# DISTRICT OF COLUMBIA <br> + + + + + <br> ALCOHOLIC BEVERAGE CONTROL BOARD <br> + + + + + <br> ROLL CALL HEARING 

| IN THE MATTER OF: | $:$ |
| :--- | :--- |
| MAHK MEETINGS LLC | $\vdots$ |
| t/a TBD | : Roll Call |
| 1806 VERNON ST NW | : Roll |
| Retailer CT - ANC 1C | Hearing |
| License \#ABRA-116881 | $:$ |
| Case \#20-PRO-00038 | $:$ |
|  | $:$ |

Monday
October 5, 2020
The Alcoholic Beverage Control Board met via Videoconference, LaVerne Fletcher, Board's Agent, presiding.

## PRESENT:

LAVERNE FLETCHER
ALSO PRESENT:
GEORGE BOMAN
AMIR IRANI
SIDON YOHANNES
LEE FARMER
LEIGH CARTER-SCHUMAN
ANDREW CARTER-SCHUMAN
DENIS JONES
LAURIE CLARKE
DAVID BLUMENTHAL
K.J. HUGHES

MARCUS MIRRA
PIPER HENDRICKS
FELICIA MEIER
CASSANDRA JONES
SELMA THOMAS
T. ALLAN CAMPBELL

ANICA LANDRENEAU
P-R-O-C-E-E-D-I-N-G-S
10:07 a.m.

MS. FLETCHER: So, I'm just going to take a roll call, who I can see is present.

Mr. Roth, are you present? Mr. Roth? Mr. Irani, are you present?

Okay, just a second, thank you. Okay. Mr. Irani, can you hear me now?

MR. IRANI: Hello? Ms. Fletcher, your mic is muted. We can't hear anything.

MS. FLETCHER: What about now?
MR. IRANI: Can hear you loud and clear, yes.

MS. FLETCHER: Okay, so this is -okay, so, so, who is present? Is Mr. Roth here?

MR. IRANI: He is here. I just spoke with him. But, his mic isn't connected, so he is on the phone though. He can hear us.

MS. FLETCHER: Okay, good. I'm just trying to see who is on the -- who is on the line.

Mr. Irani, are you here?
MR. IRANI: Present.
MS. FLETCHER: Mr. Walt -- can hear me.

Ms. Jones are you -- can you hear me?
MS. JONES: Yes, I'm here.
MS. FLETCHER: Okay.
What about Mr. Blumenthal?
MR. BLUMENTHAL: I'm here.
MS. FLETCHER: Okay.
Can you hear me and see me?
MR. BLUMENTHAL: I can only hear you. MS FLETCHER: Oh, gee.

Okay, K.J. Hughes, can you hear me or see me?

MR. HUGHES: I can hear you and see you, thank you.

MS. FLETCHER: You can hear me and see me?

MR. HUGHES: Yes.
MS. FLETCHER: Okay.
What about -- okay, one second. Okay.
What about Ms. Meier? Can you hear me or see me? Ms. Meier? Okay.

MR. IRANI: It looks like her mic is muted.

MS. FLETCHER: Okay, so she can see me, but she can't -

MR. IRANI: Hello?

MS. FLETCHER: Yes, thank you.
MR. BLUMENTHAL: This is David
Blumenthal. I can now see you on my screen.
PARTICIPANT: Oh, she got muted again.
MS. MEIER: Oh, now I'm -- I'm not muted. This is Felicia Meier. I just got it unmuted.

MS. FLETCHER: Okay. Thank you. MS. MEIER: Mm-hmm.

MS. FLETCHER: All right, one second please. Ms. Clarke, can you hear me? Laurie Clarke?

MR. IRANI: She's there, but her mic is muted.

MS. FLETCHER: I can't explain right now why on my end, I keep going back and forth with the mute and unmute. Just a second.

Can -- I'm going to tell you, if you can hear me, all of the names that $I$ have -- just a second. Can everyone hear me now?

