

IN THE MATTER OF: :

:

1327 Connecticut, LLC, :

t/a The Manor :

1327 Connecticut Ave, NW : Protest

Retailer CT - ANC 2B : Hearing (Status)

License No. 99536 :

Case #18-PRO-00062 :

:

(Substantial Change - :

Request to Add a Summer :

Garden with 75 seats) :

Wednesday  
September 26, 2018

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  
NICK ALBERTI, Member  
BOBBY CATO, JR., Member  
DONALD ISAAC, SR., Member  
MIKE SILVERSTEIN, Member  
JAMES SHORT, Member  
REMA WAHABZADAH, Member

**ALSO PRESENT:**

KARI CUNNINGHAM, ANC 2B  
ABIGAIL NICHOLS, Dupont Circle Citizens  
Association

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

9:42 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 know that today's hearings will be conducted in accordance with D.C. Official Code Section 2-574 of the Open Meetings Act.

Today is September 26, 2018. I would like to introduce Members of the Board with us today. To my far right is Mr. Donald Isaac, Sr., to his left is Mr. Bobby Cato. To my immediate right is Mr. Nick Alberti. To my far left is Ms. Rema Wahabzadah. To her right is Mr. Mike Silverstein and to my immediate left is Mr. James Short. My name is Donovan Anderson. I'm Chairman of the Board. We have seven Members in attendance today for the conduct of business and we do have a quorum.

I would like to say we haven't had seven Members in a minute, so it's good that all

1 seven of us are here today. So I do appreciate  
2 that.

3 All right. I would like to mention  
4 two things before we get started. First of all,  
5 if you have any electronic devices, pagers, cell  
6 phones or such, please, turn them off to avoid  
7 any interruption of the proceedings.

8 Secondly, there is a piece of paper on  
9 each table. When you come forward as your case  
10 is called, please, take a seat at the table and,  
11 please, sign-in. This is to ensure the correct  
12 spelling of your name for the record.

13 Additionally, when you introduce  
14 yourself for the record, please, spell your name  
15 aloud for the court reporter.

16 I would note that the approximate time  
17 is 9:45 and, again, I apologize, we were supposed  
18 to start at 9:30. We did not take the Bench at  
19 9:30. You were here at 9:30, so I do apologize  
20 that we were not here promptly.

21 But moving forward, we now move to our  
22 first order of business. We have a Protest

1       Hearing (Status), Case No. 18-PRO-00062, The  
2       Manor, License No. 99536.

3               Would the parties, please, approach  
4       and identify themselves for the record, please?

5               MS. NICHOLS: I'm Abigail Nichols, A-  
6       B-I-G-A-I-L N-I-C-H-O-L-S. I'm representing the  
7       Dupont Circle Citizens Association.

8               CHAIRPERSON ANDERSON: Good morning,  
9       Ms. Nichols.

10              MS. NICHOLS: Good morning, Chairman  
11       Anderson.

12              MS. CUNNINGHAM: Good morning. I'm  
13       Commissioner Kari Cunningham, K-A-R-I C-U-N-N-I-  
14       N-G-H-A-M, ANC-2B07.

15              CHAIRPERSON ANDERSON: Good morning,  
16       Ms. Cunningham.

17              I see that the applicant is not here  
18       at the moment. This matter was scheduled for a  
19       Protest Hearing (Status) at 9:30. It is now  
20       9:46, but what I do in all these cases, I give  
21       each side a reasonable period of time to show up.  
22       So I'm going to move on with the calendar and I

1 will recall this case, so probably about 10:00,  
2 10:15, I will recall this case. And if they are  
3 not here, I will make a motion to the Board to  
4 dismiss this application.

5 So you can step back, but I will  
6 recall this case shortly. And as I said before,  
7 this is what I do for all cases, but -- at least  
8 for Protest Hearing (Status) cases. If I call  
9 the case at 9:30 and if they are not here, I  
10 will, because all these cases are scheduled for  
11 9:30, recall the case probably around 10:00 or so  
12 and if they are not here, then I'll make a motion  
13 to dismiss the matter.

14 All right.

15 (Whereupon, the above-entitled matter  
16 went off the record at 9:46 a.m. and resumed at  
17 10:03 a.m.)

18 CHAIRPERSON ANDERSON: All right. Let  
19 me recall our Protest Hearing, Case No. 18-PRO-  
20 00062, The Manor, License No. 99536.

