

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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MEETING

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IN THE MATTER OF:      :
                        :
Soundcheck, LLC        :
t/a Soundcheck         :      Fact Finding
1420 K Street NW       :      Hearing
Retailer CN            :
License No. 98536      :
ANC 2F                 :
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JULY 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

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

2 2:32 p.m.

3 CHAIRPERSON MILLER: Okay, all right,
4 our next fact finding hearing is Soundcheck,
5 located at 1420 K Street, Northwest, License No.
6 98536 in ANC 2F.

7 When you're ready, if you could sign
8 in and then identify yourselves for the record.

9 MR. AMIRSHAHI: Arman Amirshahi,
10 owner.

11 MR. CRONIN: Matthew Cronin, general
12 manager.

13 MR. SUTTON: Jay Sutton, the manager.

14 CHAIRPERSON MILLER: Okay, I'm sorry,
15 what's your last name?

16 MR. SUTTON: Sutton, S-U-T-T-O-N.

17 CHAIRPERSON MILLER: Sutton, got it,
18 okay. Okay, I don't know if you heard me say
19 before to the previous case, in the previous
20 cases that this is a fact finding hearing. It's
21 not evidentiary. We're not putting you under
22 oath. We have reviewed your application and we

1 just have a few questions that we wanted to ask
2 you about.

3 I think -- I mean, I'll start off
4 briefly, but basically, the main question is, why
5 you want to stay open until 5:00 a.m. in the
6 morning.

7 So, if you could just give a general
8 idea, as to, you know, yes, why you want those --
9 that's unusual, those kind of really late hours,
10 and so, that's basically the primary reason that
11 we wanted you to come in and just let us know
12 about what's your operation going to be like, why
13 that late?

14 MR. AMIRSHAHI: The name of the place
15 is going to be Soundcheck, as you probably are
16 aware. We're opening on 1420 K Street, which I
17 think had a lot of previous history between the
18 Old Lotus spot there.

19 We used to own Lima across the street.
20 The lease ran out about six months ago. So, we
21 feel that K Street has -- was one of the first
22 places we opened, lot of activity there. I think

1 we brought a very nice crowd there for years. It
2 was a very popular place for many, many years.
3 Landlord changed over there and decided to look
4 for other spots on K Street. It's changed a lot
5 with the amount of clubs that have opened there,
6 from Park to Lotus and Tattoo and Josephine and
7 Opera, and all those places.

8 We feel that it's going to be a music
9 venue that's going to be open three or four days
10 a week, for now. We feel that we had a lot of
11 success at the place across the street. We feel
12 that D.C. has become a lot more competitive, not
13 only within itself, but also in the music venue.
14 A lot more people are staying in later, or coming
15 in late, now that D.C. and Maryland -- I mean,
16 Maryland and Virginia are staying open later.

17 I think it's making the crowd come out
18 a little later. I think the staggered hours that
19 we've had, thanks to the Board's help and also
20 throughout the times where we can apply for late
21 hours has helped.

22 We have a couple other venues that had

1 the late hours. We rarely use them, but I think
2 it's always helpful to have staggered closing,
3 not only for the valet issues, parking detail
4 that we have there. We feel -- we have felt that
5 throughout our history, that we've had less and
6 less fights or situations or confrontations, when
7 people are all out trying to get valet at the
8 same time at the other places.

9 I don't know if you've been in that
10 particular area of the block, in the last few
11 years, but it's changed a lot. It's very -- like
12 a ghost town there on K Street between 14th and
13 15th, since the -- a number of the clubs and the
14 restaurants are gone, Chinese restaurants and all
15 this other stuff that was there.

16 So, that's basically the gist of it.
17 We feel that, you know, we have hours, for
18 example, at our other location, that we don't
19 ever stay open that late, but be able to have --
20 these DJ's and the music, sometimes they do come
21 and 1:00 and they've got to play for two hours,
22 and we just don't want to throw people out in the

1 middle of the area.

2 But that was really the idea behind
3 that. There are some licenses that have been
4 given out with 24 hour licenses and people that
5 are open 4:00 or 5:00 in the District, and we
6 feel in order to compete sometimes, to have those
7 DJ's there, obviously, we're not serving alcohol,
8 and we have measures of 'last call' and picking
9 up liquor. We've never had a violation of our
10 places, for serving after, for any of that thing,
11 and that's not the purpose whatsoever, obviously.
12 That's the gist of it.

13 CHAIRPERSON MILLER: Okay, thank you.
14 All right, questions by Board Members? Mr.
15 Brooks?

16 MEMBER BROOKS: So, are you serving
17 food?

18 MR. AMIRSHAHI: We're not serving
19 food.

20 MEMBER BROOKS: Okay, so, at 3:00
21 a.m., from 3:00 a.m. to 5:00 a.m., where would
22 the people -- what would the people be doing?

