

DISTRICT OF COLUMBIA  
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 ALCOHOLIC BEVERAGE CONTROL BOARD  
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 MEETING

IN THE MATTER OF:

<p>Karen A. Abbott t/a To Be          Determined(Formerly-G Spot Tavern          5413 Georgia Ave., NW          Retailer CT - ANC-4D          License No. 93419</p>	<p>Fact-          Finding          Hearing</p>
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(Request to Extend Safekeeping)

June 17, 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, Chairperson  
 Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson  
 NICK ALBERTI, Member  
 DONALD BROOKS, Member  
 MIKE SILVERSTEIN, Member  
 HECTOR RODRIGUEZ, Member  
 JAMES SHORT, Member

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

2 1:52 p.m.

3 CHAIRPERSON MILLER: Okay. The Board  
4 is back on the record for its afternoon hearings.  
5 And the first case that we have before us is a  
6 Fact-Finding Hearing involving what used to be  
7 known as, I guess, G Spot Tavern and it's located  
8 at 5414 Georgia Avenue, N.W., License No. 93419,  
9 in ANC-4D.

10 MS. ABBOTT: My name is Karen Abbott,  
11 the license is in safekeeping in my name and we  
12 are having it transferred or hope to have it  
13 transferred to Oohs and Ahhs Restaurant.

14 CHAIRPERSON MILLER: Okay. Let me get  
15 everybody's name and affiliation to start off  
16 with. So you are Karen Scott?

17 MS. ABBOTT: I'm Karen Abbott.

18 CHAIRPERSON MILLER: Abbott, Abbott,  
19 sorry. Karen Abbott. And you are? Are you --

20 MS. ABBOTT: I have the license in  
21 safekeeping. I'm the mother of the owner of Oohs  
22 and Ahhs.

1 MR. ABBOTT: RG Abbott.

2 CHAIRPERSON MILLER: RG Abbott and you  
3 are the owner of the license?

4 MR. ABBOTT: The chef and owner of  
5 Oohs and Ahhs Restaurant.

6 CHAIRPERSON MILLER: Oohs and Ahhs,  
7 okay.

8 MS. ABBOTT: Yes. We got the license  
9 from a family friend who owned G Spot Lounge.

10 CHAIRPERSON MILLER: Okay. Whose name  
11 is on the license?

12 MS. ABBOTT: It's Edgar Cunningham.

13 CHAIRPERSON MILLER: Edgar  
14 Cunningham's name?

15 MS. ABBOTT: G Spot, G Spot Lounge, I  
16 guess.

17 MR. ABBOTT: Which is now closed.

18 MS. ABBOTT: Which is now closed.

19 CHAIRPERSON MILLER: Right. Okay.

20 MS. ABBOTT: My name is Karen Abbott.  
21 The license is in my name now.

22 CHAIRPERSON MILLER: The license is in

1 your name. That's what I wanted to make sure.

2 MS. ABBOTT: Yes.

3 CHAIRPERSON MILLER: Okay. And you,  
4 sir?

5 PARTICIPANT: I am co-owner of Oohs  
6 and Ahhs.

7 CHAIRPERSON MILLER: Co-owner of Oohs  
8 and Ahhs.

9 PARTICIPANT: Yes.

10 CHAIRPERSON MILLER: And how --

11 PARTICIPANT: My name is --

12 CHAIRPERSON MILLER: -- is Oohs and  
13 Ahhs then related to the license?

14 MR. ABBOTT: We're opening a new  
15 restaurant on Georgia Avenue beside the Walmart  
16 location of Georgia and Peabody. We are  
17 actually, you know, under construction, at this  
18 point.

19 CHAIRPERSON MILLER: Okay.

20 MR. ABBOTT: We're still in the  
21 contracting and permitting stage, but we have not  
22 gotten through that portion yet. So as soon as

1 we get out of that, we will be open in a few more  
2 months by the fall and then we can start doing  
3 business.

4 MEMBER SHORT: Do you have anything in  
5 writing as to how far you are and what licenses  
6 have you applied for and where you are in the  
7 licensing process?

8 MR. ABBOTT: Unfortunately, we had to  
9 scrap our plans that we had. We had these plans  
10 we had. They ended up not really working because  
11 Walmart left a transformer in the location, which  
12 we thought that we could get removed and it ended  
13 up being it was going to be too costly for us to  
14 remove this thing. So now we had to scrap the  
15 plans and work around it. So it's actually --  
16 our date is not solid.

