

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE AND CANNABIS BOARD
+ + + + +
ROLL CALL HEARING

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IN THE MATTER OF: :
 :
New Queens Cafe, LLC :
t/a Queens Cafe, :
2405 18th Street NW : Roll Call
Retailer Class DR :
ANC 1C :
New Application :
License #ABRA-127807 :
Case #23-PRO-00067 :
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Monday
August 14th, 2023

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

PRESENT:

LAVERNE FLETCHER, ABC Board's Agent

ALSO PRESENT:

JOHN HARGROVE
DENNIS JAMES
CAMERON MIXON
JEAN STEWART

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

2 10:21 a.m.

3 MS. FLETCHER: The next case on the
4 calendar is Queens Caf,. This is Case Number 23-
5 PRO-00067, New Queens Caf, LLC, 2405 18th Street
6 NW, License Number ABRA-127807. This is a
7 Retailer Class DR, New Application. The protest
8 issues are adverse impact on peace, order and
9 quiet. Is anyone present on behalf of Queens
10 Caf,?

11 MR. MIXON: Hello, Ms. Fletcher, this
12 is Cameron Mixon, Veritas Law Firm, Counsel for
13 New Queens Caf,.

14 MS. FLETCHER: Okay, Mr. Mixon. Mr.
15 Mixon, is the applicant present today or just
16 you?

17 MR. MIXON: I believe it is just me as
18 their representative.

19 MS. FLETCHER: Okay. Thank you very
20 much. We also have a group of three. Is anyone
21 present from the group of three?

22 MR. JAMES: Yes, I am, Dennis James.
23 Can you hear me?

24 MS. FLETCHER: I sure can. Thank you,
25 Mr. James. Could you spell your name for the

1 record?

2 MR. JAMES: Yes. First name Denis, D-
3 E-N-I-S, last name James, J-A-M-E-S, and I can
4 see the other two protestants on the screen, but
5 --

6 MS. FLETCHER: Okay. Well then is
7 Jean Stewart present?

8 (No audible response.)

9 MS. FLETCHER: Ms. Stewart, I see your
10 lips moving, but I cannot hear you. You are on
11 mute. I see you though. Are you able to unmute
12 yourself?

13 MS. STEWART: Okay, I see it.

14 MS. FLETCHER: Okay, there you go,
15 yes.

16 MS. STEWART: Yes.

17 MS. FLETCHER: Thank you.

18 MS. STEWART: Yes.

19 MS. FLETCHER: If you could spell your
20 name for the record, please.

21 MS. STEWART: Yes, J-E-A-N, last name
22 S-T-E-W-A-R-T.

23 MS. FLETCHER: Thank you. Anyone else
24 on the group of three?

25 (No audible response.)

1 MS. FLETCHER: Is Mr. Hargrove present
2 from the group of three, John L. Hargrove?

3 MR. HARGROVE: Yes.

4 MS. FLETCHER: Thank you, Mr.
5 Hargrove. Would you state your name and spell it
6 for the record, please?

7 MR. HARGROVE: Yes, the first name
8 Larry, L-A-R-R-Y, last name Hargrove, H-A-R-G-R-
9 O-V-E.

10 MS. FLETCHER: Thank you very much.
11 The establishment is located in a moratorium
12 zone, which means that only three protestants are
13 required. There are three individuals present
14 from the protest group today, which means that
15 the group has standing as a protestant. We need
16 to set a date for a status hearing, protest
17 hearing, and a mediation. I am going to give you
18 the dates for the status and protest hearing
19 first.

20 MR. MIXON: Ms. Fletcher, if I may.

21 MS. FLETCHER: Who is -- oh, Mr.
22 Mixon.

23 MR. MIXON: Yes, it is Cameron Mixon.
24 What are the boundaries of the moratorium zone
25 for which the applicant's business is located?

1 MS. FLETCHER: I will get that
2 information to you following the roll call
3 hearing, Mr. Mixon. Let me make a note to
4 myself. One second.

5 MR. MIXON: Okay. Thank you.

6 (Pause.)

7 MR. MIXON: We would just like to
8 confirm that that is -- that the moratorium --

9 MS. FLETCHER: Yes, I understand.

10 MR. MIXON: -- applies.

11 MS. FLETCHER: That is important. I
12 will get that information to you when I get back
13 to my desk.

14 MR. JAMES: I just note that that is
15 available in the 23 DCMR.

16 MS. FLETCHER: Mr. James, that is
17 correct. It is in the regulations, Mr. Mixon,
18 and I will send you the regs as well.

19 I will give you the date for the
20 status and protest hearing first. The status
21 hearing is scheduled for September 20, 2023 at
22 10:30 a.m. The protest hearing is set for
23 October 4, 2023 at 1:30 p.m. I will give you the
24 next available day for mediation. The next
25 available day is Tuesday, August 22nd, any time

1 between 10:30 and 1:30. Is that good for you,
2 Mr. Mixon?

