

Before
The District of Columbia
Alcoholic Beverage Control
Board

Charles Brodsky, Chairperson
Nick Alberti, Member; Donald Brooks, Member
Herman Jones, Member; Calvin Nophlin, Member;
Mike Silverstein, Member

April 13, 2011

Protest Hearing (Status)

9:30 AM

Case# 10-PRO-00174

Carriage House, LLC t/a Green Lantern/Tool Shed
1335 Green Court NW
License#: 60411
Retailer CN
Renewal Application

Protest dismissed
for failure to
appear. 3-0 vote.

9:30 AM

Fact Finding Hearing

9:30 AM

Tonic at Quigley's LLC t/a Tonic
2036 G Street NW
License #75297
Retailer CR

One Day Substantial Change Application
Date of Event: April 16, 2011

Application approved.

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Application.

Fact Finding Hearing

9:30 AM

Case# 11-251-00062

De Amigos, LLC t/a Sesto Senso/Andulu/Spot/Lupe
1214 18th Street NW
License#: 81092
Retailer CR
Sales to Minors and Intoxicated Patrons

Bd sent the matter
to OAG for Show
Cause. 4-0 vote

Show Cause Hearing

10:00 AM

Case# 10-CMP-00543

Rose's Dream Inc., t/a Rose's Dream Bar and Lounge
1370 H Street NE
License#: 74099
Retailer CT
**Failed to Make a Copy of the Voluntary Agreement Available to an ABRA
Official**

Bd accepted an OIC:
\$500 fine payable
w/in 30 days.

Show Cause Hearing

11:00 AM

Case# 10-CMP-00578

The Wonderland Ballroom, LLC t/a The Wonderland Ballroom
1101 Kenyon Street NW
License#: 71202
Retailer CN
**Failed to Obtain Importation Permit and Failed to Maintain Records Upon
the Licensed Premises**

The Bd held a closed
meeting under § 405 (b)(13)
of the Open Mtgs Act
and will issue
an order w/in 90 days.

BOARD RECESS

Protest Hearing

1:00 PM

Case# 11-PRO-00004

Inner Circle 1223, LLC t/a Dirty Martini Inn Bar/Dirty Bar
1223 Connecticut Avenue NW
License#: 83919
Retailer CN
Renewal Application

Protest dismissed.
Bd cancelled hearing.

Protest Hearing

4:00 PM

Case# 11-PRO-00005

Eun & Peter, Inc. t/a Uncle Lee's Seafood
1100 Eastern Avenue NE
License#: 85918
Retailer A
New Application

The Bd held a closed
meeting under § 405(b)(13)
of the Open Mtgs Act and
will issue an Order w/in
90 days.

**Before
The District of Columbia
Alcoholic Beverage Control Board
Agenda – April 13, 2011**

Decisions

1. Letter from Bernard Dietz on behalf of Licensee requesting the following amendments to the 405.1 Application: 1) an increase in the seating capacity from 50 seats to 100 seats (updated Certificate of Occupancy submitted); 2) a trade name change from Dave's Tavern to Zeba Bar & Grill; and 3) review of a Summer Garden/Sidewalk Café Endorsement Application for a summer garden with 32 seats. ***Summer Garden Hours of Operation:*** Monday through Thursday, 9am-2am, and Friday & Saturday 9am-3am. ***Hours of Sales and Service:*** Sunday 10am-2am, Monday through Thursday 9am-2am, and Friday & Saturday 9am-3am. Letter from Licensee requesting a change in the Premises Hours of Operation and Sales & Service and Hours of Entertainment on Friday and Saturday only. ***Current Hours of Operation and Sales & Service:*** Friday and Saturday 9am-2am. ***Proposed Hours of Operation and Sales & Service:*** Friday and Saturday 9am-3am. ***Current Hours of Entertainment:*** Friday and Saturday 6am-2am. ***Proposed Hours of Entertainment:*** Friday and Saturday 6am-3am. No voluntary agreement. No pending violations. ***Dave's Tavern***, 3423 14th Street NW Retailer CT, Lic.#: 79449.

