

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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MEETING

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 IN THE MATTER OF: :
 :
 The HR-57 Foundation :
 t/a Gallaudet Pavilion : Fact Finding
 1399 5th Street NE : Hearing
 Retailer CX Multi-Purpose :
 License No. N/A :
 ANC 5D :
 -----:

APRIL 29, 2015

The Alcoholic Beverage Control Board  
 met in the Alcoholic Beverage Control Hearing  
 Room, Reeves Building, 2000 14th Street N.W.,  
 Washington, D.C., Chairperson Ruthanne Miller,  
 presiding.

**PRESENT:**

**RUTHANNE MILLER, Chairperson**

**DONALD BROOKS, Member**

**NICK ALBERTI, Member**

**HECTOR RODRIGUEZ, Member**

**MIKE SILVERSTEIN, Member**

**JAMES SHORT, Member**

**HERMAN JONES, Member**

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

2 2:11 p.m.

3 CHAIRPERSON MILLER: Okay, next fact  
4 finding hearing is Gallaudet Pavilion located at  
5 1399 5th Street, South -- Northeast in ANC 5D.

6 Hi. Have a seat wherever you like  
7 really. Looks like the whole place is your's.  
8 When you're ready, if you can identify yourself  
9 for the record and also, sign in, so that we get  
10 your name spelled correctly in the record.

11 MR. PUESAN: My name is Antonio  
12 Puesan, also known as Tony Puesan.

13 MEMBER SILVERSTEIN: Can you please  
14 speak up?

15 MR. PUESAN: My name is Antonio  
16 Puesan. I represent the HR-57 Foundation, and  
17 we're trying to create a space behind Union  
18 Market, in an old car lot, the space used to be  
19 called the terminal market, the old terminal  
20 market, before Union Market was built.

21 We've decided that we'd clear the  
22 brush out, clean everything up. Gallaudet had

1       been focused on getting it cleaned up an the ANC  
2       wanted the space cleaned up, and we came up with  
3       the concept, with Gallaudet, to basically re-  
4       utilize the space, because it's a blight in the  
5       neighborhood.

6               There's a lot of development happening  
7       and a lot of development being projected for the  
8       next four or five years.

9               Gallaudet has given us the use of the  
10       space to create a multi-purpose facility where we  
11       can have -- let some useful -- use for Gallaudet  
12       students to come onboard, and work with us, and  
13       the community can use the space, for us to be  
14       able to create a space where we can actually do  
15       what HR-57 has done for many years, which is  
16       create a facility where artists can display their  
17       musical talent.

18               We will be doing outdoor concerts. We  
19       will be doing -- using this space as a festival  
20       ground, because it's completely contained. The  
21       whole square block is contained and fenced in.

22               The idea is to just make -- you know,

1 ignite the space and re-vitalize the community,  
2 and at the same time, create a space for HR-57.  
3 We used to be located on H Street, prior to H  
4 Street, two locations on H Street, we were also  
5 located at 14th and Q, prior to that, at 14th and  
6 V, prior to that, at 9th and P, where we first  
7 started the organization.

8 We've been around, I'd say about 21  
9 years. This year, rather than being in a  
10 facility, I was outside at this facility, because  
11 this is an outdoor facility. We're going to use  
12 it and keep it outdoors.

13 I sent four photographs. I have many,  
14 many more, but it showed the overgrowth of the  
15 space on the lot. It showed an old trailer, and  
16 the actual 1399 building, which is at the  
17 facility. We won't be using the building, but  
18 for storage and a small office space.

19 The trailer on the property has been  
20 resurfaced and we're creating a commercial  
21 kitchen facility, and oversized food truck, but  
22 it's at the location. There would be a patio

1 outside, the outside meaning on the inside of the  
2 property, not on the public space. Everything is  
3 on private space.

4 Then there is two large pavilions,  
5 open structure on all sides, with a covered roof.  
6 So, that's where we got the name The Pavilion  
7 from, and we're going to basically repaint,  
8 resurface that area and set picnic tables under  
9 and outside of that space, so people can come out  
10 and picnic there.

11 The overall concerts, community use,  
12 Gallaudet use and a general pavilion space for  
13 outdoor events is our focus.

14 We're not bordered by any residential  
15 property at the moment. We might be in the next  
16 two to three years. The closest property is, I'd  
17 say three and a half blocks away at Florida, 4th,  
18 5th and 6th and Florida. The closest school is  
19 about 1,000 yards away, 1,000 yards or 1,000  
20 feet, 1,250 feet.

21 MEMBER SHORT: That's a junior high  
22 school?

1                   MR. PUESAN: That is a junior high  
2 school. I think it's called Kip. They're  
3 building in Union and they're tearing the old one  
4 down next six months, which sets it a little  
5 further away from us.

6                   Our activities are pretty much  
7 weekends, late afternoons.

8                   MEMBER SHORT: So, the back of your  
9 place would butt the playground or the --

10                  MR. PUESAN: No, it's actually -- the  
11 playground is about 600 or 700 linear feet away.  
12 I think we marked it on the application, the  
13 actual footage.

14                  But the other grounds are Gallaudet's,  
15 pretty much, it's all on Gallaudet campus, we're  
16 going to say about -- that's the closest school,  
17 and their hours of operation end at about 2:30 or  
18 3:30 p.m.

19                  Our operation would probably take most  
20 outdoor events will go from April-ish until  
21 November, most of the -- 90 percent of the time,  
22 the kids will be out school because it's during

1 the summer, unless they come back in August. I  
2 don't know what time school go back.

3 MEMBER SHORT: That's at the practice  
4 football field, that's close to that too?

5 MR. PUESAN: They have a practice  
6 football field about 250 feet to the east of this  
7 location, close to Union Market, and their  
8 facility. What else can I tell you about this  
9 place?

10 It's an open-air space. The focus is  
11 to use it for multi-use. Our first two events,  
12 we hope, if we get open -- you know, some time  
13 next month, we'd hope to start off with two  
14 birthdays. That's our first events. We've been  
15 solicited to do weddings there, and I'm like,  
16 okay.

17 MEMBER SHORT: What would be the  
18 capacity?

19 MR. PUESAN: If you look at the entire  
20 square footage of the property, it's 78,600  
21 square feet, the total space.

22 Gallaudet had asked us to break off a

1 section where they would keep the dumpsters and  
2 utility space, it's 100 by 100. So, I would say  
3 that's just under -- that's about 10,000 square  
4 feet.

5 So, our space would be 68,000 and  
6 based on the ratio of the Board of Zoning, what  
7 they would allow per square foot, we could have  
8 events as high, as high as 4,000 to 5,000 people.  
9 It's a large space, 68,000 square feet.

10 MEMBER ALBERTI: What was that number  
11 you just said?

12 MR. PUESAN: Four to five-thousand.

13 MEMBER ALBERTI: Four to five, okay.

14 MR. PUESAN: Yes.

15 MEMBER SHORT: You don't have any  
16 schematic of the --

17 MR. PUESAN: Yes, we do.

18 MEMBER SHORT: -- property?

19 MR. PUESAN: Yes, we do. I don't have  
20 it with me, but I'd be glad to send it to you,  
21 but you can probably find one on Google, you know  
22 --

1 MEMBER ALBERTI: So, I'm trying to --

2 MR. PUESAN: -- unless you have a  
3 schematic.

4 MEMBER SHORT: I'm just -- really,  
5 just concerned, I know it's a move away from most  
6 things, but I'm just worried about a school and  
7 the peace, order and quiet for the -- including  
8 the -- did you say you use it when the weather is  
9 good, correct?

