

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

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IN THE MATTER OF: :
 :
M Street Management Group, :
LLC t/a 1819 Club : Fact-
1819 M Street, NW : Finding
Retailer CN - ANC-2B : Hearing
License No. 71088 :
Case #13-CMP-00551 :
 :
(License in Safekeeping) :
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December 11, 2013
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

ALSO PRESENT:

ILLEANA CORRALES, ABRA Investigator

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

2 (11:57 a.m.)

3 CHAIRPERSON MILLER: We have one
4 more case on our morning calendar, another
5 Fact-Finding Hearing for 1819 Club located at
6 1819 M Street, N.W., License No. 71088, in
7 ANC-2B. Good morning.

8 MR. KUNDANMAL: Good morning.

9 CHAIRPERSON MILLER: It's still
10 morning. Okay. When you are ready, if you
11 would introduce yourselves for the record?

12 MR. BLANCHARD: Good morning,
13 Chairperson Miller and Members of the Board.
14 My name is Lyle Blanchard. I'm counsel to the
15 applicant. With me this morning is?

16 MR. KUNDANMAL: Morning. I'm
17 Adrian Kundanmal. I'm the managing member of
18 M Street Management Group and the license
19 holder.

20 CHAIRPERSON MILLER: I'm sorry, I
21 missed your last name. Adrian Kundanmal?

22 MR. KUNDANMAL: It's Adrian

1 Kundanmal.

2 CHAIRPERSON MILLER: Got it.

3 MR. KUNDANMAL: K-U-N-D-A-N-M-A-L.

4 CHAIRPERSON MILLER: All right.

5 We may have an Investigator coming also, Ms.
6 Corrales, she should be here momentarily. But
7 let me just start by saying this involves a
8 request for an extension of time to keep the
9 license in safekeeping, I believe, until a
10 building is finished renovating.

11 MR. BLANCHARD: That's correct.

12 CHAIRPERSON MILLER: Okay. And I
13 understand that you represented that you want
14 this extension until March 31, 2014. And I
15 guess the main reason that we called you in
16 for a hearing, this should be a pretty quick
17 hearing, but is because the license has been
18 in safekeeping for such a long period of time,
19 since 2005, correct?

20 MR. BLANCHARD: That's correct,
21 yes.

22 CHAIRPERSON MILLER: Okay. So--

1 MR. BLANCHARD: I had no gray hair
2 when we started.

3 CHAIRPERSON MILLER: You had no
4 gray what?

5 MR. BLANCHARD: Yes, now, I have
6 lots.

7 CHAIRPERSON MILLER: Oh, gray
8 hair, gray hair. Okay.

9 MR. BLANCHARD: Thank you,
10 Chairman Miller. The Board had my letter, I
11 believe, from November 5th, which kind of lays
12 out what has been going on recently. And I
13 brought Mr. Kundanmal with me to add some more
14 detail, if necessary.

15 But essentially, this property was
16 bought at a bankruptcy and there has been a
17 total gut rehab of the building. There have
18 been plans that had to be approved by DCRA and
19 HPO because we are in the Historical District.
20 There is a long saga with the DC Water & Sewer
21 Authority because a substantial upgrade to the
22 water connection was necessary and that took

1 over a year to work with their engineers to
2 figure out whether they had to go all the way
3 across M Street or dig up the entire sidewalk
4 from this location all the way to 20th Street,
5 both of which would have been substantial
6 disruption of traffic and business.

7 And of course, DDOT got involved
8 because it required a Traffic Plan. So those
9 are all -- that and the fact that they went
10 through several different architects and
11 contractors. They now have a very reputable
12 contractor who has a lot of experience with
13 the hospitality industry and restaurants in
14 particular.

