

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

IN THE MATTER OF:

Vigor Restaurant, LLC	
t/a Epicurean and Company	Fact Finding
3800 Reservoir Road, NW	Hearing
Retailer CR	(Status)
License No. 77576	
Change Request	

May 13, 2015

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

PRESENT:

RUTHANNE MILLER, Chairperson  
NICK ALBERTI, Member  
DONALD BROOKS, Member  
HERMAN JONES, Member  
MICHAEL SILVERSTEIN, Member  
HECTOR RODRIGUEZ, Member  
JAMES SHORT, Member

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

(2:45 p.m.)

1  
2  
3 CHAIR MILLER: The next hearing, we  
4 also have another 2:00 o'clock hearing, that's  
5 probably you all, Epicurean Company located at  
6 3800 Reservoir Road, Northwest. License Number  
7 77576 in ANC 2E. And this relates to a request  
8 for change in hours.

9 Okay, we still have a quorum. All  
10 right.

11 MR. KLINE: Good afternoon.

12 CHAIR MILLER: Good afternoon.

13 MR. KLINE: Andrew Kline here on  
14 behalf of the Licensee. Seated to my left is  
15 C.W. Chon, who is principle of Epicurean.

16 CHAIR MILLER: Okay. I don't expect  
17 this to take long. I think you're applying for  
18 24 hours?

19 MR. KLINE: Sure. And then --

20 CHAIR MILLER: And an extension of --

21 MR. KLINE: -- let me give you some  
22 background on that. Unfortunately we don't have

1 a PowerPoint or any pretty pictures --

2 CHAIR MILLER: To bring it alive,  
3 okay.

4 MR. KLINE: It's really pretty  
5 straightforward.

6 CHAIR MILLER: Okay.

7 MR. KLINE: To give you just a little  
8 bit of Mr. Chon's background. He's a  
9 restaurateur. He's not a barkeep. He's not a  
10 saloon owner.

11 Those of you who have been around  
12 probably remember Sizzling Express, which had how  
13 many locations? Eight or nine locations.

14 MR. CHON: Yes, something like that.

15 MR. KLINE: Throughout the District  
16 and the Metropolitan area, which was really a  
17 strong feed-based concept.

18 After that he went up on Connecticut  
19 Avenue in the Van Ness area and opened up  
20 Epicurean and Company, which was kind of an  
21 outgrowth, kind of the next step from Sizzling  
22 Express. He kind of took it to another level.

1                   And then he was recruited by  
2 Georgetown University to open this facility on  
3 their campus. And it is on the campus. It's  
4 across the parking lot from the Georgetown  
5 University Hospital.

6                   CHAIR MILLER: Right.

7                   MR. KLINE: And several months back  
8 the University actually expressed a preference  
9 that the establishment remain open longer hours.  
10 We had spoken to the ANC they didn't have any  
11 objection. We're serving the community.

12                   And the benefit is students, we were  
13 all there once, like to stay up late, they like  
14 to eat late. And rather than having them filter  
15 through the neighborhood and the community, it  
16 was unanimously agreed that there would be a  
17 benefit to this establishment remaining open  
18 later.

19                   Understanding, and Mr. Chon  
20 understands, that the alcohol certainly has to  
21 cease at the legal hours. And the alcohol either  
22 has to be secured or a licensed manager must

1 remain on the premises throughout the 13 hours  
2 during which alcohol cannot legally be sold.

3 So that's why. That's the reason for  
4 the request. The University wants it. The  
5 neighborhood wants it. Mr. Chon wants it.  
6 That's why we made the request.

7 CHAIR MILLER: I'm going to make -- do  
8 you also get customers from the hospital, from  
9 the late shifts or from things like that? Yes.