10 MR. PUESAN: When the weather is good.  
11 There would be no concerts during the week, you  
12 know, during the day. If there's a musical  
13 event, it would probably be after school hours,  
14 4:00 or 5:00 in the afternoon.

15 If there is a guitarist or rhythm  
16 section, anything that has sound, it would be  
17 late afternoon.

18 MEMBER SHORT: And you have to have  
19 amplified sound, because it's outside, right?

20 MR. PUESAN: Yes, it's outside. We  
21 would amplify, you know, but most of our music is  
22 acoustic. If there is an event that needs to be

1 amplified, there would be no residents that would  
2 be bothered, no decimal levels, and one thing in  
3 21 years I know is, you don't want your neighbors  
4 complaining about sound at all.

5 So, the only complaints we've received  
6 when we were at 14th and Q is, you need to turn  
7 it up so they can hear it out their backyard.  
8 The music was that good.

9 But being concerned about neighbors is  
10 very important. We approach -- before we even  
11 started this process, the entire process back in  
12 August, we came -- we went to the ANC meetings,  
13 we let them know what we were doing. We went to  
14 seven consecutive meetings, before they finally  
15 said, "We love what you're doing. Here is a  
16 support," they gave us support.

17 MEMBER SHORT: You have a letter of  
18 support for the --

19 MR. PUESAN: We have a letter of  
20 support from Commissioner Kathy Henderson, that's  
21 on its way. It is not in the package. She is  
22 signing it and emailing it to Ms. Fowler today,

1 this afternoon.

2 MEMBER ALBERTI: That's from Ms.  
3 Henderson. Is it from the ANC?

4 MR. PUESAN: That's the main  
5 Commissioner of the ANC.

6 MEMBER ALBERTI: The ANC voted as a  
7 body on that?

8 MR. PUESAN: They voted as a body on  
9 that.

10 MEMBER ALBERTI: And the result of the  
11 body is what?

12 MR. PUESAN: One-hundred present  
13 support. Everyone supported --

14 MEMBER ALBERTI: We'll take a look at  
15 the letter.

16 MEMBER SHORT: Yes.

17 MR. PUESAN: They're going to give us  
18 100 percent support, and they said if --

19 MEMBER SHORT: But do you have a  
20 letter also from Gallaudet?

21 MR. PUESAN: Yes, I do, right here,  
22 and the letter from Gallaudet is -- can I bring

1 it to you?

2 CHAIRPERSON MILLER: Ms. Walker will  
3 get it.

4 MR. PUESAN: The letter of support is  
5 a letter from the President -- Vice President of  
6 Operations, Mr. Fred Weiner, I think it is. I  
7 read the letter, I was --

8 MEMBER SHORT: Who do you think you --  
9 when you operated out of 14th and Q --

10 MR. PUESAN: Fourteenth and Q, 1999 to  
11 2010. So, about ten years, or 11 years. We  
12 stayed here two and a half years, two years at  
13 14th and --

14 MEMBER SHORT: V?

15 MR. PUESAN: -- V, thanks for the  
16 help, and we first started at 9th and P across  
17 from Shalom Baptist Church, and then we were  
18 across -- next door to another church here, and  
19 we were across from Wesley at 14th and Q.

20 MEMBER SHORT: What kind of music?

21 MR. PUESAN: Our music focus has  
22 always been primarily jazz, jazz and blues.

1                   We're known as the Center for the  
2                   Preservation of Jazz and Blues. We take -- we  
3                   take our name from the Congressional House  
4                   Resolution of the 57th, designated jazz as an  
5                   indigenous American music art form.

6                   Since, you know, we've dealt with  
7                   students since 1993. We've been dealing with  
8                   students. Now, we're dealing with their kids, so  
9                   --

10                   MEMBER SHORT: Any connection to Let  
11                   Them Play?

12                   MR. PUESAN: Earl Banks, no  
13                   connections, other than we're good friends, we've  
14                   worked together on certain projects, and they  
15                   would use our space.

16                   But what was is saying about it? We  
17                   average about two and a half, three years at  
18                   locations. The longest location was at 14th and  
19                   Q, and everywhere we've gone, development has  
20                   followed us. I think we bring something to a  
21                   neighborhood.

22                   We have -- if you -- you can look at

1 our record in 20-some-odd years, we had two calls  
2 to 3rd District, and they were made by me, to  
3 have somebody barred from our property. That was  
4 it. They've never received -- they may have --  
5 could receive other calls, but nothing negative  
6 happened with us.

7 CHAIRPERSON MILLER: Mr. Alberti, do  
8 you have a question?

9 MEMBER ALBERTI: I have several.

10 CHAIRPERSON MILLER: Okay.

11 MEMBER ALBERTI: Yes, please. Mr.  
12 Puesan, first of all, do you have a diagram of  
13 the area and how you're going to lay it out and  
14 what facilities are going to be there?

15 MR. PUESAN: Yes, we do. We have  
16 blueprints on that too.

17 MEMBER ALBERTI: Do you have them for  
18 us?

19 MR. PUESAN: I do not have them for  
20 you at this moment.

21 MEMBER ALBERTI: Well, I would -- you  
22 know, I can't speak for the rest of the Board,

1 but I can't even move forward to consider this  
2 without those.

3 All right, I'll have some questions,  
4 but it's going to be very hard for me to  
5 understand what you're telling me without those  
6 blueprints. I'm kind of disappointed, we don't  
7 have them.

8 MR. PUESAN: I can have somebody email  
9 me.

10 MEMBER ALBERTI: All right, so, where  
11 exactly is this? Where exactly is this?

12 I'm not going to look at it right now,  
13 I mean, well, we don't have time. You can send  
14 them in and we'll take a look at them and decide  
15 whether we need to talk again.

16 MR. PUESAN: Okay.

17 MEMBER ALBERTI: Okay, so, where  
18 exactly is this?

19 MR. PUESAN: It's --

20 MEMBER ALBERTI: I mean, you come up  
21 5th Street, right?

22 MR. PUESAN: You're coming up 5th

1 Street --

2 MEMBER ALBERTI: Not 5th Street, I'm  
3 coming up 6th Street.

4 MR. PUESAN: You're coming up 6th  
5 Street, you got Gallaudet University parking lot  
6 on the right.

7 MEMBER ALBERTI: Right.

8 MR. PUESAN: Just passed Union market.  
9 There are two buildings that Union Market  
10 occupies there.

11 MEMBER ALBERTI: Right.

12 MR. PUESAN: As you pass the building,  
13 you see a dirt mound to your left, and at the top  
14 of the hill, you see the dumpsters that Gallaudet  
15 uses.

16 MEMBER ALBERTI: Well, I see two --  
17 right behind Union Market on my Google map, I see  
18 two long -- are those the pavilions?

19 MR. PUESAN: Yes, those are the  
20 pavilions.

21 MEMBER ALBERTI: Those are the  
22 pavilions. Okay, and so, it's that whole -- it's

1 that whole area behind Union Market that you  
2 want?

3 MR. PUESAN: Exactly, the exception of  
4 the top north -- I would say the northeast  
5 corner, about --

6 MEMBER ALBERTI: So, you're bordered  
7 on the east by 6th Street on the north by -- what  
8 is that street up there?

9 MR. PUESAN: Penn Street.

10 MEMBER ALBERTI: Penn, yes, right,  
11 okay, that's correct and on the west, by 5th  
12 Street.

13 MR. PUESAN: Exactly.

14 MEMBER ALBERTI: Okay, great. So, I  
15 have an idea. I've been by there. I know what  
16 you're talking about.

17 MR. PUESAN: Okay.

18 MEMBER ALBERTI: So, you're really  
19 focused on the fact that there are pavilions  
20 there.

21 MR. PUESAN: Yes, everybody drives by  
22 that space very fast, because it's not pretty.

1 It's much prettier now.

2 Between the two pavilions at the  
3 bottom of the hill, from north -- from Penn  
4 Street south, the property slopes down and there  
5 is national amphitheater up against the back of  
6 the building.