17 MEMBER SHORT: So you're right there  
18 by the 4th District Police Station?

19 MR. ABBOTT: Yes, sir.

20 MS. ABBOTT: Yes.

21 MR. ABBOTT: Yes, sir.

22 MEMBER SHORT: So you are between the

1 station and the new Walmart?

2 MR. ABBOTT: Yes. Yes, sir.

3 MS. ABBOTT: Connected to the Walmart.

4 MR. ABBOTT: There is an Andrew's  
5 Credit Union right there on the corner and then  
6 we are right there next door to that.

7 MS. ABBOTT: We do have project update  
8 plans, but they are on our -- we could not print  
9 them out on my program. I can forward that to  
10 you, if you would like to see those plans.

11 MEMBER SHORT: That might be helpful.

12 MS. ABBOTT: Okay.

13 MEMBER SHORT: I mean, basically, the  
14 reason why you are here today is because you have  
15 a license in safekeeping and we just needed an  
16 update --

17 MS. ABBOTT: Right.

18 MEMBER SHORT: -- if we are going to  
19 continue that.

20 MS. ABBOTT: Right. I can send that  
21 to you, sir.

22 MEMBER SHORT: So whatever plans you

1 have will help us make our decision on how long  
2 this might be continued, if it's continued.

3 MS. ABBOTT: Okay.

4 MEMBER SHORT: We would like to see  
5 those licenses used.

6 MS. ABBOTT: Yes, sir.

7 MR. ABBOTT: Oh, we will definitely  
8 use it.

9 MEMBER SHORT: Okay. I understand.  
10 We're on the same page.

11 MR. ABBOTT: We have every interest in  
12 using it. And we definitely would like to be  
13 open as soon as possible.

14 MEMBER SHORT: Okay.

15 MR. ABBOTT: Obviously, this wasn't as  
16 easy of a task as we thought it was going to be.  
17 We wanted this to be done a long time ago, but we  
18 seem to have a better crew on board now. We feel  
19 like we will be opening hopefully by the fall.

20 MEMBER SHORT: Again, I ask this  
21 question, where are you with the licensing  
22 process?

1 MR. ABBOTT: We don't have any  
2 licenses.

3 MS. ABBOTT: Licenses? You mean for  
4 build-out?

5 MEMBER SHORT: Yes.

6 MR. ABBOTT: We have a business  
7 license.

8 MEMBER SHORT: Yes, for the build-out.  
9 I mean --

10 MR. ABBOTT: As far as build-out, we  
11 have to turn in these building plans to Walmart,  
12 which they have to approve and then once they  
13 approve the plans, then we have to take them  
14 downtown to DCRA.

15 CHAIRPERSON MILLER: Yes.

16 MEMBER SHORT: Let me get this clear.  
17 You are renting the property from Walmart?

18 MS. ABBOTT: Yes.

19 MR. ABBOTT: Yes.

20 MEMBER SHORT: You have their  
21 blessing?

22 MS. ABBOTT: Yes.

1 MR. ABBOTT: Yes.

2 MEMBER SHORT: You have that in  
3 writing, right?

4 MR. ABBOTT: We have a signed and  
5 executed lease, yes.

6 MS. ABBOTT: Yes.

7 MEMBER SHORT: Okay. That makes all  
8 the difference in the world to me, as a Board  
9 Member. I don't know about the other Board  
10 Members. I can only speak for me. That means  
11 that you are making some progress. You are doing  
12 something other than just --

13 MR. ABBOTT: Oh, we doing it all. We  
14 has definitely spent enough money.

15 MEMBER SHORT: So what is the  
16 paperwork you said you could provide for us? The  
17 contract with Walmart and what else?

18 MR. ABBOTT: We have a contract with  
19 Walmart and we have our existing building plans  
20 that we now have had to change as far as our  
21 meeting yesterday. We are going to edit these  
22 plans and move the kitchen to another place. We

1 had to turn that area where the transformer is  
2 located into maybe a cordoned off office or  
3 something, because we can't move it. And we just  
4 have to -- we are just going to take away some  
5 seats from the restaurant.