1 MR. AMIRSHAHI: Well, to answer the
2 question about the food, I mean, it is a
3 nightclub license.

4 MEMBER BROOKS: Sure.

5 MR. AMIRSHAHI: There is a pizza place
6 that's open and a kabob place. Knowing in
7 anticipation that we're opening and the success
8 that we've had in the city with our other places,
9 they are all open until 4:00 or 5:00 in the
10 morning, serving pizzas and all of that.

11 So, regarding that, what they would be
12 doing, a lot of them come -- you know, there is a
13 -- some of the people come for the music. Their
14 promoter might have a person that wants to stay
15 at the -- the DJ that starts at 1:00, they might
16 stay there just to dance and have Red Bull and
17 water, which is what they do anyway, after we
18 close.

19 So, the music can stay on. We don't
20 have to throw everybody out at the same time in
21 the middle of the street. It might be 50 people
22 left, might be 100 people, but it's not a

1 situation of a drinking situation.

2 We do last call', normally at 1:45
3 and 2:45, and then we collect all the drinks and
4 then we turn the lights back down.

5 MEMBER BROOKS: Okay, thank you, Madam
6 Chair.

7 CHAIRPERSON MILLER: Okay, others?
8 So, after you stop serving alcohol, what do you
9 serve? You serve Red Bull and water?

10 MR. AMIRSHAHI: Red Bull and water.

11 CHAIRPERSON MILLER: That's it? You
12 don't serve ginger ale or anything like that?

13 MR. AMIRSHAHI: Sodas. We have Coke,
14 Diet Coke, ginger ale, we have 13 -- I mean, 14
15 actually, pineapple juice, grapefruit,
16 everything. I mean it's --

17 CHAIRPERSON MILLER: Okay, so, you do
18 have other beverages?

19 MR. AMIRSHAHI: We do have other
20 stuff, but I would say to answer your question,
21 90 percent is Red Bull and water.

22 CHAIRPERSON MILLER: Okay, and so,

1 people can go to the pizza place or whatever near
2 you.

3 MR. AMIRSHAHI: Yes.

4 CHAIRPERSON MILLER: So, can't they --
5 I just was curious, how this works.

6 Can they leave, go have pizza and come
7 back?

8 MR. AMIRSHAHI: Yes.

9 CHAIRPERSON MILLER: They can? Okay,
10 they get stamped or something?

11 MR. AMIRSHAHI: It's literally next --
12 if Soundcheck is here, the alley is right there,
13 it's right next door. Next to that is a grill
14 kebab opening, also late hours, and there's also,
15 right across the street on the Vermont side,
16 there's a grill kebab that stays open until 5:00
17 in the morning, as well.

18 CHAIRPERSON MILLER: Okay.

19 MR. AMIRSHAHI: And it's a very -- all
20 these places are very popular hang outs and
21 they're just -- and pizza opened up. That's what
22 is opened there currently.

1 They opened on Connecticut Avenue.
2 There's a line down to get food all the time, and
3 we feel now, that there's really not that many
4 places on that street, on that block, especially
5 other than Park, there is nowhere for people to
6 go, but the food is available.

7 CHAIRPERSON MILLER: Okay, do you --
8 would you have entertain until 4:00 a.m.,
9 conceivably, if you could go 5:00?

10 MR. AMIRSHAHI: We would be open to as
11 long as the crowd is there.

12 CHAIRPERSON MILLER: Okay.

13 MR. AMIRSHAHI: Again, we have a place
14 that has until 5:00 a.m. I would say, if you
15 asked me how many times we've been open until
16 5:00 a.m., I would say maybe twice a year.

17 CHAIRPERSON MILLER: Okay, are you
18 talking about Lima?

19 MR. SUTTON: I'm talking about another
20 location that we have.

21 CHAIRPERSON MILLER: Okay.

22 MR. AMIRSHAHI: We have Barcode down

1 the street, and it's open until 5:00 a.m.

2 CHAIRPERSON MILLER: Which place?

3 MR. AMIRSHAHI: Barcode.

4 CHAIRPERSON MILLER: Barcode is your
5 place, okay.

6 MR. AMIRSHAHI: 17th and L, but we
7 have hours until 5:00 a.m. We rare -- I would
8 say we probably -- as I said, couple times been
9 open passed that time.

10 Just so you know, I went -- I met with
11 the ANC who had protested the license, just out
12 of, I guess not intention -- I mean, not in a bad
13 way. They just wanted to make sure that it was -
14 - myself, I met with Jim Lamare who is the single
15 District person there.