*Placard Summer Garden only
All other requests approved*

2. Review of an Entertainment Endorsement Application to extend entertainment from Thursday through Saturday to Monday through Sunday. ***Hours of Operation and Sales & Service:*** Sunday through Thursday 11:00am-2:00am, Friday through Saturday 11:00am – 3:00am. ***Hours of Live Entertainment:*** Sunday through Thursday 6pm-2:00am, Friday through Saturday 6pm – 3:00am. No voluntary agreement. No pending violations/citations. ***Georgia Brown***, 950 15th Street NW Retailer CR, Lic.#: 77127.

Approved

3. Review of an Entertainment Endorsement Application to have DJ or live entertainment and dancing for private events only. ***Hours of Operation and Sales & Service:*** Monday through Sunday, 11:30am-1:30am. ***Hours of Live Entertainment:*** Monday through Sunday 6pm-1:30am. No voluntary agreement. No pending violations/citations. ***America***, 50 Massachusetts Ave NE Retailer CR, Lic.#: 13326.

Approved

4. Letter from Emanuel Mpras on behalf of Licensee requesting a change in the Summer Garden Hours of Operation and Sales & Service and the Premises Hours of Sales & Service. **Current Summer Garden Hours of Operation:** Sunday through Thursday 5:00pm-2:30am, and Friday 5:00pm – 2:30am. **Current Summer Garden Hours of Sales & Service:** Sunday through Thursday 5:00pm-2:00am, and Friday 5:00pm – 3:00am. **Proposed Summer Garden Hours of Operation:** Sunday through Thursday 11:00am-3:30am, and Friday and Saturday 11:00am – 4:30am. **Proposed Summer Garden Hours of Sales & Service:** Sunday through Thursday 11:00am-2:00am, and Friday and Saturday 11:00am – 3:00am. **Current Premises Hours of Sales & Service:** Sunday through Thursday 5:00pm-2:00am, and Friday and Saturday 5:00pm – 3:00am. **Proposed Premises Hours of Sales & Service:** Sunday through Thursday 11:00am-2:00am, and Friday and Saturday 11:00am – 3:00am. No voluntary agreement. The Licensee has pending violations/citations. **Eye Bar/Garden of Eden**, 1716 I Street NW Retailer CT, Lic.#: 83133.

Placard

5. Review of ABC Manager's License for Jonette Omara, License #084346, issued March 22, 2011.

Fact Finding

6. Letter from Licensee requesting a change in the Hours of Operation. **Current Hours of Operation:** Monday through Saturday, 9:30am – 9:00pm, and Sunday from 10:00am-9:00pm. **Proposed Hours of Operation:** Monday through Saturday, 9:00am-10:00pm, and Sunday 9:00am-9pm. No pending violations/citations. No conflict with existing Voluntary Agreement. **1101 Convenience Mart**, 1101 H Street NE Retailer B, Lic.#: 77487.

Approved

7. Review of Application for Trade Name Change from Brookland Café to Café. **Brookland Café**, 3740 12th Street NE Retailer CT, Lic.#: 81793.

Approved

8. Letter from Stephen O'Brien on behalf of Applicant requesting withdrawal of license application filed by Good Neighbors, LLC, t/a Salt & Pepper, 5101 MacArthur Blvd., N.W., Class "CR" License. Applicant will be filing a new application with a new premises address of 5125 MacArthur Blvd., N.W. **Salt & Pepper**, 5101 MacArthur Blvd NW Retailer CR, Lic.#: 85718.

Approved

9. Letter from Licensee requesting approval of increase in occupancy from 32 seats to 47 seats in accordance with updated Certificate of Occupancy. No voluntary agreement. No pending violations/citations. **Paragon Thai Restaurant**, 3707 Connecticut Ave NW Retailer CR, Lic.#: 79042.