10 MR. KLINE: Yes.

11 CHAIR MILLER: So they support it too?

12 MR. KLINE: Oh, yes.

13 MR. CHON: Yes.

14 MR. KLINE: They support it. But the  
15 later hours will only be during the school time,  
16 the school year.

17 CHAIR MILLER: Oh, okay.

18 MR. KLINE: There isn't demand from  
19 the hospital after, what is it, midnight?

20 MR. CHON: 12 o'clock.

21 MR. KLINE: Yes, after midnight.

22 CHAIR MILLER: Okay.

1 MR. KLINE: So during the summer  
2 months, it will likely close at midnight. It  
3 would be during the school year.

4 And it will probably close at midnight  
5 during the Christmas break and spring break.  
6 Because there really is -- the later hours are  
7 really student-driven.

8 And it is, as I said, we were all  
9 there once, the desire to be able to eat  
10 somewhere at 4 o'clock in the morning, which  
11 isn't lost on me, but --

12 CHAIR MILLER: Okay.

13 MR. KLINE: -- it's lost on some  
14 people our age. But the hospital, that business  
15 peters out about midnight typically.

16 CHAIR MILLER: Okay. And how about  
17 the additional, I guess, hour for entertainment?  
18 Are you seeking additional hours on certain  
19 nights?

20 MR. KLINE: Initially we had applied  
21 for --

22 CHAIR MILLER: No? What?

1 MR. KLINE: We had applied for that,  
2 but we ultimately withdrew it because --

3 CHAIR MILLER: You withdrew that.

4 MR. KLINE: -- because there seemed to  
5 be some concern about that. So we just withdrew  
6 it.

7 CHAIR MILLER: Okay.

8 MR. KLINE: The only reason we did it  
9 was so it would be consistent with the rest of  
10 the license. But it's really not an issue.

11 CHAIR MILLER: Oh, okay. So it was  
12 just the extended hours for 24 hours that  
13 everybody supports?

14 MR. KLINE: Correct.

15 CHAIR MILLER: Okay.

16 MR. KLINE: Yes, we haven't heard a  
17 peep of opposition. Either it's not a word  
18 either.

19 In fact, the ANC affirmatively  
20 supported it. He had to go to them and get the  
21 settlement agreement and amendment to proceed,  
22 which they're willing to do.

1 CHAIR MILLER: Well that makes sense.

2 MR. KLINE: Yes. I mean I think it  
3 makes a lot of sense.

4 CHAIR MILLER: Yes.

5 MR. KLINE: I mean it's just an  
6 unusual circumstance. An unusual location. And  
7 it's on the campus.

8 And the Georgetown folks certainly  
9 agree that it makes sense. It's to have a place  
10 of fun campus, rather than off campus, to be able  
11 to take advantage of late night or early morning  
12 dinning opportunities.

13 CHAIR MILLER: Okay. Just for  
14 curiosity, what's the occupancy in there? Can  
15 accommodate how many students?

16 MR. CHON: Occupancy --

17 CHAIR MILLER: Occupancy limit?

18 MR. CHON: -- 297.

19 CHAIR MILLER: 297, wow.

20 MR. CHON: It's still about 13, a  
21 little more than 13,000 square building. So it's  
22 a pretty large space.

1 CHAIR MILLER: Yes.

2 MR. CHON: It's a big space.

3 CHAIR MILLER: Yes. Okay.

4 MR. CHON: It used to be a cafeteria.

5 MEMBER SILVERSTEIN: Oh.

6 MR. CHON: But I took over to the  
7 operator, a sit down restaurant.

8 MEMBER SILVERSTEIN: I'm sorry, I  
9 didn't understand you.

10 MR. CHON: I'm sorry?

11 MEMBER SILVERSTEIN: I didn't  
12 understand what you said.

13 MR. KLINE: He said it used to be a  
14 cafeteria. He took over what was previously a  
15 cafeteria and replaced it with a sit down  
16 restaurant, was his concept.

17 MEMBER SILVERSTEIN: Okay.

18 CHAIR MILLER: Oh, yes, Mr.  
19 Silverstein. Go ahead.

20 MEMBER SILVERSTEIN: So this is across  
21 that small parking lot from the hospital that is,  
22 as you go in off Reservoir Road, you go --

1 MR. CHON: Public entrance. But we  
2 are the second --

3 MEMBER SILVERSTEIN: And as you go  
4 around, it would be in that little strip area of  
5 stores?

6 MR. KLINE: Yes.

7 MEMBER SILVERSTEIN: So your nearest  
8 neighbors in fact would be the people in the  
9 Hospital? And Georgetown University is your  
10 landlord?