15 CHAIRPERSON MILLER: Can I stop
16 you for a minute and let Ms. Corrales
17 introduce herself for the record?

18 MR. BLANCHARD: Yes.

19 INVESTIGATOR CORRALES: I'm
20 Investigator Illeana Corrales with the
21 Alcoholic Beverage Regulation Administration.

22 CHAIRPERSON MILLER: Okay. Thank

1 you.

2 MR. BLANCHARD: So there has been
3 a long litany, but they are very close to
4 finishing now and we did bring some documents,
5 some photographs, because I believe
6 photographs are always a better depiction.
7 Photographs tell a story better than I can.

8 And those photographs show -- most
9 of them were taken in the past week, so they
10 are labeled. And they show the extent of the
11 build-out. It is basically there are metal
12 studs that are being put in now. There is
13 some cabling that has been installed for
14 security cameras. There is electrical work
15 that is started. There are plumbing rough-
16 ins, an elevator that had to be installed.

17 A whole rear stairwell which took
18 several months to build. And then there are
19 some photos at the end that show the
20 demolition of the rear of the wall of the
21 building, which occurred back in 2007. And
22 then at the very end how that wall is now

1 closed in. You will see a new hood for the
2 kitchen.

3 And so things are moving along
4 pretty substantially now. And we do expect to
5 be done by the end of February, as far as
6 final inspections, Fire Marshal, Building Code
7 inspections, things of that nature.

8 And so that gives us an extra
9 month just in case to come out of safekeeping
10 and we will probably be filing something in
11 early 2014 to ask the license to come out of
12 safekeeping, because we do know it needs to be
13 placarded since it has been in safekeeping so
14 long.

15 CHAIRPERSON MILLER: Um-hum,
16 right.

17 MR. BLANCHARD: So that they can
18 actually open end of March.

19 CHAIRPERSON MILLER: Okay. Any
20 questions?

21 MEMBER BROOKS: Yes, I do. Mr.
22 Blanchard, at the end of the day, end of

1 February or March or whenever you complete
2 this project --

3 MR. BLANCHARD: Right.

4 MEMBER BROOKS: -- what do you
5 hope to become?

6 MR. BLANCHARD: The same
7 establishment that was there before.

8 MEMBER BROOKS: And what was that?

9 MR. BLANCHARD: It's a nightclub.

10 MEMBER BROOKS: A nightclub.

11 MR. BLANCHARD: Right.

12 MEMBER BROOKS: And a nightclub
13 didn't have water and all the stuff that you
14 said that you had to get permits for and all
15 these kind of things?

16 MR. BLANCHARD: Well, it's kind of
17 like the old house I used to own on 38th
18 Street. I didn't own it, I rented it.

19 MEMBER BROOKS: Uh-huh.

20 MR. BLANCHARD: But it was built
21 turn-of-the-century and all the systems were,
22 unfortunately, not the best. And so when I

1 say gut rehab, all the old pipes were torn
2 out, all the old electrical system was torn
3 out. There is a new electrical panel and it's
4 a full -- the only thing that is original are
5 the exterior elements that the Historic
6 Preservation Office wouldn't -- you know,
7 would have an issue with if we changed those
8 and the bricks.

9 MEMBER BROOKS: Okay. What was
10 there before?

11 MR. BLANCHARD: That was --

12 MEMBER BROOKS: 9 years ago or 10
13 years ago?

14 MR. BLANCHARD: That was Joanna's.
15 It was the same 1819 Club. It used to be the
16 old Joanna's.

17 MEMBER BROOKS: Yes.

18 MR. KUNDANMAL: I'm going to
19 commit the cardinal sin and talk instead of my
20 attorney.

21 CHAIRPERSON MILLER: It's just a
22 Fact-Finding.

1 MR. KUNDANMAL: No, you know, we
2 are a little bit in the uncommon lucky
3 position on both the property and the business
4 itself. So when we bought it, we had the
5 opportunity to either kind of do a light
6 renovation on a building that was built in, I
7 think, just literally 1900, 1898 something
8 like that or try and maximize the underlying
9 asset value by really expanding the property
10 and also bringing in all the necessary safety
11 and ADA compliant and everything, really long-
12 term view on the project.

