

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

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IN THE MATTER OF:                     :  
  :  
GFM South Capitol, LLC,             :  
t/a Good Food Markets             :  
4001 South Capitol St SW         :  
License #119985                    : Protest Hearing  
Retailer B - ANC 8D               :  
Case #22-PRO-00009               :  
  :  
(Application for a New             :  
License)                             :  
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Wednesday  
May 4, 2022

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:  
  
DIONNE BROWN, Witness  
FELICIA DANTZLER, DC ABRA Investigator  
SARAH FASHBAUGH, DC ABRA Staff  
RODNEY HOLLINS, Witness  
PATRICIA JANIFER, ANC 8D  
ABSALOM JORDAN, Witness  
THOMAS RUFFIN, Witness  
PHILIP SAMBOL, Applicant

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

2 1:35 p.m.

3 CHAIRPERSON ANDERSON: Now, we're  
4 still on the case that we're having this  
5 afternoon, it's a protest hearing. Case number  
6 22-PRO-00009, Good Food Markets, license number  
7 119985. Ms. Fashbaugh, can you please elevate  
8 the rights of the parties in this case please?

9 MS. FASHBAUGH: Please stand by.  
10 Dionne Brown, your rights have been elevated.  
11 Felicia Dantzler, your rights have been elevated.  
12 Patricia Janifer, your rights have been elevated.  
13 Philip Sambol, your rights have been elevated.  
14 Rodney Hollins Sr., your rights have been  
15 elevated. And Thomas Ruffin, your rights have  
16 been elevated. That is all Mr. Chair.

17 CHAIRPERSON ANDERSON: Thank you.  
18 Everyone, can you please turn your cameras on  
19 please? And please, you can turn your camera on,  
20 but please mute your microphone. Your microphone  
21 should only be unmuted when you are about to  
22 speak. All right, so Mr. Sambol, and Mr. Hollins  
23 Sr., do you have a camera you can turn on?

24 MR. SAMBOL: I am trying to turn mine  
25 on now, this is Philip Sambol.

1 MR. HOLLINS: This is Rodney Hollins,  
2 I'm trying to activate the camera also.

3 CHAIRPERSON ANDERSON: Okay.

4 MR. SAMBOL: For some reason it's not  
5 recognizing my camera, should I try to rejoin the  
6 event, or can we proceed without it?

7 CHAIRPERSON ANDERSON: We're going to  
8 do a hearing, I prefer if you have a camera, I  
9 prefer to see everyone. So, why don't you log  
10 off, and try to log back in? And Ms. Fashbaugh,  
11 can you look for Mr. Sambol please, and try to  
12 elevate his rights when he's back on please?

13 MS. FASHBAUGH: Copy.

14 CHAIRPERSON ANDERSON: Thank you. Are  
15 you back Mr. Sambol, or you didn't log off? All  
16 right, good afternoon everyone, this is a protest  
17 hearing that we are having. And all right, so I  
18 would like all the parties to introduce  
19 themselves for the record, and start -- I will  
20 ask that you start by spelling your name, and  
21 let's start with the licensee.

22 MR. SAMBOL: Hi, Philip Sambol, P-H-I-  
23 L-I-P S-A-M-B-O-L representing Good Food Markets.

24 CHAIRPERSON ANDERSON: Good afternoon  
25 sir. And I think let's start with the ANC, I

1 think the ANC -- who is here representing the  
2 ANC?

3 MS. JANIFER: Hi, I'm Patricia  
4 Janifer. First name P-A-T-R-I-C-I-A, last name J-  
5 A-N-I-F-E-R representing ANC 8D.

6 CHAIRPERSON ANDERSON: And who is here  
7 with you this afternoon Ms. Janifer?

8 MS. JANIFER: I have Ms. Dionne Brown,  
9 I have Mr. Thomas Ruffin Jr., and I have Mr.  
10 Rodney Hollins.

11 CHAIRPERSON ANDERSON: So, let's have  
12 Ms. Brown, can you spell, and state her name for  
13 the record please?

14 MS. BROWN: Good afternoon. My name  
15 is Dionne Brown, first name D-I-O-N-N-E, last  
16 name Brown, B-R-O-W-N.

17 CHAIRPERSON ANDERSON: Good afternoon  
18 ma'am. Mr. Ruffin?

19 MR. RUFFIN: Good afternoon, I'm  
20 Thomas Ruffin, I'm the chairperson, and also  
21 legal counsel for the Anacostia Neighborhood  
22 Improvement Association, and my name is Thomas  
23 Ruffin. Spelled Thomas, T-H-O-M-A-S, and Ruffin,  
24 R-U-F-F-I-N.

25 CHAIRPERSON ANDERSON: And Mr.

1 Hollins?

2 MR. HOLLINS: Good afternoon, my name  
3 is Rodney Hollins. Rodney is R-O-D-N-E-Y, last  
4 name is Hollins, H-O-L-L-I-N-S.

5 CHAIRPERSON ANDERSON: All right, Ms.  
6 Janifer, I just want to get some clarification,  
7 is Mr. Ruffin representing the ANC, or is he a  
8 witness? I'm just trying to get clarification.

9 MS. JANIFER: He is a witness, okay,  
10 fine. All right, so you are representing the  
11 ANC, you are the (inaudible) all right, good  
12 afternoon. I'm sorry, we have the investigator  
13 for ABRA, Ms. Dantzler, can you please spell, and  
14 state your name for the record please?

15 INVESTIGATOR DANTZLER: Certainly.  
16 Good afternoon, my name is Felicia Dantzler, F  
17 like Frank E-L-I-C-I-A, D like David A-N-T like  
18 time, Z like Zebra, L-E-R.

19 CHAIRPERSON ANDERSON: All right. Are  
20 there any preliminary matters? And we'll start,  
21 Mr. Sambol, did you provide us with a PIP?

22 MR. SAMBOL: I'm sorry?

23 CHAIRPERSON ANDERSON: Did you provide  
24 us with a PIP sir, in a sense that documents, and  
25 witnesses you wish to call for reliance on this

1 hearing today sir?

2 MR. SAMBOL: No sir.

3 CHAIRPERSON ANDERSON: So, you're the  
4 only person who is going to testify today?

5 MR. SAMBOL: That's correct.

6 CHAIRPERSON ANDERSON: All right, the  
7 ANC, are there any preliminary matters that the  
8 ANC wants to raise?

9 MS. JANIFER: No sir.

10 CHAIRPERSON ANDERSON: All right, I  
11 just want to have some clarification moving  
12 forward. Is the ANC's position that this is an  
13 application for a new license, so is it the ANC  
14 position that they do not want us to grant the  
15 license, or is it that they want us to grant a  
16 license with conditions? I'm just trying to get  
17 some clarification from ANC.

18 MS. JANIFER: We do not want you all  
19 to present the license.

20 CHAIRPERSON ANDERSON: All right.  
21 Okay, this is the process that we will follow  
22 today. The applicant will have five minutes to  
23 tell us what it is that he wants us to do. This  
24 is just an opening statement. So, the applicant  
25 will just have five minutes to let us know what

1 it is that he wants us to do.

2 After the applicant gives us --  
3 presents his overview of what his case is about -  
4 - you're not presenting your case, you're just  
5 telling me, providing your road map, and saying  
6 this is what you're going to testify to, or --  
7 well since you don't have any witnesses, but this  
8 is what you're going to testify to when you  
9 present your case.

10 Once the applicant provides his five  
11 minute overview, then the ANC will provide its  
12 five minutes overview by telling me what it is  
13 that they plan to prove, the witnesses they plan  
14 to call, and what it is that they want the board  
15 to do. Once the ANC has presented its opening  
16 statement, then the board will call its witness.  
17 So, the board's witness is Ms. Dantzler.

18 I will go through Ms. Dantzler's case  
19 report. Once Ms. Dantzler has presented her case  
20 report, the board will ask questions of Ms.  
21 Dantzler. Once the board asks questions of Ms.  
22 Dantzler, then the applicant will have an  
23 opportunity of asking questions of Ms. Dantzler.  
24 Once the applicant has asked questions of Ms.  
25 Dantzler, then the protestant will have an

1 opportunity to ask questions of Ms. Dantzler.

2 And then the board members will be  
3 able to ask follow up questions after, if they so  
4 desire. After the board has presented its case,  
5 then the applicant will present its case. And so  
6 since Mr. Sambol doesn't have any witnesses, I  
7 assume he's going to testify, so I will swear him  
8 in. He will give his side of the story, why he  
9 believes the agency should grant the license.

10 Then the ANC, once he has testified,  
11 the ANC representative will have an opportunity  
12 to cross examine him. Once the ANC  
13 representative has had an opportunity to cross  
14 examine him, then the board will have an  
15 opportunity to cross -- to ask questions of Mr.  
16 Sambol.

17 Once the board asks questions of Mr.  
18 Sambol, I will give the ANC another opportunity  
19 to ask follow up questions based directly on the  
20 questions that the board members ask. Not new  
21 areas, but if the board members had asked  
22 questions, and you believe that you want to  
23 follow up on those questions, the ANC can do  
24 that, and then I'll give Mr. Sambol the last  
25 opportunity to provide any clarification.



1                   He will then rest his case, and the  
2 ANC will have an opportunity to present its case,  
3 then call their witness. And once the first  
4 witness, Mr. Sambol will cross examine that  
5 witness. Then the board might ask questions, and  
6 we'll go through that until we have exhausted all  
7 the witnesses. I think there are only three  
8 witnesses, so we should be fine.

9                   I stated that this hearing, each side  
10 had an hour to present its case. My position is  
11 that I asked that you spend more of your time  
12 under direct examination rather than cross  
13 examination that you're presenting evidence,  
14 you're trying to convince the board, so Mr.  
15 Sambol, he's trying to convince the board why the  
16 board should grant the license.

17                   And the ANC is trying to convince the  
18 board why the board should not grant the license.  
19 Are there any questions by anyone before we  
20 start? Mr. Sambol, do you have any questions  
21 sir?

22  
23                   MR. SAMBOL: No, I do not.

24                   CHAIRPERSON ANDERSON: Ms. Janifer, do  
25 you have any questions ma'am?

1 MS. JANIFER: No, I do not.

2 CHAIRPERSON ANDERSON: Okay, thank  
3 you. Now, Mr. Sambol, you'll have a maximum of  
4 five minutes to make an opening statement sir.

5 MR. SAMBOL: Okay. Thank you for the  
6 opportunity to present here today on behalf of  
7 Good Food Markets, a grocery store that has been  
8 operating in Ward Five since 2015, and late last  
9 year opened a new location in Ward Eight. As an  
10 alcohol seller for many years, we completely  
11 agree with the ANC.

12 And I think the sentiments of the  
13 other folks who will speak today around the  
14 serious issues of public safety related to  
15 alcohol sales. There are irresponsible vendors  
16 near the store, and that allow loitering, and on  
17 site consumption. Good Food Markets is applying  
18 for a beer, and wine license, no liquor, for off  
19 site consumption only.

20 And as part of the (inaudible)  
21 community, we're really committed to the process  
22 of community input, and public hearing that's  
23 provided here. And have tried to make attempts  
24 to come to a compromise agreement that would put  
25 forward things that Good Food Markets will do in

1 the normal course of operations in order to keep  
2 our staff safe, our customers safe, and the  
3 broader community that we're in.

4 And I would say that we have been a  
5 trusted member of the Ward Five community for  
6 many ears, selling beer, and wine since 2016. We  
7 have a security guard on site seven days a week,  
8 who will also be responsible for enforcing D.C.  
9 law, and the rules of any alcohol license,  
10 drinking won't be allowed on site.

11 The area around the store is private  
12 property, so while D.C. does not have a loitering  
13 law, we can ask people to leave the sidewalk area  
14 directly in front of the store. Both our staff,  
15 and our on site security have been trained, and  
16 are prepared in how to deal with this. It's not  
17 something that we've never dealt with before.

18 We are very conscious of the fact that  
19 this taking place at other nearby sellers, and  
20 want to be a responsible alcohol seller,  
21 providing beer, and wine as a complement to our  
22 every day grocery offering. Which as a social  
23 enterprise grocery store, our most important  
24 reason for being here is fresh produce, healthy  
25 prepared foods, basic grocery items, those things

1 that everyone needs to make fresh, healthy meals  
2 at home.

3 That's what we exist to do, create  
4 food access in places that don't have ready  
5 access to supermarket, or produce, or fresh food.  
6 But we're also a business, and as we employ D.C.  
7 residents, including a management team made up  
8 entirely of Ward Eight residents supporting the  
9 additional D.C. businesses in our caf, space.

10 And by featuring their products in the  
11 store, many of our customers have expressed the  
12 desire to also purchase their beer, and wine in  
13 the same trip. For, on the business side it's a  
14 great department to have in the store, it rounds  
15 out many people's grocery baskets. I understand  
16 that everyone does not want to consume alcohol,  
17 and doesn't purchase alcohol.

18 However, for those who do, a six pack  
19 of beer, a bottle of wine, this is a normal part  
20 of a grocery trip, and will really help to make  
21 Good Food Markets more of a full service offering  
22 in the bounding neighborhood. And I think just  
23 to speak directly to a couple of points that were  
24 big in the protest, typically a full service  
25 grocery store increases, does not decrease

1 property values.

2 I think I understand the comment  
3 that's being made, but I would suggest too, that  
4 there's a certain element of community amenity,  
5 and service amenity that the grocery store  
6 represents, and is only enhanced by this overall.  
7 I think that of those other establishments that  
8 we share that stretch of South Capital Street  
9 with, we're the only establishment that has daily  
10 security.

11 And that is explicitly to enforce  
12 peace, order, and quiet. We're entirely managed,  
13 as I said, by local residents who know the  
14 community. We're hosting community events, and  
15 classes, and the ANC is also starting to host  
16 events on site, including in the evenings. All  
17 of this is intentional in order to alleviate  
18 safety concerns, and would help to really make  
19 that beer, and wine section a part of the larger  
20 grocery section.

21 And not, in any way turning into a  
22 liquor store, or like a beer, and wine depot.  
23 And I'm coming up on five minutes here, so I'll  
24 just add that we intend to sell all of the beer,  
25 and wine at room temperature in an effort to

1 discourage on site consumption, and some of the  
2 other problems you see elsewhere. So, thank you.

3 CHAIRPERSON ANDERSON: Thank you sir.  
4 Ms. Janifer?

5 MS. JANIFER: Good afternoon everyone.  
6 As stated before, I am Commissioner Janifer,  
7 commissioner of 8D07 particularly, and I'm here  
8 to represent the commission, and the community.  
9 I am currently a resident of the Bellview  
10 community. I have lived, and worked in this  
11 community for, I'm going to say approximately 17,  
12 or 18 years.

13 I have been an active member fo the  
14 community as far as things that actually govern  
15 the community. While this is my first term as  
16 commissioner, I do recall attending ANC meetings  
17 where the Good Food Markets representatives  
18 pitched proposals of bringing an establishment  
19 into our community to offer for sale healthy  
20 foods.

21 I do recall there was a workshop that  
22 was held at Bridgepoint, where we held our  
23 meetings, where we had a little workshop, and in  
24 the workshop, we were asked, and explained to  
25 about what healthy foods are, and what we should

1 eat, and what we should not eat. But never was  
2 there any mention of alcohol at all. There was  
3 no mention whether alcohol was either healthy, or  
4 unhealthy, there was just no mention of alcohol  
5 sales.

6 The community was not made aware that  
7 Good Food would actually sell alcohol, would  
8 apply for a license to sell alcohol. And the  
9 developers in the very beginning promised the ANC  
10 that there would be no retailers in that building  
11 that would sell alcohol. And I know we speak  
12 about responsible sales of alcohol, and our main  
13 concern is the irresponsible sales of alcohol.

14 Because it does occur, it's not always  
15 reported, as the MPD reports will show. But it  
16 does occur. And that's all I'd like to say.

17 CHAIRPERSON ANDERSON: Thank you  
18 ma'am. The board will call its first witness,  
19 we'll call Ms. Dantzler. Ms. Dantzler, can you  
20 raise your right hand please? Do you swear, or  
21 affirm to tell the truth, and nothing but the  
22 truth?

23 INVESTIGATOR DANTZLER: I affirm.

24 WHEREUPON,

25 FELICIA DANTZLER

1 was called for examination by Agency, having been  
2 first duly sworn, assumed the witness stand, was  
3 examined and testified as follows:

4 CHAIRPERSON ANDERSON: Ms. Dantzler,  
5 can you please spell your name for the record  
6 please?

7 INVESTIGATOR DANTZLER: Yes. Felicia,  
8 F like Frank, E-L-I-C-I-A, Dantzler, D like  
9 David, A-N-T like time, Z like zebra, L-E-R.

10 CHAIRPERSON ANDERSON: Ms. Dantzler,  
11 where are you currently employed?

12 INVESTIGATOR DANTZLER: The alcoholic  
13 beverage regulation administration.

14 CHAIRPERSON ANDERSON: And how long  
15 have you been employed at this agency ma'am?

16 INVESTIGATOR DANTZLER: 15 years.

17 CHAIRPERSON ANDERSON: What are your  
18 duties, and responsibilities at the agency?

19 INVESTIGATOR DANTZLER: I enforce the  
20 alcohol regulations of ABC establishments, as  
21 well as conduct regulatory inspections.

22 CHAIRPERSON ANDERSON: Have you ever  
23 participated in a protest hearing before?

24 INVESTIGATOR DANTZLER: Yes sir.

25 CHAIRPERSON ANDERSON: Are you



1 familiar with Good Food Markets, the subject of  
2 this protest today?

3 INVESTIGATOR DANTZLER: Yes sir.

4 CHAIRPERSON ANDERSON: And how did you  
5 become aware of this establishment?

6 INVESTIGATOR DANTZLER: I was assigned  
7 the protest investigation of this matter.

8 CHAIRPERSON ANDERSON: Now, can you  
9 tell us, when you're assigned to investigate a  
10 protest, tell me what does that entail?

11 INVESTIGATOR DANTZLER: It entails me  
12 contacting the protestants, as well as the  
13 applicant, or the applicant's representative. I  
14 visit the establishment to monitor for those  
15 matters that are of concern. I take pertinent  
16 photographs of the area, and then I reduce all my  
17 findings to a written report.

18 CHAIRPERSON ANDERSON: Now, did you  
19 speak to the licensee, or any representative of  
20 the licensee?

21 INVESTIGATOR DANTZLER: Yes. I spoke  
22 with the licensee only to the degree to let him  
23 know I was at his establishment, as well as to  
24 get information on the trash collection. And I  
25 spoke with the licensee's representative at the

1 time, Ms. Kimberly Shen (Phonetic.) in an effort  
2 to see if she had a statement for the  
3 investigative report?

4 CHAIRPERSON ANDERSON: So, what  
5 information, if any were you able to gather as a  
6 result of speaking to the licensee, and his  
7 representative?

8 INVESTIGATOR DANTZLER: Okay. From  
9 the representative of the licensee, Ms. Shen did  
10 not provide a statement for the protest report.

11 CHAIRPERSON ANDERSON: What about the  
12 licensee himself, did he provide a statement?

13 INVESTIGATOR DANTZLER: No, I did not  
14 ask Mr. Sambol any direct questions outside which  
15 trash collection that he used, because he was  
16 being represented by counsel.

17 CHAIRPERSON ANDERSON: So, what  
18 information if any did you receive by Mr. Sambol  
19 regarding his trash collection? Since you said  
20 you spoke to him directly.

21 INVESTIGATOR DANTZLER: That Runner  
22 Trash Collection collects the trash twice a week.

23 CHAIRPERSON ANDERSON: Did you speak  
24 to any representative of the agency?

25 INVESTIGATOR DANTZLER: Yes sir.

1 CHAIRPERSON ANDERSON: Who did you  
2 speak to?

3 INVESTIGATOR DANTZLER: Ms. Janifer,  
4 Patricia Janifer.

5 CHAIRPERSON ANDERSON: What  
6 information if any were you able to gather from  
7 your conversation with Ms. Janifer?

8 INVESTIGATOR DANTZLER: Ms. Janifer  
9 stated that the ANC is protesting on the issues  
10 of peace, order, and quiet of the neighborhood,  
11 as well as pedestrian, and vehicular traffic  
12 concerns. Ms. Janifer went on to state that she  
13 explained that the area near Good Food Market has  
14 already two existing A stores within walking  
15 distance of Good Food Markets.

16 And that there were a total of six ABC  
17 establishments selling alcoholic beverages in the  
18 area. Ms. Janifer stated that the existing ABC  
19 establishments in the community has been plagued  
20 with crimes surrounding establishments selling  
21 alcohol, and the quality of life issues  
22 surrounded disorderly conduct, robberies,  
23 assaults, fightings, shootings, assault on police  
24 officers, and (inaudible)

25 Ms. Janifer went on to say that the

1 Court Services and Offender Supervision Agency,  
2 also known as CSOSA is located a short distance  
3 from Good Food Markets. And she also went on to  
4 say that the clients of CSOSA are inmates who are  
5 returning to the community, and Ms. Janifer  
6 stated those individuals returning to the  
7 community from incarceration.

8 They have to pass by behaviors that  
9 could be tempting to those individuals, return to  
10 behavior where it could lead them possibly to go  
11 in the wrong direction. Ms. Janifer also stated  
12 that there have been shootings that have resulted  
13 in deaths. Ms. Janifer shared that Good Food  
14 Markets is also seeking to have a tasting  
15 endorsement.

16 And she stated that this will be a bad  
17 idea for an area already having so many social  
18 problems. Ms. Janifer stated that the  
19 establishment would like to have a sidewalk caf,  
20 with alcohol service, and if granted, it would  
21 create a problem, given the multiple quality of  
22 life concerns that exist in the neighborhood.  
23 And lastly Ms. Janifer stated that currently Good  
24 Food Markets has one unarmed security guard.

25 And the owner will not be adding

1 another security guard due to costs.

2 CHAIRPERSON ANDERSON: Ms. Dantzler,  
3 so on the placard notice, is Good Food Market  
4 applying for a tasting endorsement?

5 INVESTIGATOR DANTZLER: Yes, they did.

6 CHAIRPERSON ANDERSON: Do you know  
7 what a tasting endorsement is?

8 INVESTIGATOR DANTZLER: Yes sir.

9 CHAIRPERSON ANDERSON: Can you please  
10 tell us what that is please? If you know.

11 INVESTIGATOR DANTZLER: Yes sir. The  
12 tasting endorsement allows the licensee to allow  
13 patrons who are of age to consume, and purchase  
14 alcohol to taste certain items that they have  
15 selected before purchase.

16 CHAIRPERSON ANDERSON: You also stated  
17 that Ms. Janifer stated that they were asking for  
18 a sidewalk caf,. Is there a sidewalk caf,  
19 endorsement on the placarding notice?

20 INVESTIGATOR DANTZLER: No, I did not  
21 - before I speak, let me just double check my  
22 exhibit for that. I want to make sure I state  
23 that correctly. And that would be Exhibit No.  
24 19. I will be speaking from Exhibit No. 19.

25 CHAIRPERSON ANDERSON: I'm going to

1 ask you later on to share your screen, but you  
2 can just try to answer that question if you can  
3 at this juncture.