16 He was like, "Oh, I didn't know it was
17 you," and doing the same thing with same place,
18 "We're happy to have that." They're actually
19 encouraged by it. I mean, we have the same
20 situation, you know, we also own the Ultra Bar on
21 9th and F, where we have the same situation.

22 They said, "Oh, well, actually when

1 Lima was here, they felt the street -- we felt
2 safer down there."

3 Same with Ultra Bar. We have a condo
4 right across the street. They have no
5 restriction on our license there. They actually
6 like the police presence there because of
7 Chinatown and it's a different scenario, but I'm
8 just giving an example.

9 CHAIRPERSON MILLER: Right.

10 MR. AMIRSHAHI: But it's been a -- he
11 was very positive about it. We went back, had a
12 full hearing, two of them, with the ANC and they
13 voted 7-0 to not opposed, they actually love the
14 idea, and just so you know, this is in the
15 basement, and it is -- the whole ceiling is
16 sound-proofed. The entire thing is a liquor
17 store above us. They had some issues with
18 things, number of issues with the previous
19 tenant, I believe who was just here, with the
20 noise and all the stuff.

21 There's actually no noise that can be
22 heard, regardless. It's in the basement, but we

1 did extra precaution, make sure that liquor store
2 knows, and we put sound-proofing in there.

3 They're very, very happy we're coming there, as
4 well. So, it's been a positive thing.

5 CHAIRPERSON MILLER: Okay, that's
6 great, and I want to -- one last question, I
7 believe, hesitate to say that's my last question,
8 probably.

9 You have found that with your later
10 hours, with your other establishments, that leads
11 to a staggering of people exiting the
12 establishment, and that that's -- because we just
13 had that issue in a previous case, about crowd
14 control outside, and that that actually works?

15 MR. SUTTON: I don't think -- I've
16 been a huge fan of that. I think it's the best
17 thing you guys ever did.

18 I used to live in Chicago for a little
19 bit, they used to always do that, and not letting
20 people out, I mean, not because of the Board's
21 fault, police will come in and say, "Your hours
22 and 2:00 and 3:00. You have to not only close,

1 but you got to make sure everyone is out, besides
2 your employees."

3 They throw everybody out, not only for
4 the valet, the police, you're going to have
5 issues, you know, and whether it's 100 people or
6 200 people, I just think that if everybody is
7 trying to go out to the valet at the same time,
8 or eat at the same time, or leave at the same
9 time, I think it just helps a lot, because people
10 leave on their free will and now, people from
11 Maryland, who are two and -- you know, might have
12 two and three hours, they're going to think, "Oh,
13 maybe I should go to D.C. It's 1:00, but I'll go
14 there, at least I can be out there until 4:00 if
15 I need to, or 3:45," or 4:00, whatever it might
16 be.

17 It definitely has helped a lot. We
18 have seen a tremendous amount of less fights of
19 people outside. If the weather is nice, of
20 having people standing outside and just one their
21 cars, stereo blasting, they get to leave whenever
22 they feel like, throughout a two hour period. We

1 have seen a lot less issues.

2 CHAIRPERSON MILLER: Okay, that's
3 great. All right, any other questions? Mr.
4 Rodriguez?

5 MEMBER RODRIGUEZ: Yes, so, from 3:00
6 to 5:00 you're really not selling anything,
7 right?

8 MR. AMIRSHAHI: We're selling juices,
9 Red Bull and water. No liquor.

10 MEMBER RODRIGUEZ: No liquor, and no
11 food, right?

12 MR. AMIRSHAHI: There's no food.

13 MEMBER RODRIGUEZ: So, what is the
14 value for the users at this particular point?

15 MR. AMIRSHAHI: The value is that if
16 someone is coming, as I said, from Maryland or
17 somewhere even in the District, and they feel
18 like a Friday when they get off at, you know,
19 besides Happy Hour at 7:00 or 8:00, by the time
20 transportation, traffic the way it is now, they
21 could come out now at 12:00 and be able to, you
22 know, feel like they can see and listen to music

1 those extra two, and not everybody comes to drink
2 necessarily, alcohol, you know. Lot of people
3 come there just to hang out.

4 MEMBER RODRIGUEZ: You don't own the
5 pizza place next door, do you?

6 MR. AMIRSHAHI: No.

7 MEMBER RODRIGUEZ: But anyway. No, I
8 was just looking to see what the business value
9 is. I mean, surely, good fellowship, and that's
10 very nice, and but operating two additional
11 hours, you know, without much of a profit, I'm
12 just questioning what the value here is.

