

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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ROLL CALL HEARING

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IN THE MATTER OF:

Brentwood Liquors
t/a Brentwood Liquors
1319 Rhode Island Ave., NE
Retailer A - ANC-5C
License No. ABRA-06022
Case #15-PRO-00048

(License Renewal)

June 1, 2015

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

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

2 10:14 a.m.

3 AGENT FLETCHER: Would the parties in
4 the matter of Brentwood Liquors, please, come
5 forward? The parties in the matter of Brentwood
6 Liquors. This is Case No. 15-PRO-00048,
7 Brentwood Liquors t/a Brentwood Liquors, 1319
8 Rhode Island Avenue, N.E., License No. ABRA-
9 06022.

10 INTERPRETER YANG: Yes, ma'am.

11 AGENT FLETCHER: This is a Retailer
12 Class A License renewal.

13 INTERPRETER YANG: Yes, ma'am.

14 AGENT FLETCHER: The protest issues
15 are adverse impact on peace, order and quiet. My
16 name is LaVerne Fletcher and I'm conducting the
17 Roll Call Hearing as the Board's Agent pursuant
18 to D.C. Official Code 1601.2

19 Introductions beginning with the
20 applicant, please. And you will need to speak
21 even louder because of the noise back here.

22 MR. YOO: My name is Ji Yoo. I'm the

1 owner of Brentwood Liquors. My store address is
2 1319 Rhode Island Avenue, N.E., Washington, D.C.
3 20018.

4 AGENT FLETCHER: Could you state your
5 name one more time? Just your name.

6 MR. YOO: First name J-I last is Y-O-
7 O.

8 AGENT FLETCHER: Thank you very much.
9 Thank you. And, Mr. Yang, you're the court
10 reporter? I mean, not the court reporter, you're
11 the Korean Interpreter?

12 INTERPRETER YANG: Correct.

13 AGENT FLETCHER: Thank you. And would
14 you, please, spell your name for the record?

15 INTERPRETER YANG: Sung, S-U-N-G,
16 Yang, Y-A-N-G.

17 AGENT FLETCHER: Mr. Yang is the
18 Korean Interpreter provided by ABRA.

19 INTERPRETER YANG: ABRA.

20 AGENT FLETCHER: And present on behalf
21 of ANC-5C?

22 MS. JAMES: Regina James and I'm

1 representing 5C Commission. I represent 5C05.

2 AGENT FLETCHER: Thank you, Regina
3 James.

4 MS. JAMES: J-A-M-E-S.

5 AGENT FLETCHER: Okay. Thank you.
6 And present on behalf of Midcity Financial
7 Corporation?

8 MR. MEERS: My name is Michael Meers.

9 AGENT FLETCHER: Mr. Meers, would you
10 spell your last name, please?

11 MR. MEERS: M-E-E-R-S.

12 AGENT FLETCHER: Thank you. I have a
13 question for you, Ms. James. When you held your
14 public meeting, had a public notice been given to
15 the public that the meeting was going to be held?

16 MS. JAMES: Yes, ma'am.

17 AGENT FLETCHER: And was a quorum
18 present?

19 MS. JAMES: Yes, ma'am.

20 AGENT FLETCHER: Thank you. ANC-5C
21 has standing as a protestant.

22 Mr. Meers, I have a couple of

1 questions regarding the Midcity Financial
2 Corporation. Your corporation represents
3 Brentwood Associates Limited Partnership?

4 MR. MEERS: That's correct.

5 AGENT FLETCHER: And the Brentwood
6 Manor, you mentioned in your protest letter that
7 it is located south of Brentwood Liquors?

8 MR. MEERS: It's Brentwood Associates
9 owns Brooklyn Manor Apartments, which are --
10 which is immediately across the street to the
11 south of the establishment.

12 AGENT FLETCHER: And can you clarify
13 something for me? It wasn't really clear whether
14 or not a protest was actually being filed. In
15 one place in the letter it says that you are not
16 actually taking any issues or making allegations
17 about business practices, but then the letter
18 goes on to make statements about how the
19 establishment is operated.