7 At the center of that building there  
8 is a --

9 MEMBER ALBERTI: Slopes down away from  
10 the market, right?

11 MR. PUESAN: It slopes down towards  
12 the market.

13 MEMBER ALBERTI: Towards the market,  
14 that's what I thought, yes.

15 MR. PUESAN: Yes, it slopes down  
16 towards the market. We have a dirt mound between  
17 the two pavilions, and on that dirt mound is our  
18 performance stage. It's just a dirt mound, not a  
19 stage, not a structure. It's just a higher piece  
20 of ground. It's about 30 by 30.

21 On either side of the pavilions you  
22 see there, there are going to be two large

1 beaches, which are basically, you just open it --  
2 just flat open pits of sand, sand beach, and  
3 we're going to call that our little 5th Street  
4 beach.

5 So, there's entertainment. There's a  
6 playground there for the --

7 MEMBER ALBERTI: Where is this, now?  
8 On 5th Street?

9 MR. PUESAN: On 5th Street.

10 MEMBER ALBERTI: I don't see the  
11 grassy area there.

12 MR. PUESAN: There is -- well, that's  
13 -- that's an old picture off of Goggle.

14 MEMBER ALBERTI: Right.

15 MR. PUESAN: But you know, if you look  
16 at the two pavilions, on the right --

17 MEMBER ALBERTI: See, this is why I  
18 need a diagram.

19 MR. PUESAN: Exactly.

20 MEMBER ALBERTI: Right.

21 MR. PUESAN: But you know, if you're  
22 looking at the pavilion towards the building, on

1 the right-hand side, there is going to be a 4,000  
2 or 5,000 square foot space there --

3 MEMBER ALBERTI: Okay.

4 MR. PUESAN: -- full of sand --

5 MEMBER ALBERTI: All right, so, and  
6 before I ask any other questions --

7 MR. PUESAN: Yes.

8 MEMBER ALBERTI: -- on how you're  
9 going to set this up, one thing that came to my  
10 mind is, we get lots of activity up there.

11 MR. PUESAN: Yes.

12 MEMBER ALBERTI: We get huge events at  
13 Union Market.

14 MR. PUESAN: All the time, yes.

15 MEMBER ALBERTI: Lots of noise,  
16 concerts outside.

17 So, now, we have the potential -- we  
18 have the potential for two competing bands.

19 MR. PUESAN: You might have that  
20 potential, yes.

21 MEMBER ALBERTI: Yes, okay, just want  
22 to point that out.

1 MR. PUESAN: Yes, I think there is a  
2 dock owned by the big developer at Union Market.

3 MEMBER ALBERTI: All right.

4 MR. PUESAN: They're going to do fine.  
5 I think they're just north of us, on Penn Street.  
6 They're developing indoor concert space, that's  
7 fine.

8 MEMBER ALBERTI: Okay.

9 MR. PUESAN: Yes, but those are big --

10 MEMBER ALBERTI: So, what are you  
11 doing to enclose this area?

12 MR. PUESAN: What are we doing to  
13 enclose --

14 MEMBER ALBERTI: Yes.

15 MR. PUESAN: We have the entire area  
16 encased with -- totally fenced in.

17 MEMBER ALBERTI: With what?

18 MR. PUESAN: It's 10 foot fences.

19 MEMBER ALBERTI: Made of what?

20 MR. PUESAN: Made of fencing, don't  
21 know the correct word, link fencing.

22 MEMBER ALBERTI: Chain link fencing.

1 MR. PUESAN: Chain link fencing.

2 MEMBER ALBERTI: Okay, all right, very  
3 good. So, ten foot chain -- so, it's basically  
4 an open area?

5 MR. PUESAN: It's an open area --

6 MEMBER ALBERTI: Yes.

7 MR. PUESAN: -- contained. So, nobody  
8 can just walk in and walk out or --

9 MEMBER ALBERTI: I got you, yes.

10 MR. PUESAN: -- with alcohol.

11 MEMBER ALBERTI: I got you, yes, it's  
12 controlled. So, where would you -- where would  
13 alcohol be served from?

14 MR. PUESAN: There is a trailer on  
15 that property. I think I sent you a picture and  
16 it has a small patio. The patio is not finished.  
17 It is being --

18 MEMBER ALBERTI: All right, I see  
19 that.

20 MR. PUESAN: That would have a bar,  
21 and there would be -- that would be our serving  
22 station there.

1           MEMBER ALBERTI: All right, and then  
2 people would be -- I've got a diagram here, okay.

3  
4           So, this is north, okay, I got it, all  
5 right. So, sand beach area, pavilion, okay.

6           All right, so, and your bands would be  
7 set up on a mound between the two pavilions?

8           MR. PUESAN: Yes, the section is  
9 called the stage area.

10          MEMBER ALBERTI: Okay, and so, you can  
11 have 4,000 to 5,000 people. What kind of -- how  
12 would you staff this?

13          MR. PUESAN: We're in partnership with  
14 a group called the CALPRO Group.

15          MEMBER ALBERTI: The who?

16          MR. PUESAN: The CALPRO Group. We  
17 have a professional entity known as the CALPRO  
18 Group. They currently provide services at the  
19 Convention Center, and they are festival  
20 producers themselves. They handle ticket sales,  
21 they handle security. They have a complete  
22 staff. They employ about 2,300 people in the

1 community, that do work for them in the  
2 Metropolitan area.

3 MEMBER ALBERTI: So, what -- let's say  
4 you got max crowd of 5,000 people. What would be  
5 your estimate of security that you'd employ?

6 MR. PUESAN: I actually do not have  
7 the correct answer on that. I would defer that  
8 to the CALPRO Group, but they have -- they've  
9 handled up to 10,000 people before.

10 MEMBER ALBERTI: Well, I need to know.

11 MR. PUESAN: So, they have --

12 MEMBER ALBERTI: I need to know.

13 MR. PUESAN: You need to know? I  
14 would say we would have about 20 to 25 officers  
15 there, based on the side and the control of the  
16 space, how it's controlled.

17 MEMBER ALBERTI: So, how would you  
18 control a group coming in? It would be on exit  
19 and one entrance? Two exits? Three exits?

20 MR. PUESAN: It currently -- it  
21 currently has -- that design currently has four -  
22 - three to four exits -- entrances on the north

1 side on Penn Street, and I believe that -- I  
2 don't know if this diagram has it, but just south  
3 of the building, of 1399, there is an entrance,  
4 or there will be an entrance there, and then on  
5 the -- on the east side, on 6th Street, there  
6 will also be an entrance.