4 INVESTIGATOR DANTZLER: Okay. I  
5 believe the placard did not state that there was  
6 --

7 CHAIRPERSON ANDERSON: So, if the  
8 placard did not state that, what does that mean  
9 then?

10 INVESTIGATOR DANTZLER: That means  
11 that the establishment did not request to have a  
12 sidewalk caf,, or summer garden.

13 CHAIRPERSON ANDERSON: Now, can you  
14 tell us about -- let me do this. Do you have the  
15 ability to share your screen with us ma'am?

16 INVESTIGATOR DANTZLER: Yes sir.

17 CHAIRPERSON ANDERSON: Ms. Fashbaugh,  
18 can you please allow Ms. Dantzler to share her  
19 screen please?

20 MS. FASHBAUGH: This has been  
21 accomplished.

22 CHAIRPERSON ANDERSON: Can you share  
23 your report with us?

24 INVESTIGATOR DANTZLER: Yes sir. Do  
25 you see it?

1 CHAIRPERSON ANDERSON: No.

2 INVESTIGATOR DANTZLER: I'm sorry?

3 CHAIRPERSON ANDERSON: No.

4 INVESTIGATOR DANTZLER: Okay, hold on.

5 Hold on one second. Hello, do you now see it?

6 CHAIRPERSON ANDERSON: No.

7 INVESTIGATOR DANTZLER: Hello?

8 CHAIRPERSON ANDERSON: No ma'am, I

9 can't see, you're not sharing your screen.

10 INVESTIGATOR DANTZLER: What about

11 now?

12 CHAIRPERSON ANDERSON: No.

13 INVESTIGATOR DANTZLER: I don't know.

14 CHAIRPERSON ANDERSON: Are you in the

15 office?

16 INVESTIGATOR DANTZLER: Yes sir, I am.

17 CHAIRPERSON ANDERSON: Could you ask

18 someone to assist you please? If there is anyone

19 close to you, please.

20 INVESTIGATOR DANTZLER: Sure. Hold on

21 one second.

22 CHAIRPERSON ANDERSON: Yes, all right,

23 now it's there. Can you please identify the

24 document on the screen please?

25 INVESTIGATOR DANTZLER: Yes, this is

1 my investigative report.

2 CHAIRPERSON ANDERSON: All right, can  
3 you go to page three? And I just want to just  
4 briefly summarize. Tell us about the  
5 characteristics of the neighborhood please.

6 INVESTIGATOR DANTZLER: Yes. So,  
7 according to D.C. zoning matrix, Good Food  
8 Markets is located in an MU-5A zone, which calls  
9 for mixed use for developments of commercial,  
10 residential, and multi dwelling units.

11 CHAIRPERSON ANDERSON: Are there any  
12 schools within 400 feet of the establishment?

13 INVESTIGATOR DANTZLER: No, there's no  
14 school within 400 feet.

15 CHAIRPERSON ANDERSON: Are there any  
16 libraries?

17 INVESTIGATOR DANTZLER: Yes, there is  
18 a library within 400 feet.

19 CHAIRPERSON ANDERSON: Are you aware  
20 of any other ABC licensed establishment within  
21 1200 feet of the establishment?

22 INVESTIGATOR DANTZLER: Yes sir, Spar  
23 Liquors, and Mead Wine and Liquors.

24 CHAIRPERSON ANDERSON: And I know it  
25 says 1200 feet, but physically about how close



1 are these two establishments to Good Food  
2 Markets? Are you aware how close? I know it's  
3 within the 1200 feet, but do you know how close  
4 they are to this establishment?

5 INVESTIGATOR DANTZLER: Good Food  
6 Markets is in the 4001 block of South Capital  
7 Street, and Spar Liquors, and Mead Liquors are in  
8 the block before Good Food Markets. Spar Liquors  
9 is across the street from Mead Liquors.

10 CHAIRPERSON ANDERSON: So, the other  
11 two ABC licensed establishments are approximately  
12 one, or two blocks away, is that correct?

13 INVESTIGATOR DANTZLER: Less than a  
14 half a block away.

15 CHAIRPERSON ANDERSON: I'm sorry, less  
16 than a half a block. What about, tell us about  
17 parking, and bus stops in the vicinity please.

18 INVESTIGATOR DANTZLER: The parking  
19 consists of Ward Eight parking, bus zone parking,  
20 no standing, no parking loading zones. Just a  
21 mixed use of parking. I did not notice any  
22 garages in the vicinity.

23 CHAIRPERSON ANDERSON: Now, can you  
24 describe the facility, Good Food Markets, the  
25 interior, and exterior for us please?

1                   INVESTIGATOR DANTZLER: Good Food  
2 Markets is described as a large one story  
3 building sitting on the corner of Atlantic  
4 Terrace, and South Capital Street Southwest. You  
5 enter through the vestibule, and once you get  
6 inside to the right, there's an area that's  
7 called Kitchen Crazy. And that company prepares  
8 their foods with the equipment used by Good Food  
9 Markets.

10                   The establishment is a very clean  
11 establishment. It consists of rows, and rows of  
12 grocery items, also fresh foods were observed, it  
13 also had a mixture of non-alcoholic beverages  
14 like your sodas, your milk. There also was dairy  
15 items, and just your typical grocery store.

16                   CHAIRPERSON ANDERSON: Do you have any  
17 exhibits that would provide us some -- a bird's  
18 eye view of the interior, and exterior of the  
19 establishment please?

20                   INVESTIGATOR DANTZLER: Yes sir.

21                   CHAIRPERSON ANDERSON: Can you tell us  
22 what exhibits, and go to those exhibits please?

23                   INVESTIGATOR DANTZLER: Sure.

24                   CHAIRPERSON ANDERSON: What concerns

25                   --

1                   INVESTIGATOR DANTZLER: Yeah, this is  
2 Exhibit No. 4, which shows the establishment at  
3 the corner of Atlantic, and South Capital.

4                   CHAIRPERSON ANDERSON: I'm sorry, what  
5 -- describe the building for us please.

6                   INVESTIGATOR DANTZLER: Okay, so the  
7 establishment sits below an apartment building,  
8 and the apartment building has approximately 195  
9 apartments there. The name of the apartment  
10 building is called South Capital Apartments. And  
11 this area right here, in the next block on  
12 Atlantic is the library that is in walking  
13 distance of Good Food Markets, and caf,.

14                   Exhibit No. 5 is the seated area  
15 inside of Good Food Markets, and when I visited  
16 the location, there was just one person there, it  
17 seemed like he was utilizing some wifi. This is  
18 Kitchen Crazy, the area as soon as you come in  
19 that's to the right, which is Exhibit No. 6, and  
20 this is where the preparations are used to  
21 prepare their items.

22                   Hold on, I've lost my screen here.  
23 Brief indulgence, I don't know what happened.  
24 Okay.

25                   CHAIRPERSON ANDERSON: I think we're

1 on Exhibit No. 6.

2 INVESTIGATOR DANTZLER: Okay, Exhibit  
3 No. 6 is Kitchen Crazy, and these, for the  
4 Exhibit Nos. 7, through 18, are the rows of  
5 assorted grocery items.

6 CHAIRPERSON ANDERSON: Let's go to  
7 number seven, what are you showing us in number  
8 seven please?

9 INVESTIGATOR DANTZLER: These are rows  
10 of grocery items, as you can see, assorted chips,  
11 and dips, and jellies.

12 CHAIRPERSON ANDERSON: And number  
13 eight?

14 INVESTIGATOR DANTZLER: Number eight  
15 is additional grocery items of canned foods.

16 CHAIRPERSON ANDERSON: What about  
17 number nine?

18 INVESTIGATOR DANTZLER: Number nine is  
19 the same, assorted canned foods, pastas, sauces.  
20 Number ten is the refrigerant area of  
21 refrigerated items as you can see additional  
22 foods of berries, and french fries. Exhibit No.  
23 11 is, as you can see, cereals, and boxed pastas.  
24 Exhibit No. 12 is refrigerated produce. Exhibit  
25 No. 13 is a refrigerant with dairy items, and

1       juices.

2                   Exhibit No. 14 is lunch meats, and  
3 smoothies. Exhibit No. 15 are the assorted non-  
4 alcoholic beverages, Gatorade, colas. Number 16  
5 is the fresh produce. Number 17 is another  
6 refrigerator, with produce items. Number 18 is  
7 the checkout counter right there.

8                   CHAIRPERSON ANDERSON: Okay, so how  
9 would you describe what you saw? Is this a --  
10 what type of facility, based on your experiences,  
11 and investigation, what would you describe this  
12 facility as?

13                   INVESTIGATOR DANTZLER: As a full  
14 service grocery store.

15                   CHAIRPERSON ANDERSON: Now, what are  
16 the hours of operation that's on the placard?

17                   INVESTIGATOR DANTZLER: The hours of  
18 operation is Sunday through Saturday, 8:00 a.m.,  
19 to 10:00 p.m., and the proposed hours of sales  
20 are the same, 8:00 a.m., to 10:00 p.m., Sunday  
21 through Saturday.

22                   CHAIRPERSON ANDERSON: Now, did you  
23 get a chance to visit the facility?

24                   INVESTIGATOR DANTZLER: Good Food  
25 Markets? Yes.

1                   CHAIRPERSON ANDERSON: So, when did  
2 you go to visit?

3                   INVESTIGATOR DANTZLER: That was April  
4 22nd, 2022.

5                   CHAIRPERSON ANDERSON: I'm sorry, how  
6 many times did you go to visit the facility, or  
7 did the agency visit the facility?

8                   INVESTIGATOR DANTZLER: Yeah,  
9 collectively, we were only able to visit the  
10 establishment on four occasions.

11                  CHAIRPERSON ANDERSON: And the four  
12 visits that were done by the agency, was anything  
13 out of the ordinary observed?

14                  INVESTIGATOR DANTZLER: There was  
15 nothing out of the ordinary observed as it  
16 relates to the operation of the establishment.  
17 In the area there was a lot of loitering where  
18 Mead Liquor is located.

19                  CHAIRPERSON ANDERSON: Did you notice  
20 any loitering in front of this establishment?

21                  INVESTIGATOR DANTZLER: There was no  
22 loitering in front of the establishment. There  
23 is a daycare center that's in the same block as  
24 Mead Liquors, and Spar Liquors, and I did speak  
25 to a representative at the daycare center. I was

1 told that the daycare center housed about 64  
2 children from the ages of, I believe it's three  
3 months, to five years of age.

4 The representative told me that the  
5 loitering at Mead Liquors had become so  
6 problematic that the parents did not feel safe  
7 entering the daycare center from South Capital  
8 Street side. So, all parents, or guardians enter  
9 the rear of the daycare center.

10 CHAIRPERSON ANDERSON: The loitering,  
11 was the loitering attributable to this  
12 establishment?

13 INVESTIGATOR DANTZLER: No sir.

14 CHAIRPERSON ANDERSON: So, were you  
15 able to define your record search to find were  
16 there -- regarding calls for service from this  
17 establishment, or from this address?

18 INVESTIGATOR DANTZLER: Yes, from this  
19 address between January 1, of 2021 until the date  
20 the report was ran, which was April 20th, of  
21 2022, there were 339 calls for service for the  
22 address of 4001 South Capital Street.

23 CHAIRPERSON ANDERSON: I'm sorry, so  
24 generally what were the natures of those calls  
25 generally? If you had had a chance to look

1 through the reports?

2 INVESTIGATOR DANTZLER: Yes. There  
3 were a variety of calls from service from  
4 domestic violence, stolen autos, assaults, wanted  
5 persons. Disorderlies, shoplifting, so there  
6 were quite a few, a mixed array of crimes,  
7 repeated calls for those types of occurrences.  
8 But what I also learned too is that the  
9 Department of Human Services, although it was in  
10 the next block, I want to say the 4100 block of  
11 South Capital Street.

12 When calls come in, they're actually  
13 using 4001 South Capital Street, the same as the  
14 licensee's address. And then when I took a  
15 closer look at the pages of calls for service, I  
16 was only able to recognize, I want to say three,  
17 or four calls that was actually related to Good  
18 Food Markets. So, out of those 330 plus calls,  
19 only three, or four were contributed to Good Food  
20 Markets.

21 And those types of calls were unwanted  
22 persons, or a shoplifter.

23 CHAIRPERSON ANDERSON: And this is  
24 over a period of a year, is that?

25 INVESTIGATOR DANTZLER: Yes.



1                   CHAIRPERSON ANDERSON: What are the  
2 other -- there are additional exhibits that are  
3 attached to your report. Are there any that you  
4 want to bring to our attention that you have not  
5 brought to our attention before?

6                   INVESTIGATOR DANTZLER: Just to put on  
7 the record that Exhibit No. 20, which is here,  
8 which are the calls for service, consist of 23  
9 pages for MPD calls for service. And that's the  
10 document I was speaking to that only has Good  
11 Food Markets having four of those 330 plus calls  
12 from that list.

13                   CHAIRPERSON ANDERSON: As a result of  
14 your investigation, anything else you think is of  
15 interest you should bring to the attention of  
16 this court, and the board?

17                   INVESTIGATOR DANTZLER: I did do a  
18 little further investigation as it relates to the  
19 ANC's concerns about the six ABC establishments  
20 outside of the ABC establishments that are within  
21 1000 feet of Good Food Markets. And what I  
22 counted was that I was able to identify two other  
23 ABC licenses, and going towards Maryland, there  
24 were only two other ones.

25                   The next nearest ABC establishment

1 outside the 1000 foot rule was Elmyra's Grocery,  
2 which was located in the 4400 block, much well  
3 beyond the 1000 foot. And then the next one  
4 after Elmyra was South Capital Liquors, which was  
5 close to eight blocks away.

6 CHAIRPERSON ANDERSON: Thank you Ms.  
7 Dantzler, you can close your screen now, thank  
8 you. Mr. Sambol, do you have any -- I'm sorry.  
9 Any other questions before Mr. Sambol, any  
10 questions by any board members of Ms. Dantzler,  
11 regarding her report?

12 MEMBER GRANDIS: Chairman?

13 CHAIRPERSON ANDERSON: Yes, is that  
14 you Mr. Grandis? Go ahead Mr. Grandis.

15 MEMBER GRANDIS: Thank you. Thank you  
16 for your very good written report, and your  
17 presentation today. I may have overlooked it in  
18 reviewing the report. Do you know how many years  
19 this licensee has been at that location?

20 INVESTIGATOR DANTZLER: No sir, I just  
21 learned through Mr. Sambol's presentation.

22 MEMBER GRANDIS: Okay, so you have  
23 nothing to document that. But I can speak to him  
24 later then. Do you know -- did you research on  
25 whether there was an ABC license to that

1 establishment before he took occupancy?

2 INVESTIGATOR DANTZLER: No, I did not.  
3 Throughout my years of writing in that ward, I  
4 don't recall an ABC establishment being on that  
5 corner. It's a newly erected building, I want to  
6 say probably within the last few years.

7 MEMBER GRANDIS: So, prior to writing  
8 the report, did you have occasion in your job to  
9 go into that establishment?

10 INVESTIGATOR DANTZLER: Yes sir.

11 MEMBER GRANDIS: And would you say  
12 that the pictures you have attached to your  
13 report are good representation on the  
14 cleanliness, and sanitation that appears to me  
15 through your pictures? It looks like a very  
16 clean, well organized establishment, would you  
17 say that's from your experience from years prior,  
18 it was similar?

19 INVESTIGATOR DANTZLER: Yeah, it's  
20 definitely one of the nicest establishments I've  
21 been in. It's well lit, well ventilated, well  
22 kept.

23 MEMBER GRANDIS: And I may have missed  
24 this, it's on the corner, correct?

25 INVESTIGATOR DANTZLER: Yes sir.

1                   MEMBER GRANDIS: And how would parking  
2 be if somebody wanted to go in there if it is a B  
3 license?

4                   INVESTIGATOR DANTZLER: There is  
5 street parking. It appears that the Department  
6 of Health has some sort of parking facility on --  
7 that kind of shares the same driveway of Good  
8 Food Markets. So, I'm not certain if any of that  
9 is Good Food Markets, or it all belongs to  
10 Department of Human Services.

11                   MEMBER GRANDIS: And if I understood  
12 your testimony, that there are two class A  
13 licenses within a thousand feet?

14                   INVESTIGATOR DANTZLER: Yes sir.

15                   MEMBER GRANDIS: Are there any class  
16 B licenses within that same zone?

17                   INVESTIGATOR DANTZLER: That's a good  
18 question. I don't have an answer to that.

19                   MEMBER GRANDIS: Okay, thank you. I  
20 think you mentioned that while not in front of  
21 his establishment, you did observe loitering  
22 within that thousand feet?

23                   INVESTIGATOR DANTZLER: Yes. Heavy  
24 loitering at Mead.

25                   MEMBER GRANDIS: And Mead is an ABC

1 licensed establishment with what class?

2 INVESTIGATOR DANTZLER: Class A.

3 MEMBER GRANDIS: And are you familiar  
4 within that neighborhood, not so much 1000 feet,  
5 but you may have mentioned this, I just didn't  
6 see where the closest class B license was to this  
7 establishment.

8 INVESTIGATOR DANTZLER: Correct. I  
9 believe it's actually Elmyra's Market, which is  
10 in the 4400 block.

11 MEMBER GRANDIS: And how far would  
12 that be?

13 INVESTIGATOR DANTZLER: Approximately  
14 four, to five blocks away.

15 MEMBER GRANDIS: And is that  
16 establishment, do they have excessive loitering  
17 at that location?

18 INVESTIGATOR DANTZLER: That I don't  
19 know.

20 MEMBER GRANDIS: Okay, I'm just going,  
21 not necessarily in this period, or this document,  
22 but you mentioned that you had been in this  
23 particular establishment, I thought perhaps you  
24 may have been in others, but that's fine if you  
25 don't know. Would you say from your experience

1 that the heavy loitering is seen to be somehow  
2 around class As more than the class Bs?

3 INVESTIGATOR DANTZLER: I think the  
4 class As, they both had loitering. I did the  
5 protest report for Spar Liquors just the latter  
6 part of last year I want to say, and it seems  
7 like, I believe the attraction for those two A  
8 stores is because to me, it's just both  
9 properties for Mead, where that's located in that  
10 little shopping center, and Spar Liquors is  
11 unkept.

12 It's like a broken window syndrome,  
13 it's like you've got the broken window, then you  
14 start with the graffiti, then you start with the  
15 loitering. It seems that's more, in my opinion,  
16 the issues that those properties are not well  
17 kept as Good Food Markets. I believe because  
18 it's very clean, and orderly, that could be a  
19 deterrent.

20 MEMBER GRANDIS: And do you know right  
21 now, what the closing time is? Not in the  
22 application for class B, but do you know what the  
23 closing time is for this establishment now?

24 INVESTIGATOR DANTZLER: No sir.

25 MEMBER GRANDIS: And would you say

1 from your experience that establishments that  
2 close at 10:00 o'clock perhaps, do they tend to  
3 have loitering after 10:00 o'clock in front of  
4 their place? Or do loiterers tend to move to  
5 other areas that may be open?

6 INVESTIGATOR DANTZLER: Well, when I  
7 did the investigation, my monitoring of the  
8 establishment, I didn't see any loitering at Good  
9 Food at night either. It was Spar, and Mead.

10 MEMBER GRANDIS: And class As?

11 INVESTIGATOR DANTZLER: Yes.

12 MEMBER GRANDIS: So, there perhaps is  
13 a distinction between the type of activities  
14 within a radius of a class A that you don't often  
15 find with a class B?

16 INVESTIGATOR DANTZLER: It very well  
17 could be. I just --

18 MEMBER GRANDIS: Just from  
19 observation, if you don't have it, that's fine,  
20 I'm not wanting to put words in your mouth.

21 INVESTIGATOR DANTZLER: No, it's that  
22 it was clear to me that the other two properties  
23 with the A stores, the properties are not kept  
24 up. The cleanliness, the police were often in  
25 the area, so --

1                   MEMBER GRANDIS: Okay, well I want to  
2 thank you, and you did a very nice presentation,  
3 thank you very much. Thank you Mr. Chair.

4                   INVESTIGATOR DANTZLER: You're  
5 welcome.

6                   CHAIRPERSON ANDERSON: Any other  
7 questions by any other board members? Mr.  
8 Sambol, do you have any questions of Ms.  
9 Dantzler?

10                  MR. SAMBOL: No, I don't think I have  
11 any questions. I assume there'll be opportunity  
12 later to fill in some of the factual points that  
13 were brought up there, but not clarified?

14                  CHAIRPERSON ANDERSON: Ms. Janifer,  
15 any questions of the investigator?

16                  MS. JANIFER: Yes.

17                  CHAIRPERSON ANDERSON: Go ahead ma'am.

18                  MS. JANIFER: She mentioned bus stops  
19 outside the Good Food Markets, did she notice any  
20 --

21                  CHAIRPERSON ANDERSON: Ms. Janifer,  
22 you're asking questions of her. Just ask her --  
23 you're saying did she, speak to her directly  
24 ma'am.

25                  MS. JANIFER: Okay. So, did you



1 notice any -- did you see the bus stop on  
2 Atlantic street that's right outside of the Good  
3 Food Markets?

4 INVESTIGATOR DANTZLER: No ma'am, I  
5 didn't notice that.

6 MS. JANIFER: Okay, did you notice in  
7 Exhibit No. 4, the bus stop?

8 INVESTIGATOR DANTZLER: The bus stop  
9 I noticed was the eight, that's positioned on the  
10 sidewalk in front of Mead.

11 MS. JANIFER: Okay. You spoke about  
12 walking distance for the library, do you know  
13 approximately how many feet away that library is?

14 INVESTIGATOR DANTZLER: I don't know  
15 the approximate feet. But the side of Good Food  
16 Markets, one side is on Atlantic, and the other  
17 side is on South Capital. So, the library is  
18 right at the next block on Atlantic. And so it's  
19 like less than half a block it appears to me.

20 MS. JANIFER: Okay, and the driveways  
21 that you spoke of, did you see any no parking  
22 signs there, or loading zone signs there?

23 INVESTIGATOR DANTZLER: I did see a  
24 loading zone, and I wasn't sure though, whose  
25 parking lot that is. I'm not sure if that's

1 DOHS, I mean Department of Human Services, I was  
2 a little confused with whose property that is.

3 MS. JANIFER: Okay, and within the  
4 Good Food Markets, on the inside, and outside  
5 where their bar seating is located, did you see a  
6 boarded window that had a painting on it?

7 INVESTIGATOR DANTZLER: No, and I did  
8 not observe any bar seats. I saw just regular  
9 chairs.

10 MS. JANIFER: Okay. That's it, no  
11 more questions, I'm sorry.

12 CHAIRPERSON ANDERSON: Okay, thank  
13 you. Before I dismiss Ms. Dantzler, any final  
14 questions by any board members?

15 MEMBER SHORT: I just have one Mr.  
16 Chair.

17 CHAIRPERSON ANDERSON: Go ahead Mr.  
18 Short.

19 MEMBER SHORT: Yes. Investigator  
20 Dantzler, thank you for your testimony today.  
21 There was mentioning of a tasting endorsement  
22 with the license, can you explain what that is,  
23 and how that would affect the community?

