

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, DECEMBER 14, 2011
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009**

**Nick Alberti, Interim Chairperson
Members:**

Donald Brooks, Herman Jones, Calvin Nophlin, and Mike Silverstein

Protest Hearing (Status)

9:30 AM

Case # 11-PRO-00048

Po Boys Kitchen, LLC t/a Po Boys Kitchen
709 H Street NE
License #87903
Retailer CR
ANC 6C
New Application

**Disposition: Group of Five or More granted Standing. Protest Hearing set
for February 1, 2012 at 5:00 pm.**

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00261

Ameda Sofenias t/a Queen Makeda
1917 9th Street NW
License #60510
Retailer CR
ANC 1B

**Failed to File Quarterly Statements, Failed to Frame the License Under
Glass and Post It Conspicuously in the Establishment**

Disposition: Show Cause Hearing set for February 18, 2012 at 10:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 11-251-00038

El Tamarindo Georgia Inc., t/a El Tamarindo III
7331 Georgia Avenue NW
License #83213
Retailer CR
ANC 4B

Sale and Service After Board Approved Hours, Trade Name Change

Disposition: Show Cause Hearing set for January 18, 2012 at 10:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 11-251-00088

9th Street Restaurant Inc. t/a Louis Rogue
476 K Street NW
License #6372
Retailer CN
ANC 6C

Violations of Security Plan

Disposition: Dismissed, 5-0.

Board's Calendar

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Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00164

Wabi Corporation, Inc., t/a Windows Café & Market

101 Rhode Island Avenue NW

License #60506

Retailer B

ANC 5C

Violation of Voluntary Agreement, Failed to Produce a Copy of the Voluntary Agreement

Disposition: The Board accepted an Offer in Compromise: \$500 paid within 45 days, 5-0.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00222

M&G Peacock, Inc. t/a Peacock Liquors

1625 New York Avenue NE

License #78305

Retailer A

ANC 5B

Violation of Voluntary Agreement

Disposition: The Board accepted an Offer in Compromise: \$1,000 paid within 90 days, 5-0.

Show Cause Hearing (Status)

9:30 AM

Case # 11-AUD-00002

European Restaurant Group, LLC t/a One
1606 20th Street NW
License #83468
Retailer CR
ANC 2B

Failed to Meet Food Sales Requirement

Disposition: The Board will review the letter and schedule a Show Cause Hearing.

Show Cause Hearing (Status)

9:30 AM

Case # 10-CMP-00845

Luigi's Restaurant, Inc. t/a Luigi's Restaurant
1132 19th Street NW
License #8469
Retailer CR
ANC 2B

Failed to File Quarterly Statement

Disposition: The Board accepted an Offer in Compromise: \$750 paid on December 14, 2011, 5-0.

Show Cause Hearing

10:00 AM

Case # 11-251-00167

CRV Corporation t/a The Bottom Line
1716 I Street NW
License #755
Retailer CT
ANC 2B

Allowed the Establishment to be Used for an Unlawful or Disorderly Purpose, Operating After Hours
(Show Cause Hearing Continued to January 11, 2012)

Disposition: The Board rescheduled the matter for January 11, 2012 at 1:30 pm.

Show Cause Hearing

11:00 AM

Case # 10-CMP-00708

Epicurean Experience Corp. t/a Epicurean Experience
1900 Tremont Street SE
License #81362
Caterer
ANC 8B

Failed to Maintain Service of Alcohol As Incidental to the Preparation and Service of Food & Failed to Purchase Alcoholic Beverages from an Appropriate Retailer

Disposition: The Board held a Closed Meeting under the Open Meetings Act and the Board will issue an order within 90 days, 5-0.

BOARD RECESS

ADMINISTRATIVE AGENDA
1:00 PM

Fact Finding Hearing **1:30 PM**

Pub Crawl

Disposition: Application Approved, 5-0.

Public Hearing **2:00 PM**

MPD Reimbursable Detail Rulemaking

Disposition: The Board took the matter under advisement, 5-0.