20 MR. MEERS: In the letter it's pretty
21 clear that I don't have personal knowledge of the
22 business practices of the applicant and so I

1 don't want to disparage him and his reputation in
2 any way.

3 Immediately across the street from the
4 establishment we own a family-apartment community
5 and the establishment contributes to an
6 environment that is not conducive to a healthy
7 environment. But if you check the case record,
8 you will see in the past the Inspectors for ABRA
9 have been out to the establishment on multiple
10 occasions and have entered into various
11 settlement agreements, none of which seem to
12 change the course of events.

13 AGENT FLETCHER: In order for a
14 corporation to file a protest, the corporation
15 would have to claim that they are abutting
16 property owners. The protest letter does not
17 state that Midcity Financial Corporation or
18 Brentwood Associates Limited Partnership are
19 abutting property owners.

20 MR. MEERS: We are --

21 AGENT FLETCHER: Do you know what --
22 yes?

1 MR. MEERS: -- abutting property
2 owners, yes.

3 AGENT FLETCHER: And so how did you
4 come to that conclusion?

5 MR. MEERS: I came to that conclusion
6 because we own a 16.5 acre property immediately
7 to the south. If you go out the back door of the
8 establishment, we are immediately across the
9 street, across 14th Street.

10 So the street address on the liquor
11 store is on Rhode Island Avenue, but it conducts
12 most of the business on 14th Street, which is at
13 the back door, which is on the south side of the
14 premises.

15 AGENT FLETCHER: Brooklyn Associates
16 Limited Partnership owns a 535-unit apartment
17 community.

18 MR. MEERS: Correct.

19 AGENT FLETCHER: Complex.

20 MR. MEERS: Yes.

21 AGENT FLETCHER: So what exactly
22 abuts? Is it -- what exactly is abutting?

1 MR. MEERS: It's a residential
2 building. A series of residential buildings. In
3 fact, there are 19 buildings with 535 apartments.

4 AGENT FLETCHER: Yes.

5 MR. MEERS: And they abut the back of
6 the shopping center.

7 AGENT FLETCHER: What I'm going to do
8 for the -- first of all, ANC-5C does have
9 standing as a protestant.

10 With respect to Midcity Financial
11 Corporation, I'm going to grant conditional
12 standing. I'm going to grant conditional
13 standing. Relative to full standing because the
14 protest letter does not claim that the properties
15 abut, but based on our discussion right now, I
16 understand that you are claiming that they do,
17 but we are going to need evidence that the
18 properties abut.

19 MR. MEERS: I can send you a visual
20 diagram showing where the establishment is and
21 where our property is.

22 AGENT FLETCHER: Yes. We need to see

1 property lines. We will check into it as well.

2 MR. MEERS: Okay.

3 AGENT FLETCHER: For the purpose of
4 the Roll Call Hearing, I'm going to grant
5 conditional standing.

6 What that means is if we can determine
7 that the properties do abut, at the upcoming
8 Status Hearing, the ABC Board will grant full
9 standing. But for the purpose of Roll Call,
10 you're being granted conditional standing as
11 opposed to be dismissed. So the standing is just
12 conditional upon proof that the properties abut.

13 Ms. James, ma'am?

14 MS. JAMES: Your name again?

15 AGENT FLETCHER: LaVerne Fletcher. My
16 card is on the table.

17 MS. JAMES: Oh, okay.

18 AGENT FLETCHER: Yes.

19 MS. JAMES: Ms. Fletcher. Thank you.

20 AGENT FLETCHER: Yes, hi.

21 MS. JAMES: Due to redistricting, I am
22 now the ANC Commissioner for that part of that

1 area.

2 AGENT FLETCHER: Yes.

3 MS. JAMES: But Mr. Meers does have
4 standing, because there is apartments that are
5 directly the street from the liquor store. It
6 used to be an old bowling alley.

7 AGENT FLETCHER: I see. Yes. What
8 happens is the properties have to --

9 MS. JAMES: Okay.

10 AGENT FLETCHER: Because a property is
11 located across the street or down the street,
12 doesn't mean that the properties abut.