24 INVESTIGATOR DANTZLER: Yes. The  
25 tasting permit allows the licensee to allow the

1 customer to sample certain, whatever they choose  
2 to present. Allow them to sample alcoholic  
3 beverages. So, with the B license of just wine,  
4 and beer, I want to say that wine is, the max one  
5 patron can have is 12 ounces, and I want to say  
6 with the wine it's eight. But don't quote me on  
7 that, but there are set limits.

8 MEMBER SHORT: I guess that's what I'm  
9 trying to get to with my question. So, with a  
10 tasting license, someone can come in the store,  
11 and purchase a bottle of wine, and drink it right  
12 there in the store, is that what a tasting  
13 license does?

14 INVESTIGATOR DANTZLER: Not  
15 necessarily. The licensee has to have the  
16 alcoholic beverage clearly marked as sample. And  
17 so they have to have it in a specific area of the  
18 establishment, and so if they have just a setup  
19 of beers, everything that they're sampling should  
20 state sample. And that is not -- the patron is  
21 not allowed to purchase let's say a six pack, and  
22 then take one, and open, and consume it.

23 It doesn't allow for that. It's just  
24 allowed for that particular, if he wants to  
25 sample the Budweiser, then only sample those

1 items that are marked sample can be sampled.

2 CHAIRPERSON ANDERSON: Any other  
3 questions by any other board members? Are you  
4 still there Mr. Short? Mr. Short? Mr. Short?  
5 Are you still there Mr. Short? All right, you're  
6 --

7 MEMBER SHORT: Can you hear me now?

8 CHAIRPERSON ANDERSON: Yes, I can hear  
9 you. All right, any other questions? Any other  
10 questions Mr. Short? All right, I believe that  
11 Mr. Short is done asking questions. Mr. Sambol,  
12 do you have any follow up questions you want to  
13 ask Ms. Dantzler based on the questions that were  
14 asked by Mr. Short? Hold on, Mr. Short, are you  
15 done sir?

16 MEMBER SHORT: No, I never got a  
17 chance to ask the question Mr. Chair. Apparently  
18 you guys are getting cut off from me, and I'm  
19 getting cut off from you also. But anyway, what  
20 I was trying to get Investigator Dantzler to say  
21 is does a person have to purchase something to  
22 taste something?

23 CHAIRPERSON ANDERSON: I believe she  
24 answered your question earlier, but go ahead Ms.  
25 Dantzler.

1                   MEMBER SHORT: I never -- Mr. Chair,  
2 I got cut off, and it's not my fault, I guess  
3 it's technical issues. I never heard an answer  
4 to my question.

5                   CHAIRPERSON ANDERSON: I was just  
6 saying she answered your question, but I guess I  
7 didn't realize that you were gone. She did  
8 answer your question, but go ahead Ms. Dantzler,  
9 can you answer -- I'm sorry, are you there Mr.  
10 Short? Because I don't see you anymore. Hold on  
11 Ms. Dantzler, I don't know where Mr. Short is.

12                   I think he has now disappeared, so let  
13 me wait to see what's going on.

14                   MEMBER SHORT: Can you hear me now Mr.  
15 Chair?

16                   CHAIRPERSON ANDERSON: Yes, I can.

17                   MEMBER SHORT: Okay, I was never  
18 logged out. The question I wanted to ask you  
19 about, and I've been trying to -- just one  
20 question. I just wanted to know about the, since  
21 this licensee wants to have a tasting  
22 endorsement, I just want the tasting endorsement  
23 explained, so the public, and I would know more  
24 about it for this hearing. So, Investigator  
25 Dantzler, can you just explain to me what a

1 tasting endorsement would include for this  
2 license?

3 INVESTIGATOR DANTZLER: Yes. The  
4 tasting endorsement allows the licensee an  
5 opportunity to allow his customers to sample  
6 alcoholic beverages before purchase. And with  
7 that sampling, the bottles, and the cups that the  
8 patron -- they're not drinking from the bottle.  
9 But the bottle that is up for sample has the word  
10 sample clearly written on it, as well as the cup,  
11 the cup has the word sample written on it.

12 CHAIRPERSON ANDERSON: Mr. Short? Mr.  
13 Short?

14 MEMBER SHORT: Yes Mr. Chairman?

15 CHAIRPERSON ANDERSON: You're back  
16 now. Do you have any other questions sir?

17 MEMBER SHORT: No, I'm not going to  
18 even attempt them sir, I had some more, but with  
19 technical problems we're having today, I don't  
20 think it would be an advantage to the board right  
21 now, or the public to hear me ask more questions.  
22 Thank you.

23 CHAIRPERSON ANDERSON: All right,  
24 thank you Mr. Short. Mr. Sambol, do you have any  
25 questions of Ms. Dantzler based on the questions

1 Mr. Short asked?

2 MR. SAMBOL: Yes, thank you chair.  
3 Just want to clarify Ms. Dantzler, the tasting  
4 part of the license is not anytime, it is limited  
5 to certain days, and times, is that correct?

6 INVESTIGATOR DANTZLER: I think it  
7 would be up for interpretation, because I see  
8 there is a little disconnect as it relates to the  
9 licensee's understanding. I believe currently  
10 the -- our office is allowing tasting consistent  
11 with the licensee's operating hours.

12 MR. SAMBOL: Okay. And yes,  
13 previously it was restricted to Thursday, Friday,  
14 Saturday, and Sunday after a certain time of day.  
15 So, I was not aware that rule has changed, so  
16 thank you for clarifying that. And the licensee  
17 could only sample the products that had been  
18 previously provided by a distributor -- a legal  
19 licensed distributor, is that correct?

20 INVESTIGATOR DANTZLER: Yes, by a  
21 licensed distributor, yes.

22 MR. SAMBOL: So, a licensee cannot  
23 take a bottle off the shelf, and offer a customer  
24 a sample on the spot, this is for pre-planned,  
25 and approved events with text, and provided

1 samples through a distributor, correct?

2 INVESTIGATOR DANTZLER: I can't really  
3 say yes, or no to that. My experience is when a  
4 wholesaler is there, generally that's when I've  
5 seen a lot of the operations, when the wholesaler  
6 is actually there allowing the licensee to  
7 sample, allowing the customers to sample when the  
8 wholesaler is present.

9 MR. SAMBOL: Thank you.

10 CHAIRPERSON ANDERSON: Any other  
11 questions Mr. Sambol?

12 MR. SAMBOL: No, thank you.

13 CHAIRPERSON ANDERSON: Ms. Janifer,  
14 any questions to Ms. Dantzler based on the  
15 questions that were asked by Mr. Short?

16 MS. JANIFER: No.

17 CHAIRPERSON ANDERSON: All right,  
18 thank you. Thank you very much Ms. Dantzler, for  
19 your testimony.

20 INVESTIGATOR DANTZLER: My pleasure,  
21 thank you.

22 CHAIRPERSON ANDERSON: Mr. Sambol, how  
23 do you present -- how do you plan to present your  
24 case sir?

25 MR. SAMBOL: Yes, so is this an



1 appropriate time to respond to some of the issues  
2 that have been raised?

3 CHAIRPERSON ANDERSON: All right, let  
4 me -- raise your right hand, can you raise your  
5 right hand sir? Do you swear, or affirm to tell  
6 the truth, and nothing but the truth?

7 MR. SAMBOL: I do.

8 WHEREUPON,

9 PHILIP SAMBOL  
10 was called for examination by Agency, having been  
11 first duly sworn, assumed the witness stand, was  
12 examined and testified as follows:

13 CHAIRPERSON ANDERSON: Present your  
14 case sir.

15 MR. SAMBOL: So, I just wanted to  
16 speak to a couple of the factual points that have  
17 been brought up. Specifically just to continue  
18 the tasting endorsement, just to be clear, for  
19 the public, and the community members here, this  
20 tasting license is so that suppliers, and  
21 producers can come into the store, and sample  
22 their product.

23 We simply use two ounce cups, so there  
24 would be like a beer, or a wine for sampling  
25 that's also available for purchase. This is in

1 no way, shape, or form a practice, or an  
2 intention about creating an environment where  
3 people are consuming alcohol in the store. It is  
4 for pre-planned events that are promoted, and  
5 marketed as such.

6 If anything, I would suggest it's a  
7 pro-social event, not an antisocial event that  
8 encourages folks to come, and meet local  
9 producers, sample their products, et cetera.  
10 Similarly, the sidewalk caf, is not a part of  
11 this application. If Good Food Markets was to  
12 apply for a public space permit to allow people  
13 to sit outside, it would not include on site  
14 consumption.

15 That's a completely different license  
16 that we do not intend, and I don't even know if  
17 we would qualify for. So, just to be clear about  
18 any outside activities, or dining that may take  
19 place would not include on site alcohol  
20 consumption. On some of the parking, and  
21 transportation issues, I did want to point out  
22 that there are parking garages for residents, and  
23 guests of the building.

24 There is the parking garage for DHS,  
25 it's my understanding that that is restricted to

1 DHS, and Community of Hope employees, and  
2 patients, and clients. I'm not sure, there's  
3 been a lot of conversations about opening up to  
4 the broader public, but I'm not sure if that's  
5 taking place. We've worked extensively with the  
6 landlord, and other neighbors to address the  
7 parking situation there.

8 But our intent in this license is to  
9 serve our current customers, and those residents  
10 who are largely walking, or passing by Good Food  
11 Markets on their way to do other things. So, I  
12 just want to suggest that we're not turning into  
13 a new type of establishment that would generate  
14 significantly more parking pressure than was  
15 already contemplated with the retail zoning.

16 And a couple of the hours, so the  
17 application hours are looking at the extent of  
18 any activities that we've ever undertaken at any  
19 of our stores. So, 8:00 a.m. is the longest that  
20 we've ever opened, or earliest I should say.  
21 9:00 p.m. is actually the latest that we've ever  
22 closed. We've occasionally had events that ran  
23 past 9:00 o'clock.

24 But in terms of operating, the current  
25 operating hours of the store are 11:00 to 7:00.

1 We would not sell this one product outside of our  
2 normal operating hours. So, if there was an  
3 early morning event, or there was an event that  
4 ran into the evening, and the store is open for  
5 business, we would want to be able to sell all  
6 the products that we have in the store, hence  
7 applying for the license from 8:00 to 10:00.

8 But we wouldn't be open just for sales  
9 of beer, and wine outside of our normal hours. I  
10 also just wanted to clarify a couple of the  
11 things that have come up around safety.

12 Particularly the 911 calls. The loitering, and  
13 other criminal activity -- well, loitering is not  
14 criminal, but loitering, and criminal activity  
15 that is taking place at the other stores.

16 We've seen the same thing in Ward  
17 Five, where within a block of us in either  
18 direction, there's a class A licensee that allows  
19 loitering, that allows other activities to take  
20 place, that allows consumption on site, none of  
21 which we do. That negative loitering has never  
22 bled over, gone over, moved over to Good Food  
23 Markets.

24 Even when those establishments closed,  
25 or had their licenses suspended, we didn't see

1 those folks coming over, and starting to hang out  
2 in our space, because we don't allow that. And I  
3 think that however other establishments are  
4 operating their businesses, and allowing things  
5 to take place that they shouldn't be is not a  
6 reflection on how GFM has historically run our  
7 business, is currently running the establishment  
8 on South Capital Street.

9 Or, what we would do moving forward if  
10 awarded a license. And I've talked about the  
11 security, and training, all of our staff are ABRA  
12 certified alcohol managers, as well as certified  
13 food managers. So, we're responsible for our  
14 space, what happens within our four walls, and  
15 our responsible vending of beer, and wine.

16 Things that happen across the street,  
17 like shootings at the Autozone, or down the  
18 block, and loitering, and criminal activity also  
19 have implications on us. And so it is I think  
20 incumbent upon us to create a safe environment  
21 there. These things that are happening, we are  
22 not in control of now, and we won't be in control  
23 of in the future.

24 But I think it's been demonstrated  
25 that Good Food Markets is committed to

1 maintaining a safe environment, and being a  
2 responsible alcohol seller, which can exist, even  
3 in the environment of irresponsible sellers. And  
4 just one last point, or a couple points. There's  
5 no bar at GFM, we do not serve, nor do we intend  
6 to serve alcoholic beverages for on site  
7 consumption.

8 We do have seating by the window  
9 that's elevated, that is open to the public, and  
10 people can consume non-alcoholic beverages, and  
11 food purchased there. The broken window that was  
12 raised earlier has been replaced after being shot  
13 out a week before we opened, four days before we  
14 opened our doors. It was a custom job that took  
15 a long time to order, but Good Food Markets has  
16 replaced that per the terms of our lease, and in  
17 response to that criminal activity.

18 So, I just wanted to add those things  
19 that had been brought up just to clarify, and  
20 hopefully that can add some additional details  
21 that are helpful to the board.

22 CHAIRPERSON ANDERSON: Is that it sir?

23 MR. SAMBOL: Yes sir, thank you.

24 CHAIRPERSON ANDERSON: Ms. Janifer, do  
25 you have any questions of Mr. Sambol?

1 MS. JANIFER: I do have questions.  
2 When he states that they're going to be a  
3 responsible seller, what does that mean?

4 MR. SAMBOL: I use that terminology,  
5 because that's the terminology that ABRA, and the  
6 training programs use. A responsible seller only  
7 sells to people 21 years of age, or older with  
8 valid ID, doesn't sell to minors, does not sell  
9 to people who are intoxicated. Does not allow  
10 criminal activity to take place on their  
11 property, including sales of drugs.

12 Does not allow for D.C. law, or ABRA  
13 regulations to be broken, such as on site  
14 consumption. Those are the big things that  
15 characterize a responsible seller. As far as  
16 manager training, and ABRA certification are  
17 concerned.

18 MS. JANIFER: So, what will you do  
19 differently than the other stores, Spar, and Mead  
20 Liquors, to be certain that drugs aren't sold on  
21 the immediate outside of your store, or even in  
22 that little vestibule area of your store? Or  
23 that alcohol is not consumed there, or that any  
24 crimes are taking place there? And especially in  
25 that bathroom that you have there in that

1 vestibule.

2 MR. SAMBOL: Well, on the bathroom  
3 front, we should talk offline about getting the  
4 landlord to fulfill their responsibility to keep  
5 those secure. They have not fixed the broken  
6 lock in over six months, that allows one of those  
7 doors to be inoperable. And so we really only  
8 have control over one of those. But to the  
9 question of what will we do differently.

10 I mean, I'm not necessarily in touch  
11 with those operators, I don't know what they are  
12 doing. But I can -- as we all see when we pass  
13 by those places, you cannot allow people to  
14 consume alcohol on premises. So, I think  
15 starting from the beginning, we don't sell an  
16 excessive amount of single beers, those are the  
17 most commonly consumed on site.

18 And this is illegal activity also, so  
19 the MPD can be involved when someone is  
20 committing a crime on your premises as a business  
21 owner. So, we have trained staff who is selling  
22 a product that is really not being sold for  
23 immediate consumption. It's being sold for at  
24 home consumption, it is at room temperature, and  
25 it is kind of a home sized package, a six pack, a



1 bottle, a 12 pack, something like that.

2 It's not cold, and there's no -- that  
3 person won't be allowed to shop there. So, our  
4 current procedure is that the manager interacts  
5 with them, talks to them, asks them to not loiter  
6 at the space, or whatever. This is the same  
7 whether someone is stealing, defacing property,  
8 breaking our furniture, these are all things that  
9 have actually taken place.

10 So, I'm drawing from memory, and  
11 experience here. You ask this person to stop, if  
12 they will not, and you ask the security guard to  
13 intervene. The security guard is unsuccessful in  
14 intervening, or if it's before the security  
15 guard's shift starts, then you escalate to  
16 calling 911. That is the escalation procedure  
17 for any criminal, or any illegal activity, or  
18 unwanted behavior that's taking place in any of  
19 our stores, whatever it may be.

20 MS. JANIFER: I'm sorry, I asked what  
21 would you do differently? Because those are the  
22 things that are currently being done by the other  
23 stores, so --

24 MR. SAMBOL: But they're allowing  
25 people to consume alcohol on premises. They're

1 not enforcing their own property rights --

2 MS. JANIFER: Hello?

3 MR. SAMBOL: And they are not calling  
4 the MPD.

5 MS. JANIFER: Can you hear me?

6 CHAIRPERSON ANDERSON: Ms. Janifer,  
7 hold on Ms. Janifer, he's answering your  
8 question, so hold on, let him finish, and then  
9 you can --

10 MR. SAMBOL: I'm sorry, I did not mean  
11 to interrupt Ms. Janifer, I did just want to  
12 respond to the things that they are doing that we  
13 do not do are allow people to consume alcohol on  
14 premises, which is illegal. To loiter on their  
15 private property, which they are in their rights,  
16 so they are not enforcing their rights to ask  
17 people to vacate the property, putting barring  
18 notices on people who refuse.

19 And they're not involving MPD to any  
20 -- I mean you probably know better than I to the  
21 extent to which they are calling the MPD, and  
22 asking for help. Just going off of what I can  
23 see, which is MPD is not stopping people from  
24 consuming alcohol in front of those stores, or  
25 anything else.

1 MS. JANIFER: Right, and I was trying  
2 to get a point across to ask a question, but I  
3 was interrupted. So, can you all hear me?

4 CHAIRPERSON ANDERSON: Yes ma'am, I  
5 can hear you.

6 MS. JANIFER: Okay, so again, you  
7 named the things that you sell, and that you  
8 won't allow it, but you're not really saying how  
9 you won't allow it, because you're saying you'll  
10 call MPD, or you'll talk to them. And yes, these  
11 are the same tactics that the other stores have  
12 used, and they have not been successful with.  
13 And that's why I asked what would you do  
14 differently? Because those are the same things  
15 that they do.

16 Okay, so now, the broken lock on the  
17 bathroom door, how was that broken?

18 MR. SAMBOL: It was never installed  
19 correctly, so it actually never functioned  
20 properly. This is the second year that we've  
21 been trying to get the landlord to replace it.

22 MS. JANIFER: Okay, so it's not, I  
23 guess really broken, it's just inoperable,  
24 because it wasn't placed in properly?

25 MR. SAMBOL: That's right.

1 MS. JANIFER: And since -- and this  
2 has been since the beginning of the opening of  
3 the store?

4 MR. SAMBOL: Yes, that's correct.  
5 We've been able to keep it locked, and therefore  
6 no one's been able to get in, or out, and there  
7 is one that we can control, so we're allowing  
8 customers to use the restroom per health code,  
9 but people's attempts to use that other door have  
10 further broken the inoperable lock. And so now  
11 sometimes that door can't be locked.

12 Again, that's maybe outside the scope.  
13 It's relevant to our safety, and the safety of  
14 our customers, and community, including if some  
15 are there for an ANC, or other community event in  
16 that space, and they walk into that bathroom, not  
17 only can you just walk in, and use it, but if you  
18 go in there, it will lock you inside.

19 MS. JANIFER: Right, which is --

20 MR. SAMBOL: All of this has been --  
21 yeah, which is almost worse, it's like --

22 (Simultaneous speaking.)

23 MS. JANIFER: (inaudible) for the  
24 community, especially if a child gets locked  
25 inside of there.

1                   MR. SAMBOL: Yeah, and you can't hear  
2 anyone from in there, because it's in that  
3 vestibule entrance. And so, unless it's a quiet  
4 moment, or someone is very loud, they're not even  
5 able to alert anyone who may be working at the  
6 store that enters there. I mean we're checking  
7 it, and nothing has happened so far, but yeah,  
8 it's a less than ideal situation.

9                   MS. JANIFER: So, does the security  
10 guard monitor what goes on in that vestibule?

11                   MR. SAMBOL: Yes, in fact even at the  
12 end of the night, the security guard closes the  
13 outer door, and allows people in one at a time to  
14 get a visual, so they're actually standing in the  
15 vestibule for the end of the shift.

16                   MS. JANIFER: So, is a security guard  
17 there the entire time the store is open?

18                   MR. SAMBOL: No, the security guard is  
19 there from 3:00 p.m. on.

20                   MS. JANIFER: So, then before 3:00  
21 p.m., from 10:00 to 3:00, there's nobody actually  
22 securing that vestibule, and, or that bathroom  
23 that's there?

24                   MR. SAMBOL: Our staff is doing so.

25                   MS. JANIFER: So, your staff is

1 running the store, and providing security for the  
2 vestibule?

3 MR. SAMBOL: The entrance to the store  
4 being part of the store, yes.

5 MS. JANIFER: Okay. That's all of my  
6 questions.

7 CHAIRPERSON ANDERSON: Thank you Ms.  
8 Janifer. Mr. Sambol, how long has this business  
9 been open?

10 MR. SAMBOL: We opened November 10th,  
11 2021 at this location.

12 CHAIRPERSON ANDERSON: So, what's your  
13 business model?

14 MR. SAMBOL: Good Food Markets is a  
15 nonprofit social enterprise, we are dedicated to  
16 improving food access, and community health in  
17 what are called food deserts, areas that don't  
18 have access to a full service supermarket.

19 CHAIRPERSON ANDERSON: So, what is it  
20 that you provide in your store?

21 MR. SAMBOL: We focus primarily on  
22 fresh produce, healthy prepared foods, basic  
23 grocery items both refrigerated, frozen, and  
24 shelf stable. In this location, we're also  
25 hosting another Ward Eight business called

1 Kitchen Savages, the name may have been mistaken  
2 earlier, it's Kitchen Savages.

3 Those are our main categories as  
4 submitted as part of this application, including  
5 floor plans, and extensive details on what part  
6 of the store is dedicated to the seven food  
7 categories.

8 CHAIRPERSON ANDERSON: Mr. Sambol, I'm  
9 not -- I don't have that information. So, this  
10 is a protest hearing in the sense that you're  
11 asking us to give you a liquor license, so I'm  
12 asking some basic questions. I don't know what's  
13 on your application, maybe I've seen your  
14 application months ago. But I'm asking you now  
15 sir to tell us for this record, to complement  
16 this record by telling me what is it you're  
17 offering.

18 MR. SAMBOL: I'm sorry, yeah. So, we  
19 are there for fresh food access. So, we're  
20 focused on fresh produce, basic groceries, as I  
21 said, healthy prepared foods. We have dry goods,  
22 a small home goods section, some personal care  
23 products, essentially the model is trying to  
24 bring all the categories you would find at a full  
25 service supermarket into a smaller space.

1                   But it can hopefully be sustainable in  
2 communities that can't support an average 45000  
3 square foot supermarket.

4                   CHAIRPERSON ANDERSON: So, you're  
5 saying you have another location, where is this  
6 location sir?

7                   MR. SAMBOL: There are two other  
8 locations, one in Ward Five in D.C., on Rhode  
9 Island Avenue Northeast at 20th Street. The  
10 other is in Prince George's County in the Sea  
11 Pleasant neighborhood.

12                  CHAIRPERSON ANDERSON: And so how long  
13 has this other facility been in operation?

14                  MR. SAMBOL: The Ward Five store  
15 opened in January of 2015.

16                  CHAIRPERSON ANDERSON: And why do you  
17 need to have your grocery store, why do you need  
18 to have an alcohol license?

19                  MR. SAMBOL: The majority of our  
20 customers view beer, and wine as part of their  
21 normal grocery shopping. So, for us, being a  
22 full service supermarket in a fraction of the  
23 space, that is a category that people purchase  
24 when they go to other further supermarkets in  
25 D.C., and in Maryland. And it represents a part



1 of the normal shop for most people, for many  
2 people.

