ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, NOVEMBER 20, 2013
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009

Ruthanne Miller, Chairperson
Members:
Nick Alberti, Donald Brooks, Herman Jones, Mike Silverstein

Protest Hearing (Status) **9:30 AM**

Case # 13-PRO-00136
301 Romeo, LLC, t/a Romeo & Juliet
301 Massachusetts Ave NW
License #92684
Retailer CR
ANC 6E
New Application

Disposition: The Board set the matter for a Protest Hearing on December 11, 2013 at 1:30 pm.

Protest Hearing (Status) **9:30 AM**

Case # 13-PRO-00128
JC 7, LLC, t/a NY NY Diva
2406 18th Street NW
License #92380
Retailer CR
ANC 1C
Renewal Application

Disposition: The Board set the matter for a Protest Hearing on January 22, 2014 at 4:30 pm.

Protest Hearing (Status) **9:30 AM**

Case # 13-PRO-00131
Historic Restaurants, Inc. t/a Washington Firehouse
1626 North Capitol Street NW
License #92685
Retailer CT
ANC 5E
New Application

Disposition: The Board set the matter for Protest Hearing on December 4, 2013 at 1:30 pm.

Protest Hearing (Status) **9:30 AM**

Case # 13-PRO-00130
Lee's Mini Market, Inc., t/a Lee's Mini Market
3853 Alabama Ave SE
License #84939
Retailer B
ANC 7B
Substantial Change (Change of License from Class B to Class A)

Disposition: ANC 7B failed to appear. The Board dismissed the Protest. (4-0)

Protest Hearing (Status) **9:30 AM**

Case # 13-PRO-00120
Adams Morgan F & B, LLC, t/a Jack Rose
2007 18th Street NW
License #81997
Retailer CR
ANC 1C
Renewal Application

Disposition: The Board set the matter for Protest Hearing on December 4, 2013 at 4:30 pm.

Show Cause Hearing (Status) **9:30 AM**

Case # 13-AUD-00042
GC Latin Productions, LLC, t/a Sabor Latino Bar & Grill
3910 14th Street NW
License #84113
Retailer CR
ANC 4C
Failed to Qualify as a Restaurant

Disposition: The Board accepted an Offer in Compromise: $1,500 to be paid within 60 days. (4-0)

Show Cause Hearing (Status) **9:30 AM**

Case # 12-AUD-00058(a)
Lalibela, Inc., t/a Lalibella Ethiopian Restaurant
1415 14th Street NW
License #23745
Retailer CR
ANC 2F
Failed to Qualify as a Restaurant, Failed to Maintain on Premises Three Years of Adequate Books and Records Showing All Sales

Disposition: The Board set the matter for a Show Cause Hearing on February 5, 2014 at 10:00 am.

Show Cause Hearing (Status) **9:30 AM**

Case # 12-CMP-00676
Adams Morgan Spaghetti, Inc., t/a Spaghetti Garden Brass Monkey Peyote Roxanne
2317 18th Street NW
License #10284
Retailer CR
ANC 1C
Violation of Settlement Agreement, Substantial Change without Boards Approval

Disposition: The Board accepted an Offer in Compromise: Charge I -$1,000 payable by November 27, 2013, Charge II-dismissed (3-1; Alberti).

Show Cause Hearing (Status) **9:30 AM**

Case # 13-251-00097
Perculus, Inc. t/a The Reef
2442 18th Street NW
License #60475
Retailer CT
ANC 1C
Allowed the Establishment to be Used for an Unlawful or Disorderly Purpose

Disposition: The Board granted the Office of the Attorney General's Motion to Dismiss, 4-0.

Fact Finding Hearing **9:30 AM**

Pub Crawl
Date of Event: December 21, 2013
Applicant: Kevin Kirk
Event Name: 3rd Annual Snow Day DC Pub Crawl
Neighborhood: Dupont Circle
Size of Event: 3000-5000

The names of the establishments participating in the Pub Crawl are available upon request

Disposition: The Board Approved the Pub Crawl Application.

