



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

2 10:03 a.m.

3 MS. FLETCHER: Good morning,  
4 everybody. I'd like to thank you for joining  
5 ABRA's Roll Call Hearing via the Webex platform  
6 provided by the D.C. Office of Open Government.  
7 There are 13 cases on the calendar today, but  
8 they should go by very quickly.

9 We will go ahead and get started with  
10 the first case on the calendar. If there's going  
11 to be noise in your background if you can mute  
12 yourself, I'd appreciate it. Thank you.

13 The first case on the calendar is  
14 Rosebud Liquor. This is case number 22-PRO-  
15 00114, Rosebud Liquor, Inc., 1700 17th Street,  
16 NW. License number ABRA 060751, this a Retailer  
17 Class A Transfer of License to a New Location  
18 from 1711 17th Street NW to 1700 17th Street NW.

19 My name is LaVerne Fletcher,  
20 conducting the Roll call hearing as the Board's  
21 agent. In this case, we have a number of  
22 abutting property owners. We actually have 10  
23 individuals, who filed their protests based on  
24 their belief that they're abutting property  
25 owners. Before I call those individuals, I would

1 like to read the definition of an abutting  
2 property owner. An abutting property owner means  
3 any property where the property line has a  
4 boundary or boundary point in common with the  
5 property line of the licensed establishment.  
6 That means that the properties have to touch on  
7 some level, so that's the definition. I wanted  
8 to get that out of the way first. Is there  
9 anyone present on behalf of the Applicant?  
10 Anyone present on behalf of Rosebud? Is Mark  
11 Mesiti here, abutting property owner Mark Mesiti?  
12 I don't know if I'm pronouncing that correctly.

13 MR. MESITI: Yes, ma'am. I am here.

14 MS. FLETCHER: Good morning.

15 MR. MESITI: Good morning, ma'am.

16 MS. FLETCHER: Mr. Mesiti, you're in  
17 unit 507?

18 MR. MESITI: That's correct, ma'am.

19 MS. FLETCHER: So let me ask you  
20 something, it appears that the establishment and  
21 the abutting property owners, including you,  
22 occupy the same building --

23 MR. MESITI: That is correct, ma'am.

24 MS. FLETCHER: Okay.

25 MR. MESITI: The building is The

1 Admiral Dupont Condo Building located at 1700  
2 17th Street. It is, I believe, about a 50- to  
3 52-unit condo building, mixed commercial space on  
4 the first floor as well as individual units  
5 throughout the building.

6 MS. FLETCHER: Your unit is number  
7 507, so does your unit abut Rosebud Liquor? Does  
8 the ceiling touch a wall?

9 MR. MESITI: No, ma'am. We are on the  
10 fifth floor, but it is also contained within our  
11 building and it's main entrance -- there are two  
12 entrances to the property in question. One of  
13 which is our main entrance in the common area of  
14 the building and it is a concern of the  
15 residents. I'm also the condo board president.

16 One of the major concerns of the  
17 residents here in the building is that if the  
18 entrance used on 17th Street, which is  
19 immediately next to our entrance, which is the  
20 common area, that abuts everything within the  
21 building. Therefore, we are all abutting  
22 property owners as it is communal property within  
23 the condo building.

24 MS. FLETCHER: You're not abutting  
25 property owners according to our definition of an

1 abutting property owner. Although I understand  
2 what you're saying, Mr. Mesiti, the units will  
3 have to actually abut the property of the  
4 establishment and it sounds like you're on the  
5 fifth floor so your properties don't abut, but  
6 you're in the same building, but on the fifth  
7 floor.

8 MR. MESITI: That is correct, ma'am,  
9 but the common area which is all shared property  
10 of everyone within the building abuts right next  
11 door to it. (Simultaneous speaking.)

12 MS. FLETCHER: Yes, our regulations --

13 MR. MESITI: We are all owners, every  
14 condo board owner is an abutting, therefore, an  
15 abutting property owner as the common area is in  
16 our building. We are literally there. As a  
17 condo association, we own the property. It is in  
18 our first floor. All owners are affected by  
19 that. That is, by very definition, we are  
20 abutting.