Show Cause Hearing **3:00 PM**

Case #s 10-AUD-00014 & 10-AUD-00014(a)

The Griffin Group, LLC t/a Policy

1902-1906 14th Street NW

License #76804

Retailer CR

ANC 2B

Failed to Meet Food Sales Requirements

Disposition: The Board held a Closed Meeting under the Open Meetings Act and the Board will issue an order within 90 days, 5-0.

Protest Hearing **4:00 PM**

Case # 11-PRO-00023

PGS, LLC t/a The Guitar Bar

1216 18th Street NW

License #86803

Retailer CT

ANC 2B

New Application

Hearing Cancelled: VA pending

Disposition: Hearing cancelled; Voluntary Agreement submitted.

Fact Finding Hearing

4:30 PM

Case # 11-251-00168

3124 Corporation t/a The Good Guys Restaurant

2311 Wisconsin Avenue NW

License #899

Retailer CN

ANC 3B

Male patron assaulted by another male patron

Disposition: No Further Action, 5-0.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, DECEMBER 14, 2011
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On DECEMBER 14, 2011, 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#11-251-00273 (a) George, 3251 PROSPECT ST NW CS-1 Retailer C Restaurant,
License#: ABRA-078058

Decision: No Further Action.

2) Case#11-CMP-00457 Jamaican Joe's Famous Jerk Chicken (formerly Bistro 18), 2420 - 2422
18TH ST NW Retailer C Restaurant, License#: ABRA-086876 (Previously published in the
11/30/11 DC Register)

Decision: Postponed until January 11, 2012.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
AGENDA**

**WEDNESDAY, DECEMBER 14, 2011 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of Application for Safekeeping. No pending violations. No outstanding citations/fines. No Voluntary Agreement. ANC 6C. ***Market to Market***, 740 5 Street NW Retailer CR, Lic.#: 74352.
Decision: Approved, 5-0.
2. Review of Solicitor's Application for Jung K. Choi. **
Decision: Approved, 5-0.
3. Review of Solicitor's Application for Bradley Wilds Hutchison. **
Decision: Approved, 5-0.
4. Review of Solicitor's Application for Mathew J. Berridge. **
Decision: Approved, 5-0.
5. Review of request from Licensee to lessen renewal late fee. No pending violations. No outstanding citations/fines. No Voluntary Agreement. ANC 2C. ***RFD Washington***, 810 7 Street NW Retailer CT, Lic.#: 60583.
Decision: Denied, 5-0.
6. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales/Service. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales/Service:*** Monday through Thursday 9am-9pm, Friday and Saturday 9am-10pm. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales/Service:*** Monday through Saturday 9am-12am. No pending violations. No outstanding citations/fines. No Voluntary Agreement. ANC 2E. ***Potomac Wines and Spirits***, 3100 M Street NW Retailer A, Lic.#: 1926.
Decision: Approved, 5-0.
7. Review of letter from Licensee requesting approval to change the location of the establishment from 3236 Prospect Street, NW, to 3234 Prospect Street, NW. No pending violations. No outstanding citations/fines. No Voluntary Agreement. ANC 2E. ***M Café***, 3236 Prospect Street NW Retailer CR, Lic.#: 87240. *
Decision: Approved, 5-0.