13 MR. AMIRSHAHI: The value is that if
14 we do have a popular person, to me a popular
15 person might be different than another person who
16 comes for a DJ from, you know, Virginia or
17 Philadelphia, that person who comes at 1:00, if
18 they haven't seen that guy in years, they would
19 want to stay and listen to that music for an
20 extra hour, two hours, and there are people --
21 people love -- the city has become much more
22 exciting because there is places to go.

1 Restaurants are open later. Bars are open later.
2 Not for alcohol, just the fact that it's open and
3 become -- you know, I wish we could serve until -
4 -

5 MEMBER RODRIGUEZ: So, the value is up
6 front, where you get the customers coming in
7 because after they have enjoyed their evening,
8 they can relax a little bit, enjoy music and then
9 leave in any orderly way.

10 MR. AMIRSHAHI: Exactly.

11 MEMBER RODRIGUEZ: That's the way I
12 understand that.

13 MR. AMIRSHAHI: And a lot of people
14 that used to have a problem coming out, they're
15 going to make that choice, "Oh, let me come out
16 at 11:00 because I still can have a good time."

17 MEMBER RODRIGUEZ: Okay.

18 MR. AMIRSHAHI: They might stay an
19 hour, as I said, 90 percent of the time, I don't
20 see us being passed 4:00 at all, but you know, to
21 not have to, or if we have that one occasion, we
22 applied for it, we explained it to the ANC. They

1 were comfortable with it. There's no residents
2 in the area. We have a pretty good track record
3 with all those neighbors from before.

4 So, I spoke with the same ANC people
5 and the new people. I gave them a tour of the
6 place. You know, they were all very comfortable
7 with it.

8 MEMBER RODRIGUEZ: And then if you
9 allow people to go to other establishments, get
10 food and come back into your establishment, do
11 you have some kind of controls in front, so that
12 you're not receiving inebriated people that are
13 over-served, people into your place, that will
14 give you problems?

15 MR. AMIRSHAHI: We have the same
16 monitoring that we have, and we have people
17 standing in front of the place, not inside the
18 place, so they have to come through our security
19 up front.

20 You know, we're pretty open to having
21 the detail there, as well. We've worked with
22 them quite -- this is all part of the Second

1 District, as well.

2 We've already spoken to them about
3 doing this, to that location and change it up to
4 have police on that street. They're comfortable.
5 We're trying to work out the schedule now,
6 depending on the shows that we'll have and what
7 kind of weather. It's going to be international
8 or what night it might be, to have the detail
9 there.

10 It definitely can't hurt, and the
11 detail has been a huge part of our success at all
12 these locations.

13 MEMBER RODRIGUEZ: Okay, thank you.

14 MR. AMIRSHAHI: So, we appreciate that
15 help from you guys, as well, with the funding.

16 MEMBER RODRIGUEZ: That's all I have.

17 CHAIRPERSON MILLER: Okay, any other
18 questions? Mr. Alberti?

19 MEMBER ALBERTI: Mr. Amirshahi. I'm
20 sorry if I mis-pronounce your name.

21 MR. AMIRSHAHI: You got it, thank you.

22 MEMBER ALBERTI: So, you're in the old

1 Lotus? Why did Lotus have -- just, what floors
2 did the Lotus have?

3 MR. AMIRSHAHI: It's basically, just
4 a little part where you walk into and it goes
5 straight down.

6 MEMBER ALBERTI: Okay.

7 MR. AMIRSHAHI: It's a basement
8 location.

9 MEMBER ALBERTI: Okay.

10 MR. AMIRSHAHI: It's only one floor
11 basement. Technically, I say first floor, but
12 it's only like 500 square feet and then it goes
13 straight downstairs.

14 MEMBER ALBERTI: Five-hundred square
15 feet? What's in that 500 square feet?

16 MR. AMIRSHAHI: Just stairs, and it's
17 just like a little -- where the security guy can
18 stand to go downstairs.

19 MEMBER ALBERTI: Okay, okay.

20 MR. AMIRSHAHI: Just the whole part --

21 MEMBER ALBERTI: Five-square feet is
22 some people's apartment.

1 MR. AMIRSHAHI: I mean, I can --
2 that's right, exactly. I think it's small, maybe
3 300 square feet or less, but you're right.

4 MEMBER ALBERTI: Okay, because you
5 know for --

6 MR. AMIRSHAHI: There is no activity
7 on the first floor, to answer your question.

8 MEMBER ALBERTI: Okay, so, that's why
9 you have first floor and basement.

10 MR. AMIRSHAHI: Yes, just to cover
11 that, because we've had --

12 MEMBER ALBERTI: And you're taking
13 over the whole area that Lotus used to have?

14 MR. AMIRSHAHI: Exact same space.

15 MEMBER ALBERTI: Okay, all right. I
16 sort of want to give you a hypothetical, because
17 I'm just trying to wrap my brain around this
18 whole issue of late night openings.