7 So, there is four to six entry points,  
8 you know.

9 MEMBER ALBERTI: Would you utilize all  
10 of those as entry points?

11 MR. PUESAN: We would control all of  
12 them. There would be an officer stationed at  
13 every location. If we decide --

14 MEMBER ALBERTI: The question is, what  
15 would you utilize as entry points?

16 MR. PUESAN: Sixth Street, 5th Street  
17 and Center Gate on Penn.

18 MEMBER ALBERTI: Three entrances?

19 MR. PUESAN: Three entrances.

20 MEMBER ALBERTI: Okay.

21 MR. PUESAN: Naturally, when you deal  
22 with crowds, you have to have all your entrances

1 capable of opening at all times for --

2 MEMBER ALBERTI: Sure.

3 MR. PUESAN: -- in case of an  
4 emergency.

5 MEMBER ALBERTI: Well, you have to  
6 have exits.

7 MR. PUESAN: Exits.

8 MEMBER ALBERTI: You have to exits,  
9 not entrances. Exits.

10 MR. PUESAN: Egress and --

11 MEMBER ALBERTI: Right, so, that's why  
12 I want to know where you're letting your crowd  
13 in.

14 MR. PUESAN: Okay.

15 MEMBER ALBERTI: All right, okay. So,  
16 what hours are you asking for entertainment?

17 MR. PUESAN: For the entertainment, it  
18 would probably 4:30 to 1:30. We don't want to go  
19 beyond -- we actually don't want to go beyond --  
20 we want to have the capacity, in case we ever  
21 wanted to go to 2:00, but you know, our history  
22 shows there is nothing good that happens after

1 1:30 in the morning. So --

2 MEMBER ALBERTI: So, you'd rather have  
3 entertainment and --

4 MR. PUESAN: Plus I have a family life  
5 myself.

6 MEMBER ALBERTI: All right, so, you  
7 want entertainment until 1:30?

8 MR. PUESAN: One-thirty.

9 MEMBER ALBERTI: All right. So, I'm  
10 a little concerned about the noise --

11 MR. PUESAN: Yes.

12 MEMBER ALBERTI: -- because you've got  
13 -- I don't care what kind of music you have.  
14 Blues can get pretty loud. I mean --

15 MR. PUESAN: Yes, it can.

16 MEMBER ALBERTI: -- you know that as  
17 well as I do.

18 MR. PUESAN: It can turn into Rock,  
19 real quick.

20 MEMBER ALBERTI: Yes, all right. So,  
21 let's be honest.

22 MR. PUESAN: Yes.

1 MEMBER ALBERTI: All right, so, that's  
2 pretty loud crowd out there at 12:00 at night.

3 MR. PUESAN: Yes, it would be.

4 MEMBER ALBERTI: Yes.

5 MR. PUESAN: It would be. I would take  
6 into consideration, my neighbors, actually.

7 MEMBER ALBERTI: So, how would you do  
8 that?

9 MR. PUESAN: How would I do that?

10 MEMBER ALBERTI: Yes.

11 MR. PUESAN: Well, if there were any  
12 complaints, I would basically adjust, you know,  
13 have everything adjusted. But another thing that  
14 --

15 MEMBER ALBERTI: How so? How? How  
16 would you adjust it?

17 MR. PUESAN: We would control the  
18 sound?

19 MEMBER ALBERTI: How?

20 MR. PUESAN: We'd volume down. I  
21 basically am a -- am at all events and have been  
22 at all events start to finish, for the past --

1 since our existence, since 1994.

2 So, we've lived in a community where  
3 adjacent to us, where we've had residential  
4 spaces, and we always controlled it.

5 This is an open space. There would be  
6 no kids at the -- during the events, at the  
7 school adjacent to us. North of us is all  
8 commercial. We're butted by New York Avenue and  
9 three and a half blocks later, we're -- we have  
10 residential residences on the south side of  
11 Florida Avenue.

12 We're adjacent to Gallaudet and not  
13 trying to be funny, but they have no problem. In  
14 fact, they're -- their events are the loudest in  
15 the world.

16 MEMBER ALBERTI: So, what developments  
17 are going in east of -- if anything, east of  
18 Union Market, in the -- the market, farmers  
19 market?

20 MR. PUESAN: I think JBG Development  
21 has partnered up with Gallaudet, and they're  
22 going to be pursuing to develop three pieces of

1 property, one at 6th and Florida, one, a parking  
2 lot in front of -- in front of Union Market.

3 Union Market will be developing their  
4 commercial space above Union Market. The PUD's  
5 for these properties will probably take two and a  
6 half to three years. First piece of property  
7 would be 6th and Florida, then the front of Union  
8 Market, then the property where we're at.

9 When they call upon us and say, "You  
10 have to leave," we will pick up our picnic tables  
11 and go. They've basically given us free use of  
12 the space and they have confidence in our legacy.

13 MEMBER ALBERTI: So, who would be  
14 allowed into your venue, in terms of ages?

15 MR. PUESAN: During the day, everyone.  
16 Everyone. During events, weddings, special  
17 events, everyone. Festivals, special events.

18 Evening concerts, evening concerts  
19 must be over 21.

20 MEMBER ALBERTI: So, how will tell the  
21 difference between a concert and an event? How  
22 do I know the difference?

1           You come to me and I say, "You know,  
2           there was a problem there with who was there,"  
3           and you go, "Oh, that was a concert, not an  
4           event," how do I know that?

5           MR. PUESAN: Well, a concert would  
6           feature a specific artist, and we would advertise  
7           it to the general community, there's a specific  
8           artist here, having a concert.

9           MEMBER ALBERTI: Okay, so, how would  
10          you -- you would limit it to how old for  
11          concerts?

12          MR. PUESAN: The youngest would be 21.

13          MEMBER ALBERTI: Pardon?

14          MR. PUESAN: Twenty-one, at the  
15          youngest.

16          MEMBER ALBERTI: So, concerts would  
17          only be -- okay, again, what is a concert?

18          MR. PUESAN: A concert is a -- when  
19          you feature a performer, and you sell tickets for  
20          his performance to be seen. At a concert --

21          MEMBER ALBERTI: How is that different  
22          from an event?

1 MR. PUESAN: An event is a specific no  
2 artist. It is a concept. Today, we want to  
3 celebrate Italian-American month.

4 MEMBER ALBERTI: So, an event has no  
5 entertainment then?

6 MR. PUESAN: Pardon?

7 MEMBER ALBERTI: And event has no  
8 entertainment?

9 MR. PUESAN: No, events will have  
10 entertainment. If they decide to bring featured  
11 music of Italian heritage, not a problem.

12 If it's Greek month, if it's any  
13 culture or any embassy that we work with that has  
14 a special event --

15 MEMBER ALBERTI: Okay.

16 MR. PUESAN: -- they bring their own  
17 music.

18 MEMBER ALBERTI: Okay.

19 MR. PUESAN: Those are events.

20 MEMBER ALBERTI: So, let's talk about  
21 concerts. How would you -- it would always be 21  
22 and older for concerts, never have anything up to

1 21 and under -- under 21 for concerts?

2 MR. PUESAN: That, I can't say.

3 MEMBER ALBERTI: Okay.

4 MR. PUESAN: You know, because there  
5 just might be a Justin Bieber crowd --

6 MEMBER ALBERTI: Got you.

7 MR. PUESAN: -- the 14 and 15 year old  
8 children, my nieces might even show up.

9 MEMBER ALBERTI: All right, so, I'm  
10 putting all the cards on the table, great.

11 All right, so, how you -- what would  
12 you do about --

13 MEMBER SILVERSTEIN: Haven't you  
14 suffered enough, sir?

15 MR. PUESAN: How would I do what?

16 MEMBER ALBERTI: It wouldn't be blues,  
17 but it would make me blue, Mike.

18 All right, so, how would you control  
19 underage drinking?

20 MR. PUESAN: Underage drinking --

21 MEMBER ALBERTI: People getting  
22 served, make sure they're 21?

1 MR. PUESAN: We actually have to ID  
2 everyone, every time they're served. Must be  
3 ID'ed every time.

4 MEMBER ALBERTI: Five-thousand people  
5 at a concert and you're going to ID everyone,  
6 every time they have to be served?