3 Say a beer, a glass of wine is a  
4 normal part of a meal. So, when our customers  
5 coming in, whether it be during the week, to buy  
6 things for dinner, weekend for cookout items,  
7 whatever it might be, those beer, and wine items  
8 are part of that shopping list. So, for us, in  
9 our experience in the Ward Five store, and what  
10 we've heard in our about six months of operating  
11 in Ward Eight.

12 Is it'd be great to not have to make  
13 another stop after I come here in order to get  
14 everything that's on my list. I'd pick up that  
15 beer, or wine if it was available here. It's  
16 also from a business standpoint, a very low waste  
17 category, because it's nonperishable,  
18 functionally, very long shelf life, you can  
19 almost always get your money back by discounts,  
20 and other incentives.

21 So, very low waste, very low loss, and  
22 it doesn't require refrigeration, freezing,  
23 handling, processing, anything like that, like  
24 you would for meat, fish, fresh produce, things  
25 like that, that have a much higher labor value

1 associated with them in terms of the cost, and  
2 are priced accordingly. So, you've got kind of  
3 an essential part of a grocery shop that is a  
4 very cost effective department for the grocery  
5 store.

6 And it really just helps support what  
7 we're really out there to do, which is to make  
8 fresh food more accessible.

9 CHAIRPERSON ANDERSON: How do you plan  
10 to -- if the ABC Board was to grant a license,  
11 how do you plan to monitor -- where in the store  
12 will the alcohol be stored? Is it in a separate  
13 aisle, or tell me.

14 MR. SAMBOL: Yes, it will be stored in  
15 one aisle that is front, and center, visible from  
16 all points, from the point of sale, to the  
17 entrance, the caf, area. So, wherever our staff  
18 is in the store more, or less, they are able to  
19 see that stock. It is also very well covered by  
20 cameras, and we'll have signage indicating that  
21 it is being recorded by the security cameras.

22 And as I mentioned before, these are  
23 dry shelves, non-refrigerated items. So, they're  
24 right at the end of the aisle in the middle of  
25 the store in the most visible place, so that we

1 can make sure that people are not doing anything  
2 that they shouldn't. Whether that's theft,  
3 consuming them in the store, anything like that.  
4 And these things are kind of regular features of  
5 doing business.

6 We are dealing with theft, and people  
7 consuming things on site right now, and there's  
8 obviously no alcoholic beverages being consumed  
9 currently, or sold currently. And we still have  
10 all of these issues on a daily basis. So, these  
11 are regular functions of the retail industry, not  
12 unique to alcoholic beverage sales, and not  
13 unique to this store.

14 CHAIRPERSON ANDERSON: Any other  
15 questions by any other board members?

16 MEMBER GRANDIS: Yes sir.

17 CHAIRPERSON ANDERSON: Go ahead Mr.  
18 Grandis.

19 MEMBER GRANDIS: Thank you Mr.  
20 Chairman. Sir, I want to thank you for attending  
21 this hearing today as you had to do, but I want  
22 to thank you for your, I believe, very good  
23 presentation, and being able to articulate your  
24 vision, and what you've done for that corner, I  
25 want to thank you for that. I'm going to ask you

1 to repeat something.

2 What was the opening date of your  
3 establishment?

4 MR. SAMBOL: November 10th, 2021 was  
5 our first day of business.

6 MEMBER GRANDIS: How many months ago  
7 was that?

8 MR. SAMBOL: Almost six I believe.

9 MEMBER GRANDIS: And you opened during  
10 the pandemic?

11 MR. SAMBOL: Yeah, maybe looking back  
12 on it, it'll feel like the tail end of the  
13 pandemic. But yes, our construction there started  
14 March of 2020.

15 MEMBER GRANDIS: Well, I mean as you  
16 know, we are the ABC Board, so we deal with all  
17 licensees throughout the city, and we have been  
18 holding our breath that we didn't lose licensees  
19 in neighborhoods that neighborhoods relied upon.  
20 To go across the spectrum, some rely on others  
21 more than others, but it's been a gruesome time  
22 for small business. And I just think it's  
23 admirable that -- when did you sign the lease?

24 MR. SAMBOL: The lease actually goes  
25 all the way back to 2018.

1                   MEMBER GRANDIS: Okay, was the  
2 property vacant at that time?

3                   MR. SAMBOL: So, as mentioned earlier,  
4 the property was redeveloped. There was a center  
5 that did not include residential, a Murray's  
6 Meats Grocery Store, I think that's --

7                   MEMBER GRANDIS: Okay, so I didn't  
8 follow that. I've read the investigator's  
9 report, and other documents. So, you're saying  
10 the building you're in is actually a new  
11 building?

12                   MR. SAMBOL: That's right. 190 units  
13 of affordable, and supportive housing. The ANC  
14 offices, community space, and grocery store.

15                   MEMBER GRANDIS: And when you opened,  
16 did you see a large number -- a good number of  
17 the local residents coming in to utilize your  
18 store?

19                   MR. SAMBOL: Absolutely. About 80  
20 percent of all of our customers are coming within  
21 a half mile of the store, as far as we can tell.

22                   MEMBER GRANDIS: And just a general  
23 observation, would you say today, what percentage  
24 would you say is repeat customers? Just a  
25 guesstimate, I mean you recognize faces, and

1 things like that.

2 MR. SAMBOL: Yeah, sure. Just off the  
3 top of my head, I would say probably in any given  
4 week, 60 to 75 percent of all of our customers  
5 are returning customers.

6 MEMBER GRANDIS: Okay, and I heard you  
7 say that you have another location?

8 MR. SAMBOL: That's correct.

9 MEMBER GRANDIS: And what is that  
10 license?

11 MR. SAMBOL: That is a class B also,  
12 that has recently been given the supermarket  
13 status.

14 MEMBER GRANDIS: Okay, and how many  
15 square footage of public use space is that  
16 building, the one you're in, the prior one?

17 MR. SAMBOL: The store on Rhode Island  
18 Avenue, the original store that opened in 2015,  
19 that has just over 1000 feet of public space.

20 MEMBER GRANDIS: And what -- you said  
21 it's a B license?

22 MR. SAMBOL: That's correct, that has  
23 the supermarket --

24 MEMBER GRANDIS: Therefore you stock  
25 it with beer, and wine, if I would understand the

1 B license?

2 MR. SAMBOL: Yes.

3 MEMBER GRANDIS: Of that 1000 feet,  
4 what percentage is non-grocery items?

5 MR. SAMBOL: Meaning like non-food  
6 items, and beer, and wine?

7 MEMBER GRANDIS: Meaning like not the  
8 alcohol.

9 MR. SAMBOL: So, let's see, the beer,  
10 and wine area takes up 48 square feet of that  
11 store.

12 MEMBER GRANDIS: And what percent  
13 would that be of that space? Just roughly.

14 MR. SAMBOL: About five percent.

15 MEMBER GRANDIS: About five percent.

16 MR. SAMBOL: That's right.

17 MEMBER GRANDIS: Did I hear you say  
18 five percent?

19 MR. SAMBOL: That's correct.

20 MEMBER GRANDIS: Okay, are you aware

21 --

22 MR. SAMBOL: Maybe a little bit  
23 larger, I'm doing calculation off the top of my  
24 mind here.

25 MEMBER GRANDIS: Okay, are you aware

1 of the restriction under a B license on what  
2 percentage can be non-grocery, or what percentage  
3 can be alcohol, basically beer, and wine?

4 MR. SAMBOL: I believe that -- are you  
5 referencing the sales threshold?

6 MEMBER GRANDIS: Yes.

7 MR. SAMBOL: That there's a  
8 restriction that no more than 20 percent of your  
9 sales can be from beer, and wine.

10 MEMBER GRANDIS: And would you say  
11 that your current location, that you fall under  
12 20 percent?

13 MR. SAMBOL: Yes. We've always fallen  
14 under the 20 percent, and I'll note that we've  
15 recently received the supermarket designation  
16 there, removing that limit. But we've never gone  
17 above that previously.

18 MEMBER GRANDIS: Yes. But you're not  
19 going to have a supermarket designation at this  
20 location, are you?

21 MR. SAMBOL: My understanding is that  
22 all sites are -- we had to put forward an  
23 application for supermarket license across all of  
24 the sites because we are multi site.

25 MEMBER GRANDIS: Meaning with DCRA,



1 meaning with --

2 MR. SAMBOL: Sorry.

3 MEMBER GRANDIS: Okay, so at this  
4 location, are you planning on bringing the  
5 business model that you have at your current  
6 location into this location? In other words, I  
7 don't want to put words in your mouth, but I  
8 heard you say that something like five percent of  
9 the public space in your current space is  
10 dedicated to beer, and wine?

11 I'm not wanting to do your business  
12 model for you --

13 MR. SAMBOL: Let's say less than ten  
14 percent, but yes, absolutely.

15 MEMBER GRANDIS: I don't want to put  
16 words in your mouth, but in this new location,  
17 are you going to have a different business model  
18 when it comes to beer, and wine?

19 MR. SAMBOL: No, it would be the same.

20 MEMBER GRANDIS: Because I imagine, if  
21 it's been successful, that's what entrepreneurs  
22 do. You go into another residential area, and  
23 put the similar model in. So, these residents,  
24 do you think they are aware that less than 20  
25 percent of your sales, and probably no more than

1 ten percent of the public area for purchasing, do  
2 you think that kind of conversation has occurred  
3 between you, and the residents?

4 MR. SAMBOL: I believe that has been  
5 made clear. But I don't want to speak for  
6 anyone, they could clarify (Inaudible.)

7 (Simultaneous speaking.)

8 MEMBER GRANDIS: But you could put on  
9 record today -- you could put on record today  
10 what you -- so, say it again what you're planning  
11 to do please.

12 MR. SAMBOL: Yeah, so our regular  
13 practice, which we plan to continue here if  
14 awarded a license, would be the same. We have  
15 roughly ten percent, or probably less of the  
16 total sellable square feet being dedicated to  
17 beer, and wine, that would be in the grocery  
18 section, dry shelf, unrefrigerated, and --

19 CHAIRPERSON ANDERSON: Mr. Grandis, I  
20 didn't realize I was on mute. I just want to  
21 remind both parties we have a court reporter.  
22 Only one person can speak each time, so I can't  
23 hear both of you speaking over each other.

24 MEMBER GRANDIS: Thank you. I  
25 apologize. I was trying to move it along, you're

1 right, I apologize. Okay, I'm going to wrap up  
2 with this. What types of wines do you carry  
3 currently? I mean are they like Boon's Farm?  
4 Are they cheap things that teenagers would be  
5 drinking in high school, and things like that?  
6 I'm being serious. What type of product, since  
7 it's so limited, what are you promoting?

8 MR. SAMBOL: We sell, on the wine  
9 side, we sell a variety of different wines from  
10 the U.S., and from Europe, South America, ranging  
11 in price from 6 dollars, to 60 dollars. They are  
12 not flavored wines, they're not fortified wines.  
13 We don't sell -- we sell some wine coolers, and  
14 those kind of sweeter beverages that may appeal  
15 to kids.

16 But again, have a 100 percent ID check  
17 policy for all alcohol sales enforced by the  
18 point of sale system, which requires you to enter  
19 an eligible birthday in order to complete that  
20 transaction. And on the beer side, we sell  
21 predominantly 6, and 12 packs. We do have some  
22 single beers, they tend to be the larger format  
23 beers that aren't available in other package  
24 sizes.

25 And it's a mix of kind of familiar

1 national affordable brands, Heineken, Budweiser,  
2 your Miller Lite, that kind of stuff, all the way  
3 to craft beers, and local products.

4 MEMBER GRANDIS: So, you're familiar  
5 with individuals sometimes wanting just to buy a  
6 single beer, and then ask for a go cup type of  
7 thing? Because you're in the business, right?  
8 So, how do you avoid that?

9 MR. SAMBOL: We do not provide cups  
10 for beverages. We do sell cups of coffee, and  
11 tea, so what we're looking out for is that people  
12 are taking those cups, and not purchasing those  
13 beverages. But we don't sell cups of ice on a  
14 regular basis, so that's not really available to  
15 our customers.

16 MEMBER GRANDIS: Is there a way that  
17 you think that you could have the public  
18 understand that these coffee, and tea cups,  
19 because I'm familiar with small groceries, and  
20 small walk in markets that have this -- that they  
21 won't allow, from what my experience has been,  
22 they won't allow me to say can I have an empty  
23 cup? They have to put coffee in it, or hot tea  
24 before they walk out with it.

25 Do you have a policy that avoids

1 people from taking an empty cup?

2 MR. SAMBOL: We currently are self  
3 service. Although it would be possible to  
4 implement something like you described.

5 MEMBER GRANDIS: Well, maybe  
6 initially, just to give comfort, if the board  
7 decides to move forward, because it sounds like  
8 to me there may be a lot of information at your  
9 current location that the residents don't really  
10 understand about this location. That's just my  
11 perception. So, I want to thank you, and it's  
12 very interesting to hear about your business  
13 model. Thank you very much.

14 MR. SAMBOL: Thank you.

15 MEMBER GRANDIS: Thank you Mr.  
16 Chairman.

17 CHAIRPERSON ANDERSON: Thank you Mr.  
18 Grandis, any other questions by any of the board  
19 members? Ms. Janifer, any questions of Mr.  
20 Sambol based on the questions that were asked by  
21 the board?

22 MS. JANIFER: Yes.

23 CHAIRPERSON ANDERSON: Go ahead ma'am.

24 MS. JANIFER: So, as far as the  
25 storage of the alcohol in your store, we looked

1 at Exhibit Nos. 7, 8, 9, 10, and 11 that showed  
2 the shelving there. Can you tell me which -- can  
3 you show us by the exhibits where the alcohol  
4 would be stored?

5 MR. SAMBOL: Sure, give me just a  
6 moment to pull those up.

7 CHAIRPERSON ANDERSON: I'm sorry, Ms.  
8 Janifer, what exhibits do you want him to show  
9 you? Because he didn't disclose any documents,  
10 so what exhibit are you talking about for him to  
11 show you?

12 MS. JANIFER: Well, if we can look at  
13 Exhibit Nos. 7, 8, 9, 10, and 11, they all show  
14 the shelving.

15 CHAIRPERSON ANDERSON: Ma'am, let me  
16 just, hold on --

17 MS. JANIFER: I just want him to tell  
18 me, show me where he's going to store --

19 CHAIRPERSON ANDERSON: Ms. Janifer,  
20 this is just a procedural matter. He did not  
21 disclose any documents, so he doesn't have any  
22 documents to show us. So, that's what I'm trying  
23 to say to you. And I don't have the documents.  
24 The only documents, did you disclose -- did you  
25 take pictures of this establishment?

1 MS. JANIFER: No, but they were just  
2 shown when the --

3 CHAIRPERSON ANDERSON: All right, so  
4 those were the board's documents, and those were  
5 Ms. Dantzler's documents. Now, I don't have --  
6 Ms. Dantzler's not here. I don't have those  
7 documents in front of me to show them. So, the  
8 board, and I don't -- so, I don't have the  
9 ability to show those documents.

10 MS. JANIFER: I understand what you're  
11 saying, I didn't know that, because it was --

12 CHAIRPERSON ANDERSON: Right, so I  
13 don't have the ability to show --

14 MR. SAMBOL: I can --

15 MS. JANIFER: I know it was submitted  
16 as an exhibit, so I thought that the exhibit  
17 could be used throughout the hearing, but I  
18 understand what you're saying now.

19 CHAIRPERSON ANDERSON: The only way  
20 the witness is here -- I don't, the witness --

21 MS. JANIFER: I understand that now.  
22 So, my question will be exactly where will you  
23 store that alcohol?

24 MR. SAMBOL: Certainly. So, the  
25 alcohol will be stored at the end of the grocery

1 aisle closest to the windows in the center. So,  
2 if I can reference those exhibits, it would be at  
3 the end of the aisles pictured in Exhibit Nos. 8,  
4 and 9 of the protest report. And I'm happy to  
5 share my screen if you want to see those.

6 CHAIRPERSON ANDERSON: So, are you  
7 saying Mr. Sambol, so you have those documents  
8 sir?

9 MR. SAMBOL: I do, I am looking at  
10 them now.

11 CHAIRPERSON ANDERSON: All right.

12 MR. SAMBOL: It's a part of the  
13 protest report, right?

14 CHAIRPERSON ANDERSON: All right. Ms.  
15 Fashbaugh, can you please give Mr. Sambol the  
16 ability to share his screen please?

17 MS. FASHBAUGH: This has been  
18 accomplished, thank you.

19 CHAIRPERSON ANDERSON: Go ahead sir,  
20 you can share your screen.

21 MR. SAMBOL: Okay, just a moment,  
22 there you go. Okay, are you all able to see the  
23 report here?

24 CHAIRPERSON ANDERSON: Yes sir, I can  
25 now see the report.



1 MR. SAMBOL: So, this is a protest  
2 report that was presented earlier, and I'm just  
3 going to scroll through to the pictures that  
4 Commissioner Janifer was referencing, which are  
5 these, I think they're a little smaller. So, at  
6 the end of this aisle here, Exhibit No. 8, and  
7 Exhibit No. 9 --

8 CHAIRPERSON ANDERSON: Are you able to  
9 flip the page sir?

10 MR. SAMBOL: I think so, hold on.  
11 Okay, there we go. So, at the end of this aisle  
12 here, this is closest to the front window,  
13 closest to the point of sale, where we have the  
14 greatest amount of visibility. And on the next  
15 exhibit, it's just the opposite side of this same  
16 aisle. So, it would be here. It's not clear  
17 from the pictures, but there are security cameras  
18 that run right down the middle of this aisle.

19 And also at the end of this aisle,  
20 facing down through this whole area. So, that's  
21 where we would, if licensed, merchandise the  
22 beer, and wine.

23 MS. JANIFER: Okay, and so if it's  
24 just on an open shelf like that, how would you --  
25 when your security guard is not there, how would

1 you stop someone from shoplifting?

2 MR. SAMBOL: The same way we do with  
3 any other product. Be observant, be present in  
4 the space. If there is a manager on duty in the  
5 office, they have full visibility of all the  
6 cameras.

7 MS. JANIFER: Right, but it's close to  
8 the door also. So, that would mean that I could  
9 just really pick it up, and run out. So, what  
10 I'm asking is how would that be stopped when the  
11 security guard is not available? I mean we've  
12 seen on TV plenty of times these, what are they  
13 called, flash sales, or whatever. When the kids  
14 come in, and just raid the store basically. So,  
15 how would something like that be deterred?

16 MR. SAMBOL: Well, through the  
17 measures that I just described. I mean even a  
18 security guard is not going to stop someone who  
19 runs away with a bottle of wine, they can't do  
20 anything until they cross that threshold, and  
21 then once they do, they're not allowed to give  
22 chase. So, it would be a police report. If we  
23 know the person, it would be a barring notice  
24 that can be enforced anytime they come into the  
25 store.

1 Repeated problems would have to be  
2 dealt with differently.

3 MS. JANIFER: Okay, and how are  
4 barring notices handled?

5 MR. SAMBOL: Barring notice can be  
6 completed by any person who is employed at the  
7 store. In the situation where we were doing it  
8 for shoplifting, it would typically be a manager,  
9 or myself who signs that barring notice. Again,  
10 if we know who the person is, we will notify  
11 them. If not, they'll go as like a Jane Doe, or  
12 a John Doe. If we have photos from security  
13 footage, we attach those, and that's filed with  
14 MPD.

15 So, once that's filed, that person  
16 returns to the location, MPD can be called for a  
17 violation of barring notice, and they will  
18 respond, I guess if they're able.

19 MS. JANIFER: Right, so that would  
20 solely depend upon the time in which MPD could  
21 actually arrive at that location.

22 MR. SAMBOL: Absolutely.

23 MS. JANIFER: Okay. So, I mean you're  
24 saying the cups, that you all are providing cups  
25 of coffee, and tea that you are selling. So, if

1 I come in, and I buy some tea, what will stop me  
2 from emptying that cup to use it for alcohol?

3 MR. SAMBOL: There really isn't  
4 anything we can do about that if it happens  
5 outside of the store. If it happens within the  
6 store, or on our property, then that would be a  
7 violation of D.C. law, and of our liquor license,  
8 and we could respond appropriately.

9 MS. JANIFER: Okay. So, what will you  
10 do to keep it from happening? Because here  
11 again, you have the vestibule, and then you have  
12 a bathroom. So, what will you do to keep that  
13 from happening in those areas?

14 MR. SAMBOL: Well, putting aside the  
15 current vestibule bathroom issues, the way it is  
16 setup is so that Good Food Markets, or in an  
17 alternate scenario, the ANC, if you're hosting an  
18 event there, would be able to compare those, who  
19 is going in, and out of those bathrooms. And so  
20 we have good visibility into what's going into  
21 the bathroom, and what's coming out.

22 And we're also able to make management  
23 decisions about who is, and isn't allowed to use  
24 the restroom. By health code, we have to provide  
25 a space for customers to use the restroom, and to

1 wash their hands. Again though, if someone goes  
2 in there, who takes their hot tea, and their  
3 bottle of wine that they purchased, and pours one  
4 into the other, at that point, that is a  
5 violation of our liquor license, and D.C. law.

6 We can take further action. But those  
7 responses would be after the fact. There's -- we  
8 could ask them to set their stuff down while  
9 they're going into the bathroom, but we can't  
10 really make them do that. If they then do  
11 something illegal, and that violates our liquor  
12 license, we can take those products back. We can  
13 ask them to leave, we can call MPD.

14 MS. JANIFER: Okay, and just one more  
15 question quickly. How many employees will you  
16 have employed on staff prior to 3:00 o'clock?

17 MR. SAMBOL: Depending on the day,  
18 there's between two, and six people in that  
19 building before 3:00 p.m.

20 MS. JANIFER: Okay, three, to six, so  
21 you'll have three, to six, okay.

22 CHAIRPERSON ANDERSON: Is that it  
23 ma'am?

24 MS. JANIFER: That's it.

25 CHAIRPERSON ANDERSON: Mr. Sambol, do

1 you need to -- prior to closing your case, is  
2 there any clarification you need to provide based  
3 on the questions that were asked by the board,  
4 and also by Ms. Janifer?

5 MR. SAMBOL: No, thank you very much.

6 CHAIRPERSON ANDERSON: Do you rest  
7 sir? Meaning that you're done presenting your  
8 case.

9 MR. SAMBOL: Yes, I rest.

10 CHAIRPERSON ANDERSON: All right.  
11 Okay, we're going to take -- it's going to be now  
12 time for the protestants to present its case, but  
13 we're going to take a ten minute break. Meaning  
14 that do not log off, turn your camera off, mute  
15 your phone, and we are off the record for ten  
16 minutes. So, it's 3:35, we'll be back on the  
17 record at 3:45.

18 (Whereupon, the above-entitled matter  
19 went off the record at 3:35 p.m. and resumed at  
20 3:45 p.m.)

21 CHAIRPERSON ANDERSON: We're back on  
22 the record. Are you back, Mr. Grandis? All  
23 right, Ms. Janifer, do you have a witness you  
24 wish to call then?

25 MS. JANIFER: Yes, I do have a

1 witness, but can I make a statement before I call  
2 my witness?

