Department of Inspections, Licenses, and Permits; an letter dated November 10, 2015, from the Office of the Fire Marshal; a memorandum dated November 6, 2015, from the Department of Planning and Zoning; a memorandum dated December 2, 2015, from the Bureau of Environmental Health; a letter dated November 2, 2015, to the Department of Finance; a letter from the Department of Finance; a letter dated November 2, 2015, to the Comptroller of the Treasury; a letter dated November 13, 2015, from the Comptroller of the Treasury; a fax transmission to the attorney for the Applicant enclosing a letter dated November 2, 2015, with notification of the hearing date and the necessity to advertise; an email dated November 25,

2015, from the attorney for the Applicant enclosing certification of advertisement from the Washington Post and Patuxent Publishing; and an email dated November 30, 2015, from the Alcoholic Beverage Inspector to the Liquor Board stating the premises had been posted.

**SUMMARY OF TESTIMONY**

Michelle Gorman Palmer, Member, Authorized Person, and 10% shareholder of Columbia Urban Bar-B-Que, LLC, t/a Urban Bar-B-Que, was sworn and testified that she has been a resident of Howard County for sixteen years, is alcohol awareness certified, and is a registered voter. Ms. Palmer testified that she is familiar with and will abide by the Liquor Board's Rules and Regulations, and that she understands the responsibility of being a licensee. She stated that she is the sole Authorized Person of the LLC.

Ms. Palmer testified that Urban Bar-B-Que is located in the Shipley's Grant Shopping Center, and that there is a lot of foot traffic at that location. Ms. Palmer testified that she feels the liquor license would be an accommodation to the public. Ms. Palmer testified that only 3 to 5% of their total sales will be from alcohol. The hours of operation will be Sunday through Thursday, 11:00 A.M. to 9:00 P.M., and Friday and Saturday, 11:00 A.M. to 10:00 P.M. Ms. Palmer testified that there will not be any entertainment and there will be no disturbance to the neighborhood.

Ms. Palmer testified that she is currently a Marketing Consultant for T. Rowe Price, and will not be at the restaurant full-time. Ms. Palmer testified that her brother owns several successful Ledo's Pizza restaurants, and that is what inspired her to become involved in the restaurant business. Ms. Palmer testified that she will initially be at the restaurant 4 to 5 times per week, and after a while, 5 to 10 hours per week. Ms. Palmer testified that she feels

confident about the operation of the restaurant, because they have a competent management team. Ms. Palmer testified that the reason there are no other members on the license, is that they are only investors.

Ms. Palmer testified that they will not have staff serving patrons. The customers will have to order beer or wine from the cashier at the counter, and the bartender will come over to check their identification. Ms. Palmer testified that the servers will go out to check on customers, and observe what they are doing.

Ms. Palmer testified that they plan to provide craft beers and eventually wine.

The following Exhibit was entered into the record:

- Exhibit #1 - Alcohol awareness certificate for Michelle Palmer and Jon Carrion
- Exhibit #2 - A photograph of the exterior of Urban Bar-B-Que
- Exhibit #3 - (3) photographs of the interior of Urban Bar-B-Que
- Exhibit #4 - A copy of an example menu

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicant waived the 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 Michelle Gorman Palmer on behalf of Columbia Urban Bar-B-Que, LLC, t/a Urban Bar-B-Que, has applied for a new Class B Beer and Light Wine 7-day on-sale license for a 2,300 square foot restaurant with a 650 square foot outdoor patio located at 5715 Richards Valley Road, Ellicott City, Maryland 21043.
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 Michelle Gorman Palmer has been a Howard County resident for more than two years, is a registered voter, and a 10% shareholder and the sole Authorized Person of Columbia Urban Bar-B-Que, LLC, t/a Urban Bar-B-Que.

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

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

#### **CONCLUSIONS OF LAW**

1. The Hearing Board concludes that Michelle Gorman Palmer on behalf of Columbia Urban Bar-B-Que, LLC, t/a Urban Bar-B-Que, has applied for a new Class B Beer and Light Wine 7-day on-sale license for a 2,300 square foot restaurant with a 650 square foot outdoor patio located at 5715 Richards Valley Road, Ellicott City, Maryland 21043.

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 Michelle Gorman Palmer meets the requirements of Rules 1.09(T), 1.09(U), 2.06, and 2.10 of the Liquor Board Rules and Regulations concerning resident agent qualifications.

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

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

**ORDER**

For the foregoing reasons, it is this 12<sup>th</sup> day of January, 2016, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Michelle Gorman Palmer on behalf of Columbia Urban Bar-B-Que, LLC, t/a Urban Bar-B-Que, for a new Class B Beer and Light Wine 7-day on-sale license for a 2,300 square foot restaurant with a 650 square foot outdoor patio located at 5715 Richards Valley Road, Ellicott City, Maryland 21043, be and the same is hereby **GRANTED**, subject to the following conditions:

1. That this **PROPOSED DECISION AND ORDER** shall become final when the Applicant obtains the license and complies with the following conditions:

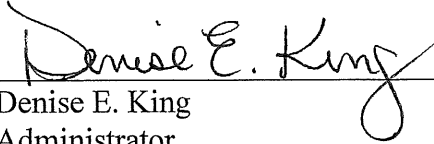
(a) That the Applicant complies with all State and County Rules and Regulations;

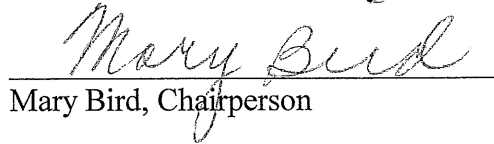
and

(b) Failure to comply with these conditions and obtain the license by February 29, 2016, shall render this Proposed Decision and Order null and void.

ATTEST:

ALCOHOLIC BEVERAGE HEARING  
BOARD OF HOWARD COUNTY,  
MARYLAND

  
Denise E. King  
Administrator

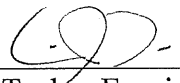
  
Mary Bird, Chairperson

ABSENT  
Harry Evans, III, Vice-Chairperson

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

  
Charles C. Feaga, Member

Heather Gaetano, Member

  
Lewis Taylor, Esquire  
Assistant County Solicitor

  
Charley C. Sung, Member