21 Will the parties, please, approach and  
22 identify themselves for the record, please?

1 MS. CUNNINGHAM: Hello, Mr. Chair.  
2 Commissioner Kari Cunningham. K-A-R-I C-U-N-N-  
3 I-N-G-H-A-M.

4 CHAIRPERSON ANDERSON: Good morning  
5 again, Ms. Cunningham.

6 MS. CUNNINGHAM: Good morning.

7 MS. NICHOLS: Good morning. Abigail  
8 Nichols, Dupont Circle Citizens Association.

9 CHAIRPERSON ANDERSON: Good morning  
10 again, Ms. Nichols.

11 All right. In this matter I see that  
12 the licensee is not here. This was an application  
13 for a substantial change to add a summer garden  
14 with 75 seats.

15 This was a Protest Hearing Status. I  
16 called the case at 9:30. The applicant was not  
17 here. It is now 10:05. I recalled the case and  
18 the applicant is still not here.

19 With that said, I make a motion that  
20 we dismiss this application for a substantial  
21 change. Is there a second?

22 MEMBER SILVERSTEIN: I second, Mr.

1 Chair.

2 MEMBER SHORT: Second.

3 CHAIRPERSON ANDERSON: Both Mr. Short  
4 and Mr. Silverstein have seconded the motion.

5 All those in favor say aye.

6 ALL: Aye.

7 CHAIRPERSON ANDERSON: Those opposed?  
8 The matter passes 7-0-0.

9 What this means is that we are  
10 dismissing the application. The Board will issue  
11 a formal decision. Once the decision is issued,  
12 the applicant has 10 days to respond to show us  
13 good cause why they were not here today at the  
14 Protest Hearing Status.

15 If they fail to respond or if they do  
16 not provide the Board with good cause, their  
17 application will be dismissed.

18 Thank you for being here today.

19 MS. NICHOLS: Thank you, Mr. Chairman.

20 CHAIRPERSON ANDERSON: All right.

21 (Whereupon, the Protest (Status)

