

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

IN THE MATTER OF:	:
	:
Residents DC, LLC,	:
t/a Residents	:
1306 18th Street NW	: Protest Hearing
License #112301	: (Status)
Retailer CR	:
ANC 2B	:
	:
(Application for a	:
New License)	:

Wednesday
March 20, 2019

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Donovan W. Anderson, presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson

BOBBY CATO, JR., Member

JAMES SHORT, Member

MIKE SILVERSTEIN, Member

REMA WAHABZADAH, Member

ALSO PRESENT:

SIDON YOHANNES, Counsel for Applicants

GLENN ENGELMANN, Dupont Circle Citizens'
Association

KARI CUNNINGHAM, Commissioner for ANC2B

LYLE BLANCHARD, Representative, Group of Five or
More Protestants

LILLIAN GASKIN

SUSAN LINDAHL

CHRISTOPHER CHARLES

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

9:37 a.m.

CHAIRPERSON ANDERSON: Good morning, everyone. I would like to welcome you to the regularly scheduled meeting of the District of Columbia Alcoholic Beverage Control Board. Please note that today's hearings will be conducted in accordance with D.C. Official Code Section 2574(b), 2574 of the Open Meetings Act.

Today is March 20th, 2019. I would like to introduce Members of the Board with us today. To my far right is Mr. Bobby Cato. To my far left is Ms. Rema Wahabzadah. To her right is Mr. Mike Silverstein. And to my immediate left is Mr. James.

My name is Donovan Anderson, and I'm Chairman of the Board. We have five members in attendance today for the conduct of business. I would like to mention two things before we get started.

First of all, if you have any electronic devices, pagers, or such, please make

1 certain that they are turned off to avoid any
2 interruption of the proceeding.

3 Secondly, there is a piece of paper on
4 each table. When you come forward, as your case
5 is called, please take a seat at the table, and
6 please sign in. This is to ensure the correct
7 spelling of your name for the record.
8 Additionally, when you introduce yourself for the
9 record, please spell your aloud for the court
10 reporter.

11 I would note that the, excuse me, the
12 approximate time is 9:38 a.m. And as one hears,
13 there is a pounding. And that is actually in the
14 garage. So, and we're on the fourth floor.
15 That's actually five floors below us that we have
16 that pounding. So, I would ask that when you
17 present that you need to speak, so you can speak
18 about the pounding that's going on downstairs.

19 All right. Let's move to our Protest
20 Hearing Status calendar. The first case in our
21 Protest Hearing Status Calendar is Case number
22 19-PRO-00008, Residence, License number 112301.

1 Will the parties please approach and identify
2 themselves for the record, please. Let's start
3 with the applicant.

4 MS. YOHANNES: Good morning. Sidon
5 Yohannes on behalf of the applicant.

6 CHAIRPERSON ANDERSON: Good morning,
7 Ms. Yohannes.

8 MR. ENGELMANN: Hi. Glenn Engelmann,
9 on behalf of the DuPont Circle Citizens
10 Association.

11 CHAIRPERSON ANDERSON: Say your name
12 again, sir.

13 MR. ENGELMANN: Glenn Engelmann.

14 CHAIRPERSON ANDERSON: Good morning,
15 Mr. Engelmann.

16 MS. CUNNINGHAM: All right. Kari
17 Cunningham, Commissioner for ANC 2B.

18 CHAIRPERSON ANDERSON: Good morning,
19 Ms. Cunningham.

20 MR. BLANCHARD: And Lyle Blanchard fo
21 a group of five protestants, five or more.

22 CHAIRPERSON ANDERSON: Now you're,

1 this was a group of 19? Was this initially the
2 group of 19? Or is this --

3 MR. BLANCHARD: Yes. But --

4 CHAIRPERSON ANDERSON: Well, yes, I
5 know. But all right. All right. Mr. Blanchard
6 --

7 MR. BLANCHARD: Yes, sir.

8 CHAIRPERSON ANDERSON: All right.
9 It's my understanding that for the group only
10 three people showed up at the group at the roll
11 call hearing.

12 MR. BLANCHARD: Correct.

13 CHAIRPERSON ANDERSON: So therefore,
14 we need to have two more bodies show up today.
15 Do you have two more bodies to show up?

16 MR. BLANCHARD: We have three more
17 bodies.

18 CHAIRPERSON ANDERSON: Where are the
19 bodies, sir?

20 MR. BLANCHARD: I'm going to call them
21 forward.

22 CHAIRPERSON ANDERSON: Well, they need

1 to come forward. All right.