3 MR. MIXON: I'm sorry. Can you please
4 repeat that?

5 MS. FLETCHER: It is Tuesday, August
6 22nd any time between 10:30 and 1:30.

7 MR. MIXON: Okay. Yes, that day works
8 for us at any of those times.

9 MS. FLETCHER: Mr. James.

10 MR. JAMES: I would prefer a later
11 time in that day as opposed to 10:30. Do you
12 think you -- or 10:00 whatever your first -- your
13 early hour was.

14 MS. FLETCHER: So any time between
15 10:30 and 1:30.

16 MR. JAMES: To start the meeting or to
17 have the meeting over with?

18 MS. FLETCHER: To start.

19 MR. JAMES: Okay.

20 MS. FLETCHER: Questions?

21 MR. JAMES: I could work with the --
22 go ahead.

23 (Simultaneous speaking.)

24 MS. STEWART: I'm sorry. Do all three
25 of us need to be at that meeting?

1 MS. FLETCHER: No, just Mr. James.

2 MS. STEWART: Okay, no question then.

3 MS. FLETCHER: As the designated
4 representative of the group, Mr. James is the
5 only person that needs to be present. Mr. James
6 --

7 MR. JAMES: We are not going to have
8 either of my fellow protestants present. If they
9 wish to be there they can move it.

10 MS. FLETCHER: Okay.

11 MR. JAMES: So how about 1:00 p.m.?
12 Would that work?

13 MS. FLETCHER: 1:00 p.m. works on this
14 end, and it works for Mr. Mixon, so mediation is
15 set for August 22nd, August 22nd at 1:00 p.m.

16 MR. JAMES: May I ask a question,
17 please?

18 MS. FLETCHER: Yes, Mr. James.

19 MR. JAMES: Mr. Mixon, will you be the
20 primary point of contact? I see Mr. Kline's
21 name, and I saw the placard contained another
22 name from your firm. Will you be handling this
23 matter?

24 MR. MIXON: I will be present for all
25 discussions, and including mediation or future

1 status hearing, but you can also include Mr.
2 Kline in the discussions as well.

3 MS. FLETCHER: So I will be sending
4 the WebEx invitations to attend mediation to Mr.
5 Mixon. Mr. Mixon, did you want me to copy Mr.
6 Kline as well?

7 MR. MIXON: Yes, please, however
8 before we are done if we could -- I would like to
9 resume conversation of the preliminary matter of
10 the moratorium zone once we are done scheduling.

11 MS. FLETCHER: Okay. Any other
12 questions from anybody?

13 (No audible response.)

14 MS. FLETCHER: Okay.

15 MR. MIXON: If I may, my understanding
16 of Title 25, Section 351(a)(3) is that the
17 moratorium exception to the five person standing
18 requirement is applicable to class -- license
19 applications for Classes (a) and (b), and like to
20 remind the Board that the New Queens Caf,
21 application is for license Class C.

22 MS. FLETCHER: I will take a look at
23 that when I get back to my desk. Mr. Mixon, if I
24 become aware of anything that requires the
25 dismissal of the group of three as being located

1 in a moratorium zone, or if I become aware that
2 this application -- that because this application
3 -- or the establishment is not located in a
4 moratorium zone I will let you know. Thanks for
5 bringing that to my attention.

6 MR. JAMES: If I may say something.
7 It is Denis James again.

8 MS. FLETCHER: So let me just do this.
9 Okay, Mr. James, one second. Let me do this for
10 the court reporter.

11 Mr. Nixon was just speaking. Mr.
12 James, what were you going to say?

13 MR. JAMES: Just proffer the
14 information that the moratorium zone is 1800 --
15 an 1800 for circle with the center at 2459 18th
16 street, which happens to be the location of
17 Tryst, a restaurant, and I do not believe that
18 there is anything in the code that says folks who
19 live within the moratorium -- well, you know,
20 that residents of the neighborhood, in fact, the
21 whole of the district could protest.

22 But we live right within this
23 neighborhood, and I do not think there is
24 anything that prevents us from protesting an
25 application of any kind, but this is one that is

1 allowed under the moratorium. The moratorium has
2 nothing to do with (a) and (b) licenses. It has
3 only to do with on premises licenses, so if there
4 is some further decision beyond this discussion I
5 will be glad to participate in it.

6 MS. FLETCHER: Okay. I will send
7 email -- a copy of the email that I am going to
8 send to Mr. Mixon to you, Mr. James, and the
9 other two members of your group as well.

10 MR. JAMES: Thank you.

11 MS. FLETCHER: Okay. Well, I thank
12 everybody for coming. The roll call hearing in
13 this matter is concluded.

14 MR. JAMES: Thank you very much.

15 MS. FLETCHER: You are welcome. I am
16 signing out now.

17 (Whereupon, the above-entitled matter
18 went off the record at 10:32 a.m.)
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4 5:23

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: New Queens Cafe

Before: DC ABCA

Date: 08-14-23

Place: videoconference

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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