13 MS. JAMES: Oh, yes, I understand.

14 AGENT FLETCHER: Yes. And I
15 understand how close --

16 MS. JAMES: But it's less than 25
17 feet.

18 AGENT FLETCHER: Yes, we will check.
19 Thank you.

20 MS. JAMES: You're welcome.

21 AGENT FLETCHER: I appreciate that.
22 We will check.

1 MS. JAMES: Okay.

2 AGENT FLETCHER: And so, Mr. Meers, if
3 you will put your contact information on that
4 sheet, I'll get back with you to let you know
5 what we find.

6 MS. JAMES: Thank you, Ms. Fletcher.

7 AGENT FLETCHER: Yes. And so we need
8 to -- I'm standing up, so the court reporter can
9 hear me. We are having trouble back here
10 hearing.

11 So we need to set a date for
12 mediation, a Status Hearing and a Protest
13 Hearing. And I will give you the dates for the
14 Status and Protest Hearing first.

15 The Status Hearing is set for July 15
16 at 9:30 a.m., July 15. And the Protest Hearing
17 is set for -- Mr. Yang, can you uncover that
18 microphone with that sheet of paper? Can you --

19 INTERPRETER YANG: When I talk, she
20 can hear me too loud, that's why.

21 AGENT FLETCHER: Oh, you wanted him to
22 cover it?

1 INTERPRETER YANG: Yes.

2 AGENT FLETCHER: I'm asking if you can
3 take that sheet of paper off the microphone?

4 INTERPRETER YANG: Okay.

5 AGENT FLETCHER: Just take the sheet
6 of paper off the microphone. Thank you.

7 The Protest Hearing is September 16.
8 September 16 at 4:30 p.m. And you will receive
9 written notice of those dates as well.

10 We need to set a date now for the
11 mediation, which needs to occur before July 15,
12 so I'll give you the next available date. The
13 next available date for mediation is June the
14 23rd. June 23rd at 9:00, 10:00 or 11:00.

15 MS. JAMES: June the 23rd?

16 AGENT FLETCHER: Yes, at 9:00, 10:00
17 or 11:00.

18 MS. JAMES: That will be good. Is
19 10:00 good for you?

20 MR. MEERS: Yes, that's fine.

21 MR. YOO: I think 11:00 is good for
22 me.

1 AGENT FLETCHER: 11:00 works for you?

2 MR. YOO: Yes. 10:00 is too tough when
3 I came down here this morning.

4 AGENT FLETCHER: So for, Mr. Yoo,
5 11:00 works best. Is that right?

6 MR. YOO: Yes, ma'am.

7 AGENT FLETCHER: Does that work for
8 you?

9 MS. JAMES: As for us, 10:00 works
10 best.

11 AGENT FLETCHER: Well, the best I can
12 do is make it 10:30.

13 MS. JAMES: Okay.

14 MR. YOO: 10:30 okay, that's fine.

15 AGENT FLETCHER: 10:30 is available,
16 so mediation is set for June 23rd at 10:30.

17 So the other thing, Mr. Meers, that I
18 will need from you, and I'll send you an email,
19 I'm going to need an actual address for you of
20 Brentwood Manor, an actual address, so that we
21 can look at the distance.

22 MR. MEERS: I'll send you an email.

1 AGENT FLETCHER: Okay. Of the closest
2 building or you get the idea though, just
3 something to measure from.

4 MR. MEERS: Got it.

5 AGENT FLETCHER: Okay. Thank you.
6 Any questions at all? Well, if you have any
7 after today, my card is on the table. And we are
8 done.

9 Thank you, Mr. Yang. Thank you very
10 much.

11 INTERPRETER YANG: Thank you.

12 AGENT FLETCHER: Mr. Yoo, did you put
13 your contact information on that sheet?

14 MR. YOO: Yes, ma'am.

15 AGENT FLETCHER: Okay. Thank you.
16 Thank you very much.

17 The Roll Call Hearing is concluded.

18 (Whereupon, the Roll Call Hearing in
19 the above-entitled matter was concluded at 10:27
20 a.m.)

21
22

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