8. Review of letters from Licensee requesting approval to store invoices for two store locations off-site at 1200 Upshur Street, NW, Unit #2303, Washington, DC, due to lack of storage space at both locations. No pending violations. No outstanding citations/fines. No Voluntary Agreements. ANC 2B. **Pizzeria Paradiso**, 2000 Massachusetts Avenue NW Retailer CR, Lic.#: 16192.
Decision: Approved, 5-0.
9. Review of letters from Licensee requesting approval to store invoices for two store locations off-site at 1200 Upshur Street, NW, Unit #2303, Washington, DC, due to lack of storage space at both locations. No pending violations. No outstanding citations/fines. No Voluntary Agreements. ANC 2E. **Pizzeria Paradiso**, 3282 M Street NW Retailer CR, Lic.#: 60575.
Decision: Approved, 5-0.
10. Review of letter from Michael D. Fonseca on behalf of Licensee requesting approval of an increase in seating capacity from 67 seats to 76 seats. No pending violations. No outstanding citations/fines. No Voluntary Agreement. ANC 1B. **Touchdown**, 1334 U Street NW Retailer CT, Lic.#: 86233. *
Decision: Approved, 5-0.
11. Review of Voluntary Agreement Amendment, dated November 14, 2011, between Capital Yacht Charters and ANC 6D. **Capital Yacht Charters**, 1300 Maine Avenue SW Retailer C Marine Vessel, Lic.#'s: 84410 (Celebrity), 84412 (Harbour Belle), 84413 (Finished Business), No License (Virginia Jewel). *
Decision: Postponed until January 11, 2012.
12. Review of letter, dated November 28, 2011, from ANC 6B requesting a reinstatement of their protest for 7th & L Street Market. **7th & L Street Market**, 700 L Street SE Retailer B, Lic.#: 60537.
Decision: Approved, 5-0.
13. Review of letter, dated December 5, 2011, from Michael Hibey requesting a reconsideration for one of the Board's proposed modifications to the Voluntary Agreement for Penthouse Bar. **Penthouse Bar**, 1612 U Street NW Retailer CT, Lic.#: 86789. *
Decision: Approved, 5-0.
14. Review of Voluntary Agreement, dated November 22, 2011, between Fairmont Market and ANC 1B. **Fairmont Market**, 2628 11 Street NW Retailer B, Lic.#: 77898. *
Decision: Approved with modifications to Sections 1 and 3, 5-0.
15. Review of letter, dated November 28, 2011, from Michael K. Hibey notifying the Board of violations to the Board Order 2011-402 for Marrakesh Palace and Pasha Lounge. **Marrakesh Palace Pasha Lounge**, 2147 P Street NW Retailer CT, Lic.#: 60695. *
Decision: Refer to Enforcement for investigation, 5-0.

16. Review of Motion to Dismiss Untimely Protests, dated November 28, 2011, from Matthew LeFande for Jimmy Valentine's Lonely Hearts Club. *Jimmy Valentine's Lonely Hearts Club*, 1103 Bladensburg Road NE Retailer CT, Lic.#: 76330. *
Decision: Denied, 5-0.

*** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, 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.**

**** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of 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. 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
LICENSE CANCELLATION**

**WEDNESDAY, DECEMBER 14, 2011
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

The Board is requested to approve the following license cancellations for the reasons outlined below.

ABRA – 078857 – **Sake Club** – CR – 1400 Irving Street, NW. [This license is a 405.1. No payment or activity on license since 2008. Location currently occupied by new license-holder.]
Decision: Postponed until January 11, 2012.

ABRA – 76293 – **La Pata Negra** – CR – 1612 14th Street, NW. [This license is a 405.1. No payment or activity on license since 2009. Location currently occupied by a new license-holder.]
Decision: Postponed until January 11, 2012.

ABRA – 071802 – **The Olympic** – CR – 1206 H Street, NE. [This license is a 405.1. No payment or activity on license since 2004. Location currently occupied by a new license-holder.]
Decision: Postponed until January 11, 2012.

ABRA – 071893 – **John Harvard's Brew House** – CR – 1299 Pennsylvania Avenue, NW. [No payment or activity on license since 2005. Ownership entity has been dissolved according to DCRA records. Location currently occupied by a new license-holder.]
Decision: Postponed until January 11, 2012.

ABRA – 060777 – **Mt. Pleasant Delicatessen** – B – 3068 Mt. Pleasant Street, NW. [License is currently in Safekeeping. Licensee did not renew in 2011.]
Decision: Postponed until January 11, 2012.

ABRA – 080662 – **Griffin Market** – B – 1425 28th Street, NW. [License is currently in Safekeeping. Licensee did not renew in 2011.]
Decision: Postponed until January 11, 2012.