MS. JONES: Cassie can.
MS. CLARKE: Yes, Laurie Clarke can.
MS. FLETCHER: Okay.
MR. BLUMENTHAL: David Blumenthal can.
MS. MEIER: Felicia Meier can.

MS. FLETCHER: Okay, thank you. Is Sidon Yohannes on the line?
(Audio interference.)
MS. FLETCHER: Oh, because I don't see -- you can mute and unmute yourself too.

MS. FLETCHER: Okay, just a second.
PARTICIPANT: Okay, now I'm unmuted.
PARTICIPANT: Okay, thanks.
MS. FLETCHER: Okay, thank you.
One second, I'm just trying to make sure I've got everybody that's on the line.

Okay, I have Alan Roth, Mr. Irani, Cassandra Jones, David Blumenthal -

MR. ANDREW: -- is also here, but she is muted. Just dropped that in the chat along with Marcus Mirra.

MS. LEIGH: Leigh and Andrew CarterSchuman are here.

MS. CARTER-SCHUMAN: I'm unmuted now, but - it's ridiculous.

PARTICIPANT: She's muted so she doesn't know that we can't hear her.

MS. YOHANNES: Hello, I'm here.
Sidon Yohannes, I can hear you.
MR. MIRRA: I've just been unmuted,

Marcus Mirra.
MS. FLETCHER: Thank you.
Ms. Hendricks, can you hear me?
MS. HENDRICKS: I can, yes, thank you, and I am now able to unmute. Thank you.

MS. FLETCHER: Okay, thank you.
Okay. So, I'm going to go down -- so, for anyone that can't hear me, $I$ can't explain why you can't hear me. On my end it looks like you can hear me.

Sidon, you can't hear me?
MS. YOHANNES: Yes, I can hear you now.

MS. FLETCHER: Oh, okay.
So, on my end it appears that you can hear me, my -- my -- I can hear you but --

Okay, I'm getting some messages, so different people are in different situations, but I just want to make sure that everybody can hear me. But if for some reason you can't -- I am not

Okay, thank you, Ms. Anica.
Um, so, on my end you are not -- no one is muted.

PARTICIPANT: George Boman says he is
still having trouble unmuting himself.
MS. FLETCHER: That's George?
PARTICIPANT: George and Anica are both still attendees rather than panelists, so they can't unmute themselves.

So, they need to be promoted.
MS. FLETCHER: Okay, just a second. Thank you.

Just a second please.
PARTICIPANT: It's just a technical -
MS. FLETCHER: Who were those who needed to be elevated?

PARTICIPANT: George Boman and Anica Landreneau.

MS. FLETCHER: Okay, just a second.
PARTICIPANT: Laura, I'm in a meeting.
MS. FLETCHER: Okay. Just a second.
PARTICIPANT: Oh, man.
MS. FLETCHER: I'm going -- I'm going to tell you, everyone, just a second.

Okay, Mr. Boman, I see you -- your mute -- I missed part of your message, just a minute.

So, I'm going to tell you right now, everyone, that according to what I can see,
everyone that has been elevated to the point that they can participate.

And I have a record that you are all here. So now I'm just going to go down this list.

I have Marcus Mirra, Alan Roth, Amir Irani, Cassandra Jones, David Blumenthal, Felicia Meier, K.J. Hughes, Laurie Clarke -- just a second.

Lee Farmer, Leigh and Andrew CarterSchuman, Piper Hicks, Selma Thomas, Sidon Yohannes, T. Allan Campbell.

These are all the individuals that I have on my end who are present.

Is there anyone present that can't -that can't hear me or see me? Or who I haven't acknowledged?

PARTICIPANT: I believe Anica and George - George Boman --

MS. FLETCHER: Anica --
PARTICIPANT: Anica --Anica Landreneau and George Boman are on the line, but their -

MS. FLETCHER: I see -
PARTICIPANT: -- line is muted.
MS. FLETCHER: I saw -- on my end, it
is not muted.
But I am aware that Anica is on the line. And I am aware that -- let me see, one second, let me see - George Boman, can you hear me now?