19 There is lots of clubs in that area,
20 right?

21 MEMBER RODRIGUEZ: Lots?

22 MR. AMIRSHAHI: Pardon?

1 MEMBER RODRIGUEZ: Lots.

2 MR. AMIRSHAHI: There is still a
3 handful.

4 MEMBER ALBERTI: There is still a
5 handful. So, what happens if all of them are
6 open until 5:00? Don't you have that same crowd
7 issue at closing?

8 MR. AMIRSHAHI: Not necessarily,
9 because those venues are -- it's going after a
10 different clientele, and a lot of it is the same
11 clientele, in the sense that it might be
12 competing with each other.

13 We're not really competing with any of
14 those places. We're doing about DJ's and music.
15 Our venues had always been -- not going to clash
16 with each other.

17 So, for us, it's -- I think the crowd
18 that might go to Capitale or Park one night,
19 depending on what night they have, is not
20 necessarily the same people that are going to
21 come for those DJ's or the music or the --

22 MEMBER ALBERTI: But okay, you have a

1 vacant place, well, I don't know if it's vacant.
2 You have Tattoo, right across the street.

3 MR. AMIRSHAHI: Yes.

4 MEMBER ALBERTI: It's not vacant, I
5 guess, I don't know.

6 MR. AMIRSHAHI: Tattoo is not -- it's
7 closed now too.

8 MEMBER ALBERTI: But okay, another
9 establishment can go right in there, right?

10 MR. AMIRSHAHI: They can.

11 MEMBER ALBERTI: If they want to open
12 until 5:00, don't you have this crowd issue?

13 I mean, this crowd issue that you tell
14 us is the purpose -- one of the purposes is, is
15 to alleviate crowding after closing. You know,
16 logic tells me that's not going to work, if
17 everyone is open until 5:00.

18 MR. AMIRSHAHI: If everyone was open
19 until 5:00, I mean, there's a lot of places that
20 are open, with the extended hours anyway, until
21 4:00, and I think you -- we can see it from our
22 sales, I don't know about the other places, I

1 can't speak for them, but it is very little, when
2 you start opening the -- I mean, unless it's a
3 Memorial weekend or some of the major holidays,
4 we haven't had a huge success with it, other than
5 staggered closing.

6 You know, it's good that you can
7 serve, but honestly, not that many people on
8 those holidays actually come earlier. So, it
9 hasn't benefitted us, in the sense of sales.

10 But if we do have music playing at
11 that time, it does help, in the sense that people
12 leaving later, the valet staying later, and all
13 of that.

14 Again, a lot of people -- K Street is
15 a busy street, and the reason I asked for that is
16 that, yes, you know, you do have people going up
17 and down, and if they do come for that -- not
18 that many people are going to pay a cover charge
19 to go inside a place that they just want to hang
20 out and listen to the music if they're coming
21 from, for example, a hip hop party and they want
22 to come there, or if it's a Latin party down the

1 street, they're not just come in there and pay to
2 come in there, if it's open two hours, you know.
3 They want to come there for a specific venue and
4 some of these customers have been loyal to those
5 establishments for years.

6 We have a loyal base and I think that
7 the crowd and the purpose of these will all be
8 defined.

9 Again, I don't see the hours being
10 something that we're going to use after 4:00 that
11 much, but it's always good to have the staggered
12 closing done ahead of time --

13 MEMBER ALBERTI: But until 4:00. I
14 mean, you've admitted yourself, how some of the
15 time, you'll be open until 4:00. I mean, that's
16 what you said earlier.

17 So, if it's not 4:00, it's -- if it's
18 not 5:00, it's 4:00, but still, I'm not getting
19 on this issue of a new Tattoo and you and
20 Capitale, all coming out at 4:00. I don't see the
21 difference.

22 MR. AMIRSHAHI: The difference is that

1 a lot of those -- we have some of those parties
2 that are venues, and some of them last until 2:00
3 or 3:00, some of them last 1:00 and 12:00. I
4 mean, just depends what kind of thing it is.

5 MEMBER ALBERTI: But 4:00 -- you're
6 still -- but we risk the problem of now, people
7 regularly closing at 4:00. I mean, that is what
8 we -- that is what we are opening the door to, if
9 we grant this. Mr. Cronin?

