

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

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 IN THE MATTER OF:                   :  
   :  
 Ching LLC, t/a Uproar               :  
 639 Florida Ave NW                 :  
 Retailer CT - ANC 1B               : Fact Finding  
 License #92012                       : Hearing  
 Case #21-SC-00079                 :  
   :  
 (One-Day Substantial               :  
 Change Application)                 :  
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Wednesday  
 September 15, 2021

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  
 JENI HANSEN, Member  
 JAMES SHORT, JR., Member

ALSO PRESENT:

SIMONE ANDREWS, DC ABRA Staff  
 EARL JONES, DC ABRA Investigator  
 TAMMY TRUONG, Licensee

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

2 1:37 p.m.

3 CHAIRPERSON ANDERSON: Good afternoon  
4 everyone. We're back on the record. My name is  
5 Donovan Anderson. I'm Chairman of the ABC Board.  
6 Joining me this afternoon are Mr. James Short,  
7 Ms. Rafi Crockett, Ms. Jeni Hansen, Mr. Edward  
8 Grandis, and Mr. Bobby Cato will be joining us  
9 later on this afternoon. However, currently the  
10 Board has five members in attendance and that  
11 constitutes a quorum for us to move forward.

12 Before we get underway with this  
13 afternoon's calendar, I need to make your  
14 instructions very clear so the conduct of these  
15 hearings is clear for everyone.

16 We have seven scheduled cases on our  
17 afternoon calendar. We're not going to have  
18 seven hearings, but there are seven cases on the  
19 calendar.

20 Okay, but once a case is called, I  
21 will take a moment for our IT specialist to  
22 elevate the rights for each party, to enable  
23 their camera and microphone. Then, and only  
24 then, will you have the ability to enable your  
25 equipment.

1           If your case has not been heard, you  
2 will remain mute and your camera will be  
3 disabled.

4           At the conclusion of each case, the  
5 parties will have the option to leave. If the  
6 party chooses to stay, all cameras and  
7 microphones of the concluded case will be  
8 disabled.

9           Should you have any questions or  
10 require technical assistance during the hearing,  
11 please submit them using the question-and-answer  
12 feature, or email [simone.andrews2@dc.gov](mailto:simone.andrews2@dc.gov).

13           All right, our first matter on our  
14 afternoon calendar this afternoon, we have a  
15 fact-finding hearing. It's a one-day substantial  
16 change application for Uproar.

17           The event is an LGBTQ promotion by the  
18 posture. The event date is 9/18/21. The hours  
19 of the event are roughly from 8:00 a.m. to  
20 3:00 p.m. I'm sorry, 8:00 a.m. to 3:00 a.m.

21           And so, we have a fact-finding hearing  
22 because the Board has some concerns. So,  
23 Ms. Andrews, can you elevate the rights of the  
24 licensee in this case, please.

25           MR. ANDREWS: Sure. Stand by.

1 CHAIRPERSON ANDERSON: And our  
2 investigator, Mr. Jones.

3 MR. ANDREWS: Sure. Ms. Truong, your  
4 rights have been elevated. Investigator Jones,  
5 your rights have been elevated. That's all,  
6 Mr. Chair.

7 CHAIRPERSON ANDERSON: All right,  
8 thank you. Can everyone please turn their camera  
9 on, please?

10 MEMBER GRANDIS: Mr. Chairman?

11 CHAIRPERSON ANDERSON: Yes,  
12 Mr. Grandis.

13 MEMBER GRANDIS: I would like for the  
14 record to show that I'm going to recuse myself  
15 from this matter and I'll leave this portion of  
16 the afternoon hearing.

