

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
 + + + + +
 ROLL CALL HEARING

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 IN THE MATTER OF: :
 :
 Empire DC, LLC :
 t/a Empire Lounge :
 1909 9th Street NW, :
 Unit 2A : Roll Call
 Retailer CT - ANC 1B : Hearing
 License No. ABRA-110702 :
 Case #22-PRO-00026 :
 :
 (Substantial Change - :
 expansion to first floor :
 without increase in :
 occupancy) :
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Monday
 May 23, 2022

The Alcoholic Beverage Control Board
 met via WebEx videoconference, LaVerne Fletcher,
 Board's Agent, presiding.

PRESENT:

LAVERNE FLETCHER, ABRA Board's Agent

ALSO PRESENT:

RICHARD BIANCO, APPLICANT
 DANIEL ORLASKEY, ANC 1B

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

2 10:01 a.m.

3 MS. FLETCHER: Good morning, everyone.
4 I'd like to thank you for participating in ABRA's
5 roll call hearing via the Webex platform. My
6 name is Laverne Fletcher. I'll be conducting the
7 roll call hearing as the Board's agent.

8 There are two cases on the calendar
9 this morning. The first case is Empire Lounge.
10 This is Case Number 22-PRO-00026, Empire DC, LLC,
11 1909 9th Street Northwest, License number ABRA-
12 110702.

13 This is a Retailer Class CT,
14 substantial change to expand to the first floor
15 without an increase in occupancy. The protest
16 issues are adverse impact on peace, order, and
17 quiet and residential parking and vehicular and
18 pedestrian safety.

19 I'd like to note something for the
20 record before we get started, that this case was
21 originally in roll call on March the 2nd, 2022,
22 with the Westminster Neighborhood Association.
23 Today, the roll call hearing is with ANC 1B only
24 because ANC 1B was not notified of the roll call
25 hearing on May the 2nd.

1 Is anyone present on behalf of the
2 Applicant?

3 MR. BIANCO: Yes. Richard Bianco for
4 the Applicant.

5 MS. FLETCHER: Thank you, Mr. Bianco.
6 Would you spell your name for the record, please?

7 MR. BIANCO: Sure. Last name is
8 spelled B-I-A-N-C-O.

9 MS. FLETCHER: Thank you.
10 And on behalf of ANC 1B?

11 MR. ORLASKEY: Here. Commissioner Dan
12 Orlaskey, ANC 1B02.

13 MS. FLETCHER: Thank you. Mr.
14 Orlaskey, would you spell your name for the
15 record, please?

16 MR. ORLASKEY: Of course. O-R-L-A-S-
17 K-E-Y.

18 MS. FLETCHER: Okay. Thank you very
19 much. ANC 1B does have standing as a protestant.
20 We need to set a date for remediation, a status
21 hearing, and a protest hearing. I'll give you
22 the dates for the status and protest hearing
23 first.

24 The status hearing is scheduled for
25 June 29. That's June 29, 2022, at 10:30 a.m.

1 The protest hearing is scheduled for July 27,
2 2022, at 1:30 a.m. -- sorry, 1:30 p.m. I'll give
3 you the next available date for remediation.

4 The next available day for -- well,
5 let me ask you this first. Is anyone available -
6 - actually, Mr. Bianco or Mr. Orlaskey, are
7 either one of you available this week? There are
8 some dates available this week if you want to do
9 it this week. Otherwise, we'll move on to the
10 following week.

11 MR. ORLASKEY: I think, probably, next
12 week would be better for me.

13 MS. FLETCHER: Okay. Then what about
14 Tuesday, May 31st?

15 (Simultaneous speaking.)