ABRA – 023650 – **Capitol City Brewing Company** – CT – 2 Massachusetts Avenue, NE.
[Request for cancellation received.]
Decision: Cancelled.

ABRA – 075391 – **Cardinal's Nest** – CT – 3748 10th Street, NE. [License is currently in Safekeeping. Licensee did not renew in 2010.]
Decision: Postponed until January 11, 2012.

ABRA – 082761 – **Dulce Café & Lounge** – CT – 1123 Pennsylvania Avenue, SE. [License is currently in Safekeeping. Licensee did not renew in 2010.]

Decision: Cancelled.

ABRA – 073906 – **Steve's Bar Room** – CN – 1337 Connecticut Avenue, NW. [Licensee did not make 2nd Year Payment in September 2011. Licensee was evicted by US Marshalls in February 2011.]

Decision: Cancelled.

ABRA – 083660 – **Souk** – CR – 1208 H Street, NE. [Request for cancellation received.]

Decision: Cancelled..

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
ORDERS TO CEASE & DESIST**

**WEDNESDAY, DECEMBER 14, 2011
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

The Board is requested to issue Orders to Cease & Desist to the following licenses for the reasons outlined below.

ABRA – 001784 – **Woodner Grocery** – B – 3636 16th Street, NW. [Licensee did not renew in 2011.]

Decision: Cease and Desist Order issued December 14, 2011.

ABRA – 008455 – **Keg City** – B – 50 Florida Avenue, NE. [Licensee did not renew in 2011.]

Decision: Cease and Desist Order issued December 14, 2011.

ABRA – 015118 – **Port of Piraeus II** – B – 1155 21st Street, NW. [Licensee did not renew in 2011.]

Decision: Cease and Desist Order issued December 14, 2011.

ABRA – 020058 – **4th Street Market** – B – 6900 4th Street, NW. [Licensee did not renew in 2011.]

Decision: Cease and Desist Order issued December 14, 2011.

ABRA – 024861 – **Dorchester Market** – B – 2480 16th Street, NW. [Licensee did not renew in 2011.]

Decision: Cease and Desist Order issued December 14, 2011.

ABRA – 074078 – **Spruill's Convenience Store** – B – 3213 6th Street, NW. [Licensee did not renew in 2011.]

Decision: Cease and Desist Order issued December 14, 2011.

ABRA – 074238 – **Mercadito Ramos** – B – 2213 14th Street, NW. [Licensee did not renew in 2011.]

Decision: Cease and Desist Order issued December 14, 2011.

ABRA – 074875 – **Village Pantry** – B – 3833 Pennsylvania Avenue, SE. [Licensee did not renew in 2011.]

Decision: Cease and Desist Order issued December 14, 2011.

ABRA – 077268 – **Grapes n’ Hope’s Market** – B – 512 Rhode Island Avenue, NW. [Licensee did not renew in 2011.]

Decision: Cease and Desist Order issued December 14, 2011.

ABRA – 078243 – **DC Express** – B – 1504 East Capitol Street, NE. [Licensee did not renew in 2011.]

Decision: Cease and Desist Order issued December 14, 2011.

ABRA – 060420 – **Southeast People’s Market** – B – 3041 Naylor Road, SE. [Licensee did not renew in 2011.]

Decision: Cease and Desist Order issued December 14, 2011.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

BOARD ORDERS

**ON WEDNESDAY, DECEMBER 14, 2011, THE BOARD REVIEWED AND APPROVED
THE FOLLOWING ORDERS:**

1. Order No.: 2011-493
Show Cause Order for 1218 Wisconsin Incorporated t/a Third Edition/The Taqueria.
License No.: ABRA-000604, Case Nos.: 11-251-00065 and 11-251-00069.
2. Order No.: 2011-508
Summary Suspension Order for Shamiana, LLC t/a Heritage India Brasserie & Lounge.
License No.: ABRA-075074, Case No.: 11-251-00366.
3. Order No.: 2011-496
Fact Finding Order for Proof Lounge, LLC t/a GII Restaurant and Lounge.
License No.: ABRA-087228, Case No.: N/A.