7 MR. PUESAN: Yes, that is -- either I  
8 do that or I hand my liquor license back to you,  
9 because that's the only way --

10 MEMBER ALBERTI: I'm going to be quite  
11 honest with you, Mr. Puesan. I don't believe  
12 anyone who tells me that.

13 I have been in enough large clubs in  
14 this city, I have listened to enough owners come  
15 before us, that is not a workable model.

16 MR. PUESAN: Okay.

17 MEMBER ALBERTI: And for you to even  
18 tell me that you're going to do that, tells me  
19 that you really either a blowing smoke or you  
20 don't know what you're doing, because you can't  
21 do that. You just -- it's just not a workable  
22 model to check everyone, every time they come up

1 to that bar.

2 MR. PUESAN: It's always worked for  
3 me.

4 MEMBER ALBERTI: Five-thousand -- with  
5 a 5,000 person crowd?

6 MR. PUESAN: Exactly. I would  
7 probably do it the same way the fairground does  
8 it. I would probably do it the same way --

9 MEMBER ALBERTI: Well, how does the  
10 fairground do it?

11 MR. PUESAN: They pretty much check  
12 every ID. I've been there and I've seen them  
13 check every ID.

14 MEMBER ALBERTI: And they let people  
15 under 21 in?

16 MR. PUESAN: I've seen them let people  
17 under 21 in.

18 MEMBER ALBERTI: And they check every  
19 ID?

20 MR. PUESAN: They have -- they open  
21 two and a half hours before and after the  
22 baseball games, and mom, pop and the five kids

1 walk in.

2 MEMBER ALBERTI: Right, into that  
3 event?

4 MR. PUESAN: I've seen entertainment  
5 there, yes.

6 MEMBER ALBERTI: All right.

7 MR. PUESAN: I mean, we're pretty much  
8 the same kind of operation. It's just -- the  
9 only difference is, we're not a corporation  
10 walking in to do this. This is me, being there  
11 at all times.

12 MEMBER ALBERTI: I got that.

13 MR. PUESAN: Yes.

14 MEMBER ALBERTI: I got that. All  
15 right. But the only difference is, the bullpen  
16 doesn't do late night entertainment, mostly.

17 MR. PUESAN: I know.

18 MEMBER ALBERTI: They open a few hours  
19 before the game and --

20 MR. PUESAN: Yes, they're not --

21 MEMBER ALBERTI: It's a big  
22 difference.

1           MR. PUESAN: -- they've had late night  
2 entertainment there. I've seen it on their  
3 website.

4           MEMBER ALBERTI: All right, and during  
5 the day, the same thing?

6           MR. PUESAN: During the day, no. We  
7 won't have any outdoor concerts, other than if  
8 it's a festival on the weekend, naturally, we  
9 would have music, you know, for entertainment.  
10 We would have vendors on the property, vending.  
11 Naturally, they have to get a license with food  
12 handlers' licenses.

13           We also will have food trucks there.  
14 They all have to have complete licenses. I'm  
15 under tight restrictions with Gallaudet to make  
16 sure that the rules and the law is passed. I'm a  
17 guest at their home, and I'm using their  
18 backyard, pretty much. So, I've got to do  
19 everything by the book.

20           If the book changes, and the Board  
21 feels that I should know it, please let me know.  
22 I will abide by that.

1                   MEMBER ALBERTI:   Okay, I have no  
2 further questions right now.

3                   CHAIRPERSON MILLER:   Mr. Rodriguez?

4                   MEMBER RODRIGUEZ:   Mr. Puesan.

5                   MR. PUESAN:   Yes.

6                   MEMBER RODRIGUEZ:   You indicated that  
7 you went to about eight meetings. Was that with  
8 the ANC?

9                   MR. PUESAN:   Exactly.

10                  MEMBER RODRIGUEZ:   All right, and did  
11 you present plans or testimony in those eight  
12 meetings?

13                  MR. PUESAN:   Yes, we did. We  
14 presented the same documents -- the same document  
15 you have before you, with other blueprints,  
16 photos of previous conditions of property.

17                         We presented -- what do you call this?  
18 A large poster of exactly what you just received.

19  
20                  MEMBER RODRIGUEZ:   Okay, so, why did  
21 it take eight -- did you attend eight meetings  
22 for you to get approval or --

1 MR. PUESAN: No, no. It took eight  
2 meetings to finally get around to the issue.

3 MEMBER RODRIGUEZ: Okay.

4 MR. PUESAN: There's a -- the ANC  
5 operates differently than most agencies.

6 MEMBER RODRIGUEZ: Yes.

7 MR. PUESAN: That's all I can say.

8 MEMBER RODRIGUEZ: Okay.

9 MR. PUESAN: So, I was there. I said  
10 'hello'. I came back every time. There was a  
11 meeting. We were scheduled. It was off the  
12 schedule, next meeting and continuously.

13 MEMBER RODRIGUEZ: Okay, I don't want  
14 to delay too much, but so, what was some of their  
15 concerns?

16 MR. PUESAN: Their concerns was making  
17 sure that the community was involved, but they  
18 have use of the space and were able to interact  
19 with the space.

20 Cleanliness was important. I think  
21 we've proven that with just the photos. You  
22 know, we just cleared everything out. There are

1 no rats. That were no -- we do have a possum and  
2 three stray cats, but we nurture all three of  
3 them -- all four of them.

4 Cleanliness was important. Sound was  
5 important. They asked the question of sound.

6 MEMBER RODRIGUEZ: Okay.

7 MR. PUESAN: And they wanted to make  
8 sure that the community, the first house was on  
9 Montello, which is about 2,500 feet away. That's  
10 the closest.

11 MEMBER SHORT: Montello Avenue?

12 MR. PUESAN: Montello Avenue, where it  
13 meets Brentwood.

14 MEMBER RODRIGUEZ: Okay.

15 MR. PUESAN: Right where it branches  
16 on down to New York Avenue, and you know, the  
17 idea of New York Avenue is not -- it's not  
18 residential at all, you know, but it is going to  
19 be developed.

20 MEMBER RODRIGUEZ: Okay, thank you so  
21 much.

22 MR. PUESAN: Thank you.

1 CHAIRPERSON MILLER: Yes, Mr. Short?

2 MEMBER SHORT: I guess you've laid out  
3 things pretty good, but this -- I'm quite a  
4 visual person, and I think those letters, where I  
5 would see them come from, the ANC.

6 MR. PUESAN: Yes.

7 MEMBER SHORT: What are you going to  
8 do about security? You have these egresses  
9 you're talking about.

10 MPD, have you talked with MPD about  
11 the plans to have these events there?

12 MR. PUESAN: No, I have not.

13 MEMBER SHORT: I think you need to  
14 talk with MPD and what about toilets?

15 MR. PUESAN: We are basically --

16 MEMBER SHORT: Plumbing?

17 MR. PUESAN: We basically have a total  
18 of four to five bathrooms in the structure, the  
19 trailer and the building.

20 Basically, we're going to set up the  
21 Sani-Jon systems.

22 Now, we will discuss security details

1 with MPD, when we set up to do events that are  
2 larger than the common community. The common  
3 community, which would probably be -- we would  
4 have access to the space, to food, to vendors, to  
5 entertainment, seven days a week, in the  
6 evenings, and you know, the highest group, we  
7 might have 50 to 150 people show up at max.

8 So, there is a security detail for  
9 that. It's one or two people just overseeing  
10 that.

11 When there is an event or concert --

12 MEMBER SHORT: We usually key pretty  
13 much for everybody --

14 MR. PUESAN: Pardon?

15 MEMBER SHORT: For every -- we  
16 normally use a key of having one security person  
17 for every 50 people that you have.