16 MS. FLETCHER: I'm sorry. Go ahead,
17 Mr. Orlaskey.

18 MR. ORLASKEY: I was just wondering
19 what time on the 31st.

20 MS. FLETCHER: Oh. It can be anytime
21 between 9:00 a.m. and 1:30.

22 MR. ORLASKEY: Okay. All right. Let
23 me check here. I can do around noon on Tuesday.

24 MS. FLETCHER: What about you, Mr.
25 Bianco? Would that work?

1 MR. BIANCO: I'm checking right now.

2 MS. FLETCHER: Okay.

3 MR. ORLASKEY: I had one other quick
4 question. Are the other two dates for the status
5 and the protest hearing -- are those the same
6 dates as the W&A protest?

7 MR. BIANCO: Noon on Tuesday is fine.

8 MS. FLETCHER: I'll tell you in one
9 minute.

10 MR. ORLASKEY: Okay. I just have a
11 feeling they're going to want to combine or the
12 Board's going to want to combine them.

13 MS. FLETCHER: Yeah. I thought that
14 they would be combined. So those are the dates
15 that were given to me, Mr. Orlaskey. When I get
16 back to my desk, I will talk with Martha Jenkins
17 and see if the hearings will be held on the same
18 day. It makes sense because the status hearing
19 is June 8th.

20 MR. ORLASKEY: Yeah. I feel like they
21 usually -- when they're the same matter, they
22 want to combine them anyway.

23 MS. FLETCHER: Well, we usually do.
24 I got these dates from another member of the
25 staff.

1 MR. ORLASKEY: Okay. All right.

2 (Simultaneous speaking.)

3 MS. FLETCHER: But I'll get back to
4 you to confirm.

5 MR. ORLASKEY: Okay. Great.

6 MS. FLETCHER: Thank you.

7 MR. ORLASKEY: Thank you.

8 MS. FLETCHER: Uh-huh.

9 Mr. Bianco, did you say something?

10 MR. BIANCO: I did not.

11 MS. FLETCHER: Oh. Okay. I just
12 wanted to make --

13 MR. BIANCO: So, just to confirm,
14 we're set for noon on Tuesday, correct?

15 MS. FLETCHER: Set for what?

16 MR. BIANCO: Noon on Tuesday for
17 mediation?

18 MS. FLETCHER: Yeah. Is that good for
19 you?

20 MR. BIANCO: That's perfectly fine.

21 MS. FLETCHER: The mediation is set
22 for noon on Tuesday, May --

23 MR. BIANCO: Oh. Wait. Actually, you
24 know what? I'm very sorry. Sorry. I missed
25 this. I'm actually going to be out -- I'm going

1 to be in the air at that time. I'm traveling
2 back from Arizona on Tuesday. Could we pick
3 another date? I'm very sorry about that. I
4 didn't --

5 (Simultaneous speaking.)

6 MS. FLETCHER: No problem at all. We
7 can pick any of the rest of -- the remainder of
8 that week is available. We can do Thursday or
9 Friday of -- June 1 and 2, or we can move to the
10 following week.

11 MR. BIANCO: I am good on Thursday.
12 I'm totally open. And actually, Wednesday, as
13 well, I'm totally open.

14 MS. FLETCHER: Then how about
15 Wednesday at any time between 9:00 and 1:30, June
16 1?

17 MR. BIANCO: Yeah. Could we do noon
18 on Wednesday? That would be great for me if Mr.
19 Orlaskey's available.

20 MR. ORLASKEY: I can do 12:30.

21 MR. BIANCO: Fine.

22 MS. FLETCHER: 12:30 is good?

23 MR. BIANCO: Yep.

24 MS. FLETCHER: Okay. The mediation is
25 set for Wednesday, June 1, at 12:30. And I'll

1 see you then.

2 MR. BIANCO: Excellent. Thank you
3 very much, Ms. Fletcher. Thank you for
4 accommodating.

5 (Simultaneous speaking.)

6 MR. ORLASKEY: Thank you so much.

7 MS. FLETCHER: Thank you very much.
8 See you soon. Bye-bye. The roll call hearing is
9 concluded.

10 (Whereupon, the above-entitled matter
11 went off the record at 10:08 a.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Empire Lounge

Before: DC ABRA

Date: 05-23-22

Place: teleconference

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



Court Reporter

NEAL R. GROSS

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