10 MR. CRONIN: I guess the difference,
11 I don't know, it's up to the Board's discretion,
12 how they interpret it.

13 But I'm kind of thinking more of like
14 a U Street comparison to K Street.

15 You mentioned Capitale. They're a
16 block up. They have an entire block to empty
17 into, and they're a few hundred people.

18 Park is around the corner. They have
19 their own block. They're a few hundred people.
20 We would be on a different street around the
21 corner, a couple hundred people.

22 So, I don't think, as far as

1 congestion or an issue of all these people
2 dumping out at the same time, would be the same
3 type of impacts, perhaps you've dealt with in
4 other neighborhoods or other areas, perhaps.
5 That's just obviously, the way I've looked at it.

6 But we are a smaller establishment and
7 if you take a smaller establishment and space
8 that over a few extra hours, then you're talking
9 about handfuls of people exiting over those
10 hours, rather than a crowd coming out.

11 If the Board chose to give other
12 establishments -- if it's stretched out over
13 multiple hours between even two or three
14 establishments, it's still less people coming out
15 at the same time.

16 As far as the benefits to the
17 business, I know a lot of the questions coming
18 where, what would the benefit be financially,
19 basically was the question.

20 Admissions, truthfully, getting people
21 to come through the door, and I mean, you're
22 making that decision, I know Maryland and

1 Virginia were referenced because they stay there,
2 they get an extra hour of their night.

3 But specifically, with direct
4 competitors that are in other parts of the city,
5 we're not really geared or marketed towards that
6 same type of club, traditional club mentality
7 that's around the corner. It's direct
8 competition, more people who are bringing
9 entertainers, in the sense of like local DJ's and
10 acts like that.

11 They do have extended hours, and
12 that's kind of like where there would be like a
13 healthy competition factor, if you get people to
14 come at all.

15 So, it is not really about squeezing
16 dollars out from people that are going to be
17 there from the beginning of the night on, it's
18 getting them to come through the door in the
19 first place, kind of factor that's really the
20 appeal to the business.

21 But obviously, Mr. Alberti, that was
22 just an idea that I came up with, as far as this

1 space, had it a little bit better than other
2 portions.

3 MEMBER ALBERTI: No, and I guess your
4 argument that it's a draw. Get me, I know people
5 love to go out late, start their evening at 1:00.
6 I get it, and so, it's a draw.

7 But this argument about the staggering
8 closing having -- lessening the crowd in the
9 street, you just gave -- you made my argument.
10 You could -- you have a whole block. All these
11 clubs each have a whole block. Why do they need
12 -- you got the space to let everybody out at
13 3:00. Why do you need -- you just told me,
14 you've got lots of space. You're telling me you
15 have -- you have a whole block to let people.

16 MR. CRONIN: Right.

17 MEMBER ALBERTI: Those were your
18 words. So, there's no room to let people out,
19 other than what, at 3:00? Why do you need the
20 extra hour to kind of let people stagger out?

21 MR. CRONIN: There is room, but I
22 believe Mr. Amirshahi mentioned valet issues,

1 that is a serious issue with the parking, as
2 well, and grabbing cabs and transportation, Uber
3 is not always available, if we all leave at the
4 same time.

5 So, there are constraints, obviously
6 on all businesses, when they let out the same
7 time, people on the same block.

8 As far as putting people on the street
9 from a safety concern, I think that's more what I
10 was addressing, as far as crowding actual places
11 do empty, and they have issues of getting the
12 crowd.

13 You mentioned crowd control earlier.
14 I think that's more what I was addressing, as far
15 as we have a narrow little band of sidewalk and
16 there's multiple places exiting, i.e., Adams
17 Morgan, U Street, all those other places, and you
18 can have issues like that.

19 That's more what I was addressing.
20 Transportation issues are kind of a separate
21 entity in that area.

22 MEMBER ALBERTI: Okay.

1 MR. CRONIN: So, that's what I was
2 more speaking to.

3 MR. AMIRSHAHI: And one of thing with
4 that, if you don't mind, if I could add.

5 MEMBER ALBERTI: Yes.

6 MR. AMIRSHAHI: Is that, you know,
7 again, you know, you've had some people here, and
8 I -- you know, leave them nameless, but it just
9 seen weekly at that same location and same
10 operators.

11 You know, I hope I don't see you guys
12 weekly. But there is a reason why we -- we have
13 the places we have. There is always going to be
14 issues, but we have very popular venues. We're
15 spending a lot of money. D.C. has changed, it
16 also has the rents. Rents have sky-rocketed, and
17 in order to do that, it's not to be in a legal
18 place, we're coming up front. We're ready to
19 settle at the hours that they told us before.
20 Give us your hours up front, so we don't have
21 these issues.

