

DISTRICT OF COLUMBIA
+ + + + +
ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
MEETING

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IN THE MATTER OF: :
: :
Play DC Restaurant & :
Lounge, LLC, :
t/a Play DC Restaurant & :
Lounge :
1541 7th Street NW : Protest
Retailer CT - ANC 2G : Hearing (Status)
License #112274 :
Case # 23-PRO-00031 :
: :
(Application to Renew the:
License) :
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Wednesday
April 26, 2023

The Alcoholic Beverage Control Board
met via WebEx videoconference, Chairperson
Donovan W. Anderson presiding.

PRESENT:

- DONOVAN W. ANDERSON, Chairperson
- BOBBY CATO, JR., Member
- RAFI ALIYA CROCKETT, Member
- EDWARD S. GRANDIS, Member
- JENI HANSEN, Member
- JAMES SHORT, JR., Member

ALSO PRESENT:

- ANDREW KLINE, Licensee's Counsel
- JOSE ORELLANA, DC ABRA Staff
- ALEXANDER PARDO, ANC 2G
- LEILA SIDAWY, ANC 2G

1 P-R-O-C-E-E-D-I-N-G-S

2 10:37 a.m.

3 CHAIRPERSON ANDERSON: As chairperson
4 of the Alcoholic Beverage and Cannabis Board for
5 the District of Columbia, and in accordance with
6 DC Code Section 2571 et seq. of the Open Meetings
7 Act, OMA, I'm welcoming you to the regularly
8 scheduled meeting of the Alcoholic Beverage
9 Cannabis Board.

10 This meeting is being conducted
11 pursuant to guidance made available by the
12 District of Columbia's Office of Open Government
13 regarding electronic meetings held by public
14 bodies. Electronic meetings by the ABC Board are
15 authorized pursuant to Section 2577(a) of the
16 D.C. Code.

17 Pursuant to the OMA requirements,
18 notice of today's meeting was provided 48 hours
19 in advance of the meeting on ABCA's website and
20 on the District's Central Meeting Calendar.

21 The notice included the time, date, agenda,
22 and call-in or login information for public
23 participation. This electronic meeting is being
24 hosted by a WebEx account provided by the
25 District of Columbia Government. Please address

1 any questions or complaints to the OOG at
2 opengovoffice@dc.gov.

3 My name is Donovan Anderson. I'm
4 chairperson of the board. I would like to
5 introduce the other members of the ABC Board who
6 are also participating electronically. Please
7 respond when I announce your name.

8 Mr. James Short.

9 MEMBER SHORT: Mr. James Short present.

10 CHAIRPERSON ANDERSON: Mr. Bobby Cato.

11 MEMBER CATO: Bobby Cato present.

12 CHAIRPERSON ANDERSON: Ms. Jeni Hansen.

13 MEMBER HANSEN: Jeni Hansen present.

14 CHAIRPERSON ANDERSON: Mr. Edward
15 Grandis.

16 MEMBER GRANDIS: Edward Grandis
17 present.

18 CHAIRPERSON ANDERSON: Thank you. The
19 board has five members in attendance for conduct
20 today, and that constitutes a quorum.

21 Before we get underway with today's
22 hearing calendar, I need to make a few
23 instructions very clear so that the conduct of
24 these hearings is understood by everyone.

25 There are six cases scheduled for

1 this morning's calendar. Once your case is
2 called, I will take a moment for our IT
3 specialist to elevate the rights for each party
4 to enable their camera and microphone. Then, and
5 only then, will you have the ability to enable
6 your equipment.

7 If your case is not being heard, you
8 will remain mute and your camera will be
9 disabled. At the conclusion of each case, the
10 parties will have the option to leave. If the
11 party chooses to stay, all cameras and
12 microphones for the concluded case will be
13 disabled.

14 Should you have any questions or
15 require technical assistance during the hearing,
16 please submit them using the question and answer
17 feature.

18 Our first litigant case today, and let
19 us move to a Protest Hearing status, calendar is
20 Case # 23-PRO-00031.

21 Our first case is Play DC Restaurant
22 & Lounge, License #112274. Good morning, Mr.
23 Orellana. Can you please elevate the right of the
24 parties in this case, please.

