

To: Board of Zoning Adjustment

Re: Application by Flavor Hive for Special Exception
Case No. 21394
Square 1206 Lot 833 (3287 ½ M Street NW)

This letter is provided in opposition to the application of FC, LLC, dated Sep 8, 2025 for a special exception to allow a fast-food establishment known as Flavor Hive to operate at 3287½ M street Georgetown, an MU-4 zone. "Flavor Hive" is primarily a fast-food truck/restaurant that recently began business in Alexandria Va. According to public records and news publications, the business owners are Basim Mansour, Amgd Gende and Mohammed Chowdry and the President is Andrew (Drew) Kellogg.

Recently, Drew Kellogg was the president of another local fast-food business known as Oath Pizza (legal name Next Level Pizza). Oath Pizza had about a dozen small store locations with the largest in the Mosaic shopping center in Merrifield (Fairfax) Virginia. In 2023, Kellogg was fired and then sued by the company and a group of investors for fraud and other malfeasance. According to the lawsuit and press coverage, while Kellogg was President of the company, he executed a self-dealing scheme to transfer the assets of the company to himself, failed to pay substantial amounts owed to landlords, employees, vendors and tax authorities, diverted funds to himself as well as filing false reports to federal and state regulatory authorities, failed to comply with state alcohol license requirements, and failed to pay license, business and payroll taxes. These actions ultimately caused the closure of the company's stores, termination of more than 50 employees and the bankruptcy of the company. According to the bankruptcy filing, Kellogg also caused the default on payment of hundreds of thousands of dollars to local vendors and landlords (including DC based Edens realty who was the landlord at Mosaic) while diverting hundreds of thousands of dollars to himself and took more than \$100,000 of funds intended to support franchisees resulting in the collapse of the franchisees' businesses. Per the bankruptcy filing, Kellogg was required to return the company's assets and \$400,000. All of these facts were disclosed in the lawsuit and bankruptcy filing as well as news articles for which references and copies of the cited materials are attached. I suggest that you review the publicly available materials and speak to the plaintiffs, their counsel and others familiar with Kellogg's actions. I have included those parties names on the attached.

Given that Kellogg is the President of Flavor Hive and has previously shown complete disregard for complying with laws, regulations and business ethics, I believe it would be reckless to allow him to operate a business in Georgetown and put at risk our local employees, businesses, vendors and tax authorities.

John Stevens
2700 Woodley Road NW 204
Washington, DC 20008

CC: ANC 2E; ANC 2E05; Ward 2

Attachments:

News Articles:

1. <https://www.qsrmagazine.com/story/oath-pizza-declares-bankruptcy/>
2. <https://nantucketcurrent.com/news/broken-oath-pizza-joint-faces-uncertain-future>
3. <https://www.pmq.com/an-upstart-fast-casual-pizza-chain-declares-bankruptcy/>
4. Media Post by George Mathew (former Oath Pizza CFO) to Drew Kellogg account

Bankruptcy Filing:

5. Delaware Bankruptcy Filing Statement for Next Level Pizza, Inc. (filed Oct 21, 2024)

Parties to the Oath Pizza (Next Level Pizza) Litigation:

Plaintiffs:

Next Level Pizza, Inc (c/o bankruptcy Trustee – see below)

James Alpi (Arlington, Va)

William Wrightson (Oxford, Md)

Plaintiff's counsel:

Jay McMillan (Halloran, Farkas, Wilmington, DE)

Irwin Schwartz (BLA Schwartz, Westwood MA)

Bankruptcy Counsel:

Scott Cousins (Lewis Brisbois, Wilmington DE)

Bankruptcy Trustee:

David Carickhoff, (Wilmington, DE)

Flavor Hive:

According to local media articles, Flavor Hive is owned by Basim Mansour, Amgd Gende and Mohammed Chowdry. One article mentions Drew Kellogg is a “partner” and “co-owner” with Basim Mansour in addition to being President of Flavor Hive. Basim Mansour is also an owner of Michael & Sons plumbing and is related to Layth Mansour who owns another food business called “Bitez”. It is unclear if Kellogg is an owner or officer of either of those businesses.

The applicant for the special exception is “FC, LLC” which does not appear to be a registered company in Washington DC. Thus, it is unclear exactly who the owners are or whether it is the entity intending to operate the Flavor Hive business in DC.