MR. BOMAN: I can hear you.
MS. FLETCHER: Okay.
MR. BOMAN: Can you hear me?
MS. FLETCHER: I can hear you -
(Simultaneous speaking.)
PARTICIPANT: And it looks like -yes, we can hear -

PARTICIPANT: Ah, great.
MS. FLETCHER: Miss -
PARTICIPANT: It also looks like Mr. James is on the line too, Mr. Denis James. He's just -
(Simultaneous speaking.)
MS. FLETCHER: Okay, thank you.
Anica, can you hear me now?
MS. LANDRENEAU: I can and I've now been unmuted. Thank you.

MS. FLETCHER: Okay, thank you.
And so, Denis James is on the phone. Okay. Denis James, can you hear me?

MR. JAMES: I can hear you.
MS. FLETCHER: Okay, I can hear you too.

MR. JAMES: Can you hear me?
MS. FLETCHER: Yes.
(Simultaneous speaking.)
MR. JAMES: Oh great, thank you.
MS. FLETCHER: You're welcome.
MR. JAMES: Hi, everyone.
MS. FLETCHER: Okay, so, looks like everyone is accounted for.

So, this is the only hearing on the calendar for today. So, thank you for participating in the roll call hearing via the WebEx system, which has been provided to us by the D.C. Office of Government.

I have a question though. Can everybody see me?
(Chorus of yes.)
MS. FLETCHER: Okay, good.
Okay.
This is Case Number PRO-00038, MAHK Meetings, LLC, trading as To Be Determined, 1806 Vernon Street, NW, License Number ABRA 116881. This is a Retailer Class CT.

This is an application to transfer to a new location. And the protest issues are adverse impact on peace, order and quiet, residential parking and vehicular and pedestrian safety, real property values and overconcentration.

Now, first of all, I would like to apologize. Apparently there were two different times for this -- for this roll call hearing today. Some of you got the time for 9:30. On my end, I have ten o'clock. So, for anyone that signed on at 9:30, I apologize. I -- I , there was a glitch somewhere along the line, but I will go ahead and get started.

Mr. Irani? Mr. Irani?
MR. IRANI: Ms. Fletcher.
MS. FLETCHER: Hi, I am just noting that you are here on behalf of ANC-1C and that ANC-1C does have standing as a protestant.

And Mr. James?
MR. JAMES: Yes.
MS. FLETCHER: I'm acknowledging that the Kalorama Citizens Association is present and has standing as a protestant.

MR. JAMES: Thank you

MS. FLETCHER: And you are welcome.
There is also a group of 23
represented by Mr. Roth and Laurie Clarke.
Ms. Clarke, can you hear me?
MS. CLARKE: Yes.
MS. FLETCHER: Mr. Roth, can you hear me? Mr. Roth was there.

MR. IRANI: He should still be on the line, but his mic doesn't seem to be --
(Simultaneous speaking.)
MS. FLETCHER: Might be muted?
Okay, let me see.
So, Mr. Roth, I know he is here. I don't know what happened, um, -- to Mr. Roth. I can see that you are here though. All right, thank you.

So, there is some other individuals present on behalf of -- from the group of 23.

One second please.
So, from the group of 23 , 1 see that Alan Roth is present, Laurie Clarke is present, Anica Landreneau -- I can't pronounce the last name, I'm sorry -- but you are present.
(Simultaneous speaking.)
MS. LANDRENEAU: Yes --

MS. FLETCHER: Mr. Carter --
Thank you.
Leigh Carter is present. Cassandra Jones, present. Let's see, one second.

Marcus Mirra, present; Alicia Meier, present; George Boman, present; Mr. Blumenthal, T Allan Campbell.

Did I miss anybody?
MS. THOMAS: Yes, Selma Thomas, also present.

MS. FLETCHER: Who is that?
MS. THOMAS: Selma Thomas.
MS. FLETCHER: Oh, Selma Thomas, okay.
Oh, I see you down there. Just a second.

MS. THOMAS: Okay, thank you.
MS. FLETCHER: One second, let me check you off.