17 CHAIRPERSON ANDERSON: Thank you,  
18 Mr. Grandis. I will text you when the hearing is  
19 over.

20 MEMBER GRANDIS: Thank you so much,  
21 sir.

22 CHAIRPERSON ANDERSON: All right,  
23 thank you. All right. All right, good  
24 afternoon, Mr. Jones. Please identify yourself  
25 for the record, please. You're on mute,

1 Mr. Jones.

2 MR. JONES: Sorry about that. Good  
3 afternoon. I'm Investigator Earl Jones with the  
4 Alcoholic Beverage Regulation Administration.

5 CHAIRPERSON ANDERSON: Good afternoon.  
6 Ms. Truong, can you please spell and state your  
7 name for the record, please. Can you please  
8 spell and state your name for the record,  
9 Ms. Truong. You're on mute. We can't hear you,  
10 ma'am.

11 MS. TRUONG: Okay.

12 CHAIRPERSON ANDERSON: I can hear you  
13 now. So, can you please spell and state your  
14 name for the record, please.

15 MS. TRUONG: My name is Tammy Truong  
16 and my first name is T-A-M-M-Y, and last name is  
17 T-R-U-O-N-G.

18 CHAIRPERSON ANDERSON: And what's your  
19 relationship to this establishment, ma'am?

20 MS. TRUONG: I'm the owner.

21 CHAIRPERSON ANDERSON: All right.  
22 We're having fact-finding hearing this afternoon  
23 because there's some sort of an event you want to  
24 have on the 18th. And so, let me just ask you to  
25 just tell us what is it that you're planning to

1 do, and the hours of operation for this event.

2 MS. TRUONG: Every year,  
3 traditionally, we donate an event for my -- I  
4 work with a promoter and we celebrate the month  
5 of September for all birthdays.

6 So, we always do a team event. But  
7 uniquely, this year is different because of  
8 COVID. So, the reason I'm applying for this  
9 substantial change is to redirect the crowd.  
10 Instead of standing out front on the curb, we  
11 want to just contain the crowd with safe distance  
12 during COVID times, and just control with the  
13 noise and the littering, and just people standing  
14 in front of our residential neighbors' doorstep.

15 So, that's what we're doing is just  
16 applying for usage of a back parking lot, just  
17 for crowd control.

18 Every year when we -- well, the last  
19 few years I'm not worried about. In previous,  
20 I've had to apply for the same one, the  
21 substantial change. That was during tide, and we  
22 did the same thing, so it worked for us for just  
23 crowd control. And just have people gather in an  
24 area where it doesn't hinder the neighborhood  
25 with noise and littering.

1                   Those hours we're expected to operate  
2 is from 4:00 p.m. to 11:00 p.m. We don't  
3 anticipate going any longer. That's just the  
4 time to get the people in while they're waiting,  
5 because we also deal with the numbers and  
6 capacity. We have a capacity limit.

7                   So, we don't want all these people  
8 inside the building. We have a summer rooftop  
9 and everybody does Irish, go on the rooftop. So,  
10 we have a limit capacity up there too.

11                   So, if it's one of these things, just  
12 crowd control for safety.

13                   CHAIRPERSON ANDERSON: So, you're  
14 saying from 4:00 p.m. to 11:00 p.m.? So, are you  
15 planning to have any music outside?

16                   MS. TRUONG: It's just play music.  
17 Soft music. But we'll also have where people  
18 do -- we're doing coat check outside. We have to  
19 put tents outside just so people can change.

20                   And it's a theme party, so we're doing  
21 coat check outside. We have a small makeshift  
22 bar for refreshments.

23                   CHAIRPERSON ANDERSON: But this is  
24 between the hours of 4:00 p.m. and 11:00 p.m.  
25 So, what happens at 11:00 p.m.?

1 MS. TRUONG: Well, we won't accept the  
2 same crowd. And by that time, it would probably  
3 be thinned out. It's much more manageable.

4 I think we'll still have some people  
5 coming in, but we're using, instead of the front  
6 entrance of the building, we're using the  
7 backside of the building for the entrance.