Show Cause Hearing* **10:00 AM**

Case # 12-CMP-00194 and # 12-251-00123
Sunshine Bar & Lounge, LLC, t/a Sunshine Bar & Lounge
7331 Georgia Ave NW
License #85239
Retailer CR
ANC 4B
Failed to Comply With the Terms of Board Order No. 2013-068

Disposition: The Respondent failed to appear. The Board held a closed meeting for purposes of deliberating these hearings pursuant to D.C. Offical Code §2-574(b)(13) and will issue an Order within 90 days.

Show Cause Hearing*

11:00 AM

Case # 12-AUD-00062
Terfneh Kahsay t/a Salina Restaurant
1936 9th Street NW
License #82969
Retailer CR
ANC 1B
Failed to Qualify as a Restaurant, Failed to Maintain on Premises Three Years of Adequate Books and Records Showing All Sales

Disposition: The Board accepted an Offer in Compromise: $4,000 payable within 90 days. Charge I- dismissed, Charge II- $4,000 (4-0).

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA
1:00 PM

Public Hearing **1:30 PM**

East Dupont Circle Moratorium Zone

Disposition: The Board approved the Emergency and Proposed Rules, 4-0.

Protest Hearing* **1:30 PM**

Case # 13-PRO-00115
Cause Operation, LLC, t/a Cause DC
1936 9th Street NW
License #90192
Retailer CR
ANC 1B
Substantial Change (Summer Garden)

This Hearing has been cancelled due to the submission of a Settlement Agreement by the Parties.

Disposition: The Board dismissed the case due to the parties' submission of a Settlement Agreement.

Fact Finding Hearing** **2:00 AM**

Trader Joe's East, Inc., t/a Trader Joe's #662
1914 14th Street, NW
License #93455
Retailer B
ANC 2B
New Retailer Class B Full-Service Grocery Store

Disposition: The Board took the matter under advisement.

Fact Finding Hearing** **2:30 AM**

Thread After Party
Skip Coburn and Paul Pascal
Date of the Event: November 30, 2013
Location: Parking Lot at Union Market
Size of the Event: 2,000
Number of Participating Licensees: Four

Disposition: The Board denied the use of shared ground by multiple vendors.

The Board will hold a closed meeting for purposes of deliberating these hearings pursuant to D.C. Offical Code §2-574(b)(13).

****The public hearing listed above was not previously published in the D.C. Register.***

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
AGENDA

WEDNESDAY, NOVEMBER 20, 2013 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Request to Remove License from Safekeeping. ANC 2E. SMD 2E05. ***Zenobia Lounge***, 1025 31st Street NW, Retailer CR, Lic#: 85003.
   Decision: Placard, 4-0-0.

2. Review Request for Stipulated License supported by ANC 6B. SMD 6B01. ***Sushi Capitol,*** 325 Pennsylvania Avenue SE, Retailer D, Lic#: 92785.
   Decision: Denied, 4-0-0.

3. Review Request for License Class from Class B to Class A. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No Settlement Agreement. ***Westchester Market***, 4000 Cathedral Avenue NW, Retailer B, Lic#: 77798.
   Decision: Placard, 4-0-0.

4. Review Request for Change of Hours. ***Approved Hours of Operations***: Sunday-8 am to 8 pm, Monday-Saturday 8 am to 10 pm. ***Approved Hours of Sales and Consumption***: Sunday- Closed, Monday-Saturday 9 am to 10 pm. ***Proposed Hours of Operations, Sales and Consumption***: Sunday-Saturday 7 am to 11:30 pm. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No Settlement Agreement. ANC 5D. SMD 5D06. ***Brother's Liquors***, 1140 Florida Avenue NE, Retailer A, Lic#: 84857.
   Decision: Approved, 4-0-0.

5. Review Request for Change of Hours. (Proposing to Open Earlier). ***Proposed Hours of Operations, Sales, Consumption with Summer Garden Operations, Sales and Consumption:*** Sunday-Thursday 8am to 2am, Friday-Saturday 8am to 3am. ANC 1A SMD 1A03. ***Lou's Bar and Grill,*** 1400 Irving Street NW, Retailer CT, Lic#: 86419.
   Decision: Approved, 5-0-0.

6. Review Request for New Class A License. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No Settlement Agreement. ***Newton Food Mart,*** 3600 12th Street, NE.
   Decision: Denied, 5-0-0.