Okay, so Ms. Thomas is present.
Anybody else present that I didn't get?

Okay, well, 1 see that mister -
(Simultaneous speaking.)
MS. THOMAS: Can we add Andrew Schuman?

MS. FLETCHER: Yes.
Yes, one second.
MR. SCHUMAN: Hi, I'm on.
MS. FLETCHER: Thank you, one second, Mr. Schuman.
(Simultaneous speaking.)
MR. SCHUMAN: I'm on.
MS. FLETCHER: Okay, so I've added Mr. Schuman.

Do I need to add anybody else? Okay. So the group of 23 has standing as a protestant because at least five of you are present today.

So, we are left with two abutting property owners.

Ms. Farmer, are you on the line?
MS. FARMER: I am. I am listed as Lee here, but I am Suzanne Farmer.

MS. FLETCHER: Oh, okay, thank you.
And what about -- what about Piper Hendricks?

MS. HENDRICKS: I am here as well.
MS. FLETCHER: Okay, thank you, because you are the two abutting property owners?

You filed your protests as abutting property owners?

MS. HENDRICKS: That's correct.
MS. FARMER: Yes.
MS. FLETCHER: I have, Ms. Yohannes, are you still here?

MS. YOHANNES: Yes, I'm here.
MS. FLETCHER: Okay, thank you.
Um, so, I have a question for you, Ms. Farmer, Ms. Hendricks. The question is the same. So, I checked the D.C. Geographic Information System and your buildings definitely abut the building of the establishment. I have to determine whether or not your units actually abut.

So, Ms. Farmer, you are in Unit 23?
MS. FARMER: Yes.
MS. FLETCHER: So, does your unit touch the establishment at any point? Does it actually touch it?

MS. FARMER: Yes.
MS. FLETCHER: I know the building -it does?

MS. FARMER: My living room and bedroom wall are on the -- what is that? Is that the eastern side of the building? So, it abuts the building next door.

MS. FLETCHER: Thank you.
That's your living room and bedroom wall?

MS. FARMER: Yes.
MS. FLETCHER: Thank you.
Ms. Hendricks, what about you?
MS. HENDRICKS: I'm identical, just one floor up. So, same floor plan, living room and bedroom both abutting.

MS. FLETCHER: So, but do they abut the establishment or what do they -- do they abut the establishment as well?

MS. HENDRICKS: They do.
My understanding is that they -depending on the floor level, $I$ don't know if $I$ am equal with the office space or the speakeasy space or where, but it is abutting the property.

MS. HENDRICKS: Okay, so, your -you're unit, you're Unit 33 touches the Applicant's unit somewhere?

MS. HENDRICKS: Yes, ma'am.
MS. HENDRICKS: Okay, thank you.
And you believe it is the living room and bedroom? Ms. Hendricks?

MS. HENDRICKS: Yes, that is correct.

Yes, living room and bedroom.
MS. FLETCHER: Okay.
MS. YOHANNES: And Ms. Fletcher?
MS. FLETCHER: Yes.
MS. YOHANNES: Um, as -- in regards to this two property, or to the two abutting property owners. I want to make the request that they submit additional information that shows that their actual units abut the establishment and the premises.

MS. FLETCHER: Okay, and what would you -- any particular information you two would find acceptable in terms of providing that, that information, Ms. Sidon Yohannes?

MS. YOHANNES: Um, no, I don't have any specific information we're requesting.

I don't see any information that has been provided showing that. In their letter they just state that they are abutting property owners. So, if they can just -- whether it is a floor plan, um, they can go onto the website and just show that the properties actually do abut that would be sufficient.

MS. FLETCHER: And so, the Applicant is not present today.

Do you know, Ms. Yohannes, do you know whether or not the properties abut? I mean, I don't know if you've actually been to the establishment or -- but you don't have any knowledge of that at this point?

I don't know if the Applicant would, I was just curious.

MS. YOHANNES: I don't have any knowledge of that at this time.