22 Hearing was concluded at 10:05 a.m.)

<p><b>A</b></p> <p><b>A-</b> 4:5  <b>a.m</b> 2:2 5:16,17 7:22  <b>Abigail</b> 1:21 4:5 6:7  <b>above-entitled</b> 5:15  <b>Act</b> 2:9  <b>add</b> 1:9 6:13  <b>Additionally</b> 3:13  <b>Alberti</b> 1:17 2:14  <b>Alcoholic</b> 1:2,12,13 2:6  <b>aloud</b> 3:15  <b>ANC</b> 1:7,21  <b>ANC-2B07</b> 4:14  <b>Anderson</b> 1:14,16 2:3 2:17 4:8,11,15 5:18 6:4,9 7:3,7,20  <b>apologize</b> 3:17,19  <b>applicant</b> 4:17 6:16,18 7:12  <b>application</b> 5:4 6:12,20 7:10,17  <b>appreciate</b> 3:1  <b>approach</b> 4:3 5:21  <b>approximate</b> 3:16  <b>Association</b> 1:22 4:7 6:8  <b>attendance</b> 2:19  <b>Ave</b> 1:6  <b>avoid</b> 3:6  <b>aye</b> 7:5,6</p>	<p>2:3 4:8,15 5:18 6:4,9 7:3,7,20  <b>change</b> 1:9 6:13,21  <b>Circle</b> 1:21 4:7 6:8  <b>Citizens</b> 1:21 4:7 6:8  <b>Code</b> 2:8  <b>Columbia</b> 1:1 2:6  <b>come</b> 3:9  <b>Commissioner</b> 4:13 6:2  <b>concluded</b> 7:22  <b>conduct</b> 2:19  <b>conducted</b> 2:8  <b>Connecticut</b> 1:5,6  <b>Control</b> 1:2,12,13 2:6  <b>correct</b> 3:11  <b>court</b> 3:15  <b>CT</b> 1:7  <b>Cunningham</b> 1:21 4:12 4:13,16 6:1,2,5,6</p>	<p><b>immediate</b> 2:13,16  <b>interruption</b> 3:7  <b>introduce</b> 2:11 3:13  <b>Isaac</b> 1:18 2:12  <b>issue</b> 7:10  <b>issued</b> 7:11</p>	<p><b>order</b> 3:22</p>
<p><b>B</b></p> <p><b>B-I-G-A-I-L</b> 4:6  <b>back</b> 5:5  <b>Bench</b> 3:18  <b>Beverage</b> 1:2,12,13 2:6  <b>Board</b> 1:2,12 2:6,11,18 5:3 7:10,16  <b>Bobby</b> 1:17 2:13  <b>Building</b> 1:13  <b>business</b> 2:19 3:22</p>	<p><b>D</b></p> <p><b>D.C</b> 1:14 2:8  <b>days</b> 7:12  <b>decision</b> 7:11,11  <b>devices</b> 3:5  <b>dismiss</b> 5:4,13 6:20  <b>dismissed</b> 7:17  <b>dismissing</b> 7:10  <b>District</b> 1:1 2:5  <b>Donald</b> 1:18 2:12  <b>Donovan</b> 1:14,16 2:17  <b>Dupont</b> 1:21 4:7 6:8</p>	<p><b>J</b></p> <p><b>James</b> 1:19 2:16  <b>JR</b> 1:17</p>	<p><b>P</b></p>
<p><b>C</b></p> <p><b>C-U-N-N-</b> 6:2  <b>C-U-N-N-I-</b> 4:13  <b>calendar</b> 4:22  <b>call</b> 5:8  <b>called</b> 3:10 6:16  <b>case</b> 1:8 3:9 4:1 5:1,2,6 5:9,11,19 6:16,17  <b>cases</b> 4:20 5:7,8,10  <b>Cato</b> 1:17 2:13  <b>cause</b> 7:13,16  <b>cell</b> 3:5  <b>Chair</b> 6:1 7:1  <b>Chairman</b> 2:18 4:10 7:19  <b>Chairperson</b> 1:14,16</p>	<p><b>E</b></p> <p><b>electronic</b> 3:5  <b>ensure</b> 3:11</p>	<p><b>K</b></p> <p><b>K-A-R-I</b> 4:13 6:2  <b>Kari</b> 1:21 4:13 6:2</p>	<p><b>P-R-O-C-E-E-D-I-N-G-S</b></p>
	<p><b>F</b></p> <p><b>fail</b> 7:15  <b>far</b> 2:12,14  <b>favor</b> 7:5  <b>first</b> 3:4,22  <b>formal</b> 7:11  <b>forward</b> 3:9,21</p>	<p><b>L</b></p> <p><b>left</b> 2:13,14,16  <b>License</b> 1:7 4:2 5:20  <b>licensee</b> 6:12  <b>LLC</b> 1:5</p>	<p>2:1  <b>paggers</b> 3:5  <b>paper</b> 3:8  <b>parties</b> 4:3 5:21  <b>passes</b> 7:8  <b>period</b> 4:21  <b>phones</b> 3:6  <b>piece</b> 3:8  <b>please</b> 2:7 3:6,10,11,14 4:3,4 5:21,22  <b>PRESENT</b> 1:15,20  <b>presiding</b> 1:14  <b>probably</b> 5:1,11  <b>proceedings</b> 3:7  <b>promptly</b> 3:20  <b>Protest</b> 1:6 3:22 4:19 5:8,19 6:15 7:14,21  <b>provide</b> 7:16</p>
	<p><b>G</b></p> <p><b>garden</b> 1:10 6:13  <b>give</b> 4:20</p>	<p><b>M</b></p> <p><b>Manor</b> 1:6 4:2 5:20  <b>matter</b> 1:4 4:18 5:13,15 6:11 7:8  <b>means</b> 7:9  <b>meeting</b> 1:3 2:5  <b>Meetings</b> 2:9  <b>Member</b> 1:17,17,18,18 1:19,19 6:22 7:2  <b>Members</b> 2:11,18,22  <b>mention</b> 3:3  <b>met</b> 1:13  <b>Mike</b> 1:18 2:15  <b>minute</b> 2:22  <b>moment</b> 4:18  <b>morning</b> 2:3 4:8,10,12 4:15 6:4,6,7,9  <b>motion</b> 5:3,12 6:19 7:4  <b>move</b> 3:21 4:22  <b>moving</b> 3:21</p>	<p><b>Q</b></p>
	<p><b>H</b></p> <p><b>Hearing</b> 1:7,13 4:1,19 5:8,19 6:15 7:14,22  <b>hearings</b> 2:7  <b>Hello</b> 6:1</p>	<p><b>N</b></p>	<p><b>R</b></p>
	<p><b>I</b></p> <p><b>I-N-G-H-A-M</b> 6:3  <b>identify</b> 4:4 5:22</p>	<p><b>N-G-H-A-M</b> 4:14  <b>N-I-C-H-O-L-S</b> 4:6  <b>N.W</b> 1:13  <b>name</b> 2:17 3:12,14  <b>Nichols</b> 1:21 4:5,5,9,10 6:7,8,10 7:19  <b>Nick</b> 1:17 2:14  <b>note</b> 3:16  <b>NW</b> 1:6</p>	<p><b>reasonable</b> 4:21  <b>recall</b> 5:1,2,6,11,19  <b>recalled</b> 6:17  <b>record</b> 3:12,14 4:4 5:16 5:22  <b>Reeves</b> 1:13  <b>regularly</b> 2:5  <b>Rema</b> 1:19 2:15  <b>reporter</b> 3:15  <b>representing</b> 4:6  <b>Request</b> 1:9  <b>respond</b> 7:12,15  <b>resumed</b> 5:16  <b>Retailer</b> 1:7  <b>Room</b> 1:13</p>
		<p><b>O</b></p>	<p><b>S</b></p>
		<p><b>Official</b> 2:8  <b>Once</b> 7:11  <b>Open</b> 2:9  <b>opposed</b> 7:7</p>	<p><b>scheduled</b> 2:5 4:18 5:10  <b>seat</b> 3:10  <b>seats</b> 1:10 6:14  <b>second</b> 6:21,22 7:2  <b>seconded</b> 7:4  <b>Secondly</b> 3:8  <b>Section</b> 2:9  <b>September</b> 1:11 2:10  <b>seven</b> 2:18,22 3:1  <b>Short</b> 1:19 2:17 7:2,3  <b>shortly</b> 5:6  <b>show</b> 4:21 7:12  <b>side</b> 4:21</p>