7. Review FYI. Memo/Letter from ***WRAP SoberRide***.
   Decision: FYI.

8. Review of Settlement Agreement dated October 12, 2013 between ANC 6B and Kilala Enterprises, LLC. ***Sushi Capitol,*** 325 Pennsylvania Avenue SE, Retailer D, Lic#: 092785.*
   Decision: Approved with modifications.

9. Review of Motion for Reconsideration dated November 4, 2013 from Carlos M. Recio, Counsel for Group of Five or More and ANC 5B. ***Brookland's Finest,*** 3126-3128 12th Street NE, Retailer CT, Lic#: 092010.*
   Decision: Denied, 5-0-0.

10. Review of Request dated November 5, 2013 from E & J Gallo to provide retailers with products valued at more than $50 and less than $500.
    Decision: Approved, 5-0-0.

11. Review of Request dated November 6, 2013 from E & J Gallo to provide retailers with products valued at more than $50 and less than $500.
    Decision: Approved, 5-0-0.

12. Review of Request dated November 8, 2013 from E & J Gallo to provide retailers with products valued at more than $50 and less than $500.
    Decision: Approved, 5-0-0.

13. Review of Request dated November 12, 2013 from E & J Gallo to provide retailers with products valued at more than $50 and less than $500.
    Decision: Approved, 5-0-0.

14. Review of Emergency and Proposed Rules for East Dupont Circle Moratorium.
    Decision: Approved, 4-0 (Jones abstained).

*** In accordance with D.C. Official Code §2-574(b) Open Meetings Act, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
SUPPLEMENTAL AGENDA

WEDNESDAY, NOVEMBER 20, 2013 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Request for Disposal Permit. ANC 5B. SMD 5B02. ***Dakota Liquors***, 5510 3rd Street NE, Retailer A, Lic#: 00042
   Decision: Approved, 4-0-0.

2. Review Request for Change of Hours. ***Approved Hours of Operations***: Sunday 10 am-10 pm; Monday – Thursday 8am – 11 pm; Friday 8am – 1 am; Saturday 10am-1am; ***Approved Hours of Sales***: Sunday 10 am – 10 pm; Monday –Thursday 4pm-11pm; Friday 4pm-1am; Saturday 10am-1am. ***Approved Hours of Operation and Sales for Summer Garden***: Sunday 10 am-9pm; Monday-Friday 4pm-10pm; Saturday 10am-10pm. ***Proposed Hours of Operation and Sales:*** Sunday – Thursday 10 am-2am; Friday and Saturday 10 am-3 am; ***Proposed Hours of Operation and Sales for Summer Garden***: Sunday – Thursday 10 am -11 pm; Friday and Saturday 10 am -12am. No pending enforcement matters, No outstanding fines/citations. No conflict with Settlement Agreement. ANC 1A SMD 1A09. ***Mothership,*** 3301 Georgia Avenue, NW, Retailer CR, Lic#: 91237.
   Decision: Placard, 4-0-0.

   Review of Resolution Granting Stipulated License and Settlement Agreement between ANC 3F and Matt Carr. ***Little Red Fox,*** 5035 Connecticut Avenue NW, Retailer B, Lic#: 092836. *Originally published on the October 30, 2013 Agenda.*
   Decision: Approved, 4-0-0.

3. Review of Opposition to Motion for Reconsideration dated November 18, 2013 from Andrew Kline Counsel for Brookland's Finest, LLC. ***Brookland's Finest Bar & Kitchen,*** 3126-3128 12th Street NE, Retailer CT, Lic#: 092010.* *This item is tied to item #9 on the November 20, 2013 Agenda.*
   Decision: Moot.

4. Review of Settlement Agreement dated November 14, 2013 between ANC 2B and Kusam International. ***Stonefish Grill,*** 1050 17th Street NW, Retailer CT, Lic#: 014073.*
   Decision: Approved with modifications, 4-0-0.

5. Review of Settlement Agreement dated November 8, 2013 between ANC 1B, The West Group, Anderson Holiness, and Cause Operation, LLC. ***Cause DC,*** 1926 9th Street NW, Retailer CR, Lic#: 090192.*
   Decision: Approved with modifications, 4-0-0.

The above listed items are deemed to be urgent and are excepted under the requirements of the Open Meetings Act pursuant to D.C. Official Code §2-575(4).