MS. FLETCHER: Okay, thank you.
MS. FARMER: So, we would need to have access to the floor plans, um, for the proposed establishment, in order to provide you with that information.

MS. YOHANNES: And I believe that they can provide that if they are saying that the buildings actually abut, they can provide that some portion of their unit actually abuts, it touches next, you know, the actual licensed establishment which is 1807 Florida Avenue, without having our floor plans.

MS. FARMER: Well, we can absolutely show you a plan of 1812 Vernon Street and show you our floor plans and where they abut and that the two protestants with abutting properties --
where their units sit in 1812 Vernon Street.
So, if that is what you are looking for, we can show you that.

MS. YOHANNES: Yes, that's what I'm looking for.

MS. FARMER: Okay, that is no problem.
MS. FLETCHER: Okay, thank you.
MR. IRANI: Ms. Fletcher, this is Amir Irani on behalf of ANC-1C. We will be filing a motion to dismiss the application later this morning.

MS. FLETCHER: Okay, thank you. I'll make a note of that in the record. Thank you.

Let me see, and so, Ms. Farmer, what document is that that you are going to provide to the Applicant to show that your property abuts?

MS. FARMER: Well, 1 guess we need to figure out - I don't know that we have -- Anica, do you know -- we don't have floor plans of this building do we?

MS. LANDRENEAU: We have some very, um, they are like hand drawn, like duct layout like plans from when the building was converted during -- in '89, '90.

MS. FARMER: Okay.

MS. LANDRENEAU: That -- we can block out and show you where the stack for the X3 units, you know, 03, 23, 33 are. We can show you where that is and then, you know, show you where that is next to the property in question.

So, I think that is what you are looking for, correct?

MS. FLETCHER: Ms. Yohannes, is that what you are looking for?
(Simultaneous speaking.)
PARTICIPANT: -- pretty good floor plan -- it's a pretty good floor plan in the condo docs that would show this.

MS. FARMER: Okay.
MS. HENDRICKS: I mean, I think it is what you need. It's, you know, that is what we have is from when this building was redone in 1990.

So, yes, I think that's -- if that is what you are looking for is to show that stack of the, you know, X3 units and how they touch your building, that is what we have.

MS. FLETCHER: Okay, and Ms. Yohannes, would you find that acceptable?

MS. YOHANNES: I missed the -- I
apologize -- but I missed the first part of what -- I don't know who is speaking right now, or who was speaking, but the first part of what was being said. But I got the last part, which is you would submit floor plans, or you would submit something and I think a floor plan is in the -has already been provided, is that what you, is that what you just indicated?

I'm sorry, could you repeat what you just said?

MS. LANDRENEAU: It was a building plan for when they took over the AT\&T building and we have a building plan that is hand drawn from 1989, 1990, which did like a floor, kind of rough lay-out and drop lay-out, when it was conducted in 1989-90, which shows where there are four units per floor and there is a stack of the three units, that shows 23, 33, 43. And so, you are asking where 23 and 33 touch this building in question, and we can indicate for you where that is on the plan.

And so, I'm asking, is that a (audio interference)?

MS. YOHANNES: I mean, I think, I think that is fine and that is acceptable from
what you are saying, but then if $I$ have a followup, or if $I$ have motion that you can file based on what you have submitted, 1 will go ahead and do so.

MS. LANDRENEAU: All right.
MS. FLETCHER: And so the -- I'm sorry, go ahead.

MS. YOHANNES: I'm sorry. I'm just making clear.

Was that -- who was speaking?
MS. LANDRENEAU: Sorry, that was Anica Landreneau.

MS. YOHANNES: Okay.
MS. HENDRICKS: And this is Piper Hendricks.

Question, $I$ guess I'm a little bit confused why we are discussing this now. As we had been ajudged abutting earlier this year.

So, curious where the question is arising now?

MS. FLETCHER: Well, so I -- from, so, where -- who determines to where abutting earlier this year, Ms. Hendricks?

MS. HENDRICKS: I would need to go back and look through the earlier proceedings.