Approved. Licensing to inform licensee that COO indicates 57 seats.

10. Review of Summer Garden/Sidewalk Café Endorsement Application for sidewalk café at Local 16. **Hours of Operation:** Sunday through Thursday, 11:00am – 11:00pm, Friday and Saturday, 11:00am – 12:00am. **Hours of Sales:** Sunday through Thursday, 11:00am – 11:00pm, Friday and Saturday, 11:00am – 12:00am. There is no conflict with the Voluntary Agreements. No pending violations/citations. **Local 16**, 1602 U Street NW Retailer CR, Lic.#: 60467.

Placard

11. Review of Summer Garden/Sidewalk Café Endorsement Application for summer garden with 147 seats. **Proposed Hours of Operation for the Summer Garden are:** Sunday through Thursday 6 am – 2 am, Friday & Saturday 6 am – 3 am. **Proposed Hours of Alcohol Service for the Summer Garden are:** Sunday 10 am – 2 am, Monday through Thursday 8 am – 2 am, Friday & Saturday 8 am – 3 am. No pending violations/citations. No voluntary agreement. **Washington Hilton Hotel**, 1919 Connecticut Ave NW Retailer CH, Lic.#: 77101.

Approved

12. Letter from Stephen O'Brien requesting an Involuntary Transfer of Fusion Cuisine, Inc. t/a Morso Restaurant, License #84544, to Sami Chway and Sleiman Kysia., landlords of the licensed premises at 3277 M Street, N.W. License will be held in safekeeping status pending future application for transfer to a third-party tenant. **Morso Restaurant**, 3277 M Street NW Retailer CR, Lic.#: 84544.

Approved

13. Letter from Ronald Shapiro on behalf of Barclays Capital Real Estate Finance, Inc. requesting a Temporary Operating Retail Permit effective April 13, 2011 in anticipation of a UCC foreclosure sale of the Retailer's Class "CH" License held by 16th and K Hotel Sub lessee LP, t/a The St. Regis Hotel, scheduled for April 12, 2011. **The St. Regis Hotel**, 923 16th Street NW, Retailer CH, Lic.#. 78066.

Approved

14. Review of letter, dated March 28, 2011, from Emanuel Mpras, Esq., on behalf of Garden of Eden, responding to Club Quarter's letter, dated March 17, 2011, regarding alleged noise violations by Garden of Eden. ***Eye Bar/Garden of Eden***, 1716 I Street NW Retailer CT, Lic.#: 83133.

FYI

15. Review of letter, dated March 30, 2011, from Pattarapong Sebamonpimol, on behalf of Paragon Thai Restaurant, requesting permission to store invoices off-site in the District. ***Paragon Thai Restaurant***, 3707 Connecticut Ave NW Retailer CR, Lic.#: 79042.

Approved

16. Review of letter, dated March 29, 2011, from Karsten Junius requesting permission to import wine from Germany for private consumption.

Approved

17. Review of Motion by ANC 1C, dated April 1, 2011, to continue the April 27, 2011 Protest Hearing for Green Island Café/Heaven & Hell, because counsel for ANC 1C will be out of town on a trip, which was scheduled before the rescheduling of the hearing. As of April 5, 2011, the Licensee has not filed an objection to the Motion for continuance. This matter has been rescheduled for June 1, 2011 at 1:00 pm. ***Green Island Café/Heaven & Hell (The)***, 2327 18th Street NW Retailer CT, Lic.#: 74503.

Approved

18. Review of correspondence from Soho Tea and Coffee requesting a change in the Hours of Sales and Service. Current Hours of Sales and Service: Sunday through Saturday 11:00am-12:00am. Proposed Hours of Sales and Service: Sunday through Saturday 11:00am-2:00am. No pending violations. ***Soho Tea and Coffee***, 2150 P Street NW Retailer CR, Lic.#: 80087.