6 PARTICIPANT: So what happened with  
7 that was in the original plans when Walmart gave  
8 us the space, the transformer wasn't in there.  
9 So that's what we have been kind of going through  
10 with them.

11 MR. ABBOTT: That's right.

12 PARTICIPANT: And the executed lease  
13 actually in January. So now, we have been  
14 dealing with trying to get them to work with us  
15 with the transformer. So actually, they dropped  
16 the transformer on us. So that means we have to  
17 take care of it. So that's kind of what's kind  
18 of been the hold up.

19 MEMBER SHORT: And that --

20 PARTICIPANT: And now we have got to  
21 do our whole restaurant over to build around it,  
22 so that's the status we in right now.

1           MEMBER SHORT: And your licensing  
2 process to deal with that transformer, you're  
3 going to have to prove that you have, I think, a  
4 two hour separation between your business and  
5 that transformer.

6           PARTICIPANT: Right. I asked and --

7           MR. ABBOTT: And that takes away the  
8 square feet.

9           MEMBER SHORT: Yes, I understand.  
10 Make sure you get that protective business, get  
11 that two hour protection.

12          MR. ABBOTT: Right.

13          PARTICIPANT: So that has been the  
14 biggest holdup, because it wasn't in there. When  
15 they first gave us the space, it wasn't in there.  
16 Then when they came back, they -- it was sitting  
17 there, so we had to deal with that or we probably  
18 would have been further along, because we have to  
19 deal with the transformer.

20          MEMBER SHORT: Okay.

21          CHAIRPERSON MILLER: Other questions?

22          MEMBER BROOKS: Yes, I have a couple.

1 CHAIRPERSON MILLER: Mr. Brooks?

2 MEMBER BROOKS: Thank you, Madam

3 Chair.

4 CHAIRPERSON MILLER: Yes.

5 MEMBER BROOKS: I just want to be sure

6 I understand what is going on here.

7 Have you guys had an architect to do

8 the design for you?

9 MR. ABBOTT: Yes.

10 MS. ABBOTT: Yes.

11 MEMBER BROOKS: So you all are working

12 with an architect?

13 MS. ABBOTT: Yes, right.

14 MR. ABBOTT: We have an architect.

15 MS. ABBOTT: I can provide the name of

16 the architect. It's in the plan. It's in the

17 update.

18 MEMBER BROOKS: Okay.

19 MS. ABBOTT: It has all the details.

20 MEMBER BROOKS: All right. So the

21 bottom line is you do have an architect?

22 MS. ABBOTT: Yes, yes, sir.

1 MR. ABBOTT: Yes, we spent way too  
2 much money --

3 MEMBER BROOKS: I know.

4 PARTICIPANT: Yes.

5 MR. ABBOTT: -- on an architect.

6 MEMBER BROOKS: I understand. I  
7 understand. Okay. So he is working with you  
8 guys to design the layout for the restaurant?

9 MR. ABBOTT: Yes.

10 MS. ABBOTT: Right.

11 MEMBER BROOKS: And currently the  
12 license for the G Spot, you have that license?

13 MS. ABBOTT: Yes, sir.

14 MEMBER BROOKS: Is that right?

15 MS. ABBOTT: Yes, sir.

16 MEMBER BROOKS: And then when they  
17 complete the build-out, you would transfer -- you  
18 want to transfer the license to Oohs and Ahhs?

19 MS. ABBOTT: Correct.

20 MEMBER BROOKS: Is that correct?

21 MS. ABBOTT: That's correct.

22 MEMBER BROOKS: Okay. And you have an

1 Oohs and Ahhs currently down the street, don't  
2 you?

3 PARTICIPANT: Yes.

4 MR. ABBOTT: Yes.

5 MEMBER BROOKS: Are you keeping that  
6 open or --

7 MR. ABBOTT: Yes.

8 PARTICIPANT: Yes.

9 MEMBER BROOKS: So you are going to  
10 have two restaurants?

11 MEMBER SILVERSTEIN: Good.

12 MR. ABBOTT: Yes.

13 MS. ABBOTT: Yes.

14 MEMBER BROOKS: Okay. All right. And  
15 it's going to be a sit-down restaurant?

16 MR. ABBOTT: Yes.

17 PARTICIPANT: Yes. The one we have is  
18 a carry-out and --

19 MEMBER BROOKS: Yes.

20 PARTICIPANT: -- the new one will be  
21 a sit-down.

22 MEMBER BROOKS: And you want to serve

1 alcohol in the new one?