8 CHAIRPERSON ANDERSON: And so, exactly  
9 what will be occurring outside?

10 MS. TRUONG: Outside? So, it's a  
11 small bar refreshments, coat check, we have some  
12 props if people want to take pictures. That's  
13 basically it. I mean, just a holding place for  
14 people to wait in line.

15 CHAIRPERSON ANDERSON: So, would you  
16 have like a DJ playing music outside?

17 MS. TRUONG: No, sir.

18 CHAIRPERSON ANDERSON: No?

19 MS. TRUONG: No.

20 (Simultaneous speaking.)

21 MS. TRUONG: We're trying to keep the  
22 noise from the backside of the neighborhood, and  
23 everybody safe with safe distance and stuff.

24 CHAIRPERSON ANDERSON: I think the  
25 concern that the Board has, why we have a fact-



1 finding hearing, was that we were under the  
2 impression that you wanted to be open until  
3 3:00 a.m., and that you're going to have a DJ  
4 performing in the outdoor space.

5 MS. TRUONG: No, that is -- I can  
6 guarantee you we are done for the outside by  
7 1:00 a.m. I mean, that's just like cleaning up  
8 and shutting down we're having people out there.

9 But we do have people -- because  
10 that's going to be our main entrance and exit.  
11 So, yes, you'll still see people coming in and  
12 out, but you won't see a crowd. Things will be  
13 put away.

14 So, we'll still have security and  
15 we'll still have -- because that's our entrance  
16 and exit, through the back.

17 CHAIRPERSON ANDERSON: All right, do  
18 you have anything else you want to say to the  
19 Board?

20 MS. TRUONG: In previous -- I think  
21 I've already mentioned that in 2019 I applied for  
22 the same substantial change and we did the same  
23 setup, and it just worked out for us.

24 And you can go back and look at our  
25 history. We apply for 3:00 a.m., but we were

1 done by 1:00 a.m.

2 CHAIRPERSON ANDERSON: The Board is  
3 aware that in 2019 that when you applied for the  
4 substantial change, the event is indicated that  
5 the event would end at 11:00. That's one.

6 I think the concern that we had this  
7 time is that the end time that you are requesting  
8 until 3:00 a.m. So, that's kind of the reason  
9 why.

10 And it was that the Board was under  
11 the impression that there'll be a DJ playing in  
12 the outdoor space, and so we were concerned about  
13 the noise for the neighborhood. That's why we  
14 contacted, to get some clarification, and to find  
15 out is there a DJ, who would be playing in the  
16 background, and why is it that we may have this  
17 noise in the neighborhood 11:00 p.m.

18 MS. TRUONG: Yeah. No, for us it's  
19 just we're using the tent for crowd control, for  
20 safety, and so our people can wait. And not  
21 knowing if it's going to rain or not.

22 But that's our main thing. It's not  
23 an event outdoors, but the event is inside the  
24 building, not outside. That's just a holding  
25 place for us. It'll help the coat check and

1 checking people in and out at the point entrance  
2 site, for safety.

3 CHAIRPERSON ANDERSON: All right.  
4 Mr. Jones, do you have any questions you want to  
5 ask Ms. Truong? You're on mute, Mr. Jones.

6 MR. JONES: I'm sorry. I think she  
7 covered it all. I think the DJ question was a  
8 definite valid question, and the time.

9 Because that area is a pretty big hot  
10 spot for us at nights, dealing with flash right  
11 next door, dealing with a couple of the other  
12 establishments directly across the street that  
13 have rooftop decks and there's noise coming off  
14 of these areas all night long.

15 So, I think that was a really big  
16 point to talk about and to get some  
17 clarification. So, other than that, I saw the  
18 space.

19 Ms. Truong indicated that the entire  
20 parking lot area would be utilized for these  
21 holding areas, and she said she didn't even  
22 anticipate the full number that she applied for.