18 MR. PUESAN: Okay, I'll put that down.  
19 I'll focus on that, and if it was -- if it were a  
20 concert, a festival or a special event over those  
21 amounts, we would just have to make sure that MPD  
22 is informed, the CALPRO Group, which will handle

1 our security.

2 MEMBER SHORT: Can we get a letter  
3 from a CALPRO Group for the security?

4 MR. PUESAN: We can get a letter of  
5 security CALPRO Group.

6 MEMBER SHORT: And are you going to  
7 give it to us and from the ANC? You said you  
8 could provide that?

9 MR. PUESAN: That's already written.  
10 She's having problems with her internet  
11 connection. So, she has to --

12 MEMBER SHORT: Okay, but she'll get  
13 that to us?

14 MR. PUESAN: She will email it to you.  
15 I will make sure you get it tomorrow morning.

16 MEMBER SHORT: That goes to our  
17 attorney.

18 MR. PUESAN: And that would be? Okay,  
19 so, I'll -- bring it to Ms. Fowler or to you? To  
20 her?

21 CHAIRPERSON MILLER: To Ms. Jenkins.

22 MR. PUESAN: Ms. Jenkins.

1 MEMBER ALBERTI: Ms. Miller?

2 CHAIRPERSON MILLER: Yes?

3 MEMBER SHORT: So, you're going to  
4 have the -- you're going to have some information  
5 with -- we'll meet with you again, for those  
6 letters from the ANC, just some information about  
7 the sanitation and toilets.

8 MEMBER ALBERTI: Will we have a  
9 blueprint also?

10 MEMBER SHORT: Yes, a blueprint.

11 MEMBER ALBERTI: A blueprint of the  
12 site?

13 MEMBER SHORT: Yes, yes.

14 MR. PUESAN: Blueprint of the layout  
15 where the toilets will be?

16 MEMBER SHORT: Everything.

17 MEMBER ALBERTI: Everything.  
18 Everything.

19 MR. PUESAN: Yes, granted, the toilets  
20 won't be needed there at all times, just for  
21 special events.

22 So, we will give you the plan we would

1 use at every special event. So, it will be --

2 MEMBER ALBERTI: Wait. You're going to  
3 use port-o-potties?

4 MR. PUESAN: No, we have bathrooms for  
5 the general public.

6 MEMBER ALBERTI: So, they're not going  
7 to disappear in between events. I'm not  
8 understand what you're saying.

9 MR. PUESAN: Let's say we have three  
10 events a year -- a month --

11 MEMBER ALBERTI: Yes.

12 MR. PUESAN: -- three or four events.  
13 The port-o-potties come in the day before. They  
14 are --

15 MEMBER ALBERTI: So, you're going to  
16 use port-o-potties?

17 MR. PUESAN: Yes.

18 MEMBER ALBERTI: I just asked you, are  
19 you going to use port-o-potties?

20 MR. PUESAN: Yes.

21 MEMBER ALBERTI: Yes, you are?

22 MR. PUESAN: Yes, we are.

1 MEMBER ALBERTI: Okay.

2 MR. PUESAN: But they won't be there  
3 at all times.

4 MEMBER ALBERTI: Well, it probably  
5 would be good to indicate where they would be  
6 stationed --

7 MR. PUESAN: Okay.

8 MEMBER ALBERTI: -- for events.

9 MR. PUESAN: Not a problem, toilets.  
10 We have that already done, I just don't -- I  
11 don't have the copy.

12 MEMBER ALBERTI: I understand that,  
13 but I'm just telling you what we're going to need  
14 to complete our review.

15 MR. PUESAN: Got it.

16 MEMBER SHORT: Okay, so, can you read  
17 back what you're going to be getting for us?

18 MR. PUESAN: I'm going to get the ANC  
19 letter from --

20 MEMBER SHORT: ANC letter.

21 MR. PUESAN: -- from Ms. Kathy  
22 Henderson.

1 MEMBER SHORT: Okay.

2 MR. PUESAN: I'm going to bring in --  
3 I'm going to send everything to Ms. Jenkins.

4 MEMBER SHORT: Yes.

5 MR. PUESAN: I just got her card.  
6 We're going to give you a diagram of the entire  
7 space.

8 MEMBER SHORT: Okay.

9 MR. PUESAN: And we're going to  
10 identify where the port-o-potties will be located  
11 at for special events.

12 MEMBER SHORT: Okay, but let me get it  
13 straight. Did you say you have some toilets  
14 there all the time?

15 MR. PUESAN: We will have toilets  
16 there all the time. We have four right now.

17 MEMBER SHORT: That are fixed?

18 MR. PUESAN: They're fixed.

19 MEMBER SHORT: Okay.

20 MR. PUESAN: They're fixed and they're  
21 there, and that would handle small groups under  
22 150.

1 MEMBER SHORT: Right.

2 MR. PUESAN: I will try to get the  
3 CALPRO Group, my security agency, they'll give us  
4 a letter for that. So, those three items, letter  
5 from CALPRO, letter from ANC, send it to Ms.  
6 Jenkins.

7 MEMBER SHORT: Blueprints.

8 MR. PUESAN: Toilet, blueprints and  
9 toilet layout, the Sani-Jon's.

10 MEMBER ALBERTI: Mr. Puesan, when we  
11 say blueprints, we're expecting to see like every  
12 detail there, where the entrances are, where the  
13 exist are, where all the permanent fixtures are,  
14 where the bar is going to be placed.

15 MR. PUESAN: Complete.

16 MEMBER ALBERTI: Where these pavilions  
17 are. Where the band is going to be set up, all  
18 that kind of stuff.

19 MR. PUESAN: Yes.

20 MEMBER ALBERTI: We want a complete  
21 understanding of how this operation is going to  
22 be laid out.

1 MR. PUESAN: Yes, I will.

2 MEMBER ALBERTI: All right, just so  
3 there's no confusion on what we're looking for.

4 MR. PUESAN: No, I understand.

5 MEMBER ALBERTI: I just want to make  
6 sure.

7 MR. PUESAN: We do have -- I guess  
8 what I have to finalize for you is that when you  
9 asked that question, I do have a station where  
10 we're going to operate from for 150 people, and  
11 then we're going to have a station where we  
12 operate, so we won't congest in the area for  
13 larger events.

14 Let's say we have, just in front of  
15 our current space, we have an additional bar, but  
16 when we have -- we have not developed that and we  
17 won't develop that until we get up and running.

18 MEMBER ALBERTI: But you know where it  
19 will be.

20 MR. PUESAN: Exactly where it will be,  
21 and I can probably give you a diagram of that and  
22 bring you that tomorrow.

1 MEMBER ALBERTI: All right, all right.

2 MR. PUESAN: Eight and a half by 11 or  
3 full size blueprints?

4 MEMBER SHORT: Which would give us the  
5 best view of what you want to do? What's going  
6 to give you a better chance, and I think  
7 something that we can actually take a look at.

8 MR. PUESAN: I think 11 by 17 might be  
9 best.

10 MEMBER ALBERTI: Yes.

11 MR. PUESAN: Instead of having a large  
12 blueprint --

13 MEMBER ALBERTI: Eleven by 17 would be  
14 great.

15 MEMBER SHORT: There we go.

16 MEMBER ALBERTI: Can I ask one other  
17 question? What are you doing about parking?

18 MR. PUESAN: We currently are working  
19 with Gallaudet University to try to use their  
20 parking structure.

21 MEMBER ALBERTI: But you don't have an  
22 agreement yet?

1 MR. PUESAN: Pardon?

2 MEMBER ALBERTI: But you don't have an  
3 agreement yet?

4 MR. PUESAN: We don't have an  
5 agreement for those -- we haven't dealt with the  
6 parking structure issue, for large events. We  
7 also --

8 MEMBER ALBERTI: Look, I got to tell  
9 you, you keep saying you haven't done this and  
10 that for large events. The focus --

11 MR. PUESAN: Now, we have --

12 MEMBER ALBERTI: Wait, wait, wait.  
13 The reason you're here is because we're worried  
14 about the large events. So, let's -- you know,  
15 try to answer my questions, with respect to large  
16 events.