2 MR. ABBOTT: Yes.

3 MEMBER BROOKS: At Walmart?

4 MR. ABBOTT: Yes.

5 MEMBER BROOKS: And Walmart

6 understands that and they approve of that?

7 MR. ABBOTT: They have agreed and  
8 approved, yes.

9 MEMBER BROOKS: And this is physically  
10 within the Walmart?

11 MR. ABBOTT: Well, we have our won --  
12 it is physically on Walmart's space. We have our  
13 won entrance and exit. We are not, you know,  
14 inside where people are walking in front or  
15 inside the Walmart.

16 MEMBER BROOKS: Okay.

17 MR. ABBOTT: We have a door.

18 MEMBER BROOKS: So you are not inside  
19 of the Walmart?

20 MR. ABBOTT: No.

21 MEMBER BROOKS: That's where I was --

22 MR. ABBOTT: We have a street entrance

1 right on Georgia Avenue.

2 MEMBER BROOKS: On Georgia Avenue.

3 MR. ABBOTT: Yes.

4 MEMBER BROOKS: Adjacent to Walmart,  
5 I assume.

6 MR. ABBOTT: Yes.

7 MEMBER BROOKS: Okay. All right.

8 Thank you, Madam Chair.

9 CHAIRPERSON MILLER: Okay. Thank you.

10 Others?

11 MS. ABBOTT: I have a question.

12 CHAIRPERSON MILLER: Yes, okay.

13 MS. ABBOTT: Who do I send this  
14 updated report to?

15 MEMBER SHORT: Our attorney.

16 CHAIRPERSON MILLER: If you just send  
17 it to our General Counsel, Martha Jenkins.

18 MS. ABBOTT: Okay.

19 CHAIRPERSON MILLER: And she will  
20 bring it to our attention.

21 MR. ABBOTT: You guys want us to  
22 provide the lease also?

1 CHAIRPERSON MILLER: That would be  
2 great.

3 MEMBER SHORT: As much information as  
4 you can send us to let us know you are moving  
5 forward.

6 MR. ABBOTT: Right.

7 MS. ABBOTT: Okay.

8 CHAIRPERSON MILLER: I've got two over  
9 here. Mr. --

10 MEMBER SILVERSTEIN: I don't have any  
11 questions at least moving forward.

12 CHAIRPERSON MILLER: Okay. Go ahead,  
13 Mr. Rodriguez.

14 MEMBER RODRIGUEZ: It sounds pretty  
15 exciting. It's an exciting area for business.

16 MS. ABBOTT: Yes, it is.

17 MEMBER RODRIGUEZ: And with Walmart  
18 there. Are you going to be using the parking,  
19 Walmart parking for your customers?

20 MR. ABBOTT: Yes.

21 PARTICIPANT: Yes.

22 MEMBER RODRIGUEZ: Okay. That's

1 really clever.

2 MS. ABBOTT: As a matter of fact,  
3 Walmart approached us, approached Oohs and Ahhs  
4 to open, so --

5 MR. ABBOTT: Right. They wanted to do  
6 a family-style eatery instead of McDonald's or  
7 Subway or something --

8 MEMBER RODRIGUEZ: Right, right.

9 MR. ABBOTT: -- of that nature.

10 PARTICIPANT: Yes, we are the first.

11 MR. ABBOTT: So we will be the first  
12 of its kind.

13 MEMBER ALBERTI: Great.

14 MEMBER RODRIGUEZ: Yes, wonderful.

15 MS. ABBOTT: Any questions about that?

16 PARTICIPANT: It's not a nation-wide  
17 lease with them, so hopefully this is --

18 MEMBER RODRIGUEZ: The beginning.

19 PARTICIPANT: -- many more.

20 MEMBER SHORT: It creates some jobs,  
21 too.

22 MS. ABBOTT: Yes.

1 MR. ABBOTT: Creates some jobs as  
2 well, yes.

3 CHAIRPERSON MILLER: Okay. Mr.  
4 Silverstein?

5 MEMBER SILVERSTEIN: Madam Chair, it  
6 seems as though this is not something that they  
7 are going to be able to have open tomorrow or the  
8 next day and, yet, it's quite obvious that this  
9 is an ongoing effort on their part. They are not  
10 sitting on the license in safekeeping. They are  
11 trying to move forward.