11 MR. CHON: That is correct.

12 MEMBER SILVERSTEIN: Or is it  
13 Georgetown University, Hospital as your landlord?

14 MR. KLINE: Georgetown University.

15 MR. CHON: Georgetown University,  
16 sorry.

17 MEMBER SILVERSTEIN: I don't think  
18 that they would put someone in there that would  
19 be a nuisance to people who are recovering from  
20 cancer surgery or otherwise in the hospital.  
21 This would seem to be one of the easiest cases  
22 that we could possibly ever consider.

1 MR. KLINE: Yes, we would hope so. We  
2 think so.

3 MEMBER SILVERSTEIN: It's sort of like  
4 a hotel, you know, putting in somebody on the  
5 ground-floor and annoying the people who are  
6 paying \$300 upstairs. It ain't going to happen.

7 MR. KLINE: Right. I mean they have  
8 a campus to run. As I said, they recruited Mr.  
9 Chon to locate there. He's operated successfully  
10 there for, how many years now?

11 MR. CHON: It's been about five years.

12 MR. KLINE: Five years, wow.

13 MR. CHON: Close to five.

14 MR. KLINE: Time flies. Five years.

15 And really without a hiccup. They've been very  
16 happy with him there.

17 And in fact we originally came in, it  
18 was a management agreement in which we filed --  
19 and it transformed into a permanent lease  
20 situation. So they're thrilled.

21 And as you say, Mr. Silverstein,  
22 they're obviously very concerned about what goes

1 on, on their campus. Very concerned about the  
2 safety and well being of their students. As well  
3 as people that work at the hospital. And they  
4 wouldn't support this --

5 MEMBER SILVERSTEIN: Yes.

6 MR. KLINE: -- wouldn't have  
7 encouraged it if they didn't think it was a good  
8 idea.

9 MEMBER SILVERSTEIN: Yes. I simply  
10 cannot fathom the possibility of them putting in  
11 something there that would be detrimental to  
12 people in a hospital that's right across and is  
13 part of their operation.

14 MR. KLINE: And all three of my  
15 children were born in that hospital. So it's a  
16 special place for me personally.

17 MEMBER ALBERTI: We might need a  
18 little music now.

19 CHAIR MILLER: Okay, any other  
20 questions?

21 MEMBER SILVERSTEIN: Thank you.

22 CHAIR MILLER: Okay, so it looks --

1 this is from placard --

2 MR. KLINE: Yes.

3 CHAIR MILLER: -- and no protestants  
4 have come forward right? Okay. So it's looking  
5 good. Okay. So I appreciate your coming down.  
6 It's certainly clarified for us --

7 MR. KLINE: No problem.

8 CHAIR MILLER: -- you know, why there  
9 does not seem to be any problems whatsoever.

10 MR. KLINE: Right.

11 CHAIR MILLER: Yes.

12 MR. KLINE: Thank you.

13 CHAIR MILLER: Okay, thank you.

14 MEMBER ALBERTI: Thank you very much.

15 CHAIR MILLER: Have a good day.

16 MR. KLINE: Have a good afternoon.

17 CHAIR MILLER: Okay. All right.

18 (Whereupon, the above-entitled matter  
19 went off the record at 2:54 p.m.)  
20  
21  
22

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**years** 11:10,11,12,14

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**Z**

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**1**

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**12** 5:20  
**13** 1:10 5:1 8:20  
**13,000** 8:21  
**14th** 1:12

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**2**

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**2:00** 2:4  
**2:45** 2:2  
**2:54** 13:19  
**2000** 1:12  
**2015** 1:10  
**24** 2:18 7:12  
**297** 8:18,19  
**2E** 2:7

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**3**

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**3800** 1:7 2:6

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**4**

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4 6:10

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6

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7

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77576 1:8 2:7