17 MR. PUESAN: Well, you told me to have  
18 everything to you.

19 Parking is an issue. So, Gallaudet  
20 actually owns the parking lot in front of Union  
21 Market, and we have access to the use of that  
22 space.

1                   MEMBER ALBERTI: The one in front of  
2 Union Market?

3                   MR. PUESAN: In front of Union Market,  
4 yes.

5                   MEMBER ALBERTI: That's Gallaudet that  
6 owns that?

7                   MR. PUESAN: There is 30 feet in front  
8 of Union Market, it's owned by Eden's  
9 Development. Beyond that is the property that's  
10 going to be developed in the next two to three  
11 years, and we have use of that parking there.

12                   We're also blessed with --

13                   MEMBER ALBERTI: Okay, so that big  
14 parking lot in front of Union Market, you have  
15 access to that?

16                   MR. PUESAN: We have access to that.

17  
18                   MEMBER ALBERTI: What happens if there  
19 is an event at Union Market? Who gets to use it?

20                   MR. PUESAN: I guess probably Union  
21 Market will probably end up there, because  
22 they've been there longer than we have.

1                   MEMBER ALBERTI: But then what would  
2 you do?

3                   MR. PUESAN: But I think we --

4                   MEMBER ALBERTI: What would you do?

5                   MR. PUESAN: What would we do?

6                   MEMBER ALBERTI: Yes.

7                   MR. PUESAN: We would have to find  
8 additional parking. If we have an event  
9 scheduled, and it conflicts with them, we won't  
10 schedule the event because it will create a  
11 problem with parking.

12                   We're blessed with one thing, and the  
13 fact is that, that industrial area, on the  
14 weekends when we do have large events, after five  
15 o'clock in the evening, it's barren. There's --

16                   MEMBER ALBERTI: Except when they have  
17 events.

18                   MR. PUESAN: No, they have additional  
19 parking. They've bought up enough property in  
20 the area, where they have parking for -- it's not  
21 very well used, but they do have parking at --

22                   MEMBER ALBERTI: But they use it all,

1 right, and so, there is nowhere for you to park.

2 MR. PUESAN: They've had events in  
3 front and the 5th and Penn Street parking lot is  
4 pretty much barren, when they have events. This  
5 is a long walk down the hill for them, for people  
6 to park.

7 MEMBER ALBERTI: No, not 5th and Penn.  
8 I'm talking about the one right in front of Union  
9 Market.

10 MR. PUESAN: There is one -- they own  
11 -- Gallaudet owns that one. Eden's Development  
12 owns the one at 5th and Penn.

13 MEMBER ALBERTI: So, when Union Market  
14 has an event -- because during the day, they use  
15 that.

16 MR. PUESAN: They do, right, they do.

17 MEMBER ALBERTI: So, when they have an  
18 event, they don't utilize that parking lot?

19 MR. PUESAN: Yes, they do.

20 MEMBER ALBERTI: Right. Where would  
21 you park?

22 MR. PUESAN: Where would we park? The

1 community in general, they travel there to an  
2 event at all our location, has access to parking  
3 on 4th, 5th and 6th, all of which is pretty much  
4 barren on the evenings and the weekends.

5 MEMBER ALBERTI: So, in front of the  
6 warehouses?

7 MR. PUESAN: In front of the  
8 warehouses. The trucks park, but all other  
9 vehicles are gone. So, there is about 800 or 900  
10 parking spaces between the three streets, no  
11 private, just public parking, no meter. No  
12 meters at all, but it's use of the --

13 MEMBER ALBERTI: No, I'm clear. I  
14 know the market.

15 MR. PUESAN: Okay, I am more than  
16 happy to comply and make sure you guys get  
17 everything that --

18 MEMBER ALBERTI: Okay.

19 MR. PUESAN: Parking, you know, it's  
20 a good question you ask, you know.

21 MEMBER ALBERTI: Because I'm not sure  
22 I'm hearing a really -- a well thought out

1 parking plan. I mean, it's like, it's there, I  
2 guess, and they'll find it, that's what I'm  
3 hearing.

4 MR. PUESAN: I have to agree with you,  
5 this is not what I was focused on, and we're not  
6 focused on doing something that's beyond on our  
7 grasp. The idea is to find out what the rules  
8 are and comply with them.

9 MEMBER ALBERTI: Okay.

10 MR. PUESAN: If there's parking -- if  
11 we expect 5,000 people and there's only a certain  
12 amount, if the mention to use the Metro, which is  
13 four and a half blocks away is not followed,  
14 we're going to expect people to drive, but we  
15 will encourage people to take Metro. That's what  
16 it was put there for.

17 You know, the same happens all across  
18 the city.

19 MEMBER ALBERTI: Yes, I know.

20 MR. PUESAN: So, we're trying to make  
21 sure --

22 MEMBER ALBERTI: I know.

1 MR. PUESAN: -- that it works.

2 MEMBER ALBERTI: Okay.

3 MR. PUESAN: So, I have my to-do list  
4 and unless there is --

5 CHAIRPERSON MILLER: I have a few  
6 questions.

7 MR. PUESAN: Please.

8 CHAIRPERSON MILLER: Very few wrap up  
9 questions. I just want to know what is HR-57  
10 Foundation?

11 MR. PUESAN: The HR-57 Foundation is  
12 an organization that's been in existence, I guess  
13 since 2007. We founded it because we were  
14 operating as HR-57 and we basically had a venue  
15 where people have workshops, musical workshops,  
16 and for tax reasons, we had to change the format.

17  
18 So, we went to Foundation, and the  
19 Foundation can do other things, but it has to  
20 operate, as the IRS says, non-related income, not  
21 related to what your focus as a non-profit  
22 organization is suppose to be. You have to

1 operate -- you have to -- your tax income,  
2 whatever income you may get, it has nothing to do  
3 with music education, has to be in this format.

4 So, in order to stay focused on our  
5 mission statement, which has been the same  
6 forever, which is music education in general, we  
7 have to take this organization and find ways to  
8 keep it afloat.

9 There are no Foundation dollars just  
10 flowing as they used to do 20 or 30 years ago.  
11 It's hard. We have to operate almost like a  
12 business, a complete business, because PEPCO  
13 doesn't give you credit because you're non-  
14 profit. You've got to pay the same bill  
15 everybody else does.

16 So, we just figured out that we have  
17 to have a business structure in place, in order  
18 to generate dollars.

19 CHAIRPERSON MILLER: So, you're not  
20 going to be housed at this pavilion, are you?  
21 You're just using this pavilion.

22 MR. PUESAN: We will operate as HR-57

1 at the Gallaudet Pavilion, like everybody else  
2 will. We will have an office there.

3 CHAIRPERSON MILLER: You will?

4 MR. PUESAN: For the Gallaudet  
5 Pavilion itself, because we have to take phone  
6 calls, we have to meet people, we have to walk  
7 people through.

8 CHAIRPERSON MILLER: Okay, so, you'll  
9 have an office there, but your business or your  
10 foundation isn't located there?