*** In accordance with D.C. Official Code §2-574(b) Open Meetings Act, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
INVESTIGATIVE AGENDA

WEDNESDAY, NOVEMBER 20, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

On November 20, 2013 at 4:00 pm, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed "to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations."

1. Case#13-AUD-00068 The Fairfax at Embassy Row, 2100 MASSACHUSETTS AVE NW Retailer C Hotel, License#: ABRA-074721
Decision: Staff Settlement.

2. Case#13-251-00126 BANDOLERO, 3241 M ST NW Retailer C Restaurant, License#: ABRA-075631
Decision: Postponed until December 11, 2013.

3. Case#13-251-00128 Midtown, 1219 CONNECTICUT AVE NW Retailer C Nightclub, License#: ABRA-072087
Decision: Show Cause.

4. Case#13-CC-00113 Stop & Go Market, 3001 SHERMAN AVE NW Retailer B Retail - Grocery, License#: ABRA-071763
Decision: STM Warning Letter/Legal Age : Staff Settlement.

5. Case#13-AUD-00071 Lalibela Ethiopian Restaurant, 1415 14TH ST NW Retailer C Restaurant, License#: ABRA-023745
Decision: Staff Settlement

6. Case#13-CC-00112 Chalin's Restaurant, 1912 I ST NW Retailer C Restaurant, License#: ABRA-001845
Decision: STM Warning Letter/No ABC Manager: Staff Settlement.

7. Case#13-AUD-00069 Hotel Tabard Inn, 1739 N ST NW Retailer C Hotel, License#: ABRA-001445
Decision: Show Cause.

8. Case#13-CC-00116 Soho Tea & Coffee, 2150 P ST NW Retailer D Restaurant, License#: ABRA-080603
Decision: STM Warning Letter/Legal Age: Staff Settelment.

9. Case#13-AUD-00072 Kushi Izakaya, 465 K ST NW Retailer C Restaurant, License#: ABRA-082439
Decision: Show Cause.

10. Case#13-AUD-00065 Bar Louie, 701 7th ST NW Retailer C Restaurant, License#: ABRA-084428
Decision: Show Cause.

11. Case#13-AUD-00074 EL CENTRO D.F., 1819 14TH ST NW Retailer C Restaurant, License#: ABRA-084847
Decision: No Further Action.

12. Case#13-CMP-00552 NY NY Diva, 2406 - 2408 18th ST NW Retailer C Restaurant, License#: ABRA-092380
Decision: No Further Action.

13. Case#13-CMP-00553 NY NY Diva, 2406 - 2408 18th ST NW Retailer C Restaurant, License#: ABRA-092380
Decision: No Further Action.

14. Case#13-AUD-00066 Fuel Pizza & Wings, 600 F ST NW Retailer C Restaurant, License#: ABRA-088727
Decision: Staff Settlement.

15. Case#13-CMP-00481 Justin's Café, 1025 1st ST SE Retailer C Restaurant, License#: ABRA-083690 (Previously published in the 11/1/13 DC Register)
Decision: Show Cause.

16. Case#13-CC-00106 TGI Friday, 2100 Pennsylvania Ave NW Retailer C Restaurant, License#: ABRA-060813 (Previously published on the 11/1/13 DC Register)
Decision: STM Warning Letter/Legal Age: Staff Settlement.

17. Case# 13-CC-00080 Busboys & Poets, 1025 5th ST NW Retailer C Restaurant, License#: ABRA-077961 (Previously published on the 11/8/13 DC Register)
Decision: STM Warning Letter/Legal Age: Staff Settlement.

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NOTICE OF MEETING
INVESTIGATIVE AGENDA

WEDNESDAY, NOVEMBER 20, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

On November 20, 2013, the Alcoholic Beverage Control Board will hold an emergency closed meeting regarding the matter identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed for the following reasons: (1) To consult with an attorney to obtain legal advice; (2) To discuss and hear a report concerning alleged criminal or civil misconduct or violations of the law or regulations; and (3) To discuss and take action regarding specific methods and procedures to protect the public from substantial dangers to the public, and to receive briefings by staff members, legal counsel, or law enforcement concerning these methods and procedures.

1. Case#13-251-00147 Macombo Lounge, 5335 GEORGIA AVE NW Retailer C Nightclub, License#: ABRA-000771
Decision: Refer to Enforcement.