<b>sign-in</b> 3:11	<b>18-PRO-00062</b> 1:8 4:1		
<b>Silverstein</b> 1:18 2:16			
6:22 7:4	<b>2</b>		
<b>spell</b> 3:14	<b>2-574</b> 2:9		
<b>spelling</b> 3:12	<b>2000</b> 1:13		
<b>Sr</b> 1:18 2:12	<b>20009</b> 1:14		
<b>start</b> 3:18	<b>2018</b> 1:11 2:10		
<b>started</b> 3:4	<b>26</b> 1:11 2:10		
<b>Status</b> 1:7 4:1,19 5:8	<b>2B</b> 1:7,21		
6:15 7:14,21			
<b>step</b> 5:5	<b>3</b>		
<b>Street</b> 1:13			
<b>substantial</b> 1:9 6:13,20	<b>4</b>		
<b>Suite</b> 1:14	<b>400S</b> 1:14		
<b>summer</b> 1:9 6:13			
<b>supposed</b> 3:17	<b>5</b>		
<b>T</b>	<b>6</b>		
<b>t/a</b> 1:6	<b>7</b>		
<b>table</b> 3:9,10	<b>7-0-0</b> 7:8		
<b>Thank</b> 7:18,19	<b>75</b> 1:10 6:14		
<b>things</b> 3:4	<b>8</b>		
<b>today</b> 2:10,12,19 3:1	<b>9</b>		
7:13,18	<b>9:30</b> 3:18,19,19 4:19 5:9		
<b>today's</b> 2:7	5:11 6:16		
<b>turn</b> 3:6	<b>9:42</b> 2:2		
<b>two</b> 3:4	<b>9:45</b> 3:17		
<b>U</b>	<b>9:46</b> 4:20 5:16		
<b>V</b>	<b>99536</b> 1:7 4:2 5:20		
<b>W</b>			
<b>W</b> 1:14,16			
<b>Wahabzadah</b> 1:19 2:15			
<b>Washington</b> 1:14			
<b>Wednesday</b> 1:11			
<b>welcome</b> 2:4			
<b>went</b> 5:16			
<b>X</b>			
<b>Y</b>			
<b>Z</b>			
<b>0</b>			
<b>00062</b> 5:20			
<b>1</b>			
<b>10</b> 7:12			
<b>10:00</b> 5:1,11			
<b>10:03</b> 5:17			
<b>10:05</b> 6:17 7:22			
<b>10:15</b> 5:2			
<b>1327</b> 1:5,6			
<b>14th</b> 1:13			
<b>18-PRO-</b> 5:19			

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: The Manor

Before: DCABRA

Date: 09-26-18

Place: Washington, DC

was duly recorded and accurately transcribed under  
my direction; further, that said transcript is a  
true and accurate record of the proceedings.

  
-----  
Court Reporter

**NEAL R. GROSS**

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