11 MR. PUESAN: Yes, no.

12 CHAIRPERSON MILLER: This will be like  
13 a satellite little office.

14 MR. PUESAN: That's a satellite office  
15 in general.

16 CHAIRPERSON MILLER: Okay, and you did  
17 this kind of thing at other locations, is what  
18 you said?

19 MR. PUESAN: For a long time.

20 CHAIRPERSON MILLER: Okay.

21 MR. PUESAN: Prior to this, back in --  
22 how old am I? Back in 1989, 1988, 1989 and 1990,

1 I was producing the Latino Festival downtown on  
2 Pennsylvania Avenue, before it got cut off, and  
3 that was a lot of fun.

4 CHAIRPERSON MILLER: So, what you're  
5 doing here is basically a continuation of what  
6 you had been doing at other sites or no?

7 MR. PUESAN: What we're doing here is  
8 a hybrid. Actually, creating a facility that can  
9 be used by a lot of people. We were just totally  
10 focused on jazz and blues.

11 Now, we will open doors for other  
12 music, but controlled. I actually have to live  
13 here. I actually have -- I personally have to be  
14 the one to come before the Board, nobody else.  
15 If I'm not there, I have to hire managers to  
16 represent me there, but 90 percent of the time,  
17 99 percent of the time it's me or my wife.

18 CHAIRPERSON MILLER: And you'll be  
19 charging people for these events?

20 MR. PUESAN: Only when they're -- it's  
21 a free admission at all times. That structure  
22 has changed. We used to charge admissions at our

1 other locations.

2 CHAIRPERSON MILLER: Okay.

3 MR. PUESAN: This is location is  
4 pretty much open to everybody, with the exception  
5 of concerts, which where we have to pay a  
6 particular artist --

7 CHAIRPERSON MILLER: Right.

8 MR. PUESAN: -- set amount of dollars,  
9 we have to raise the dollar. So, we have to  
10 control the income stream.

11 CHAIRPERSON MILLER: Right, okay.

12 MR. PUESAN: And we raise those  
13 dollars, unless somebody here would like to make  
14 a donation.

15 CHAIRPERSON MILLER: Well, we don't  
16 really do that.

17 Did you say something about BZA  
18 approval, that you need BZA approval for this?

19 MR. PUESAN: Board of Zoning?

20 CHAIRPERSON MILLER: Yes.

21 MR. PUESAN: Yes, we have a zoning  
22 certificate. I think I sent it in, and the

1 property is zoned CM1, which means you can do  
2 rocket launches off of there, if you really wish,  
3 if it's permissible. If the neighborhood doesn't  
4 allow it, you can move NASA there, but the  
5 property is to be developed for commercial and  
6 residential, things -- first-world retail, all  
7 condos up top and office space combo. I don't  
8 actually know the complete plan, but the group is  
9 called JBG Development.

10 CHAIRPERSON MILLER: Right, they went  
11 to the zoning.

12 MR. PUESAN: Yes.

13 CHAIRPERSON MILLER: You didn't go to  
14 zoning, related to the pavilion?

15 MR. PUESAN: No.

16 CHAIRPERSON MILLER: No, okay, okay.

17  
18 MR. PUESAN: I'd be a lot older,  
19 coming before you.

20 CHAIRPERSON MILLER: Okay, any other  
21 questions?

22 MEMBER ALBERTI: Yes, one real basic

1 question. So, I guess I'm not -- well, since I  
2 don't have a diagram, it's hard for me to -- I  
3 have to ask this. Where are you going to store  
4 your alcohol?

5 MR. PUESAN: The building.

6 MEMBER ALBERTI: What building?

7 MR. PUESAN: At 1399.

8 MEMBER ALBERTI: Where your office is?

9 So, is that the bar, where the bar is also?

10 MR. PUESAN: No, the bar is in the  
11 trailer. All operations are in the trailer. The  
12 warehouse behind it, which the building -- which  
13 is called 1399, since the property was used as a  
14 terminal market for meats that were sold on the  
15 property until the 1931 law was passed, then  
16 everybody moved into the structures. That's how  
17 the 5th Street market got built.

18 MEMBER ALBERTI: Right.

19 MR. PUESAN: There is a large room  
20 there about 50 by 25 foot wide, which and over-  
21 sized refrigerator, and basically, there, we  
22 would keep all goods.

1                   MEMBER ALBERTI: And the trailer, can  
2 you secure that?

3                   MR. PUESAN: It is secured.

4                   MEMBER ALBERTI: Okay, so, you'll  
5 secure -- so, you'll have storage in that  
6 building and then the trailer will be secured  
7 during off hours?

8                   MR. PUESAN: Exactly.

9                   MEMBER ALBERTI: Is that the idea?

10                  MR. PUESAN: Yes, the operation where  
11 everything is dispensed is a trailer, where  
12 everything is stored is the building.

13                  MEMBER ALBERTI: I understand that,  
14 but you're going to move up -- I assume that  
15 you're not going to move all the stuff from the  
16 trailer every night into the storage, are you?

17                  MR. PUESAN: No, it will be self-  
18 contained. It has refrigeration and it --

19                  MEMBER ALBERTI: And it can be  
20 secured?

21                  MR. PUESAN: Yes, it can. It is  
22 secured now.

1 MEMBER ALBERTI: Okay, great.

2 MR. PUESAN: And it has refrigeration  
3 and heating and everything.

4 MEMBER ALBERTI: Okay, great, because  
5 I don't -- you know, you say trailer, I don't  
6 know what that means, because I don't have  
7 pictures.

8 MR. PUESAN: Construction trailer  
9 turned into a commercial kitchen.

10 MEMBER ALBERTI: Turned into what?

11 MR. PUESAN: A commercial kitchen.  
12 It's an under-construction job.

13 MEMBER ALBERTI: All right, okay.

14 CHAIRPERSON MILLER: Okay?

15 MEMBER ALBERTI: Very good. Thank  
16 you.

17 CHAIRPERSON MILLER: Any other  
18 questions? Okay, well, yes?

19 MEMBER RODRIGUEZ: Mr. Puesan, thank  
20 you for coming and I think that you're very  
21 forthright, in spite of some of the documents  
22 that are missing, that you have agreed to supply.

1 A very engaging presentation. Thank you.

2 MR. PUESAN: Thank you. You know, the  
3 idea is to be up-front and forward as I possibly  
4 can be.

5 CHAIRPERSON MILLER: Thank you very  
6 much.

7 MR. PUESAN: Thank you.

8 CHAIRPERSON MILLER: It's hard to  
9 anticipate everything, maybe that you need to  
10 bring. So, we'll take a look at those materials,  
11 when you send them in to us.

12 MR. PUESAN: Yes, I'm an immigrant to  
13 this country, and the first thing to do is learn  
14 about the music, and the music is about jazz, and  
15 in jazz, you must be focused and creative, and  
16 you must -- most part, when you're thrown  
17 questions you don't have the answer to, you must  
18 improvise and figure out a way to get to where it  
19 can be taken care of. That's it.

20 CHAIRPERSON MILLER: Okay, good. If  
21 you have any questions, you know you can contact  
22 Ms. Jenkins also.

1                   MR. PUESAN: Ms. Jenkins, great, I  
2 will sign this, Tony Puesan, so, I don't have to  
3 spell out my whole name.

4                   MEMBER ALBERTI: Yes, this ought to be  
5 -- we have the spelling right?

6                   MR. PUESAN: Yes, you have the  
7 spelling right. Thank you, everybody.

8                   CHAIRPERSON MILLER: Thank you very  
9 much.

10                   (Whereupon, the above-entitled matter  
11 went off the record at 3:00 p.m.)

12

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