21 MS. FLETCHER: By our definition  
22 you're not abutting. I'm going to dismiss your  
23 protest, Mr. Mesiti, because by our definition  
24 you're not abutting. It's not that I don't  
25 understand what you're saying. The Board's agent

1 doesn't have the authority to grant standing to a  
2 protestant that doesn't meet our definition of an  
3 abutting property owner, but you will have an  
4 opportunity to petition the ABC Board to  
5 reconsider the decision that I've made this  
6 morning.

7 MR. BHANJI: I want to speak up  
8 because I'm in 209 and I'm right above it.

9 MS. FLETCHER: Excuse me, don't speak  
10 up. I'm going to call each person.

11 MR. BHANJI: I see.

12 MS. FLETCHER: The court reporter  
13 needs to keep track of this hearing and so I'm  
14 going to call each person individually and so the  
15 court reporter knows who is speaking. The next  
16 person on my list is Monica Obispado, I may be  
17 pronouncing that incorrectly. Is she here? Is  
18 Monica here? The time is 10:13, Monica is not  
19 present. Monica's protest is dismissed because  
20 she is not present. This morning, just for the  
21 record, Monica is not an abutting property owner  
22 by our definition. She didn't claim to be an  
23 abutting property owner, but she filed as an  
24 individual and so I'm just giving her that  
25 consideration. Just ruling that out as the basis

1 for her filing her protest. So, the protest  
2 filed by Monica O-B-I-S-P-A-D-O in unit 407 is  
3 dismissed.

4 Is Neel Panchal present today?

5 MR. PANCHAL: Yes, ma'am, I am here.

6 MS. FLETCHER: Okay, Mr. Panchal,  
7 would you please spell your name for the record?

8 MR. PANCHAL: Yes, Neel Panchal --E-E-  
9 L last name is Panchal P-A-N-C-H-A-L.

10 MS. FLETCHER: Thank you and Mr.  
11 Panchal, according to our record you live in unit  
12 number 608?

13 MR. PANCHAL: Yes, ma'am.

14 MS. FLETCHER: Okay, your unit also  
15 does not abut that of the establishment.

16 MR. PANCHAL: Tell her.

17 MS. FLETCHER: I mean based on the  
18 definition I gave, it does not appear that your  
19 unit abuts the establishment.

20 MR. PANCHAL: Yes, so really I --

21 MS. FLETCHER: Go ahead.

22 MR. PANCHAL: I live in the unit 608,  
23 so it's not close to it, but as they said, the  
24 common area, it is.

25 MS. FLETCHER: I understand what

1 you're saying. The common area is not taken into  
2 consideration under our regulations. It's the  
3 unit that you live in. Okay, so Mr. Panchal,  
4 your unit number 608 does not abut that of the  
5 establishment and therefore your protest is  
6 dismissed, but as I said earlier, you have the  
7 option to petition the ABC Board to reconsider  
8 the decision made this morning.

9 Excuse me, one second. I just got a  
10 message from someone that there may be a problem  
11 with the live streaming on YouTube, but according  
12 to what I'm looking it, it's being live streamed  
13 right now. Hold on for one second, please.

14 Okay, so our IT person is going to  
15 come in and take a look to see what's going on,  
16 but I'll go ahead and finish up with you, Mr.  
17 Panchal. The protest that you filed is dismissed  
18 for the reason that I stated already.

19 The next protestant is Thomas Sachs S-  
20 A-C-H-S. Am I pronouncing that correctly? Is  
21 Mr. Sachs here? When the IT person shows up, I  
22 want to take a minute. He's going to want to  
23 figure out why we're not being live streamed when  
24 my screen indicates that we are being live  
25 streamed. Mr. Sachs is not present today. His



1 protest is dismissed for two reasons; one,  
2 because he is not present today and second, he  
3 lives in unit number 503, which is appears to be  
4 on the fifth floor, which means that his unit  
5 does not meet our definition of an abutting  
6 property owner, so his protest is dismissed.