3 CHAIRPERSON ANDERSON: What do you  
4 mean statement, ma'am? This is the time for you  
5 to present your case. What do you mean  
6 statement?

7 MS. JANIFER: Well, if I'm presenting  
8 my case, I'd like to make a statement for the  
9 introduction of the witness. I can't do that?

10 CHAIRPERSON ANDERSON: Well, go ahead,  
11 ma'am. I'm not quite sure. Go ahead, ma'am.

12 MS. JANIFER: Okay. But, okay. So,  
13 okay. I'm sorry. So with the Good Food Markets  
14 selling the alcohol, what we're here to basically  
15 show is that it will disrupt the peace, the  
16 order, the quiet, the littering --

17 CHAIRPERSON ANDERSON: Hold on, Ms.  
18 Janifer.

19 MS. JANIFER: Mm-hmm.

20 CHAIRPERSON ANDERSON: Two things.  
21 Your opening statement was where you can provide  
22 a statement. And your closing statement is when  
23 you can provide a statement.

24 MS. JANIFER: Okay. So I'll wait  
25 until my closing statement because I wasn't given

1 that information. So I didn't know that.

2 CHAIRPERSON ANDERSON: I apologize,  
3 ma'am. I thought when I told folks your opening  
4 is when you give us a roadmap of who the  
5 witnesses are. So now you're going to call  
6 witnesses. You're going to ask them questions.

7 And Mr. Sambol is going to have an  
8 opportunity to do the same procedure we went  
9 through before when he presented his case.  
10 You're going to have the same procedure. And at  
11 the end of the case, you will have an opportunity  
12 to close and make whatever statements you want to  
13 close the case or wrap the case up, okay?

14 But I thought I had explained the  
15 process to everyone. I thought that everybody at  
16 least watched TV, where on TV when you see a  
17 court case. I apologize, ma'am. So, all right.  
18 So who is the first witness?

19 MS. JANIFER: I do watch TV, but I  
20 don't watch that on TV so no. I didn't know.  
21 And I always look for people to explain to me  
22 because each thing is different wherever you go.  
23 So I have to follow your instructions and that's  
24 what I intend to do.

25 CHAIRPERSON ANDERSON: I apologize,



1 ma'am. But I did -- I thought I had asked. But  
2 I apologize. But if you have any questions  
3 moving forward, let me know. We can stop. I can  
4 answer your questions, but what goes on now is  
5 that -- how many witnesses do you have, ma'am?

6 MS. JANIFER: I have three.

7 CHAIRPERSON ANDERSON: You have three  
8 witnesses so are all three witnesses online?

9 MS. JANIFER: Yes.

10 CHAIRPERSON ANDERSON: All right. So  
11 then you can call the witnesses. I'll swear them  
12 in and then you'll ask them questions. Once you  
13 ask them questions, then Mr. Sambol will have an  
14 opportunity to ask questions of them. Then the  
15 Board will ask questions of them and then Mr.  
16 Sambol and yourself will have questions to  
17 redirect. Okay? So that's the process.

18 MS. JANIFER: Okay.

19 CHAIRPERSON ANDERSON: So who is your  
20 first witness, ma'am?

21 MS. JANIFER: Our first witness will  
22 be Dionne Brown.

23 CHAIRPERSON ANDERSON: Ms. Brown, can  
24 you raise your right hand, please? Do you swear  
25 or affirm to tell the truth and nothing but the

1 truth?

2 MS. BROWN: I do.

3 CHAIRPERSON ANDERSON: Your witness,  
4 ma'am. You can start asking her questions now,  
5 Ms. Janifer.

6 MS. BROWN: Oh, I don't present my  
7 testimony?

8 CHAIRPERSON ANDERSON: You have to --  
9 all right. All right. She has to ask. She is  
10 your lawyer. She knows what it is that you're  
11 going to say. So I need her to ask you -- I  
12 don't want you to read a statement. I need her  
13 to kind of ask you a question and then you can  
14 respond based on the question that she asked you.  
15 Okay?

16 MS. BROWN: Got it.

17 CHAIRPERSON ANDERSON: Okay. So  
18 basically, we're going to be asking questions. I  
19 will allow you to elaborate much. But I want her  
20 to kind of ask you a question and then you kind  
21 of answer the question. And I think you have a  
22 statement you want to read. But I just don't  
23 want you to --

24 MS. BROWN: I was told to prepare a  
25 testimony so. We can proceed --

1 CHAIRPERSON ANDERSON: But ma'am --

2 MS. BROWN: We can proceed. I got it.

3 CHAIRPERSON ANDERSON: -- that's  
4 testimony. That's testimony. She is going to --  
5 she's your lawyer. She's going to ask you the --  
6 she knows what it is that you are -- I'm hoping  
7 she knows what you are going to say. So I just  
8 want her to kind of ask you some questions so all  
9 of that will come out.

10 MS. BROWN: Fair. Thank you.

11 CHAIRPERSON ANDERSON: Go ahead,  
12 ma'am.

13 MS. JANIFER: Okay. Ms. Brown, did  
14 you submit a declaration under penalty of perjury  
15 against alcoholic beverage license for Good Food  
16 Markets?

17 MS. BROWN: Yes, I did.

18 MS. JANIFER: And was that included in  
19 the exhibit forms?

20 MS. BROWN: To my knowledge it was.  
21 We submitted it a week in advance in time for it  
22 to be included.

23 MS. JANIFER: Okay. So it has been  
24 included, can we -- how do we show it? Because I  
25 don't know how this works.

1 CHAIRPERSON ANDERSON: Do you, Ms. --  
2 I'm sorry. Do you, Ms. Brown, do you have it?  
3 Do you have the statement in front of you? Do  
4 you know how to share your screen if I give you  
5 permission?

6 MS. BROWN: I can, yes.

7 CHAIRPERSON ANDERSON: All right. So,  
8 Ms. Fashbaugh, can you please give -- Ms.  
9 Fashbaugh, can you please give Ms. Brown the  
10 ability to share her screen? And you know I'm  
11 always --

12 MS. FASHBAUGH: This has been  
13 accomplished.

14 CHAIRPERSON ANDERSON: Thank you.  
15 You're able now to share your screen, ma'am, to  
16 show us the statement that you have.

17 MS. BROWN: Okay. I'm working through  
18 the technology right now.

19 CHAIRPERSON ANDERSON: And be careful  
20 you're only showing us the stuff that you want to  
21 show us.

22 MS. BROWN: Yes. But Cisco is grayed  
23 out so I'm not able to share my screen with you.  
24 I know how to do it, but the system is not  
25 enabling me to share my screen.

1 CHAIRPERSON ANDERSON: And I don't  
2 know how to --

3 MS. BROWN: Okay. I signed out of  
4 Zoom. Maybe because Zoom may have had it tied  
5 up. I was signed into Zoom. So let's try that  
6 again. It's still grayed out. It's not enabled.  
7 So, no, I'm not able to share my screen with you.

8 CHAIRPERSON ANDERSON: All right.  
9 Let's see. Ms. --

10 MS. BROWN: Commissioner Janifer has  
11 -- if I can email her a copy, can we see if she  
12 can share her screen?

13 CHAIRPERSON ANDERSON: I was about to  
14 ask if she --

15 MS. JANIFER: I do, yeah. I do have  
16 it. I have it in front of me. But I don't know  
17 how to share it.

18 CHAIRPERSON ANDERSON: All right. Ms.  
19 Fashbaugh, can you give Ms. Janifer the ability  
20 to share her screen?

21 MS. JANIFER: I don't know how to do  
22 it. I don't know how to do it.

23 CHAIRPERSON ANDERSON: Okay. All  
24 right. Okay. All right. All right. But let me  
25 ask you a question --

1 MS. JANIFER: (Simultaneous speaking)  
2 somebody in ABRA?

3 CHAIRPERSON ANDERSON: There is no one  
4 else here participating. So there's no one here.  
5 But let me ask you a question. Okay. Ms.  
6 Janifer has the statement in front of her. You  
7 have the statement in front of you. Why is it  
8 that we need to share the screen? Tell me, I'm  
9 just.

10 MS. BROWN: I think I can capture the  
11 essence of it. But there may be some details in  
12 it that are germane to this hearing and your  
13 ability to make a decision that are in this  
14 declaration.

15 CHAIRPERSON ANDERSON: Well, I will be  
16 able to look at it after the hearing. And I can  
17 also look at it now.

18 MS. BROWN: Okay.

19 CHAIRPERSON ANDERSON: But what I'm  
20 trying to say, the Board has access to all of  
21 those documents, so yes.

22 MS. BROWN: Okay. That's okay. Let's  
23 just discuss it and --

24 CHAIRPERSON ANDERSON: Right. So go  
25 ahead. I will look while you --

1 MS. JANIFER: All right. And that's  
2 fine. But you said you didn't have it, so I'm  
3 thinking that you don't have it at all. But  
4 you're saying --

5 CHAIRPERSON ANDERSON: No.

6 MS. JANIFER: -- you have it, but --

7 CHAIRPERSON ANDERSON: All right.

8 Hold on.

9 MS. JANIFER: -- you don't have it in  
10 front of you. I got it.

11 CHAIRPERSON ANDERSON: Hold on. Hold  
12 on, ma'am.

13 MS. JANIFER: Mm-hmm.

14 CHAIRPERSON ANDERSON: I don't have  
15 the ability to share -- I can't share the  
16 documents. All of the Board, all Board members  
17 have a copy of the case report, and we also have  
18 the exhibits. However, in order to testify on a  
19 document, if you want to do it, you have to share  
20 your screen. None of the Board members are able  
21 to share their screen for you to look at a  
22 document. But while the testimony is going on,  
23 if you reference a document, the Board has access  
24 to the document to look at. And at the end of  
25 the hearing when we make a decision --

1 MS. BROWN: Okay.

2 CHAIRPERSON ANDERSON: -- we will also  
3 have those documents to rely on so.

4 MS. JANIFER: Okay. Okay. So I can  
5 just ask her a question. Okay. Ms. Brown, can  
6 you give us a synopsis of what's in that  
7 declaration, please?

8 MS. BROWN: In the declaration, I  
9 attest to the fact that one, I have lived in the  
10 Unit Block of Brandywine Street Southwest, a  
11 block over from the site in question, for the  
12 past 20 years. And I have also served as the  
13 Advisory Neighborhood Commissioner for single  
14 Member District 8D07, which you current  
15 represent, Commissioner, and where Good Food  
16 Markets is located.

17 I was the commissioner during the  
18 planning phases of the development that now  
19 occupies 4001 South Capitol Street Southwest.  
20 During the conversations and negotiations, City  
21 Interests, the developer of record, agreed that  
22 no retail alcohol sales would take place within  
23 the mixed use development being built at that  
24 site because the retail development that they  
25 demolished to make way for that site, I mean, for



1 that mixed use development had a liquor store,  
2 Al's Liquor Store.

3 A half a block away, just across  
4 Atlantic Street, maybe 150 feet away, there is  
5 another liquor store. And directly across the  
6 street, across South Capitol Street from that  
7 liquor store is yet another. So there were three  
8 liquor stores within a one block radius of that  
9 location.

10 And part of establishing goodwill with  
11 the community was saying, hey, we understand the  
12 challenges that you face in your community. We  
13 understand the health status of your community.  
14 And we're going to help you ameliorate the  
15 saturation of alcohol presence in your community.

16 There was no dispute. We agreed with  
17 them. We sold the community on that. There was  
18 no opposition to the development. And, you know,  
19 within -- I'm sorry for my dog. And so that's  
20 pretty much what's contained in the declaration,  
21 the background and my sworn statement that those  
22 things took place.

23 I met with City Interests individually  
24 as the single member district representative.  
25 And at the time I was also the chair of the

1 commissions, ANC 8D's Economic Development  
2 Committee.

3 So I went down to their office space  
4 at 2900 K Street, sat down with the principals of  
5 the firm one two separate occasions and conferred  
6 with them on the phone multiple times. They came  
7 to our ANC meetings and presented to the ANC  
8 constantly making this promise that there would  
9 be no alcohol sales in the replacement mixed use  
10 development in the 4000 Block of South Capitol  
11 Street.

12 MS. JANIFER: And with this, did that  
13 lead you as ANC to provide a letter of support?

14 MS. BROWN: Oh, absolutely. I was  
15 fully onboard with what they were trying to do.  
16 I provided a letter of support not just about the  
17 alcohol sales but about the direction we were  
18 trying to move the community in.

19 The community was very blighted.  
20 There was a retail strip with a lot of  
21 businesses, but none of them were really of the  
22 caliber that the neighborhood really desired.  
23 And so this was supposed to be some come up for  
24 us.

25 This was supposed to be an

1 improvement. They promised us, when we rebuild,  
2 we're going to bring you quality retail again.  
3 We're going to reduce the saturation of alcohol  
4 retailers in that corridor.

5 But when it was built, and through no  
6 fault of the businesses, they only built out a  
7 small corner of the ground floor of South Capitol  
8 Street, that South Capitol Street Building, for a  
9 retail operation. They promised us the whole  
10 ground floor, the length of that building, would  
11 be retail to replace the retail that was  
12 demolished.

13 MS. JANIFER: Okay. And with your  
14 letter of approval, did that assist the  
15 developers in receiving funds from the city?

16 MS. BROWN: I can't say what they  
17 finally received, but they did apply for tax  
18 increment financing, the TIF. And the basis of  
19 that was to say, hey, we're going to have a  
20 retail mix to bring in rent. That we are going  
21 to be able to pay back the mortgage on this money  
22 we're borrowing. We are building apartments  
23 almost 200 meters of housing that we are going to  
24 fill and be able to pay back this loan. So there  
25 had to be a business case made.

1                   So my letter wasn't just about that  
2 one retail space but about the whole development.  
3 So, yes, I did provide multiple letters of  
4 support for them to get financing.

5                   MS. JANIFER: Okay. Thank you.

6                   CHAIRPERSON ANDERSON: Did you have  
7 any other questions -- I'm sorry. Yeah, I did  
8 swear you in, right, Ms. Brown?

9                   MS. BROWN: I'm sorry?

10                  CHAIRPERSON ANDERSON: Did I swear you  
11 in?

12                  MS. BROWN: Did you throw me in?

13                  CHAIRPERSON ANDERSON: Did I swear you  
14 in?

15                  MS. BROWN: You swore me in. Yes, you  
16 did swear me in.

17                  CHAIRPERSON ANDERSON: Okay. I  
18 apologize. I just wanted to make sure. I'm  
19 sorry.

20                  MS. BROWN: Yes. I'm duly sworn in  
21 and on record, yes.

22                  CHAIRPERSON ANDERSON: Any other  
23 questions, Ms. Janifer?

24                  MS. JANIFER: No.

25                  CHAIRPERSON ANDERSON: Mr. Sambol, do

1 you have any questions you want to ask Ms. Brown  
2 based on the statements she just made or in the  
3 statement that's in the record?

4 MR. SAMBOL: I just want to clarify,  
5 Ms. Brown, that Good Food Markets was not  
6 involved in any of those conversations?

7 CHAIRPERSON ANDERSON: Are you asking  
8 her a question or are you making a -- you need to  
9 ask her a question, sir.

10 MR. SAMBOL: I'm sorry. Was Good Food  
11 Markets involved in any of those conversations?

12 MS. BROWN: Good Food Markets didn't  
13 even exist in this community at that time. The  
14 conversations were held with the developer of  
15 record, who has since sold the building, so there  
16 is a new owner of the building. But our position  
17 is that that promise conveys with the transfer of  
18 property.

19 MR. SAMBOL: Was there any, like --  
20 was there anything on the developer that would  
21 have made them convey that either in the form of  
22 our lease or in some type of document because  
23 that was not part -- yeah. Let me ask the  
24 question. I'll stop.

25 MS. BROWN: I know nothing about your

1 leasing situation or your legal relationship with  
2 the owner of the building. I just know what was  
3 told to our advisory neighborhood commissioner  
4 and what I sold the community on to give them my  
5 endorsement and support for them to get the means  
6 for obtaining the funding to finance that  
7 building.

8 MR. SAMBOL: Yeah. And none of that  
9 was conveyed at any point to Good Food Markets  
10 either when City Interest was the developer/owner  
11 or after they sold the property to the Michaels  
12 organization.

13 MS. BROWN: Is that a question?

14 MR. SAMBOL: Okay. That's all. Thank  
15 you.

16 CHAIRPERSON ANDERSON: Ms. Brown, who  
17 currently owns the property?

18 MS. BROWN: Oh, goodness. I don't  
19 know. All I know -- because I tried to reach out  
20 to City Interests when I learned of this alcohol  
21 license. And I happened to be walking my dog. I  
22 live on block over. So I walk past that site  
23 quite frequently. And compliments, it's a very  
24 well appointed site. And --

25 CHAIRPERSON ANDERSON: I'm sorry.

1 Hold on. Okay. I'm sorry.

2 MS. BROWN: So I saw the sign in the  
3 window. That's how I became aware of it. And so  
4 I reached out to, you know, members of the  
5 community, my commissioner and I also tried to  
6 reach out to City Interests. And that's when I  
7 learned that City Interests no longer owned the  
8 property. They sold their interest in the  
9 property.

10 CHAIRPERSON ANDERSON: Do you know  
11 when this was done?

12 MS. BROWN: Well, again, I saw the  
13 sign in the window. I want to say that was early  
14 December. And at that point, I was informed that  
15 they no longer owned the property. I can't say  
16 when the date of the sale was.

17 CHAIRPERSON ANDERSON: Do you know  
18 whether or not Good Food Markets was aware of the  
19 community's discussion with the developer  
20 regarding alcohol sales, that no alcohol sales  
21 would be in this development?

22 MS. BROWN: I have never had a  
23 conversation with the owners or principals of  
24 Good Food Markets. I can't say what their  
25 interaction was with the commissioners or the ANC

1 or any of the other community stakeholders. I  
2 can just speak for myself. And, again, I have  
3 not had one-on-one conversations with them at  
4 all.

5 CHAIRPERSON ANDERSON: Any other  
6 questions by any of the Board members?

7 MEMBER SHORT: Mr. Chair, I have a  
8 question.

9 CHAIRPERSON ANDERSON: Go ahead, Mr.  
10 Short.

11 MEMBER SHORT: Again, good afternoon,  
12 Ms. Brown is it? Ms. Brown?

13 MS. BROWN: Yes, sir.

14 MEMBER SHORT: Commissioner Brown?

15 MS. BROWN: I'm not a commissioner.

16 MEMBER SHORT: Well, former  
17 commissioner.

18 MS. BROWN: Yes.

19 MEMBER SHORT: I heard your testimony.  
20 I would just say as a person who has lived all  
21 over Washington, D.C. and a lot of people don't  
22 like me to say it, but I'm very proud that I've  
23 been Washington, D.C. for 75 years. And I once  
24 lived in your community. I lived on 800 Sullivan  
25 Avenue back in 1966. It was a brand new



1 building.

2 So I know a lot about that  
3 neighborhood. Also I was their battalion fire  
4 chief for many years. And I ran those fire  
5 stations over there in the community. And thank  
6 you for coming and testifying today.

7 I do give great weight to the ANC  
8 commissioners, and I was very proud when the city  
9 did that and made that law sometime back because  
10 I remember at the time we couldn't even vote in  
11 Washington, D.C. I was so glad to be able to  
12 vote for the first President through the  
13 election.

14 Anyway, I'm just saying all that for  
15 the record, and for everybody to know that my  
16 questions are based on peace, order and quiet.  
17 And as a former city official with the fire  
18 service and being a former resident, I --

19 CHAIRPERSON ANDERSON: Mr. Short?

20 MEMBER SHORT: I'm here, Mr. Chair.

21 Mr. Chair, I know that every time I start  
22 speaking, it's going to be interrupted so bear  
23 with me, please. I understand that. I  
24 understand that.

25 CHAIRPERSON ANDERSON: Right. I don't

1 know what is going on. I'm just letting you know  
2 that we can't hear you. Okay.

3 MEMBER SHORT: Okay. Well, I was  
4 trying to say to you also, Mr. Chair, every time  
5 I go to speak, I do get there interruptions. And  
6 it's happening to other Board members also but at  
7 any rate -- here we go again. Can you hear me,  
8 Mr. Chair?

9 CHAIRPERSON ANDERSON: We can hear  
10 you, sir.

11 MEMBER SHORT: Okay. On my screen,  
12 everyone's pictures went out. But at any rate,  
13 the question I wanted to ask of Ms. Brown is, Ms.  
14 Brown is there any way possible that you have  
15 proof you testified that the persons who built  
16 that building at 4001 South Capitol Street had  
17 said to the community there would be no alcohol  
18 on that corner? Do you have any proof at all?

19 MS. BROWN: My sworn declaration and  
20 my testimony under oath are my proof that I'm  
21 presenting to you today. My correspondence while  
22 a commissioner is on the DC government server.  
23 So I don't have access to my email account from  
24 when I was I office or any of those -- you know,  
25 my directory, my file directory. And I never

1       imagined this moment would come up.

2                       So the testimony that I have given you  
3       and the sworn declaration, the sworn, signed  
4       declaration are my evidence that these things  
5       happened.

6                       MEMBER SHORT: Well, if the Board can  
7       be provided with that, it would be very helpful  
8       to me as a Board member.

9                       MS. BROWN: The Board does have it.

10                      MEMBER SHORT: Okay. Thank you very  
11       much for your testimony. And thank you very much  
12       for the information you provided regarding --

13                      MS. BROWN: I would like to address  
14       something. Oh, go ahead.

15                      MEMBER SHORT: No. You (simultaneous  
16       speaking).

17                      MS. BROWN: You made a point in your  
18       opening statement saying that you lived in my  
19       community at one point.

20                      MEMBER SHORT: Yes.

21                      MS. BROWN: And I live in the unit  
22       block of Brandywine Street Southwest. And that's  
23       a different community from the 800 Block of  
24       Southern Avenue.

25                      MEMBER SHORT: I do know that. When

1 I was fire chief, the Third Battalion fire chief,  
2 that wasn't that long ago.

3 MS. BROWN: Okay. And I just wanted  
4 that on the record that -- and I want to point  
5 out the distinctiveness of the Bellevue  
6 community. Bellevue is a pocket of affluence  
7 here in Ward 8. People always think of Ward 8 as  
8 ghetto, as poor, as crime ridden and all that.  
9 If you go into the --

10 MEMBER SHORT: Let's don't go there.

11 MS. BROWN: I'm going there.

12 MEMBER SHORT: Please don't go there.

13 MS. BROWN: I'm going there.

14 MEMBER SHORT: Okay. Go ahead. Go  
15 ahead.

16 MS. BROWN: I'm going there because  
17 it's important to this case. But the houses  
18 surrounding the development at 4001 are mostly  
19 single detached, single family homes, relatively  
20 higher income, higher educational levels. And so  
21 people tend to devise solutions for our community  
22 with the generalizations of Ward 8 that don't  
23 necessarily apply.

24 We live in a car dependent community.  
25 Most of the people up here have cars, have access

1 to, you know, the means of their daily living and  
2 everything. And, again, the generalizations of  
3 the broader Ward 8 don't always apply.