25 MR. ORELLANA: Good morning, Chairman.

1 Andrew Kline, your access has been elevated.

2 Leila Sidawy, your access has been elevated. That
3 appears to be all, Chairman.

4 MS. SIDAWY: Yes. I am present. My name
5 is Leila Sidawy.

6 CHAIRPERSON ANDERSON: One moment, hold
7 on, ma'am. Good morning, everyone. I would like
8 the parties to introduce themselves for the
9 record. Let's start with the licensee.

10 MR. KLINE: Good morning, Chairman
11 Anderson, members of the board. Andrew Kline
12 here, on behalf of the licensee.

13 CHAIRPERSON ANDERSON: Spell your name
14 for the record, please, Mr. Kline.

15 MR. KLINE: A-N-D-R-E-W, Kline, K-L-I-
16 N-E.

17 CHAIRPERSON ANDERSON: Thank you very
18 much. Ms. Sidawy, good morning. Can you please
19 spell and state your name for the record, and who
20 do you represent this morning?

21 MS. SIDAWY: Leila Sidawy, L-E-I-L-A S-
22 I-D-A-W-Y, and I represent the group of neighbors
23 for ANC 2G that have filed complaints against
24 this establishment.

25 CHAIRPERSON ANDERSON: Now, see, you're

1 representing one of the protestants. Do you
2 represent ANC, or do you represent a group? Which
3 one? I'm trying to find out.

4 MS. SIDAWY: A group.

5 CHAIRPERSON ANDERSON: Okay. Thank you.
6 Now I saw an email. Who is Mr. Douglas, of 2G?

7 MS. SIDAWY: I can speak on his behalf.
8 This time conflicted with a work engagement with
9 him at the White House and he was unable to
10 attend. He notified DD in advance and said that I
11 could represent both him and the group in this
12 meeting, and DD confirmed.

13 CHAIRPERSON ANDERSON: That's what I'm
14 asking. What group was he is he a different group
15 or is he part of your group?

16 MS. SIDAWY: He is an abutting property
17 owner.

18 CHAIRPERSON ANDERSON: Okay. So you're
19 also representing, this morning you're
20 representing the protesting group and also the
21 S. Douglas Branch, who is the abutting property
22 owners, is that correct?

23 MS. SIDAWY: That is correct. Thank you
24 for clarifying.

25 CHAIRPERSON ANDERSON: All right. Thank

1 you. Mr. Kline, are there any preliminary matters
2 this morning, sir?

3 MR. KLINE: No, there are not. The
4 parties continue to work together, and we're
5 hopeful that we'll reach an agreement but we do
6 not have one at this point.

7 CHAIRPERSON ANDERSON: Ms. Sidawy, are
8 there any preliminary matters from your side?

9 MS. SIDAWY: As Mr. Kline mentioned,
10 Doug and I are working offline with him and with
11 the establishment on issues around noise, waste,
12 trash, and rats.

13 CHAIRPERSON ANDERSON: All right. Thank
14 you for the representation. This matter is
15 scheduled for a protest hearing on June 28, 2023,
16 at 1:30 p.m.

17 Now that we have scheduled this matter
18 for a protest hearing, there are a few things I
19 would like to instruct you, the Applicants and
20 the Protestants, about the protest hearing's
21 focus addressing only those issues that have been
22 protested. The board does not intend to hear
23 testimony on matters that are not relevant to
24 this case.

25 You should have received by electronic

1 or regular mail a letter explaining the protest
2 process, a copy of the protest information form,
3 and a copy of the exhibit form. If you do not
4 have these documents, please contact our legal
5 office following the hearing.

6 It is imperative that you review the
7 rules closely, and adhere to them before your
8 protest hearing. You are also required to
9 complete and submit a protest information form
10 and exhibit form seven days before the date of
11 the hearing.

12 These two forms and accompanying
13 documents need to be submitted to ABCA's legal
14 division, and to all opposing parties in this
15 measure.

16 If we do not receive a copy of your
17 PIF, your application, or your protest, whichever
18 side you're representing may be subject to
19 dismissal.