13 So we went with the latter, but in
14 all honesty, I don't think we realized how big
15 a job it was going to be. So we effectively
16 had to demolish the entire back of the
17 historic building, remove everything, none of
18 the water service would have complied with the
19 new requirements.

20 We had to -- even just the fact
21 the largest -- one of the biggest issues with
22 the water was the safety thing, which was us

1 adding a fire suppression system. And that is
2 really what necessitated us, literally, having
3 to -- in the end after over a year of going
4 back and forth with WASA, we actually had to
5 close all of M Street, six lanes, one lane at
6 a time to connect the water main across the
7 street, because we are the only business on
8 the entire block that wasn't allowed to tap
9 directly into the main right in front of us.

10 So a lot of things we have done is
11 with the long-term view of the property and to
12 make sure that the highest levels of safety
13 and ADA compliance are there, so it has been
14 a very long arduous process.

15 But that's one of the reasons why
16 in the pictures we show you -- if you look at
17 the very first demo picture and the very last
18 picture, you will see it's -- the property has
19 gone from a 4,000 square foot building built
20 in 1900 to -- it's almost 8,000 square feet
21 now with the latest mechanical systems,
22 elevator, etcetera.

1 So I think the combination of
2 getting through those last hurdles in terms of
3 permitting and utilities, combined with the
4 new Construction Management Team, which we
5 have, which we have a representative here who
6 has done a lot of hospitality in the District,
7 we expect this last phase the last few months
8 to go very quickly.

9 And we welcome anyone that wishes
10 -- I don't know if the inspectors had a chance
11 to look, but anyone who wants to come and see
12 progress, we are so happy to accommodate that
13 whenever.

14 MEMBER BROOKS: Okay. Thank you,
15 Madam Chair.

16 MR. KUNDANMAL: I didn't get
17 poked, so I think I did okay.

18 MR. BLANCHARD: Right.

19 MR. KUNDANMAL: So far.

20 CHAIRPERSON MILLER: Okay. Mr.
21 Alberti?

22 MEMBER ALBERTI: Just a couple of

1 quick questions. First of all, from the
2 pictures it sounds like you are in an exciting
3 phase where you will start to see --

4 MR. KUNDANMAL: Finally, finally.

5 MEMBER ALBERTI: -- things
6 actually shape, get a chance to see what it
7 really is going to look like. All right. But
8 so just out of curiosity, when do your permits
9 expire? How long do you have them for?

10 MR. KUNDANMAL: The construction
11 permits?

12 MEMBER ALBERTI: Yes.

13 MR. KUNDANMAL: The construction
14 permits, they -- the manager will be able to
15 give you a better answer, but from what I
16 understand because we have had inspections on
17 work, ongoing work --

18 MEMBER ALBERTI: Right.

19 MR. KUNDANMAL: DCRA has -- those
20 automatically get continued.

21 MEMBER ALBERTI: Okay.

22 MR. KUNDANMAL: And I think we

1 have someone actually in the permit office as
2 recently as this week that will get something
3 to confirm that if the Board needs it.

4 MEMBER ALBERTI: Okay. Okay.

5 MR. KUNDANMAL: We have had more
6 than one permit I think over the course of the
7 -- we had one for base building and then we
8 had an additional one.

9 MEMBER ALBERTI: Right. And what
10 inspections have been done?

11 MR. KUNDANMAL: I don't know, but
12 I can get that information for you.

13 MEMBER ALBERTI: Okay.

14 MR. KUNDANMAL: But we have had --
15 on a regular basis, we have had some
16 electrical inspections, fire, certainly the
17 fire suppression inspection. I don't know
18 what -- I don't know the details exactly, but
19 we might be able to get those for you quickly.