22 So, that's the reason we brought it up

1 front. I went to the ANC. I went to the
2 landlord, and they all were -- understood what
3 we're trying to do, and they know our other
4 businesses.

5 So, I'm not trying to hide anything
6 from you. I'm trying to see you guys less, so
7 you can deal with the other venues that you have
8 issues with, not us.

9 MEMBER ALBERTI: Well, regardless of
10 my opinion of that, I appreciate that and I
11 recognize your efforts to run a responsible
12 business. So, thank you.

13 MR. AMIRSHAHI: Thank you.

14 CHAIRPERSON MILLER: Yes, Mr.
15 Rodriguez?

16 MEMBER RODRIGUEZ: Yes, Mr. Amirshahi,
17 I'm back to you.

18 I'm interested in the new dynamic of
19 crowds and the establishment. How long have you
20 been in business?

21 MR. AMIRSHAHI: Twenty years.

22 MEMBER RODRIGUEZ: And this kind of

1 business, right?

2 MR. AMIRSHAHI: Yes.

3 MEMBER RODRIGUEZ: So, you have seen
4 -- have you seen a noticeable change in the crowd
5 and crowd behavior in today's world?

6 MR. AMIRSHAHI: I've seen the Board,
7 and I am not saying it because of you guys, has
8 dramatically changed understanding of what the
9 District of Columbia needs, which is staggered
10 closing, I don't care what anybody says.

11 If you throw 200 people, 800 people
12 and look at a whole block of 5,000 people that
13 could be around the block, you're going to have
14 issues.

15 Okay, nobody can get about -- you
16 can't get an Uber at 3:00 anywhere. I take Uber
17 all the time. You can't get it. It takes 30
18 minutes to get one at 3:00. You wait 3:20, you
19 can get maybe two. You know, it's helped a lot
20 with that kind of stuff.

21 You know, I'm just telling you that
22 there is not -- Uber had helped a lot. Valet has

1 been a lot better. You know, the police detail
2 that you guys helped front has been tremendous,
3 you know, the staggered closing.

4 I think we don't have the issues that
5 we used to have at the clubs, because of these
6 reasons, and there is far more clubs under your
7 hands, than there was on previous Boards.

8 So, you know, those have helped a lot.
9 There's a reason why I only open places in D.C.
10 and I continue to open places. We're about to
11 open another place after this one, right down the
12 street, smaller, I am going after more smaller
13 venues that can -- you know, we can define who is
14 going to come there, what kind of people and
15 they're done right.

16 I think that's what D.C. is looking
17 for and have good operators.

18 So, when they call me back here, I was
19 surprised, because I've never had a Board call
20 you in after it's been approved through the -- I
21 mean, ANC's protest, not approved, ANC dropping
22 their protest, which I encourage, because I think

1 it's good for the Board to know who the operators
2 are, you know, and so, I appreciate that.

3 But I appreciate your concerns, as
4 well, but I feel that our track record speaks for
5 itself.

6 MEMBER RODRIGUEZ: So, these crowds
7 hang out a little more and they're willing not to
8 be drinking alcohol from 3:00 to 5:00?

9 MR. AMIRSHAHI: There is a lot more of
10 that.

11 MEMBER RODRIGUEZ: And music and --

12 MR. AMIRSHAHI: Lot more people here
13 for the music. There is a lot of -- more places
14 of local places opening, like New York, where
15 they can hang out and have food and have drinks
16 and it's not a dangerous or a situation crowd.
17 It's actually made the streets slowly, I feel
18 safer, rather than everybody -- a ghost town at
19 3:00, like it used to be 10 years ago.

20 MEMBER RODRIGUEZ: It's good to hear
21 that. It's good to hear that. Thank you.

22 CHAIRPERSON MILLER: Others? Mr.

1 Silverstein?

2 MEMBER SILVERSTEIN: Why is 5:00 so
3 important, as opposed to 4:00?

4 MR. AMIRSHAHI: I think just the fact
5 of some of the stuff that we stated, that people
6 coming from different areas, and able to come,
7 that actually 10 minutes, it might be 4:05. You
8 know, as I said, 90 percent of the time I haven't
9 had -- we have a place that you're familiar with
10 that's open until -- has hours until 5:00 in the
11 morning. We have never had an issue of late
12 night or being there late, that's been an issue
13 before.

14 But we've never had an issue of having
15 a thing of being closed after hours or having
16 citations with ABC or doing anything. It gives us
17 the flexibility of being good operators, and
18 letting people out as we need, and not having
19 issues, not with the Board, with the police
20 coming there and saying, "It's 4:01."