20 Likewise, if we do not receive a copy
21 of your exhibit form and the exhibits themselves,
22 your exhibits may be excluded from the record.
23 Upon finding that the opposing party has been
24 purchased or no good cause for failure to submit
25 has been shown, likewise.

1 Witnesses other than a party may also
2 be subject to exclusion if not identified on the
3 PIF. Accordingly, these forms are very important.
4 They greatly assist in supporting and the
5 protesters should facilitate in the process in
6 keeping required at some point in the hearing.

7 They likewise provide notice to the
8 opposing parties to enable them to better prepare
9 for these hearings.

10 Also, as you are aware, all our
11 hearings are now conducted virtually. You will
12 have one I'm sorry. Are you on this case, sir?

13 MR. PADRO: This is Alexander Padro,
14 from ANC 2G. Yes, I am representing the
15 Commission on this case.

16 CHAIRPERSON ANDERSON: Oh, I apologize.
17 Can you please identify yourself for the record?

18 MR. PADRO: Yes, Mr. Chairman. I am
19 Alexander M. Padro. I am chair of the Advisory
20 Neighborhood Commission 2G. I am substituting for
21 Commissioner Lopez, who was our previous designee
22 for this protest. Mr. Lopez has resigned his
23 office, and we've provided a letter to ABCA with
24 the commission's vote appointing me as a
25 representative.

1 CHAIRPERSON ANDERSON: All right. Yes,
2 sir, I apologize that I did not recognize you
3 earlier. I went through the descriptions, but do
4 you have any preliminary matters that the agency
5 needs to be aware of?

6 MR. PADRO: The commission has no
7 preliminary matters. Thank you, sir.

8 CHAIRPERSON ANDERSON: Ms. Sidawy, I
9 see you have your hand raised. Do you have a
10 question or concern, ma'am?

11 MS. SIDAWY: I do. You mentioned forms
12 that need to be completed. I have not received
13 these forms. How will they be sent to me, as well
14 as the very helpful instructions that you've been
15 reading? I would like a written copy of those
16 too, so I can make sure that I adhere to all the
17 requirements.

18 CHAIRPERSON ANDERSON: Yes, ma'am. Our
19 legal office will provide you those documents,
20 and the instructions that I am reading. Our legal
21 office will provide that to you to ensure to you
22 and all the parties connected, that you have
23 them.

24 MS. SIDAWY: Thank you, Mr. Anderson.

25 CHAIRPERSON ANDERSON: One thing I just

1 want to remind the party at, there are three
2 protestants in this case. If this matter goes to
3 a hearing, since all our hearings are now
4 virtual, all appearances, you have one hour to
5 present your case.

6 Because there are three protestants in
7 this case, the protestants would have to divide,
8 pursuant to Section 1612.8, the board is
9 requesting that the protestants designate one
10 individual to represent the protest groups at
11 this hearing, if this matter goes to a hearing.
12 Okay?

13 And just, Ms. Sidawy, one of the,
14 since the ANC is involved in this case, if a
15 settlement agreement is reached between the ANC
16 and the Applicant, your protest will fall.

17 However, the abutting property owner,
18 his protest would move forward if he's not part
19 of the settlement agreement.

20 Yes, ma'am. You have another question?
21 All right. Any questions by anyone before we
22 close this hearing? ?

23 MR. KLINE: None from the Applicant.
24 Thank you.

25 CHAIRPERSON ANDERSON: All right. We

1 want to make sure that the legal office, we'll
2 make sure that the instructions are provided to
3 all the parties. Good luck in your negotiations.
4 If this case is not settled, then we will see you
5 on June 28, 2023, at 1:30 p.m.

6 All right? Have a great day. Thank
7 you.

8 MR. KLINE: Thank you, Mr. Chairman.

9 MS. SIDAWY: Thank you.

10 MR. PADRO: Thank you, Mr. Chairman.

11 CHAIRPERSON ANDERSON: You're welcome.

12 (Whereupon the above-entitled matter
13 went off the record at 10:52 a.m.)
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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Play DC Restaurant

Before: DC ABRA

Date: 04-26-23

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate complete record of the proceedings.



Court Reporter

NEAL R. GROSS

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