23 It was just like she said, it was just  
24 kind of a holding place, and as to not have a lot  
25 of patrons in the front sidewalk area on Florida

1 Avenue, to not logjam that area, because that  
2 area is pretty packed when it comes to the  
3 weekends at night.

4 So, I'm pretty good with questions,  
5 anything else that's going on with this.

6 CHAIRPERSON ANDERSON: All right, do  
7 we have any questions by the other Board members?

8 MEMBER SHORT: Yes, Mr. Chair. Can I  
9 ask Mr. Jones a question?

10 CHAIRPERSON ANDERSON: Yes, of course.

11 MEMBER SHORT: Investigator Jones, how  
12 are you today?

13 MR. JONES: I'm good. How are you,  
14 sir?

15 MEMBER SHORT: Okay. Is there any  
16 public space going to be used during this event?

17 MR. JONES: From what I understand,  
18 like Ms. Truong mentioned, the patrons are going  
19 to be instructed to go around to the rear of the  
20 establishment, to use that as an entrance.

21 So, the rear parking lot is going to  
22 be utilized. That's the holding area, the  
23 staging area.

24 If any individuals want to kind of  
25 partake in whatever's going on with the outside

1 area, that's the space that's going to be  
2 utilized.

3 The sidewalk area, as far as public  
4 space, is not going to be used. And again,  
5 that's again the piece where she's trying to  
6 eliminate using that public space out front.

7 MEMBER SHORT: Okay. For the record,  
8 have you seen the tent? How big a tent is it and  
9 does the tent require a permit from DC Fire or  
10 the DC government?

11 MR. JONES: So, I haven't seen the  
12 tent. That may be something that you can talk to  
13 Ms. Truong about. I haven't seen the tent  
14 erected as of yet, sir.

15 MEMBER SHORT: Okay, I certainly will  
16 ask her. The address again, for the record?  
17 Because we went right to Ms. Truong and we didn't  
18 get the address. So, for the record, what is the  
19 address?

20 MR. JONES: The address is 639 Florida  
21 Avenue, N.W.

22 MEMBER SHORT: Thank you again for  
23 your testimony.

24 MR. JONES: Yes, sir.

25 MEMBER SHORT: This will monitored,

1 correct?

2 MR. JONES: Yes, sir. Yes, sir.

3 MEMBER SHORT: Okay. Thank you.

4 That's all I have, Mr. Chair.

5 CHAIRPERSON ANDERSON: Thank you,

6 Mr. Short. Any other questions by any other

7 Board members?

8 Ms. Truong, let me ask you a question.

9 And Mr. Short has asked this. You said you've

10 done this event before. Have you had tents

11 outside? I mean, is it the same setup that

12 you've had in previous years?

13 MS. TRUONG: It's the same exact setup

14 and it's the same company that we use. It's

15 called -- what's it called? Event Rentals.

16 They're based out in Dulles. They come and they

17 set it up for you.

18 It's not a structural, but it is fire-

19 rated, the fabric that they use. But it's a two-

20 hour setup that they do. And then the next day

21 they remove it.

22 CHAIRPERSON ANDERSON: Anything else

23 you want to add?

24 MS. TRUONG: No.

25 CHAIRPERSON ANDERSON: As I stated

1 before, the problem that the Board had when we  
2 saw the application, the application, at least in  
3 the reading, with licensing, is that this event  
4 was supposed to be through 3:00 a.m. in the  
5 morning, that we thought that they'll be DJs  
6 playing in the outside.

7 And so, the Board was concerned about  
8 noise, since there are some residents in the  
9 area, in having your event impact residents.  
10 That was our --

11 MS. TRUONG: So, I did that to merely  
12 reflect off my liquor license. Because if people  
13 walked out and there's -- we have people who  
14 smoke. We don't allow them to smoke on the roof  
15 deck. They have to physically go out.

16 So, if they're outside and holding a  
17 drink and smoking, I just didn't want to be  
18 dinged where they're saying they're publicly  
19 outside drinking.