Approved

19. Review of Voluntary Agreement, dated December 11, 2008, between Soho Tea and Coffee and ANC 2B. ***Soho Tea and Coffee***, 2150 P Street NW Retailer CR, Lic.#: 80087.

Approved with modifications

20. Review of Amendment to Voluntary Agreement, dated February 22, 2011, between Soho Tea and Coffee and ANC 2B. **Soho Tea and Coffee**, 2150 P Street NW Retailer CR, Lic.#: 80087.

Approved

21. Review of Amendment #2 to Voluntary Agreement dated June 26, 2010 and Board Order 2010-378 for additional business location for Retailer's Class CX License 84405 for DC Harbor Cruises, LLC t/a Patriot II, and other matters. This Amendment is entered into between Patriot II and ANC 6D. **Patriot II**, 100 Potomac Ave SE Retailer CX, Lic.#: 84405.

Approved

22. Review of Voluntary Agreement, dated February 16, 2009, between Social and ANC 1A. **Social**, 1400 Maridian Place NW Retailer C, Lic.#: 81006.

Refer to Legal

23. Board reconsideration of item #25 on the Board's Agenda on January 26, 2011 regarding Washington Wholesale Liquor Company's request to store alcohol inventory outside the District of Columbia.

Upon further review of the law, the Board denied the wholesaler's request thereby reversing its decision on January 26, 2011. 3-0
Chairperson Brodsky recused himself and Members Alberti + Nophlin were absent.

24. Review and approval of Show Cause Order for Jackey Café. **Jackey Café**, 611 H Street NW Retailer CR, Lic.#: 74004.

Approved

25. Review and approval of Show Cause Order for Raven Grill. **Raven Grill**, 3125 MT. Pleasant Street NW Retailer CT, Lic.#: 5864.

Postponed until 4/20/2011

26. Review and approval of Show Cause Order for Imperial Liquors. **Imperial Liquors**, 1050 17th Street NW Retailer A, Lic.#: 74960.

Approved

**Before
The District of Columbia
Alcoholic Beverage Control Board
Supplemental Agenda – April 13, 2011**

These matters were not submitted to the ABC Board until April 11, 2011. Therefore, it was impracticable to publish notice of these meetings in the District of Columbia Register. However, notice was posted in the office and on the website.

Decisions

1. Review of letter, dated April 11, 2011, from Andrew Kline, on behalf of Watershed, requesting that the Board consider the application as a CR License, rather than a CH License. *In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body. Watershed, 1225 1st Street NE Retailer CH, Lic.#: 86456.*

*Approved 3-0
Recusal (Brodsky)*

2. Board discussion of four legislative items to be discussed at the Council hearing on April 20, 2011. *In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public.*

The Board has "no objection" to any of the four proposed legislative items.

**Before
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Alcoholic Beverage Control Board
April 13, 2011**

The Board is requested to approve the following license cancellation.

ABRA – 080552 – **Joe's Coal & Ice House** – CR – 1358 H Street, N.E. [See Licensee's Letter Attached.]

Cancelled

ABRA – 080564 – **Vendetta** – CR – 1352 H Street, N.E. [See Licensee's Letter Attached.]

Cancelled

ABRA – 082860 – **Ansonia Wines** – A – 1828 18th Street, N.E. [See Licensee's Letter Attached.]

Cancelled

**Before
The District of Columbia
Alcoholic Beverage Control Board
Investigative Agenda - 4/13/2011**

Decisions

1. Case#11-PRO-00004 Dirty Martini Inn Bar/Dirty Bar, 1223 CONNECTICUT AVE NW Retailer C Nightclub, License#: ABRA-083919

FYI - Protest withdrawn

2. Case#11-PRO-00005 Uncle Lee's Seafood, 1100 EASTERN AVE NE Retailer A Retail - Liquor Store, License#: ABRA-085918

FYI