20 MR. BLANCHARD: We do have some
21 third-party inspection reports that I just
22 didn't bring with us.

1 MEMBER ALBERTI: Okay. Those
2 would be helpful, so that would be a good --

3 MR. BLANCHARD: Sure.

4 MEMBER ALBERTI: -- thing for us
5 to gauge how far along you are, this thing is.

6 MR. BLANCHARD: Yes.

7 MEMBER ALBERTI: And do you -- at
8 this point, what do you foresee, if anything,
9 to be an obstacle finishing by the end of
10 February, March, early spring of next year?

11 MR. KUNDANMAL: In the past I have
12 been super confident and I have been wrong,
13 but this might be the first time I'm not
14 wrong. Now, the -- I think the biggest
15 obstacle is getting this new Construction Team
16 on board. And now that that is done, we --
17 there is nothing -- there is no long need
18 items for furniture or for electrical panels.
19 Everything -- we have double checked all that.

20 That would have been the only
21 thing that I was concerned about is if there
22 was any mechanical items or something that

1 would have been long leave manufacturing, but
2 that's not the case for anything that's
3 specked out.

4 MEMBER ALBERTI: Okay.

5 MR. KUNDANMAL: And also that we
6 don't even have to worry about weather delays
7 now that the building is a closed shell. Work
8 can continue no matter what the weather is,
9 which, you know, had been a problem with that.

10 MEMBER ALBERTI: Okay. Thank you.
11 Thank you, Madam Chair.

12 CHAIRPERSON MILLER: Now, Ms.
13 Corrales, do you have anything you want to
14 add? No?

15 INVESTIGATOR CORRALES: No, I do
16 not.

17 CHAIRPERSON MILLER: Did you go
18 inspect the property?

19 INVESTIGATOR CORRALES: I did not
20 go inside the property.

21 CHAIRPERSON MILLER: Oh, did you
22 go --

1 INVESTIGATOR CORRALES: I just
2 went there --

3 CHAIRPERSON MILLER: -- inspect it
4 on the outside?

5 INVESTIGATOR CORRALES: I only
6 drove by the outside and walked around it to
7 see if we could see any construction.

8 CHAIRPERSON MILLER: Um-hum.

9 INVESTIGATOR CORRALES: That's
10 what I was ordered to do, just to confirm the
11 construction, that's all it was, but I did not
12 go inside.

13 CHAIRPERSON MILLER: Okay. You
14 saw construction?

15 INVESTIGATOR CORRALES: Yes.

16 CHAIRPERSON MILLER: Okay.
17 Anything else? Okay. So Mr. Blanchard has
18 requested this -- an extension of safekeeping
19 period until March 31, 2014. So I just want
20 to ask the Board if you are inclined to grant
21 that request or do otherwise? Any thoughts?

22 MEMBER ALBERTI: I personally, as

1 a Board Member, am inclined to grant the
2 request for six months. From the pictures I
3 saw, and I'm no expert, it looks like it could
4 be completed within that time. Again, I'm no
5 expert.

6 However, my own point of view, I
7 want the licensee to understand that in six
8 months, if the licensee is not on the verge of
9 opening or hasn't opened, we are going to --
10 I'm going to want an explanation before I
11 grant, you know, and I'm going to want proof
12 that you couldn't do it.

13 MR. BLANCHARD: Sure, okay.

14 MEMBER ALBERTI: Because you have
15 come to us and you said we can do it. You've
16 got these pictures that looks like you can do
17 it.

18 MR. BLANCHARD: Sure.

19 MEMBER ALBERTI: I'm happy for
20 you. It looks like you can do it. But if it
21 doesn't happen, we are going to need to know
22 why, because it has been since 2005.