4 So this has implications for us, and  
5 I'm going to stop right there.

6 CHAIRPERSON ANDERSON: Do you have any  
7 other questions? Okay. Any other questions by  
8 any other Board members?

9 Just one final question I want to ask  
10 you, Ms. Brown. I read your testimony while you  
11 were testifying. What is the closest food market  
12 in the District of Columbia outside of the Good  
13 Food, this food market?

14 MS. BROWN: When you say food market,  
15 do you mean any store that sells food?

16 CHAIRPERSON ANDERSON: Okay. What's  
17 the closest grocery or super market within the  
18 District of Columbia to your location?

19 MS. BROWN: Well, Mr. Sambol defined  
20 his location as a market or full service grocery  
21 store. There is another market in the next block  
22 up, 3900 South Capitol Street, that pretty much  
23 sells a similar array of food that he sells.

24 There is another one four blocks down  
25 at Elmira Market at the corner of Elmira and

1 South Capitol Street. And just over the DC Line  
2 within walking distance of Good Food Markets --

3 CHAIRPERSON ANDERSON: I said the  
4 District -- I said the District --

5 MS. BROWN: -- and our neighbors shop  
6 there. And I shop there. And I walk down the  
7 street and go to Giant.

8 CHAIRPERSON ANDERSON: Ma'am,  
9 remember, I asked you what is in the District of  
10 Columbia. I'm not asking you what is -- I'm not  
11 asking what's across the street. I'm asking you  
12 which is in a different jurisdiction. I'm asking  
13 you within the District of Columbia. That's all  
14 I was asking you, ma'am.

15 MS. BROWN: Okay. Have I answered the  
16 question sufficiently?

17 CHAIRPERSON ANDERSON: Yes. So what's  
18 the difference between this establishment and you  
19 mentioned Elmira Market. What's the difference,  
20 if any?

21 MS. BROWN: Materially, I don't see  
22 any difference. Again, they sell the same array  
23 of food. I don't know the exact square footage  
24 of Good Food Markets, but they're basically  
25 corner stores.

1                   And Elmira Market actually has a  
2 liquor license right now. Good Food Markets does  
3 not. I think that's the major distinction. And,  
4 of course, Good Food Markets is newer. It's in a  
5 new building, a newly constructed building. But  
6 they both occupy, you know, similar space.

7                   MS. JANIFER: Are we ready?

8                   CHAIRPERSON ANDERSON: I'm sorry. Who  
9 is speaking?

10                  MS. JANIFER: I'm sorry. This is  
11 Commissioner Janifer.

12                  CHAIRPERSON ANDERSON: All right. All  
13 right. Mr. Sambol, do you have any redirect off  
14 Ms. Brown based on -- I'm sorry. Do you have any  
15 questions of Ms. Brown based on the questions  
16 that were asked by the Board?

17                  MR. SAMBOL: No. Thank you.

18                  CHAIRPERSON ANDERSON: Ms. Janifer, do  
19 you have any questions, any redirect off Ms.  
20 Brown, based on the questions that were asked by  
21 the Board?

22                  MS. JANIFER: No.

23                  CHAIRPERSON ANDERSON: All right.  
24 Thank you. Ms. Sambol -- I'm sorry, Ms. Janifer,  
25 do you have -- thank you, Ms. Brown, for your

1 testimony. All right. Thank you for your  
2 testimony, ma'am. Ms. Janifer, do you have  
3 another --

4 MS. JANIFER: Yes.

5 CHAIRPERSON ANDERSON: -- do you have  
6 another witness?

7 MS. JANIFER: Yes. So it will be  
8 Thomas Ruffin, Jr.

9 CHAIRPERSON ANDERSON: Mr. Ruffin,  
10 Jr., can you raise your right hand please?

11 MR. RUFFIN: Sir, Mr. Anderson, I  
12 don't swear, and I don't raise my hand. But I  
13 will affirm to tell the truth. For religious  
14 reasons, I don't do that.

15 CHAIRPERSON ANDERSON: Mr. Ruffin?

16 MR. RUFFIN: Yes, sir.

17 CHAIRPERSON ANDERSON: I need some  
18 statement from you. You'll either have to swear  
19 or affirm. I believe the political word is  
20 affirm. So can you raise your right hand, sir,  
21 please?

22 MR. RUFFIN: And I was saying for  
23 religious reasons, I don't raise my hand. But I  
24 certainly will affirm to tell the truth. I'll  
25 follow the statement.



1 CHAIRPERSON ANDERSON: When you go to  
2 court, what do you do, sir?

3 MR. RUFFIN: I tell the judge just  
4 what I've said. I've done it before.

5 CHAIRPERSON ANDERSON: And what does  
6 the judge say, sir?

7 MR. RUFFIN: The judge allows me to  
8 affirm under oath that I will tell the truth  
9 without raising my hand. I'm telling the truth.  
10 I've been a member of the bar for 39 years. And  
11 sometimes I've actually had to testify. I'm just  
12 telling the truth.

13 CHAIRPERSON ANDERSON: Well, sir, as  
14 -- I am a member of the bar, and you are a member  
15 of the bar, and you are aware that there are  
16 certain policies and procedures that we have to  
17 follow. So you're saying that you're not going  
18 to raise your hand. But you're saying that you  
19 are affirming that you will tell the truth and  
20 nothing but the truth, sir. Is that what you're  
21 saying, sir?

22 MR. RUFFIN: Yes, sir, that's true.

23 CHAIRPERSON ANDERSON: And as a member  
24 of the bar, you are going to say the truth, sir,  
25 because as I've stated, as a member of the bar, I

1 know that there are actions as an attorney I can  
2 take from a member of the bar who is not  
3 truthful.

4 MR. RUFFIN: Most definitely. And I  
5 say that as a member of the Maryland bar and the  
6 District of Columbia bar, yes, sir.

7 CHAIRPERSON ANDERSON: Go ahead, Ms.  
8 Janifer.

9 MS. JANIFER: Okay. Thank you, Mr.  
10 Ruffin. Can you please tell us what you know  
11 about the City Interests' promise?

12 MR. RUFFIN: Would you repeat that  
13 question, please, ma'am?

14 MS. JANIFER: Can you tell us what you  
15 know about the promises made by City Interests?

16 MR. RUFFIN: Oh, yes. I formerly  
17 worked as a member of the Advisory Neighborhood  
18 Commission as well. I wasn't on the commission  
19 at the same time that Ms. Brown was on it. But  
20 there were always concerns about the huge  
21 nuisance created by alcoholics and other addicts  
22 and also by violent criminals in the area where  
23 Good Food Markets is presently located.

24 So as this matter was being prepared,  
25 I learned about the promise on the part of City

1 Interests that was an inducement for the ANC 8D  
2 to endorse City Interests' application for tax  
3 increment bond financing.

4 And my opinion on that as a lawyer is  
5 that once City Interests made a promise that the  
6 property would not house the sale of any  
7 alcoholic beverages, that was an inducement to  
8 get the Advisory Neighborhood Commission to go  
9 along with the tax increment bond financing.  
10 That promise ran with the land.

11 So if not the support on the part of  
12 the ANC, the ANC 8D, was obtained to its  
13 detriment because the community and the ANC were  
14 totally opposed to any new beer, wine or liquor  
15 licensees operating in the area.

16 MS. JANIFER: Okay. Thank you. Okay.  
17 So we know there is not a loitering law.  
18 However, there is a law against incommoding. Can  
19 you give us some information on the incommoding  
20 that occurs in the neighborhood in question where  
21 Good Food Markets is located?

22 MR. RUFFIN: I'd be happy to. In the  
23 immediate area of Good Food Markets, there is,  
24 may I put it, generally speaking, drug dealing,  
25 violent crimes, alcoholic consumption, the

1 consumption of alcohol in public, public  
2 intoxication, public urination, violent crime I  
3 said earlier but including murders, attempted  
4 murders and armed robberies. Widespread liquor,  
5 pardon me, widespread littering from Xenia Street  
6 down to Chesapeake Street, actually beyond that,  
7 but from South Capitol Street in this area from  
8 Xenia Street down to Chesapeake Street and then  
9 along Martin Luther King Avenue from Xenia Street  
10 to Atlantic Street. And the problem has been  
11 persistent.

12 And along the lines of what Ms. Brown  
13 talked about when it developed when there were  
14 three liquor stores, and it just became worse.  
15 And unfortunately the government and the  
16 merchants in the area have done nothing to bring  
17 the problem to an end. It frightens the  
18 residents.

19 One example of how terrible this  
20 incommoding, as you call it, happens to be is  
21 that because of the murders that have taken place  
22 right there in the vicinity near Spar Liquors and  
23 Mead's Wine & Liquors, the vagrants, the addicts,  
24 the drug dealers and so forth, they've actually  
25 constructed a few memorials for the murder

1 victims.

2 And those memorials, although they're  
3 temporary, you know, they're dolls, they're wine  
4 bottles and so on like that, they have been in  
5 place as temporary structures for about four  
6 years.

7 And this goes on and on and on. Ms.  
8 Brown spoke about -- alluded to a grocery store  
9 actually, a very fine health food store, that is  
10 a competitor of Good Food Markets. And the  
11 merchant at that store, the store is Secrets of  
12 Nature, that merchant was actually robbed as he  
13 was selling food to patrons who were inside the  
14 store.

15 And those people -- I've actually been  
16 in the store where the loiterers come in the  
17 store and beg from the patrons. So this is a  
18 very serious problem. And with Good Food  
19 Markets, I'm actually surprised that Mr. Sambol  
20 has not even admitted that one of the windows on  
21 that newly constructed store was broken out by  
22 the violent nuisance that goes on in that  
23 neighborhood.

24 I mean, it was broken out and Mr.  
25 Sambol, or whoever manages the store, put up huge

1 wooden mural in the window and that wooden mural  
2 stay in the window for months. I guess because  
3 they wanted to be sure -- I really don't know why  
4 they did that. But that's the saga of part of  
5 what we endure with the incommoding, with the  
6 alcoholism, with the drug addiction.

7 Also right across the street from Good  
8 Food Markets is a community mental health  
9 shelter. It's at 4,000 South Capitol Street.  
10 I've actually dealt with two residents from that  
11 facility, two men who were mentally ill, elderly  
12 men who were mentally ill, who were loitering at  
13 Good Food Markets. That, I think, was on Palm  
14 Sunday.

15 So Good Food Markets, no matter what  
16 Mr. Sambol says, it's this effort to protect  
17 against this problem. It's not immune from the  
18 problem. It troubles the whole community. So,  
19 yes, the incommoding, it's a very serious  
20 nuisance, and it grows out of the fact that you  
21 have Spar Liquors at 3916 South Capitol Street.  
22 You have Mead's Wine & Liquors at 3919 South  
23 Capitol Street.

24 Ms. Dantzler missed Ocean Front  
25 Liquors at 4682 Martin Luther King, Jr. Avenue

1 Southwest and Fort Drum Market, I guess it's a  
2 Class B licensee at 4686 Martin Luther King, Jr.  
3 Avenue.

4 She mentioned the Elmira grocery store  
5 at 4401 South Capitol Street. And she alluded to  
6 South Capitol Liquors at 4654 Livingston Road  
7 Southeast. And that's not even talking about the  
8 large number of liquor merchants right across the  
9 line in Eastover and across the street from  
10 Eastover.

11 So we have in this community where you  
12 represent quite courageously a horrible problem  
13 with addiction, drug dealing, sometimes  
14 prostitution and violent crime. And the liquor  
15 stores and the beer and wine merchants do not  
16 help. You know, it's just a clean grocery store  
17 that's selling the sort of substances that these  
18 people will drink is not going to protect against  
19 the scourge that we're dealing with.

20 Many of these people will drink  
21 Listerine. Many of these people will drink, you  
22 know, rubbing alcohol. So, yeah, they will drink  
23 fine wine and fine exotic beers. They're all  
24 intoxicants. And we're dealing with a very  
25 serious scourge in the neighborhood that you

1 represent and that I represented in the past and  
2 that Ms. Brown represented in the past.

3 MS. JANIFER: Okay. Thank you. Okay.  
4 Can you give us the three different alcohol  
5 beverage licenses that are particular to our  
6 neighborhood?

7 MR. RUFFIN: I think one is called a  
8 Class A license. And I know that the Alcoholic  
9 Beverage Regulation Administration knows better  
10 than me. But there's one for the liquor stores.  
11 Then there's the one for, I guess grocery stores  
12 where they sell only beer and wine, and I think  
13 that's called Class B.

14 And then there are not right in our  
15 immediate neighborhood but near Martin Luther  
16 King and Malcolm X Avenue, there is Player's  
17 Lounge, for example. There are bars where you  
18 have to sell a certain amount of food to go along  
19 with the sale of liquor, liquor, beer and wine.

20 (Simultaneous speaking.)

21 MR. RUFFIN: I think those are the  
22 three different ones in our neighborhood.

23 MS. JANIFER: Okay. Okay. So can you  
24 just speak briefly about your understanding about  
25 the property value?



1 MR. RUFFIN: Oh, wow. Our properties,  
2 as Ms. Brown mentioned, are structurally just as  
3 good as any in the city. However, our values are  
4 far, far lower. So to the degree that people  
5 might not recognize this, I think Ms. Dantzler is  
6 doing the administration a terrible injustice in  
7 that she didn't give an analysis of the impact  
8 that Good Food Markets presently has on property  
9 values and would have on the property values if  
10 it's allowed to sell alcoholic beverages.

11 That's actually called for in the  
12 statute. But she admits in her report that she  
13 couldn't make that assessment. And if she  
14 doesn't provide fact based analysis under oath,  
15 I don't know where that testimony is going to  
16 come from for the Board to comply with the  
17 statute so as to show that there is no harmful  
18 impact upon property values. But our property  
19 values are depressed insofar as we have the  
20 scourge of addiction, the scourge of violent  
21 crime that grows out of the addiction and the  
22 sale of legal and illegal substances that are  
23 used as intoxicants.

24 And then we also have as concomitant  
25 problems, you know, a high dropout rate, a lower

1 life expectancy in our part of the city than in  
2 other parts of the city. And these problems,  
3 these problems can't be ignored.

4 And I think to a degree that the  
5 Alcoholic Beverage Regulation Administration  
6 allows merchants to just sell liquor, beer and  
7 wine without measuring the impact that these  
8 merchants and their sales have upon our  
9 community, I think it's an injustice to our  
10 communities. And I think it also discredits the  
11 administration.

12 But on the actual subject of property  
13 values, I can say about my four unit apartment  
14 building as I would think you would say about  
15 your home and as Ms. Brown would say about her  
16 home, and I think as the storekeepers in the  
17 neighborhood would say, our properties are not of  
18 the value that they should and would be. Our  
19 rents are not at the rates that they would be and  
20 that's because of the nuisance that's created.  
21 And that gives rise to the violent crime, the  
22 backwardness, the high dropout rate and the ill  
23 health in our community.

24 And this beer and wine license, if I  
25 think that's right although the sign said

1 spirits. This beer and wine or spirits license  
2 is not going to help our community. There's no  
3 example for addicts about how better to be an  
4 addict. And there's no correction for your  
5 property value or my property value when people  
6 are being gunned down, when stores and  
7 individuals are being robbed and when addiction  
8 is so rampant and troubling that the addicts live  
9 and carry their addiction on the streets, in  
10 front of Good Food Markets, whether Mr. Sambol  
11 wants to recognize it or not, and in and around  
12 your home and in and around my office and my  
13 home, which is directly across the street from  
14 Bridgepoint Hospital. The addiction is so  
15 troubling it festers in the area of Bridgepoint  
16 Hospital, up the hill from all of this.

17 MS. JANIFER: Okay. Thank you. Can  
18 you briefly explain how the alcohol license could  
19 affect the parking in that immediate area of Good  
20 Food Markets?

21 MR. RUFFIN: Yes. I'll try my best,  
22 Ms. Janifer. First of all, Ms. Dantzler says in  
23 her report that there is very, very limited  
24 parking. And she alluded to the point I am about  
25 to make, and she did this in her testimony.

1           Good Food Markets provides no parking.  
2           One thing I can say about Spar Liquors and Mead's  
3           Wine & Liquor, as much as they create a horrible  
4           and indeed a criminal nuisance in our community  
5           with all of the addiction and the purveying of  
6           just sickening hard liquors in the community, two  
7           people who are sickened by this hard liquor, they  
8           have parking lots.

9           Good Food Markets doesn't have that.  
10          And at present, there has been double parking  
11          along the lines of Good Food Markets. So when  
12          there is, say, on Football Sunday the need, as  
13          some people would think, to go get beer or wine  
14          and cigarettes, or whatever from Good Food  
15          Markets, and there's the congregation of patrons  
16          driving to the shop just to get alcoholic  
17          beverages, they will double park and create a  
18          traffic jam. That's on a Sunday.

19          And then on weekdays, we have two  
20          multi-unit apartment buildings, one directly over  
21          Good Food Markets and another directly across the  
22          street at Trinity Plaza. Then, of course, we  
23          have a number of single family homes, as Ms.  
24          Brown talked about, and we have a number of  
25          apartment buildings.

1 All of this is not properly  
2 accommodated now with the construction -- let me  
3 just get this phone to stop ringing. Please, Ms.  
4 Janifer, just a second.

5 I apologize, members of the Alcoholic  
6 Beverage Regulation Administration. Ms. Janifer,  
7 I apologize.

8 This is not accommodated at present.  
9 And I remember when I was on the Advisory  
10 Neighborhood Commission and City Interests came  
11 to us, I personally raised the question about the  
12 lack of parking because there would be just a  
13 large number of people traveling to and from the  
14 facility either to purchase goods or services if  
15 what they promised was put into place and then  
16 also from residents and visitors. They haven't  
17 accommodated that.

18 Now what we have is the prospect of  
19 Good Food Markets violating the promise that was  
20 made by City Interests that should run with the  
21 land. And they're going to sell beer and wine,  
22 and they have no parking whatsoever. There is a  
23 bus stop directly -- I mean, right next to Good  
24 Food Markets.

25 And then there's no parking allowed in

1 front of the store on South Capitol Street. And  
2 there is only two parking spaces to the side on  
3 Atlantic Street, but yet they're going to sell  
4 beer and wine or whatever, maybe spirits.

5 So the parking problem is severe.  
6 There's no parking at all. And also keep in mind  
7 there is the library, and there is a health  
8 clinic nearby.

9 MS. BROWN: Right next door.

10 MR. RUFFIN: The health clinic doesn't  
11 have parking.

12 MS. BROWN: Yes, they do.

13 CHAIRPERSON ANDERSON: I just heard  
14 someone say yes, they do. Please, I don't need  
15 anyone -- only two people should be speaking. It  
16 should be Ms. Janifer asking questions, and Mr.  
17 Ruffin answering. Everyone else, their lines  
18 need to be on mute, please. Mr. Jordan, can you  
19 please?

20 MR. JORDAN: Yes?

21 CHAIRPERSON ANDERSON: Mr. Jordan, can  
22 you please mute your line, please, sir?

23 MR. JORDAN: Yes, I will. Thank you.

24 CHAIRPERSON ANDERSON: All right, Ms.  
25 Janifer, do you have any other questions?

1 MS. JANIFER: Yes. Just one more.  
2 Would you like to add anything in summation?

3 MR. RUFFIN: Yes, I think I would.  
4 This question that we have about the impact, good  
5 or bad, that Good Food Markets will bring to the  
6 community if allowed to sell alcoholic beverages  
7 in our neighborhood. And I respect Mr. Sambol's  
8 effort as a businessman to promote his  
9 entrepreneurship. I respect that. I'm a  
10 businessman as a lawyer. I respect that.

11 Also, I heard Mr. Grandis congratulate  
12 Mr. Sambol. And I'm trying to appreciate all of  
13 that. However, what I'm troubled by is how can  
14 Mr. Sambol and Mr. Grandis understand the impact  
15 of liquor, beer and wine licenses on our  
16 community if they don't live here?

17 If they really think that the  
18 nuisance, the violent nuisance, the incommoding  
19 as you called it, can be handled with Good Food  
20 Markets, I dare them to take these troubled  
21 individuals, hundreds of them, to their  
22 neighborhood, park them in front of their homes  
23 instead of Good Food Markets and let Good Food  
24 Markets clean up your neighborhood with the  
25 problems that I described and that Ms. Brown

1 described and that you described, Ms. Janifer.

2 One thing I can say definitely is our  
3 neighborhood suffers because agencies such as the  
4 Alcoholic Beverage Regulation Administration  
5 ignores our complaints about the problems created  
6 by government and businesses regulated by  
7 government. And our community suffers greatly  
8 when we actually propose workable answers that  
9 are ignored by the government and the businesses.

10 I see in Mr. Sambol, like I say, an  
11 entrepreneur I respect, but he's making a serious  
12 mistake in ignoring the pleas of our community,  
13 which have been persistent, that the liquor  
14 merchants, the beer and wine merchants and the  
15 others have to go because the intoxicants are  
16 killing the residents in our community.

17 And it's as though merchants like Mr.  
18 Sambol know this so they want to set up an  
19 operation where they can sell alcoholic beverages  
20 in our community because there's a market, a sick  
21 market, but a market for these substances. That  
22 doesn't help us. That doesn't save us. And that  
23 doesn't give credit to the work that Mr. Grandis  
24 and the administration is trying to do.

25 So I want to say that quite frankly



1 the Board needs to look very closely with a tough  
2 scrutinizing eye on when and how to close down  
3 Spar Liquors and Mead's Wine & Liquor because the  
4 troubles going out of those establishments are  
5 horrible. That's the course that their  
6 administrative powers ought to be directed  
7 towards, not opening up another merchant's  
8 opportunity to sell intoxicants in our  
9 neighborhood.

10 For your effort, Ms. Janifer, as you  
11 follow in the footsteps of Ms. Brown, I thank  
12 you. And I ask that you don't give up and that  
13 you persist in your advocacy because the  
14 administration, this Alcoholic Beverage  
15 Regulation Administration, has the power to deny  
16 the application, particularly when the peace,  
17 order and quiet of the neighborhood is threatened  
18 and particularly when the property values are  
19 threatened, and there's no evidence that the  
20 property values won't be threatened. And then  
21 also when there's no parking and the availability  
22 of parking and the traffic flows will be harshly  
23 impacted.

24 The statute at DC Code Section  
25 25-313(b) outlines what this Alcoholic Beverage

1 Regulation Administration has to concern itself  
2 with. I commend you for addressing those issues  
3 before this agency. And you keep going, and we  
4 will hope that they listen to you. Thank you  
5 very much.

6 MS. JANIFER: Thank you. No more  
7 questions.

8 CHAIRPERSON ANDERSON: Mr. Sambol, do  
9 you have any questions of this witness, sir?

10 MR. SAMBOL: No, I don't. Thank you.

11 CHAIRPERSON ANDERSON: Any questions  
12 by any Board members?

13 MEMBER SHORT: Mr. Short, I have a  
14 question.

15 CHAIRPERSON ANDERSON: Go ahead, Mr.  
16 Short.

17 MEMBER SHORT: Forgive me, the  
18 witness' name again?

19 MR. RUFFIN: Thomas Ruffin. How are  
20 you doing, Mr. Short?

21 MEMBER SHORT: Hello, Mr. Ruffin. Be  
22 blessed, sir. I'll just say this. Mr. Ruffin,  
23 you brought up some very good points. And,  
24 again, of the parking issues, peace, order and  
25 quiet issues and the substance abuse issues in

1 your community should be addressed. I agree with  
2 you 100 percent.