21 Even with your extended hour that you
22 have, which is very helpful, the law, according

1 to them is, everybody has to be out at 4:00.
2 It's not now 3:00, where you can go slowly let
3 people. Everybody has to be out. Only your
4 employees can be in there, and I'm just doing
5 that for precaution.

6 I don't think we're in an area where
7 there is neighborhoods, and I've asked for the
8 5:00 to be safe. Are we going to use it? No,
9 but I don't think it affects -- the reason why I
10 did that was because of that situation, it's in a
11 commercial zone in a basement.

12 MEMBER SILVERSTEIN: How will this
13 affect reimbursable details, if we were to be
14 doing these things?

15 MR. AMIRSHAHI: How often?

16 MEMBER SILVERSTEIN: How would it
17 affect?

18 MR. AMIRSHAHI: It wouldn't affect --

19 MEMBER SILVERSTEIN: The employment,
20 and how do you see this as --

21 MR. AMIRSHAHI: I think the
22 reimbursable detail has been great for us. You

1 take the --

2 MEMBER SILVERSTEIN: You keep it with
3 the -- at the same hours, in essence?

4 MR. AMIRSHAHI: Yes, they will still
5 --

6 MEMBER SILVERSTEIN: You stay open
7 after they --

8 MR. AMIRSHAHI: If we have a detail --

9 MEMBER SILVERSTEIN: -- the person
10 leaves?

11 MR. AMIRSHAHI: I'm sorry, if we --

12 MEMBER SILVERSTEIN: Do you stay open
13 after they leave?

14 MR. AMIRSHAHI: They would be there
15 until we close.

16 MEMBER SILVERSTEIN: Until 5:00?

17 MR. AMIRSHAHI: Yes.

18 MEMBER SILVERSTEIN: Okay.

19 MR. AMIRSHAHI: If we're open until
20 5:00, they'll be there until 5:00. They're not
21 going to leave earlier.

22 We've always had detail until when we

1 close. So, at all our places. You know, and
2 we've addressed that at all our places when that
3 has happened, whether we got to pay for it in
4 full or not. We have some people come at 9:00,
5 sometimes we have them come -- leave later.

6 MEMBER SILVERSTEIN: Thank you.

7 CHAIRPERSON MILLER: Others? I just
8 have a couple quick ones.

9 The other place that you're referring
10 to that stays open until 5:00, where is that?

11 MR. AMIRSHAHI: Barcode is the one.

12 CHAIRPERSON MILLER: Okay.

13 MR. AMIRSHAHI: Lima was until 4:00,
14 and on weekends 5:00, and we had --

15 CHAIRPERSON MILLER: Lima?

16 MR. AMIRSHAHI: Those are the two ones
17 that we had, Lima and the --

18 CHAIRPERSON MILLER: Okay.

19 MR. AMIRSHAHI: -- Barcode.

20 CHAIRPERSON MILLER: And there has
21 never been a issue?

22 MR. AMIRSHAHI: We have had no ABC

1 violations for being after hours.

2 CHAIRPERSON MILLER: Okay, and I know
3 where the 1400 block of K Street is, but I'm
4 wondering if you can tell me where is, if you
5 know, the closest resident?

6 MR. AMIRSHAHI: I don't -- I really
7 don't, I'd be guessing. I know that we spoke
8 with, again, the Single Member District and the
9 whole entire Board, Ms. Gordon also, there was
10 one a hour thing, and actually, they were very
11 excited about it, because they're building the
12 park right across from -- the park, not the park,
13 but the club, the Park, the putting a whole venue
14 thing together there, supposedly spending
15 millions of dollars to change that park into a
16 music park.

17 CHAIRPERSON MILLER: Okay.

18 MR. AMIRSHAHI: So, they were
19 encouraged by that. They asked -- I said that I
20 would be more than happy to open up early for any
21 kind of kids that wanted to learn about music or
22 drums or see the DJ's, to become a huge thing in

1 D.C., we would be willing to open the doors for
2 them, for no charge, as part of the neighborhood
3 thing, if they wanted to have lessons or music
4 stuff in the daytime, and that was the
5 discussion.

6 But in the sense of residents, I don't
7 think there is any residents there within blocks.

8 CHAIRPERSON MILLER: Right, I don't
9 think so. Okay, all right, any other questions?

10 Okay, well, thank you very much for
11 coming down and explaining your situation to us.
12 I think we're much -- we have -- definitely have
13 a much fuller understanding of that request.

14 So, now, we can continue moving the
15 application forward. So, you'll hear from us.
16 Okay, thank you very much.

17 (Whereupon, the above-entitled matter
18 went off the record at 3:02 p.m.)
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