1 MR. KUNDANMAL: Absolutely.

2 MEMBER ALBERTI: So we want to get
3 these licenses active.

4 MR. KUNDANMAL: We understand.

5 MEMBER ALBERTI: And you know, we
6 have -- I will tell you honesty, you know, we
7 have had people who made promises and haven't
8 kept them and haven't been able to show us
9 that they have made progress and we have
10 canceled licenses. So it's -- the onus is on
11 you to keep this moving and then if you can't,
12 to convince us that you need more time.

13 MR. KUNDANMAL: Thank you. And we
14 understand. If there is any unforeseen thing,
15 it certainly would be well-documented and I
16 cannot imagine -- I don't foresee that.

17 MEMBER ALBERTI: Okay. Great.

18 MEMBER BROOKS: Madam Chair, I
19 just want to be sure when the six month period
20 expires.

21 CHAIRPERSON MILLER: I've got to
22 look at the calendar then.

1 MEMBER ALBERTI: Well, it would be
2 from when we issue an order.

3 MEMBER BROOKS: Okay.

4 MEMBER ALBERTI: Would that be --
5 is that correct or from today? I misspoke.
6 I guess it would be six months from today when
7 we --

8 CHAIRPERSON MILLER: Okay. So --

9 MEMBER ALBERTI: -- actually
10 formally grant this, I guess.

11 CHAIRPERSON MILLER: Okay. Okay.

12 MEMBER ALBERTI: Right.

13 MEMBER BROOKS: So we are talking
14 December --

15 MEMBER ALBERTI: I was just told
16 you will get a letter and --

17 CHAIRPERSON MILLER: Well, we
18 can --

19 MEMBER ALBERTI: -- telling us
20 when the expiration is, but I think it would--
21 the six months would start tolling from,
22 essentially, today.

1 MR. KUNDANMAL: Great.

2 CHAIRPERSON MILLER: I mean, we
3 could just set a date, June 11th, if we want
4 to.

5 MEMBER BROOKS: June 11th? Is that
6 when the six months would be?

7 CHAIRPERSON MILLER: It's
8 approximately.

9 MEMBER BROOKS: Okay.

10 CHAIRPERSON MILLER: All right.
11 Okay.

12 MR. KUNDANMAL: We're still
13 shooting for three months, so that's good.

14 CHAIRPERSON MILLER: Right.

15 MEMBER ALBERTI: Right.

16 CHAIRPERSON MILLER: Exactly.

17 MEMBER ALBERTI: Hopefully this is
18 fair to you.

19 MR. KUNDANMAL: It is. It is for
20 sure. Thank you.

21 MEMBER ALBERTI: All right.

22 CHAIRPERSON MILLER: Okay. So I'm

1 going to make an official motion then that we
2 grant the request for an extension of the
3 safekeeping period for License No. 71088 for
4 1819 Club for an extension of six months until
5 June 11, 2014.

6 Do I have a second?

7 MEMBER BROOKS: Second.

8 CHAIRPERSON MILLER: Okay. Mr.
9 Brooks has seconded the motion. All those in
10 favor say aye.

11 ALL: Aye.

12 CHAIRPERSON MILLER: All those
13 opposed? All those abstaining? The motion
14 passes 4-0-0.

15 So we will follow-up. I believe
16 our general counsel is saying probably with a
17 letter or whatever, by either letter or
18 written order, but you have it.

19 MR. KUNDANMAL: Very good. Thank
20 you.

21 CHAIRPERSON MILLER: Okay.

22 MR. BLANCHARD: Thank you very

1 much for your time. We appreciate it.

2 MEMBER ALBERTI: Happy Holidays.

3 CHAIRPERSON MILLER: Thank you.

4 Good luck.

5 MR. KUNDANMAL: Thank you. You,

6 too.

7 MEMBER ALBERTI: Thanks.

8 CHAIRPERSON MILLER: So I think
9 that concludes our cases on the morning
10 calendar and the Board will now recess until
11 1:30.

12 (Whereupon, the Fact-Finding
13 Hearing in the above-entitled matter was
14 concluded at 12:14 p.m.)

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