This was, I believe, before -- before COVID, so I am trying to remember. It may have even been last year. We were meeting in person, um, and

MS. FLETCHER: These were ABRA -- ABRA proceedings?

MS. HENDRICKS: I believe so, yes.
MS. FLETCHER: And so, the buildings definitely abut. I mean, I can look at the -- at the geographic information system and see that the buildings abut for sure. The only question is whether or not the units abut.

But if you have -- if you can show that, that is fine.

MS. FARMER: Well, I think the point Piper is making is that both Piper and I were ajudged -- were judged to be abutting property owners previously by ABRA.

MS. FLETCHER: If you were judged to be abutting property owners previously by ABRA -if you know what case that is, or you can determine what case that is, that would be sufficient.

MS. FARMER: Okay.
MS. YOHANNES: And I will just say and
note that that was in the previous application that was filed at that time, this matter, the application was withdrawn and a new one was filed.

There was not -- there wasn't any objections made during the roll call hearing before any motions or anything else were filed regarding standing, application withdrawn.

MS. FLETCHER: Okay, and so what I am going to do -- Mr. Irani, I've granted standing to the ANC and I'm going to include in the record and let the Board know that the ANC intends to file a motion to dismiss.

The Kalorama Citizens Association is granted standing on both -- I counted 23 -- is granted standing.

And so, Ms. Farmer and Ms. Hendricks, I am going to grant a conditional standing to you today. I am going to give you an opportunity to provide that information that you have.

The Board will grant a full standing at the status hearing. But for today we are just going proceed with conditional standing because the Applicant has requested, and you have agreed to provide, some information. So, I'm going to go
with that.
(Simultaneous speaking.)
MS. YOHANNES: Oh, sorry, go ahead.
MR. IRANI: Ms. Fletcher -- Ms.
Fletcher, I just want to clarify that it is not just ANC-1C that will be providing the motion, but all the protestants.

MS. FLETCHER: Oh, all the -- okay.
MR. IRANI: Yes. Yes.
MS. FLETCHER: Thank you.
Well, I will go ahead and set the date for mediation just because we have to. And then, if the Board grants your application, you have a motion to dismiss the application then, I will just cancel it.

So, let's see here -
MS. YOHANNES: I'm sorry, can we make just one minor -- one minor note?

I think you said group of 23 -
MS. FLETCHER: Uh-huh.
MS. YOHANNES: And my counting could be wrong, but I believe that it is actually a group of 22.

MS. FLETCHER: Okay, I'll make it 22. Twenty-two is good. I say that because I'm
looking at my record and in the actual file I have a group of 22, but in my briefing it is 23. So, it's 22. It's 22 -- so, I'm just going to change -- it says 22 in the file, so we will make that a group of 22.

And so actually, what I am going to do is not schedule the mediation. I'm going to do it the opposite way. I'm not going to schedule the mediation if the protestants are going to file a motion to dismiss. I will let the Board make a ruling on that first.

If they don't dismiss the application, I'll know, and then I will contact you to schedule a mediation.

Any questions?
MR. BLUMENTHAL: Thank you, Ms. Fletcher.

MS. FLETCHER: You are very welcome.
Okay, well, does anybody have any questions? Okay, sorry for the technical issues this morning. Glad that I could see or hear everybody that I can and if there are no questions, anything on the Applicant's side, Ms. Yohannes?

MS. YOHANNES: No, no questions for
us, Ms. Fletcher. Thank you.
MS. FLETCHER: Okay.
Well then, I'm going to conclude the roll call hearing and I'm going to sign out, but thank you for participating.

PARTICIPANT: Thank you.
PARTICIPANT: Thank you.
PARTICIPANT: Thank you, have a good day.

MS. FLETCHER: Take care.
MS. YOHANNES: Thank you.
(Whereupon, the above-entitled matter went off the record at 10:39 a.m.)
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Neal R. Gross and Co., Inc.

This is to certify that the foregoing transcript

In the matter of: MAHK

Before: DCABRA

Date: 10-05-20

Place: teleconference
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> Hae $R$ Gus P Court Reporter