3 However, I have to deliberate with my  
4 Board members, and I am only a voice that will  
5 listen about the peace, order and quiet issues,  
6 the ANC's concerns and the community's concern.

7 I do know that persons like yourself  
8 who are interested in the communities all over  
9 the city should be heard.

10 Thank you for your testimony. And how  
11 many years have you lived in this community where  
12 you are now, Mr. Ruffin?

13 MR. RUFFIN: I've lived in this  
14 community since 1965 so that's 57 years. And  
15 since you said that previously you were a  
16 long-time resident, I'm counting on you, whether  
17 you're in the minority or the majority, to speak  
18 up for the poor, the disenfranchised, the  
19 hardworking, the educated, but the largely Black  
20 community over here that typically gets ignored.  
21 You said you know the community, well, you know  
22 it. You described the streets where you served  
23 as a fire marshal, fire chief, you know the  
24 neighborhood.

25 So please, just as Mr. Grandis can

1 speak up for the merchants, I ask that you speak  
2 up about the real residents. That Ms. Janifer is  
3 not make believe. Ms. Brown is not make believe.  
4 And the three of us are not anomalies. We are  
5 real. And you know that. If you lived over  
6 here, you know that.

7 I was 9 years old in 1965. And the  
8 problem grew from the time I was a teenager in  
9 the 1970s out of those three liquor stores. And  
10 when I was, like, so to speak an adult teenager,  
11 I marveled that how in the world did they put  
12 three liquor stores right in one block? How did  
13 they do that? And the problem just festered.  
14 You saw that, sir. Please bring that to the  
15 attention of these people.

16 I'm sure Mr. Sambol can think of an  
17 answer to the community besides being a legalized  
18 drug dealer selling beer and wine or whatever in  
19 the neighborhood where there's addicts galore.  
20 It's killing us. Thank you, sir.

21 MEMBER SHORT: Thank you for your  
22 testimony. That's all I have, Mr. Chair.

23 CHAIRPERSON ANDERSON: Thank you, Mr.  
24 Short. Any other questions by any other board  
25 members?

1 MEMBER GRANDIS: Yes, Mr. Chairman.

2 CHAIRPERSON ANDERSON: Yes, Mr.

3 Grandis.

4 MEMBER GRANDIS: Mr. Ruffin, I want to  
5 thank you for your presentation today. Being a  
6 long-term resident, I think you have a special,  
7 unique knowledge of what it was like 50 years ago  
8 and what it was like 15 years ago and what it was  
9 like today. And that's very important to the  
10 city to get those views.

11 And I welcome getting to know each  
12 other because I think when you look at me you see  
13 my color. But what you don't see is that I spent  
14 from 2009 to 2016 working with the residents and  
15 businesses in Anacostia at Martin Luther King and  
16 Good Hope Road. My office was on Good Hope Road  
17 from 2009 to 2016 because I was invited to help  
18 that community to get a business improvement  
19 district.

20 And I am very proud that the business  
21 improvement district that I was able to get the  
22 IRS to allow a 501(c)(3). It is the only  
23 501(c)(3) bid in the city. All the others are  
24 501(c)(6). And I would imagine that you know the  
25 difference that a 501(c)(3) can get grants. A

1 501(c)(6) cannot get grants.

2 And that's a big deal to be able to  
3 get grants. People can give a contribution, a  
4 neighbor who wants to help that community can get  
5 a contribution and get a tax write-off. And  
6 that's something that I'm very proud that I did.

7 So I really appreciate your concerns,  
8 but you don't know me, Mr. Ruffin, as I don't  
9 know you. And I welcome getting to know each  
10 other because I am proud of the record I was able  
11 to do and to work with the hardworking residents  
12 of Ward 8 to get what they have today, which is a  
13 better business community for the local people.  
14 We did not work to gentrify that neighborhood.

15 So I'm sorry that you misunderstood me  
16 when I said to the licensee that it's exciting to  
17 know that people are doing business in the  
18 pandemic. It had nothing to do with his color.  
19 And right now what he's doing over in that  
20 neighborhood, no one today has brought anything  
21 about complaints from that neighborhood.

22 So I don't think you know how I'm  
23 going to vote. I thank everyone who comes before  
24 us and testifies. And if I don't do it well  
25 enough, I apologize for that.

1           So, Mr. Ruffin, I welcome the  
2 opportunity for you to reach out to me sometime  
3 or just Google me. You may not like everything  
4 I've done, but don't look at my color, please.  
5 Thank you very much. Thank you, Mr. Chairman.

6           MR. RUFFIN: I haven't looked at your  
7 color, Mr. Grandis. I just want (simultaneous  
8 speaking). And I just want --

9           CHAIRPERSON ANDERSON: Mr. --

10          MR. RUFFIN: And just a second, I just  
11 want to say very briefly, Mr. Grandis, if you  
12 opened up that fine newly established business  
13 community at Hope Road and Martin Luther King  
14 then you probably remember when, from Good Hope  
15 Road to Southern Avenue, from Martin Luther King  
16 and South Capitol Street, there were nearly 30  
17 liquor stores, Class A liquor stores.

18          And so one thing that I might disagree  
19 with you about is whatever restoration or cleanup  
20 or development that is taking place at Good Hope  
21 and Martin Luther King, it did result in some  
22 good and some bad businesses being moved out and  
23 some new businesses that are far wealthier, it  
24 seems, certainly far better funded moving in.

25          I would like for the businesses who

1 are presently here and for the homeowners who are  
2 presently here to enjoy the prosperity that I  
3 think you envision. I just do not want anybody  
4 to think that more liquor, beer or wine sales is  
5 part of the answer to that vision.

6 But, yeah, we can reach other. No  
7 doubt, Mr. Grandis. I will reach out to you. I  
8 hope you vote along the lines of what Ms. Janifer  
9 says. But thank you for listening to me, sir.  
10 Thank you.

11 CHAIRPERSON ANDERSON: I would hope  
12 that there's no conversation between Mr. Grandis  
13 and you, sir, until this case -- until the ABC  
14 Board has issued a determination.

15 I do hope there is no conversation  
16 between Mr. Grandis and you, Mr. Ruffin, until a  
17 decision has been issued in this case. All  
18 right?

19 MR. RUFFIN: Yes, sir.

20 MEMBER SHORT: All right.

21 MR. RUFFIN: Yes, sir.

22 CHAIRPERSON ANDERSON: Any of the --  
23 do you -- yes, Ms. Janifer?

24 MS. JANIFER: Nothing. I'm sorry.

25 CHAIRPERSON ANDERSON: Do you have any



1 questions -- I know there weren't questions being  
2 asked by the Board. There were statements. And  
3 I allowed that. But I want folks to ask  
4 questions so do you have any redirect questions  
5 of this witness before we move on to the other  
6 witness then?

7 MS. JANIFER: No, sir.

8 CHAIRPERSON ANDERSON: All right. Mr.  
9 Ruffin, thank you very much for your testimony,  
10 sir.

11 MR. RUFFIN: Thank you, sir.

12 CHAIRPERSON ANDERSON: Thank you. Ms.  
13 Janifer, do you have another witness, ma'am?

14 MS. JANIFER: Yes. And thank you, Mr.  
15 Ruffin. My next witness will be Mr. Rodney  
16 Hollins.

17 CHAIRPERSON ANDERSON: Mr. Hollins --  
18 you said how many witnesses that you had, ma'am?

19 MS. JANIFER: Including -- four. I  
20 had four. But I see that another witness was  
21 able to make it. I don't know if I can include  
22 him, but I was going to ask you.

23 CHAIRPERSON ANDERSON: Well, his name  
24 is on -- if that's the other witness I see that  
25 -- you can call witnesses that are included on

1 your PIP.

2 MS. JANIFER: Okay.

3 CHAIRPERSON ANDERSON: But I just want  
4 to let you know that, you know, time is of the  
5 essence.

6 MS. JANIFER: Right. How much do I  
7 have left?

8 CHAIRPERSON ANDERSON: I'm not keeping  
9 track of the time because my expectation was that  
10 folks should move along.

11 MS. JANIFER: Fine.

12 CHAIRPERSON ANDERSON: Everyone has an  
13 hour. I try not to put a time limit on you  
14 because I'm asking folks to just move along with  
15 the hearing.

16 MS. JANIFER: Okay.

17 CHAIRPERSON ANDERSON: So are you  
18 saying -- well, how many more witnesses do you  
19 have after this now, ma'am?

20 MS. JANIFER: After Mr. Hollins, there  
21 will be one more.

22 CHAIRPERSON ANDERSON: Okay. Thanks.

23 MS. JANIFER: So then two more.

24 CHAIRPERSON ANDERSON: How many more?  
25 Just two more, Mr. Hollins and I guess Mr.

1 Jordan.

2 MS. JANIFER: Yes.

3 CHAIRPERSON ANDERSON: Mr. Hollins?

4 MR. HOLLINS: Yes, I'm here.

5 CHAIRPERSON ANDERSON: Can you turn  
6 your camera on, sir?

7 MR. HOLLINS: I've been trying to do  
8 so, but I think I'm unable --

9 CHAIRPERSON ANDERSON: I thought I saw  
10 you before.

11 MR. HOLLINS: Okay. Can you see me  
12 now?

13 CHAIRPERSON ANDERSON: No, I can't see  
14 you. But if you don't have a witness, that's  
15 fine. I'm sorry, if you don't have a -- if you  
16 don't have a -- all right. I need you to raise  
17 your right, and I assuming that you're raising  
18 your right hand, sir?

19 MR. HOLLINS: Yes, sir.

20 CHAIRPERSON ANDERSON: Do you swear or  
21 affirm to tell the truth and nothing but the  
22 truth?

23 MR. HOLLINS: Yes, sir.

24 CHAIRPERSON ANDERSON: Okay. Your  
25 witness, ma'am. Go ahead, ma'am.

1 MS. JANIFER: Oh, for me?

2 CHAIRPERSON ANDERSON: Yes, go ahead.

3 MS. JANIFER: Oh, I'm sorry. I'm  
4 sorry. So, Mr. Hollins, can you just very  
5 briefly tell us what you used to do for a living  
6 and where?

7 MR. HOLLINS: Yes, ma'am. Again, my  
8 name is Rodney Hollins. I am a retired detective  
9 for the Metropolitan Police Department with 34  
10 years of service.

11 MS. JANIFER: And where did you work?

12 MR. HOLLINS: At the Seventh District  
13 on Alabama Avenue Southeast.

14 MS. JANIFER: Okay. And does that  
15 cover the area that we're speaking of now, the  
16 Good Food Markets?

17 MR. HOLLINS: Yes, ma'am.

18 MS. JANIFER: Can you tell us about  
19 the crime in that area and the contributing  
20 factors?

21 MR. HOLLINS: Yes, ma'am, and Mr.  
22 Chairman, unfortunately, I had an opportunity to  
23 investigate several crimes in the listed location  
24 at the liquor stores that is in the -- the  
25 immediate liquor store and the other ones that

1 are listed.

2                   Unfortunately, I had to investigate  
3 shootings, stabbings and robberies at those  
4 locations.

5                   MS. JANIFER: Okay. And would you say  
6 -- can you just give us a little more information  
7 about it?

8                   MR. HOLLINS: Well, most of the areas  
9 that we are speaking of have been high crime  
10 areas as far as robbery was concerned and  
11 shootings. Most of the investigation that was  
12 conducted by me some of the victims was non-life  
13 threatening shootings that was in the shoulders  
14 or the leg. But nevertheless, it did occur, and  
15 it was in that area.

16                   MS. JANIFER: Okay. So, I'm sorry.  
17 So can you tell us how the issuance of this  
18 license to Good Food Markets to sell alcohol, how  
19 that would affect the crime in our community  
20 based on your experience?

21                   MR. HOLLINS: Based on my experience,  
22 granting this liquor license would do more harm  
23 than good. This is so overwhelming to me that we  
24 have six liquor stores in less than a quarter of  
25 a mile away from each other. And it's just not

1 going to help our situation at all, like the  
2 previous witness has stated, Mr. Ruffin, it's not  
3 going to do any good for us at all to have six  
4 liquor stores less than a mile apart from each  
5 other.

6 MS. JANIFER: Okay. And how close do  
7 you actually live to this location, to where the  
8 liquor stores are?

9 MR. HOLLINS: I live in the 3900 Block  
10 of Martin Luther King Avenue Southwest, which is  
11 approximately a block and a half away from Whole  
12 Food Markets.

13 MS. JANIFER: And have you seen any  
14 incommoding or litter or anything in that area of  
15 the Good Food Markets?

16 MR. HOLLINS: Not in particular of  
17 Good Food -- I mean, Whole Food Market, but some  
18 of the other areas that is located around the  
19 Food Market has been a problem, whether or not  
20 it's down the street from the market or across  
21 the street from the market, there have been a  
22 large number of people gathering around some of  
23 the liquor stores in the area.

24 MS. JANIFER: Right. So not at the  
25 market because they don't sell liquor. However,

1 at the other stores that actually do sell  
2 alcohol.

3 MR. HOLLINS: Yes, ma'am. Yes, ma'am.

4 MS. JANIFER: Okay. Is there anything  
5 else you want to add to that?

6 MR. HOLLINS: No. I think Mr. Ruffin  
7 and your previous witnesses have basically stated  
8 it all.

9 MS. JANIFER: Okay. Well, one more  
10 question, do you find that -- or have you found  
11 in your years of service that a lot of people  
12 that commit crimes are substance abusers?

13 MR. HOLLINS: Yes, without a doubt.

14 MS. JANIFER: Alcohol or drugs?

15 MR. HOLLINS: Substance abuse and  
16 mental illness, most of those are the people that  
17 the liquor stores basically attract in their  
18 area.

19 MS. JANIFER: Okay. So that's an  
20 illness like the ones that actually live in that  
21 -- what was that 4000 Block of South Capitol --

22 MR. HOLLINS: South Capitol, yes.

23 MS. JANIFER: -- as Mr. Ruffin  
24 mentioned?

25 MR. HOLLINS: Yes.

1 MS. JANIFER: Okay. All right. Okay.  
2 Thank you.

3 MR. HOLLINS: Thank you.

4 MS. JANIFER: Questions?

5 CHAIRPERSON ANDERSON: Mr. Sambol, do  
6 you have any questions of Mr. Hollins?

7 MR. SAMBOL: I do. Thank you. Hi,  
8 Mr. Hollins. It's nice to talk to you again.  
9 I'm just wondering if you can lay out for us how  
10 you think Good Food Markets will contribute to  
11 more crime in the context of the license that  
12 we're talking about here.

13 MR. HOLLINS: I believe that having  
14 that additional establishment that sells liquor  
15 or any kind of liquor there just adds to the  
16 problem. We already have five. I think you  
17 would be the sixth establishment that would have  
18 a license to sell.

19 MR. SAMBOL: So by virtue of the sales  
20 themselves?

21 MR. HOLLINS: Yes.

22 MR. SAMBOL: And are there additional  
23 actions that Good Food Markets -- that you think  
24 Good Food Markets could take to mitigate that  
25 activity, that, you know, in the context of this



1 license?

2 MR. HOLLINS: No. Not exactly. Once  
3 your customers have purchased whatever they  
4 purchase from your store, they leave your  
5 establishment, and they go on their way and start  
6 committing whatever crime they might commit while  
7 under the influence of any kind of liquor they  
8 might be under.

9 MR. SAMBOL: Do you think that  
10 purchases of beer and wine from Good Food Markets  
11 will be purchases that would otherwise not have  
12 been alcohol?

13 MR. HOLLINS: No, not necessarily.

14 MR. SAMBOL: In that --

15 MR. HOLLINS: So just remember there  
16 are five other stores in your location or in that  
17 surrounding area that does the same thing. They  
18 sell liquor just like you do.

19  
20 MR. SAMBOL: Well, right. And so if  
21 someone is looking for that, they have plenty of  
22 opportunities today to find it. I think there's  
23 a distinction to be made, and it may be  
24 insignificant, but between liquor and beer and  
25 wine and that this license in itself is not going

1 to create more crime in and of itself just by  
2 virtue of selling beer and wine to its existing  
3 customers.

4 Do you think that that's --

5 MR. HOLLINS: I honestly believe any  
6 sale of anything, any person that drinks enough  
7 of anything can cause a problem. Again, we are  
8 trying to address having an additional store  
9 that's going to sell this kind of liquor in our  
10 community.

11 You will be the sixth one in less than  
12 a quarter of a mile away from each other. The  
13 sixth one. And I just think it's overkill. I  
14 think it's just too many stores in that proximity  
15 that just overwhelms the whole community.

16 MR. SAMBOL: Understood. Do you think  
17 that there's any difference between a grocery  
18 store with less than 10 percent of its total  
19 saleable square feet dedicated to beer and wine  
20 and in a liquor store that sells ready-to-drink  
21 singles for that purpose?

22 MR. SAMBOL: I honestly believe that  
23 any additional stores that sell the same thing  
24 that the other five previous stores does is going  
25 to make a difference. We just don't need an

1 additional store that sells the same thing in our  
2 community.

3 MR. SAMBOL: Thank you. No further  
4 questions.

5 CHAIRPERSON ANDERSON: Any questions  
6 by the Board members? All right, Mr. Hollins,  
7 thank you very much for your testimony, sir.

8 MR. HOLLINS: Thank you.

9 CHAIRPERSON ANDERSON: Thank you very  
10 much for your testimony. Ms. Janifer, do you  
11 have another witness, ma'am?

12 MS. JANIFER: Yes, I do have my final  
13 witness, which will be Mr. Absalom Jordan. And  
14 actually he is a commissioner, ANC commissioner  
15 also.

16 CHAIRPERSON ANDERSON: Mr. Jordan, can  
17 you raise your right hand, please, sir? Do you  
18 swear or affirm to tell the truth and nothing but  
19 the truth, sir? You're on mute, sir. Now you  
20 can unmute yourself, sir. Mr. Jordan, take your  
21 phone off mute, sir. I can't hear you. You now  
22 need to unmute yourself, sir.

23 MR. JORDAN: There you go.

24 CHAIRPERSON ANDERSON: Now I can hear  
25 you.

1 MR. JORDAN: No. Something came up in  
2 front of the area on the screen that would allow  
3 me to unmute it, but yes, I do.

4 CHAIRPERSON ANDERSON: All right.  
5 Thank you. Your witness, ma'am. Go ahead.

6 MS. JANIFER: Okay. Mr. -- I'm sorry  
7 -- Commissioner Jordan, can you tell us why you  
8 -- the effect that you believe that Good Food  
9 Markets will have on the sale of alcohol to the  
10 community?

11 CHAIRPERSON ANDERSON: Hold on. Hold  
12 on one minute, please. Mr. Jordan, can you  
13 please spell your name for the record, please?

14 MR. JORDAN: It's A-B-S-A-L-O-M  
15 J-O-R-D-A-N.

16 CHAIRPERSON ANDERSON: Go ahead. You  
17 can answer the question now.

18 MR. JORDAN: Yes. There are a couple  
19 of things, Commissioner Janifer, I'd like to --  
20 to address, if I can, before I address the  
21 question you've raised.

22 One is, I wanted to give some context  
23 about this idea about what was expected from the  
24 development. And so I've been a Commissioner,  
25 during the time that, both, Commissioner Brown

1 and Commission Ruffin were there.

2 So I was there before them and I'm  
3 still there, and I know the context in which the  
4 discussions were held, about the -- the -- the  
5 development and the potential liquor -- I mean,  
6 the potential grocery store.

7 So the first thing is, yes, they're  
8 correct that, in our negotiations with City --  
9 City Interest that it was stated very clearly,  
10 because the community wanted to see Al's Liquor  
11 Store removed and that was -- that was a welcomed  
12 situation.

13 What happens, though, is that we did  
14 meet with -- with City Interest the -- the  
15 Commission. That was when Theresa Jones was the  
16 representative, from the single member district,  
17 and she was also the Chair of the Commission.

18 So this is subsequent to Commissioner  
19 Brown, former Commissioner Brown being the  
20 Commissioner for that area. We did meet with  
21 representatives from City Interest and they  
22 brought their partners in, a company called  
23 Michael's, out of Ohio.

24 And so we met with them and a  
25 representative was there from Good Foods Market,

1 okay? And then, to be perfectly honest, I had  
2 some issues with Good Food Market.

3 I -- I had visited the store, on Rhode  
4 Island Avenue, and I thought that their prices  
5 were too -- were excessively high and I didn't  
6 think it -- it would serve our community well,  
7 not in terms of just our community not needing  
8 the food, but I thought the prices would be  
9 prohibitive.

10 But, it was reiterated in that meeting  
11 that, it was -- and it was agreed to that, there  
12 would be no liquor sold from that facility. And,  
13 no, we don't have evidence, but I'll say our  
14 testimony has to serve as verbal evidence that  
15 this was permitted.

16 The second thing is that, in terms of  
17 the -- some of the statements that have been  
18 made, by the proponent -- well -- well, I want to  
19 drill one thing that Mr. Grandis said, when he  
20 was responding to Mr. Ruffin.

21 He says, what I said to the licensee,  
22 I hope we understand that -- and I don't know, if  
23 -- if Mr. Grandis has a crystal ball, but he is  
24 not a licensee, until the Commission takes act --  
25 I mean, the Board takes action to grant a

1 license.

2 And so as it stands, right now, he's  
3 merely an applicant. And that kind of troubles  
4 me that he would refer to Mr. Sambol, as the  
5 licensee, so I hope that, you know, we put that  
6 into perspective, he is not the licensee.

7 Let's get on to the thing about the --  
8 the problems. We've had shootings in the  
9 building, the apartment complex, itself, okay,  
10 and I'm concerned that -- first of all, I've  
11 lived in -- I'm an 80-year-old resident. I've  
12 lived in Ward 8, since 1968.

13 I'm an 80 -- native -- native  
14 Washingtonian, I'm 80 years old, but I've lived  
15 in this city all of my life, but I -- I'm saying,  
16 I've lived in Ward 8, since 1968.

17 So I've had a chance to see how this  
18 community has changed over the time, and I've  
19 watched what has happened on that corner of -- so  
20 the -- the apartment complex across the street  
21 has had problems.

22 The apartment complex that the store  
23 is over top of -- I mean, is underneath of, has  
24 had problems, and it's because of the  
25 demographics in our community.

1           As you know, we're one of the poorest  
2 communities and -- and Commissioner Brown --  
3 well, former Commissioner Brown can talk about  
4 being affluent, but the reality is, if we look at  
5 Ward 8 -- and we're not just talking about  
6 attracting folks on a very limited area.

7           If we look at Ward 8, there is this  
8 problem, in terms of demographics. So we have  
9 had opportunities to observe the shootings and  
10 the crime that has occurred right on that corner,  
11 right in that area is contiguous with this store.

12           And, it would appear to -- to me that,  
13 given that we see, at the 7-11, which is a block  
14 away, and at the other two liquor stores that  
15 there are a lot of incommoding and also other  
16 activities, drug sales and what have you, and it  
17 -- we even see people at the 7-11, which is a  
18 block away, sitting outside drinking their liquor  
19 in public.

20           So the problem I have is, once they  
21 start selling -- if -- no, if they were ever  
22 permitted to sell liquor in the Good Foods  
23 Market, we would those attendant problems there,  
24 as well, and so I'm just -- I'm just looking at  
25 it from that perspective.