2 MR. BLANCHARD: I'd like to call
3 Lillian Gaskin, Susan Lindahl, and Christopher
4 Charles.

5 PARTICIPANT: Please speak up into the
6 mic. We can't hear you.

7 MR. BLANCHARD: Sorry.

8 PARTICIPANT: Would you say your name
9 for the, into the microphone.

10 MS. GASKIN: Of course. I am Lillian
11 Gaskin, L-I-L-L-I-A-N, G-A-S-K-I-N.

12 CHAIRPERSON ANDERSON: Good morning.

13 MS. GASKIN: Good morning.

14 MR. BLANCHARD: Okay. Next. You need
15 to get up and --

16 MS. LINDAHL: I'm Susan Lindahl.

17 CHAIRPERSON ANDERSON: I didn't hear
18 your last name, ma'am.

19 MS. LINDAHL: S-U-S-A-N, Lindahl, L-I-
20 N-D-A-H-L.

21 CHAIRPERSON ANDERSON: Good morning,
22 Ms. --

1 MS. LINDAHL: 1325 18th Street,
2 Northwest.

3 CHAIRPERSON ANDERSON: Good morning,
4 Ms. Lindahl.

5 MS. LINDAHL: Good morning.

6 MR. BLANCHARD: And last but not
7 least.

8 MR. CHARLES: I am Christopher
9 Charles, C-H-A-R-L-E-S, last name. 1325 18th
10 Street Northwest.

11 CHAIRPERSON ANDERSON: Good morning,
12 Mr. Charles. All right. Ms. Yohannes, are there
13 any preliminary matters that you have?

14 MS. YOHANNES: No. No preliminary.

15 CHAIRPERSON ANDERSON: That you need
16 to raise? No? Does any of the three protestants
17 have any preliminary matters that they want to
18 raise?

19 MR. BLANCHARD: Just a minor point,
20 Chairman. On the notice, the notice talks about
21 some endorsements. And those include
22 entertainment, cover charge, dancing, and a

1 summer garden.

2 And we've looked at the site, and the
3 adjacent site, Luna Grill. Luna Grill's license
4 has an endorsement for a sidewalk café. And the
5 space immediately adjacent to the sidewalk café
6 of Luna Grill is the proposed site of the outdoor
7 area for Residents.

8 And so, we'd ask that the applicant
9 amend its application to say summer, from summer
10 garden to sidewalk café.

11 CHAIRPERSON ANDERSON: Yes, Ms.
12 Yohannes?

13 MS. YOHANNES: Our understanding is
14 that it is private property, and it's summer
15 garden. However, if it is a sidewalk café, and
16 it's public space we will amend accordingly.
17 However, we are seeking outdoor space.

18 CHAIRPERSON ANDERSON: Right.

19 MS. YOHANNES: Outdoor space for
20 existing --

21 CHAIRPERSON ANDERSON: Well, as you
22 are aware, if it's public space, even if we were

1 to give the endorsement, then they would have to
2 have the permit from --

3 MR. BLANCHARD: Right, right. I'd
4 just like the record to reflect that it's going
5 to be sidewalk café. I don't see it as a fatal
6 flaw as far as the notice is concerned. And I'm
7 not raising it in that context. I'm just raising
8 it as an issue, so that when the license is
9 approved, that it says the proper designation.

10 CHAIRPERSON ANDERSON: Well, I think
11 if we go to a protest hearing, which I, if we go
12 to a hearing, then I would hope that by that time
13 that it will be clarified whether or not it's
14 public or, the space that's being applied for,
15 whether or not it's public or private space.

16 MR. BLANCHARD: That's fine.

17 CHAIRPERSON ANDERSON: All right.

18 MS. YOHANNES: And just for the
19 record, I want the record to reflect that the
20 neighborhood, the ANC, DCCA, and everyone else is
21 aware that we are seeking outdoor space, private
22 or public.

1 CHAIRPERSON ANDERSON: I think it's
2 clear that it's outdoor. That, I think --

3 MS. YOHANNES: I just want to --

4 CHAIRPERSON ANDERSON: It's clear. I
5 just want, I think what I've been told is that
6 the title of the outdoor space wasn't that it's a
7 summer garden, or whatever it is, whether or not
8 it's public or private, that that information be
9 brought before the, on the license. So, I'm fine
10 with that. And are there any other preliminary
11 issues?

12 MR. BLANCHARD: No.

13 CHAIRPERSON ANDERSON: I mean, do the
14 parties -- All right. So, pending no settlement
15 agreement this matter then is scheduled for a
16 protest hearing on April 10th, at 1:30 p.m.

17 Are the parties familiar with the
18 process, or you need me to read the hearing, the
19 information regarding the fact that -- Well, one
20 thing that I'll bring to your attention.

21 Seven days prior to the hearing each
22 side needs to, you need to exchange whatever

1 documents or witnesses that you're relying on.
2 And if those documents or witnesses are not
3 disclosed, then unless there's a showing of good
4 cause why it has not been done, then we will
5 prevent you from moving forward.

6 So, that's the part that I want to
7 make sure that both sides are aware, that that's
8 something that's very important to the Board.

9 So, this matter then, if not, if
10 you're unable to reach a settlement agreement,
11 and I've always, if, I've always endorsed having
12 a settlement agreement. Because this is your
13 neighborhood.

14 So, yes, it's an application for a new
15 license. So, if you guys can work it out to say
16 this is what we're going to do, the Board will
17 entertain that. If not, I will see you on April
18 10th at 1:30 p.m. for a Protest Hearing. All
19 right. Have a great day. Thank you.

20 (Whereupon, the above-entitled matter
21 went off the record at 9:44 a.m.)
22

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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: Residents

Before: DCABRA

Date: 03-20-19

Place: Washington, DC

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my direction; further, that said transcript is a
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