12 I would suggest that we extend the  
13 safekeeping period for a year and see how it  
14 moves after that. I don't think it would be of  
15 any great help to keep bringing them in and back  
16 because it's clear that they are trying to move  
17 this forward as quickly as they can and that  
18 there are issues that other people have to move  
19 forward on before they can do their own actions.

20 MEMBER SHORT: I concur with that,  
21 Madam Chair, especially if they are going to  
22 provide us with the documentation that they have

1 the lease.

2 CHAIRPERSON MILLER: Yes, right.

3 MEMBER RODRIGUEZ: And, Madam Chair,  
4 especially if they are working with a reputable  
5 organization like Walmart. And also, I like the  
6 idea that they can use the Walmart parking.

7 CHAIRPERSON MILLER: Okay. And one  
8 year should certainly cover you, correct?

9 MS. ABBOTT: That should be  
10 sufficient, yes.

11 CHAIRPERSON MILLER: Hopefully it will  
12 be before. I would just make a friendly  
13 suggestion, Ms. Abbott, that, you know, as you  
14 get closer to the time, you know, that they are  
15 ready or whatever or whenever, just maybe you  
16 might want to talk to Ms. Jenkins or somebody  
17 else in the office about when you should start  
18 the process of the transfer, so that --

19 MS. ABBOTT: Absolutely. Is Ms.  
20 Jenkins still here?

21 CHAIRPERSON MILLER: Yes, she is here,  
22 yes.

1 MEMBER SHORT: There is two Jenkins.

2 CHAIRPERSON MILLER: There is two  
3 Jenkins.

4 MS. ABBOTT: Oh.

5 CHAIRPERSON MILLER: Our attorney --

6 MS. ABBOTT: Okay.

7 CHAIRPERSON MILLER: -- she is often  
8 busy with us on Wednesdays, but, you know --

9 MS. ABBOTT: Okay. All right.

10 CHAIRPERSON MILLER: -- you can call  
11 her any time or if you have a question right now,  
12 you might be able to catch her.

13 MS. ABBOTT: Okay, yes.

14 CHAIRPERSON MILLER: But you know,  
15 because you have -- there are two steps.

16 MS. ABBOTT: Yes.

17 CHAIRPERSON MILLER: Because first is  
18 the --

19 MS. ABBOTT: Yes, I know.

20 CHAIRPERSON MILLER: Yes. You take it  
21 out of safekeeping.

22 MS. ABBOTT: Right.

1                   CHAIRPERSON MILLER: And then you do  
2 the transfer and you have got plenty of time, so  
3 you can try to get it done.

4                   MS. ABBOTT: Okay. I will be sure to  
5 do that.

6                   CHAIRPERSON MILLER: Okay. So we have  
7 heard you today and we hear you obviously have  
8 very concrete plans you are moving forward on.  
9 And it has been requested that you submit to us a  
10 copy of the lease and the project plan or  
11 something.

12                   MS. ABBOTT: Project -- the current  
13 project plan.

14                   CHAIRPERSON MILLER: Okay. So that we  
15 have that in our record. Okay.

16                   And that I would then move that we  
17 extend the safekeeping for a year.

18                   MEMBER SILVERSTEIN: Yes.

19                   MEMBER SHORT: Second.

20                   CHAIRPERSON MILLER: Mr. Short  
21 seconded the motion.

22                   All those in favor say aye.

1 ALL: Aye.

2 CHAIRPERSON MILLER: All those  
3 opposed? All those abstaining? The motion  
4 passes 5-0-0.

5 Okay. Then you are set.

6 MS. ABBOTT: Thank you.

7 MEMBER SHORT: Good luck.

8 CHAIRPERSON MILLER: Thank you very  
9 much.

10 MR. ABBOTT: Thank you.

11 MEMBER SILVERSTEIN: Good luck to you.

12 CHAIRPERSON MILLER: And thank you for  
13 waiting for us. Okay. Okay.

14 (Whereupon, the Fact-Finding Hearing  
15 in the above-entitled matter was concluded at  
16 2:04 p.m.)

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**A**

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