7 The next protestant is Alexandra  
8 Stout. Ms. Stout, are you here today?

9 MS. STOUT: Yes, good morning.

10 MS. FLETCHER: Good morning.

11 MS. STOUT: I'm in unit 507, I'm  
12 married to Mark Mesiti.

13 MS. FLETCHER: Okay, thank you, Ms.  
14 Stout, and so the same would apply to your  
15 protest because you reside on the fifth floor and  
16 your unit does not touch that of Rosebud Liquor.

17 The next person on my list is Karmali  
18 Bhanji. Is Karmali Bhanji present?

19 MR. BHANJI: I am, yes.

20 MS. FLETCHER: Good morning, Mr.  
21 Bhanji. Would you spell your name for the  
22 record, please?

23 MR. BHANJI: K-A-R-M-A-L-I B-H-A-N-J-  
24 I.

25 MS. FLETCHER: Thank you very much.

1 Mr. Bhanji, you're in unit number 209?

2 MR. BHANJI: Correct.

3 MS. FLETCHER: So does that abut  
4 (Simultaneous speaking.)

5 MR. BHANJI: I believe the corners do.  
6 There is a 7-Eleven, I am above that and right  
7 next door is the Rosebud Liquor, so I'm above one  
8 of those two.

9 MS. FLETCHER: But do you know if your  
10 unit touches any part of Rosebud Liquor?

11 MR. BHANJI: I'm not sure, it would be  
12 my floor and their ceiling, I don't know the  
13 answer to that.

14 MS. FLETCHER: Okay. You mentioned  
15 something about a 7-Eleven?

16 MR. BHANJI: Yes, at the bottom of  
17 this building are a 7-Eleven and what used to be  
18 a caf,. So, now to bring the 7-Eleven and the  
19 liquor store both in the same building seems to  
20 be right above those two doesn't fill me with any  
21 glee.

22 MS. FLETCHER: Okay, excuse me one  
23 second. Our IT person is here to help us. Okay,  
24 I'm back. I'm going to pick up where I left off.  
25 Mr. Bhanji, it does not appear that your property

1 abuts that of the establishment. I'm going to  
2 have to dismiss the protest, but if you become  
3 aware that your properties do abut then you can  
4 let us know.

5 I'm going to move to the next person  
6 on my list, that's Carolyn Karbel. Is Ms. Karbel  
7 here?

8 MS. KARBEL: I'm here.

9 MS. FLETCHER: Ms. Karbel, you are  
10 here?

11 MS. KARBEL: Hi, yes, I'm here.

12 MS. FLETCHER: Oh, I see you. Hi.  
13 Ms. Karbel, can you spell your name for the  
14 record, please?

15 MS. KARBEL: Yes, C-A-R-O-L-Y-N the  
16 last name K-A-R-B-E-L.

17 MS. FLETCHER: Thank you, Ms. Karbel.  
18 So, it seems like the same thing is going to  
19 apply to your unit that's applied to the other  
20 units. You're on the fourth floor. You're in  
21 unit number 408, is that right?

22 MS. KARBEL: That is correct, but I  
23 also want to state that as a condo member, we are  
24 partial owners of the whole building. We pay  
25 fees every month and as a board member, we pay to

1 have repairs to the outside walls, to the  
2 windows, to the doors and that would include the  
3 walking in question of the Rosebud Liquors, so  
4 technically we are all partial owners of that  
5 property.

6 MS. FLETCHER: We don't take that into  
7 consideration, but you can make that argument  
8 with the ABC Board. The protest has to be  
9 dismissed, but you'll have an opportunity, Ms.  
10 Karbel, to bring that to the attention of the ABC  
11 Board and let them take that into consideration.

12 MS. KARBEL: Okay.

13 MS. FLETCHER: They will take that  
14 into consideration.

15 MS. KARBEL: Thank you.

16 MS. FLETCHER: But for the purpose of  
17 the Roll call hearing today, unit 408 does not --  
18 we're having some technical issues today, I'm  
19 sorry for the interruptions.