1                   Another thing that troubles me,  
2                   though, Mr. Sambol said that 60 percent of the  
3                   customers are returning. First of all, I would  
4                   like to see data, which shows how many people are  
5                   actually visiting in this store on a daily basis,  
6                   okay?

7                   Because, I -- I don't see that many  
8                   customers visiting the store, and I think this is  
9                   a way of generating clientele for the store to  
10                  have a liquor license, because what they're  
11                  selling right now, in terms of the prepared foods  
12                  and the other foods is not -- it's not doing it.

13                  But, he said the 60 percent, well,  
14                  where is the evidence of that? What data is --  
15                  how many people are actually coming and so what  
16                  is he relying upon?

17                  Not -- not to say that, verbally, he  
18                  can't make these statements, but what does he  
19                  back it up with? And so that's -- that's one of  
20                  the things that we're basing this -- this -- this  
21                  desire to have this license on a need that's  
22                  supposed to be demonstrated, then we need -- we  
23                  need empirical evidence to show that.

24                  The other thing is, I would like to  
25                  know, from the Commission's perspective, maybe

1 this is an inquiry, in terms of administration.  
2 But, my concern is, is there a presumption that  
3 the ANC Commission has to overcome, in terms of  
4 addressing this issue about this store?

5 Or, is there presumption that the  
6 Applicant has -- is entitled to the license,  
7 again, and so that the ANC has to overcome that  
8 -- that presumption, with evidence?

9 And I just want us to get some kind of  
10 understanding of how the -- the Board will take  
11 and -- and -- and -- and examine that question,  
12 in terms of the great weight consideration?

13 The reality is for us, we don't see  
14 that a need actually exists, because we have two  
15 stores that are currently offering the same types  
16 of beverages that they would offer and we have  
17 two stores that are meeting the needs of the  
18 community, at this point.

19 There's nothing that this store will  
20 sell that those other two stores are not selling,  
21 so why is there a need for a third store? So  
22 yes, I hope that answers your -- your question,  
23 Commissioner Janifer?

24 MS. JANIFER: Yes. Thank you very  
25 much. I have no more questions.

1 CHAIRPERSON ANDERSON: Mr. Sambol, do  
2 you have any questions you want to ask Mr.  
3 Jordan?

4 MR. SAMBOL: No. Thank you.

5 CHAIRPERSON ANDERSON: Any questions,  
6 by the Board Members?

7 (No audible response.)

8 CHAIRPERSON ANDERSON: No questions by  
9 any Board Members?

10 (No audible response.)

11 CHAIRPERSON ANDERSON: All right.  
12 Hearing none. Thank you very much, for your  
13 testimony, Mr. Jordan.

14 MR. SAMBOL: All right, thank you,  
15 sir.

16 MR. JORDAN: Thank you, Mr. Chairman.  
17 (Simultaneous speaking.)

18 CHAIRPERSON ANDERSON: Ms. Janifer, do  
19 you rest?

20 MS. JANIFER: (No audible response.)

21 CHAIRPERSON ANDERSON: Meaning that,  
22 you have no more witnesses that you want to  
23 present, ma'am?

24 MS. JANIFER: I do not have any more  
25 witnesses, I rest.

1 CHAIRPERSON ANDERSON: Okay. And, did  
2 you -- in your PIP, there are some documents that  
3 you had disclosed, so you want to move those into  
4 evidence, now?

5 MS. JANIFER: Please. Thank you.

6 CHAIRPERSON ANDERSON: All right, so  
7 the documents that -- I'm sorry, hold on. So in  
8 the -- in the PIP -- let me see the documents  
9 that you had disclosed.

10 So we're going to move into evidence,  
11 there is -- I guess, there is a -- I guess, you  
12 provided us with a -- the crime statistics from,  
13 I guess, a crime analysis, February 25th, 2022.

14 There is also -- I think the testimony  
15 that of -- of Ms. -- the statement from Diane  
16 Brown, I believe those are the only two documents  
17 that are in the rec -- the record. All right.  
18 That in your -- that are in your PIPs, so I'll  
19 move them into evidence.

20 And, Mr. Sampson -- Sampson did not --  
21 Sambol, he did not provide us with any PIP --  
22 with any documents -- that there not -- no  
23 documents to move into evidence.

24 All right, so each side isn't -- will  
25 -- is now -- will be provided to close your case.

1 This is what I want for you to do, in closing,  
2 tell us what it is that they -- and what the  
3 testimony that you brought in and what is it that  
4 you want the Board to do?

5 So I will need you to be specific in  
6 stating what we approve, and at the end of the  
7 day, this is what I want the Board to do and why.  
8 And, so you go first, Mr. Sambol.

9 MR. SAMBOL: Okay. Thank you. Can  
10 you hear me all right?

11 CHAIRPERSON ANDERSON: Yes, sir, I can  
12 hear you.

13 MR. SAMBOL: Thank you. So thank you,  
14 to the Board, for -- for held -- holding this  
15 hearing. I think that Good Food Markets has  
16 attempted to demonstrate that, a, we understand  
17 the issues that are at-hand here that have been  
18 elucidated here, quite eloquently, by community  
19 members, some of whom we've had numerous  
20 discussions with, over many years, about this  
21 question, as well as, other issues of food access  
22 and safety in the community.

23 That is our primary goal, is to be a  
24 great grocer for the Bellevue Community, to  
25 provide that fresh produce, healthy prepared

1 foods and basic groceries, including things that  
2 you won't find at other stores.

3 And, in our view and in the view of  
4 our customers, beer and wine is an important part  
5 of that full-service grocery offering, which is  
6 why we have applied for this grocery license.

7 And our -- our -- our testimony here  
8 today has hopefully demonstrated that the issues  
9 that have been raised in protest that, as far as  
10 property values, there's been no evidence to  
11 demonstrate that a full-service grocery store  
12 decreases property value.

13 In fact, prevailing wisdom and much  
14 data demonstrates that it actually increases  
15 property values. That, in terms of peace, order  
16 and quiet, Good Food Markets has not had any  
17 issues, to-date, albeit in the six months that  
18 we've been open.

19 That, our establishment is the only  
20 one -- retailer, on that block that has daily  
21 security. That we are managed by local  
22 residents, who are fully-trained and licensed to  
23 be responsible alcohol managers that will not  
24 allow on-site consumption, under any  
25 circumstances, and take great care to keep our

1 space, both, in the store and around it clean and  
2 free of litter.

3 As far as parking, parking is not a --  
4 an issue that retailer is responsible for, or  
5 able to move at this stage. Parking was  
6 approved, based on the retail use.

7 The parking that the landlord has  
8 provided was approved by the District. We are  
9 not anticipating expansion of our operations  
10 beyond those that have already been approved, in  
11 terms of being a full-service grocery store.

12 We're not implementing any new  
13 operations in the beer and wine sales, such as  
14 curbside pickup, or other types of activities  
15 that would fundamentally change the parking  
16 situation beyond what has already been approved  
17 for this retail use, by the District.

18 And that, the -- the behavior of other  
19 retailers is -- is not indicative of what Good  
20 Food Market's current and future practices are  
21 and will be.

22 And that, we have made extensive  
23 offers of compromise in prior conversations to  
24 put all of these, sort of, precautionary measures  
25 and mitigating factors into an agreement that

1 would hold Good Food Market accountable to our  
2 commitment, and are continued to be prepared to  
3 do so, because again, these are concerns that we  
4 share.

5 We recognize they're important and  
6 that they're real and that we want to be a part  
7 of the solution to this and not part of the  
8 problem.

9 And we think that, on balance, the  
10 grocery store provides significant community  
11 benefit and the beer and wine is an auxiliary  
12 business line that, while very easy to manage and  
13 -- and potentially beneficial for the business  
14 that ultimately goes to support the core vision  
15 of food access and community health.

16 So we'd ask the Board to approve this  
17 license, and thank you, again, for your time and  
18 consideration.

19 CHAIRPERSON ANDERSON: Thank you, sir.  
20 Ms. Janifer?

21 MS. JANIFER: Okay. Well, we're  
22 asking that the Board deny the -- the license.  
23 And, we - we're in protest according to D.C.  
24 Municipal Regs Title 25, Alcohol -- Alcoholic  
25 Beverages 25-313, which in part, states -- speaks



1 about the effect of the establishment on real  
2 property and on the peace, order, quiet, to  
3 include noise and littering in the community.

4 And that, we -- we believe that we've  
5 showed, based on the crime stats that were  
6 submitted, by -- by the investigator and the ones  
7 that were submitted by myself that, these  
8 establishments do -- meaning -- establishments  
9 that sell alcohol, they do draw crime and they  
10 draw a lot of different crimes.

11 And, as Mr. Sambol stated, you know,  
12 they will -- he stated what they will do to deter  
13 it, but he hasn't stated anything other than what  
14 the other stores are doing. So the -- the crime  
15 is the same.

16 It will be the same there and his --  
17 his solutions aren't -- aren't any different.  
18 And, I know that the -- it was brought up, about  
19 the store that they own in the other location, in  
20 Ward 7.

21 I would just like to say, I've been a  
22 -- I'm retired from the Metropolitan Police  
23 Department. I served nearly 30 years. I served  
24 my last, probably, eight years, as a -- as a  
25 Lieutenant, as a -- as a Manager.

1           And I have worked in Ward 5, as well  
2 as in this community, as a Manager, and what I  
3 can say is that, the two areas are totally  
4 different, so you can't compare what happens on  
5 Rhode Island Avenue to what happens over here, on  
6 South Capitol Street, the -- the -- the crime  
7 rate is different, the -- everything is  
8 different.

9           So you -- you can't compare and say,  
10 okay this store's okay, so this store --  
11 therefore, this store will be okay. It's -- it's  
12 -- it's just -- it doesn't work.

13           In addition, I do hope that we will,  
14 as the Commission, be considered giving great  
15 weight without testimony and with the -- I'm  
16 sorry. With the information that we have brought  
17 forward -- I'm sorry. One second. I have notes  
18 here.

19           I know that it was -- it was asked why  
20 did they want to receive the license and they  
21 said they want to be this full-service grocery  
22 store and that the -- the citizens have asked for  
23 this.

24           I asked my citizens, over and over, I  
25 have yet to meet anyone who said that they

1 actually want this. The ones that I've spoken  
2 with that comes to the -- come to the meeting and  
3 that I've spoken with on the street, no one wants  
4 this, because they know of the dangers that this  
5 will bring to our community.

6 And I do recall that, when this store  
7 first opened, they put a list, they put up a  
8 board, some kind of paper or signage, where they  
9 asked the customers to list the things that they  
10 wanted to see the store sell that they do not  
11 currently sell.

12 There was no mention on there about  
13 alcohol, beer, wine, nothing, it wasn't mentioned  
14 on there. So I don't believe that there is a  
15 need, or that the citizens believe that there is  
16 a need to have alcohol on their -- as -- for  
17 sale, at that location.

18 And then, there was also a mention of  
19 teenagers drinking Boone's Farm, because it was  
20 inexpensive and that this particular location  
21 won't sell anything, as inexpensive.

22 Well, he did mention that there will  
23 be some wines that are from \$6 to some other  
24 amount. So that \$6-dollar amount will be  
25 equivalent to back in our day the price of that

1 Boone's Farm, so I don't see how that -- that  
2 will make a difference.

3 I am very concerned, we are very  
4 concerned about that vestibule area, the security  
5 of it, the security of that bathroom, and the --  
6 the actual maintenance of that particular area  
7 and the security for that particular area.

8 The store opened, they said they  
9 opened in November and, if it was never operable,  
10 then this is now May, and if they couldn't get a  
11 lock fixed between that time, what happens when  
12 other things breakdown?

13 That, I just don't understand. And,  
14 in addition, the area in which they are going to  
15 actually house the alcohol, is not a safe area,  
16 it's too -- it's been my experience that that  
17 will be too close to the door and it's open and  
18 accessible for theft.

19 It's been my experience, throughout my  
20 years of working that, if alcohol is left open  
21 and -- and available to anyone to just come in  
22 and pick it up.

23 Especially, in a neighborhood like  
24 ours that there will be a lot of shoplifting and  
25 a lot of theft, which will make crime go up,

1 which will affect our -- have an effect on our  
2 property value.

3 (Pause.)

4 MS. JANIFER: The parking will be an  
5 issue, as that little area on the side does not  
6 -- it's -- it didn't -- cars will be towed, if  
7 they're parked in that area, because there's no  
8 parking in that area.

9 So -- and, as we spoke about the --  
10 the double-parking, there will be some illegal  
11 parking there, for sure, if people pull up,  
12 because there is a Metro bus stop there, and  
13 there's no parking in Metro bus zones.

14 So that will create a hazard, and as  
15 that street, which is a lattice street, is a  
16 narrow street, in which cars park a little  
17 further up that will be a safety hazard for  
18 children going to the learning center and parents  
19 picking up their children.

20 And it -- it just -- it -- it appears  
21 that there is a lack of -- that the demand for  
22 the alcohol at -- at Good Foods Market will not  
23 be great, because we already have two existing  
24 stores that sell alcohol.

25 The community did not want Al's Liquor

1 when it was there, they wanted to get rid of it,  
2 so I can't imagine that they, now, want to have  
3 another store there to actually sell alcohol.

4 And, you know, right now, yes.

5 Everything looks great, yes, I'm sure, in the  
6 means of the investigation -- the Investigative  
7 Report that was submitted by ABRA, but they --  
8 there are no alcohol sales there, right now.

9 So we can't say, oh they're -- they  
10 are a nuisance, right now, but experience,  
11 history have shown us that, once they start  
12 selling alcohol, there will be a problem, and we  
13 just cannot afford in our community to keep doing  
14 the same thing and expecting different results.  
15 Thank you.

16 CHAIRPERSON ANDERSON: Thank you very  
17 much, Ms. Janifer. Just before closing the  
18 record, I just want to -- I just want to bring  
19 some clarification, as I seen there was some  
20 confusion out there.

21 On the placard, the placarding notice  
22 that tells the community what the type of license  
23 has been applied for and what's been applied for.

24 There was an error on the placard  
25 notice. However, what the -- the notice, the

1 type of license that was being -- is being  
2 requested of us, is a B license, a full-service  
3 grocery store, a B license, and a full-service  
4 grocery store can only sell beer and wine.

5 There was a noted -- there was a  
6 notation on the placard that says spirits. They  
7 are not applying for a spirits license and -- and  
8 -- and so they're -- they're -- they're only  
9 applying for a B license and a B license and  
10 grocery store can only legally sell beer and  
11 wine.

12 I just want to put that -- that  
13 clarification out there, because I believe that  
14 there was -- there was some mention about spirits  
15 and I just wanted the community to know that,  
16 spirits are not being considered, because one,  
17 you can only get -- serve beer and wine, under a  
18 B license. I just want to -- I just want that to  
19 be clear. There are no spirits are -- are being  
20 considered. Whatever decision the Board makes,  
21 whether or not to grant the license or deny the  
22 license, spirits, it's not part of the equation.

23 MS. JANIFER: Right. And we want it  
24 denied, based on what -- what you just said, B,  
25 we want it denied --

1 CHAIRPERSON ANDERSON: No, I'm --

2 MS. JANIFER: (inaudible)

3 CHAIRPERSON ANDERSON: -- I just -- I

4 -- I -- I -- I know, and I --

5 MS. JANIFER: We have understand --

6 CHAIRPERSON ANDERSON: -- I just want

7 to --

8 MS. JANIFER: -- we understand and we

9 just want it denied, B, with the tasting permit,  
10 right.

11 (Simultaneous speaking.)

12 (Telephonic interference.)

13 CHAIRPERSON ANDERSON: All right.

14 Fine. So -- but I -- that's what I just wanted  
15 to say to you that, we consider what's on the  
16 placard, but there was a -- there -- there is an  
17 error on the placard and the placard said spirits  
18 and that should not be there.

19 Because, legally, the ABC Board cannot  
20 grant a license, a B, license, with spirits. I  
21 just want to say -- so at least you will know  
22 that, whatever decision we make, whether or not  
23 to grant it or to deny it, spirits is not part of  
24 the equation.

25 That's all I -- that is all I just



1 want to let you know, because I know that a  
2 couple of witnesses had mentioned that and I --  
3 when I -- when I also looked at the placard  
4 notice, earlier, I saw that it had also stated  
5 spirits.

6 But it's clear that a B license is  
7 what's been requested and it would be, an  
8 establishment that has a B license cannot sell  
9 spirits, okay, and that's all I wanted to -- to  
10 state. All right. Thank you.

11 The -- this matter is now closed. I  
12 want to -- I want -- I want to thank the parties,  
13 for their presentation today. I -- I want to  
14 ensure all parties that the Board will -- the  
15 Board Members -- I am not -- I have not made up  
16 my mind and I do not believe any Board Members  
17 has made up their mind.

18 The Board will make -- will go into  
19 executive session. We will discuss this case and  
20 we'll make a decision. And I know that we talk  
21 about great weight in every decision that the  
22 Board makes, great weight is given to the ANCs.

23 Now, I just want to clarify, great  
24 weight does not mean that, because the ANC says I  
25 don't want something, or I want something that

1 doesn't necessarily mean that's what the Board's  
2 going to say.

3           Whatever great weight means that the  
4 Board will give great -- will consider what the  
5 ANC has stated and if they -- if the Board  
6 decides not to go with the recommendation of the  
7 -- the ANC, the Board will explain why is it that  
8 the -- the Board did not agree with the ANC, or  
9 the Board agrees with the ANC.

10           I just want to make sure that that's  
11 what great weight means. It means that the Board  
12 will consider the recommendations of the ANC and  
13 whatever decision we make, we will address and  
14 specifically states why we will adopt or reject  
15 the recommendations of the ANC. Okay?

16           All right. So I'll bring this matter  
17 to close and I'll now read the closing  
18 statements. As Chairperson of the Alcoholic  
19 Beverage Control Board for the District of  
20 Columbia and, in accordance with D.C. Official  
21 Code Section 2575 of the Open Meetings Act, I  
22 move that ABC Board hold a closed meeting for the  
23 purpose of seeking legal advice from our counsel,  
24 on Case No. 22-PRO-00009, Good Food Markets,  
25 pursuant to Official D.C. Code Section

1 2575(b)(4)(a) of the Open Meetings Act, and  
2 deliberate upon Case No. 22-PRO-00009, Good Food  
3 Markets, for the reasons cited in D.C. Official  
4 Code Section 2575(b)(13) of the Open Meetings  
5 Act, is there a second?

6 MEMBER CROCKETT: Ms. Crockett  
7 seconds.

8 CHAIRPERSON ANDERSON: Ms. Crockett  
9 has seconded the motion, I will now take a roll  
10 call vote on the motion. Mr. Short?

11 MEMBER SHORT: (No audible response.)

12 CHAIRPERSON ANDERSON: Mr. Short?

13 MEMBER SHORT: (No audible response.)

14 CHAIRPERSON ANDERSON: Mr. Cato?

15 MEMBER CATO: Bobby Cato, I agree.

16 CHAIRPERSON ANDERSON: Ms. Crockett?

17 MEMBER CROCKETT: Rafi Crockett, I  
18 agree.

19 CHAIRPERSON ANDERSON: Ms. Hansen?

20 MEMBER HANSEN: (No audible response.)

21 CHAIRPERSON ANDERSON: Ms. Hansen?

22 MEMBER HANSEN: (inaudible) -- Jenni  
23 Hansen, I agree.

24 (Telephonic interference.)

25 CHAIRPERSON ANDERSON: Mr. Grandis?

1 MEMBER GRANDIS: Edward Grandis

2 agrees.

3 CHAIRPERSON ANDERSON: Mr. Short?

4 MEMBER SHORT: (No audible response.)

5 CHAIRPERSON ANDERSON: I know that Mr.

6 Short is somewhere there, but he's having some

7 technical difficulties. I'm Mr. Anderson, I

8 agree. The matter passed five-zero-zero.

9 As it appears that the motion has

10 passed, I hereby give notice that the ABC Board

11 will recess these proceedings to hold a closed

12 meeting, pursuant to Section 2575 of the Open

13 Meetings Act.

14 Thank you very much. Because this is

15 a new license, the Board will issue a decision,

16 within 60 days, 60 days from -- from today, the

17 Board will issue a decision, whether or not to

18 deny the license or to grant the license.

19 All right. Give me one minute for me

20 to close the record if -- for the day and then

21 everyone can sign off, please.

22 All right, as Chairperson of the

23 Alcoholic Beverage Control Board for the District

24 of Columbia and, in accordance with D.C. Official

25 Code Section 2575(B) and Section 2575(B)(14) of

1 the Open Meetings Act, I move that ABC Board hold  
2 a closed meeting on May the 11th, 2022, for the  
3 purpose of discussing and hearing reports  
4 concerning ongoing or planned investigations of  
5 alleged criminal or civil misconduct or  
6 violations of (inaudible) or regulations.

7 And, seeking legal advice from our  
8 legal counsel on the matters identified in the  
9 Board's legal licensing and investigative agenda  
10 for May 11th, 2022, as published in the D.C.  
11 Register, on May 6, 2022. Is there a second?

12 MEMBER CROCKETT: Ms. Crockett  
13 seconds.

14 CHAIRPERSON ANDERSON: Ms. Crockett  
15 has seconded the motion, I will now take a roll  
16 call vote on the motion before us, now that it's  
17 been properly seconded. Mr. Short?

18 MEMBER SHORT: (No audible response.)

19 CHAIRPERSON ANDERSON: Mr. Cato?

20 MEMBER CATO: Bobby Cato, I agree.

21 CHAIRPERSON ANDERSON: Ms. Crockett?

22 MEMBER CROCKETT: Rafi Crockett, I  
23 agree.

24 CHAIRPERSON ANDERSON: Ms. Hansen?

25 MEMBER HANSEN: Jenni Hansen, I agree.

1 CHAIRPERSON ANDERSON: Mr. Grandis?

2 MEMBER GRANDIS: Edward Grandis, I  
3 agree.

4 CHAIRPERSON ANDERSON: And, Mr. Short?

5 MEMBER SHORT: (No audible response.)

6 CHAIRPERSON ANDERSON: Mr. Anderson,  
7 I agree. As it appears, the motion has passed  
8 five-zero-zero, I hereby give notice that the ABC  
9 Board will hold this closed meeting, pursuant to  
10 the Open Meetings Act.

11 Notice -- notice will also be posted  
12 on the ABC Board's hearing room bulletin board,  
13 placed on electronic calendar on ABRA's Website,  
14 and published in the D.C. Register, in as timely  
15 a manner as practical.

16 We are now adjourned for the day. I  
17 would like to thank everyone who participated in  
18 this hearing. I would also like to thank  
19 everyone who participated as witnesses, listening  
20 online for this hearing.

21 So thank you very much for your  
22 presentation, presence -- thank you very much for  
23 your appearance today. And we are now adjourned.  
24 Have a great day.

25 I now direct the Board Members to

1 return to executive session for further action.

2 Have a great day and thank you very much.

3 (Whereupon, the hearing in the  
4 above-entitled matter was concluded at 5:29 p.m.)

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In the matter of: Good Food Markets

Before: DC ABRA

Date: 05-04-22

Place: teleconference

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