20 So, that was my big concern. And  
21 that's why -- I did that to be transparent. We  
22 are going to have people standing outside.  
23 They're saying they're going to be drinking, but  
24 it wouldn't be a problem in that.

25 CHAIRPERSON ANDERSON: What I would

1 suggest that you do, Ms. Truong, is that maybe  
2 you can just sit down and speak to either  
3 Ms. Karen Jackson about what it is that's  
4 required. What it is that you do.

5 Because I said before, we're having  
6 the fact-finding hearing because of the  
7 confusion. And so, if it is stated that you're  
8 just using the space of a holding area, it will  
9 be done at 11:00, there is no music, would be no  
10 DJ playing music outside, I believe that the  
11 Board would have approved it because we wouldn't  
12 be concerned about any noise concerns.

13 But this application was, in looking  
14 at what was provided in 2019, and now in 2021,  
15 where in 2019 it says that the event would be  
16 over at 11:00, and that was approved, but this  
17 year it said 3:00 a.m., so we were confused.

18 But that is the purpose of having  
19 fact-finding hearing, to get some clarification  
20 about what is it that was being proposed.

21 MS. TRUONG: For us it's a holding  
22 place. Yes, we will have a bar for refreshments  
23 outside to hold people. And again, like I said,  
24 I was just concerned if people walked out and  
25 they're smoking or holding their drinks, we're



1 protected by it. Because there's drinking in  
2 public.

3 CHAIRPERSON ANDERSON: I mean, this is  
4 something that is a little bit difficult to do  
5 this online, but I would recommend to the Board,  
6 since we have previously provided the license for  
7 this operation for it to end at 11:00 p.m., as we  
8 have done before.

9 So, I would recommend to the Board  
10 that the Board approve the substantial change  
11 application for this event on September 18, and  
12 just do it from 4:00 p.m. to 11:00 p.m. Now,  
13 which date? Is that correct?

14 MR. JONES: Yes.

15 MS. TRUONG: Mm-hmm.

16 CHAIRPERSON ANDERSON: Is there a  
17 second?

18 MEMBER CROCKETT: Ms. Crockett  
19 seconds.

20 CHAIRPERSON ANDERSON: Ms. Crockett  
21 has seconded the motion. Let's have a roll call  
22 vote. Mr. Short?

23 MEMBER SHORT: Mr. Short, I agree.

24 CHAIRPERSON ANDERSON: Ms. Crockett?

25 MEMBER CROCKETT: Rafi Crockett, I

1 agree.

2 CHAIRPERSON ANDERSON: Ms. Hansen.

3 MEMBER HANSEN: Jeni Hansen, I agree.

4 CHAIRPERSON ANDERSON: And

5 Mr. Anderson, I agree. The matter passes -- it's  
6 four of us, 4-0-0. Yeah.

7 All right, thank you. The Board will  
8 do whatever needs to be done to give you the  
9 license for the event so that the event is  
10 approved for the 18th.

11 And thank you, Ms. Truong, for being  
12 here today. Thank you for providing us all the  
13 answers that require.

14 And I'm saying, in the future please  
15 speak to -- before you send the application in,  
16 and that will cause you less headache -- talk  
17 with someone in the Agency and they will let you  
18 know how to fill in the application so it'll be a  
19 smooth process for you.

20 And you don't necessarily have to come  
21 see the Board unless the Board wants to see you  
22 or you want to see the Board.

23 MS. TRUONG: Okay. Thank you. I  
24 appreciate that.

25 CHAIRPERSON ANDERSON: All right,

1       thank you very much and have a great day.  And  
2       this hearing is concluded.  All right, thank you.

3                       MR. JONES:  Thank you.

4                       (Whereupon, the above-entitled matter  
5       went off the record at 1:55 p.m.)

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In the matter of: Uproar

Before: DCABRA

Date: 09-15-21

Place: teleconference

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