20 Is Shena Popat here today?

21 MS. POPAT: Here.

22 MS. FLETCHER: Would you state your  
23 name and spell it for the record, please?

24 MS. POPAT: Shena Popat, first name S-  
25 H-E-N-A last name P-O-P-A-T.

1 MS. FLETCHER: You're in unit number  
2 308? Ms. Popat, you're in unit number 308?

3 MS. POPAT: Yes, that's correct.

4 MS. FLETCHER: Okay, based on our  
5 definition of an abutting property owner, your  
6 property does not appear to abut that of the  
7 establishment either. For the purpose of the  
8 Roll call hearing, I'm going to have to dismiss  
9 your protest, but you will have an opportunity to  
10 ask the Board to reconsider the decision being  
11 made today and seek a reinstatement of your  
12 protest. (Simultaneous speaking.)

13 Is Michael Villa present today? I'll  
14 spell Mr. Villa's name for the record. It's  
15 spelled M-I-C-H-A-E-L Villa V-I-L-L-A. Mr. Villa  
16 resides in unit number 502. Mr. Villa's protest  
17 is dismissed today because he is not present and  
18 he does not appear to be an abutting property  
19 owner.

20 Is Paul Rich here today? Dr. Rich,  
21 are you here? Dr. Rich, you're (Simultaneous  
22 speaking.)

23 MR. RICH: Yes, I'm here, ma'am.

24 MS. FLETCHER: Good morning.

25 MR. RICH: Good morning, ma'am.

1 MS. FLETCHER: Would you spell your  
2 name for the court reporter, please?

3 MR. RICH: Paul P-A-U-L Rich R-I-C-H.

4 MS. FLETCHER: And, Dr. Rich, you live  
5 in unit number 201?

6 MR. RICH: Yes, I do, ma'am.

7 MS. FLETCHER: Do you know if your  
8 unit touches the ceiling or any other portion of  
9 the establishment?

10 MR. RICH: I know that I abut a  
11 staircase which appears to go down into the area  
12 and I appear to be, I'm saying appear because I'm  
13 not sure of the architectural factors of this. I  
14 appear to be at the part of the building which I  
15 assume is over the commercial properties beneath,  
16 but I would have to rely on an architect or on  
17 the condo board to tell me whether I qualify as  
18 an abutter. In fact, ma'am, I wrote you  
19 yesterday about this.

20 MS. FLETCHER: Dr. Rich, for the  
21 reasons that I've stated in the other cases, I'm  
22 going to dismiss this protest for the purpose of  
23 the Roll call hearing because it does appear that  
24 unit 201 abuts the establishment. You know, I'd  
25 like to apologize to everyone. I mean you're

1 located in the building so I can understand why  
2 you would think that your abutting, but our  
3 definition requires you to have a property that  
4 touches that of the establishment. In each one  
5 of these cases, as I said, you can petition the  
6 ABC Board to reconsider the decision that's made  
7 today. That's related to the protestants that  
8 filed the protest.

9 Is someone here on behalf of Rosebud  
10 Liquor at this point? The Applicant is not  
11 present and so the application is also dismissed.  
12 The application to transfer the license is  
13 dismissed for the purpose of the Roll call  
14 hearing. The Board will issue a dismissal of the  
15 application because the Applicant is not present.  
16 The Applicant will have an opportunity to  
17 petition the ABC Board to reinstate the  
18 application. The Board will review the reason  
19 that the Applicant is not present today and  
20 decide whether or not to reinstate the transfer  
21 application, but as of today, the application is  
22 dismissed.

23 You'll be kept informed when the Board  
24 order goes out, it may be one Board order in this  
25 case. When the Board order goes out, you will

1 see when you receive it that everybody has 10  
2 days to petition the ABC Board to reconsider  
3 whatever transpired today. Any questions at all?  
4 Thank you for coming. The roll call hearing in  
5 the matter of Rosebud is concluded. Thank you.

6 (Whereupon, the proceeding went off  
7 the record at 10:33 a.m.)  
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In the matter of: Roll Call Hearings

Before: ABCB

Date: 12-19-22

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