

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, JUNE 1, 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-00019

Optimism, LLC t/a Optimism

3301 12th Street NE

License#: 83552

Retailer CT

Renewal Application

Disposition: The Board set the matter for a Protest Hearing on July 20, 2011 at 1:00 p.m.

Protest Hearing (Status)

9:30 AM

Case# 10-PRO-00181

Café Eagle, LLC t/a Café Eagle

1414 9th Street NW

License#: 85990

Retailer CT

New Application

This matter was previously scheduled at 3:00 p.m.

Disposition: The Board set the matter for a Protest Hearing on July 13, 2011 at 3:00 p.m.

Show Cause Hearing (Status)*

9:30 AM

Case# 11-CMP-00063

Cairo Inc. t/a Medaterra

2614 Connecticut Avenue NW

License#: 26206

Retailer CR

Failed to File Quarterly Statement

Disposition: The Board accepted an OIC: \$1,000 fine payable 06/01/2011.

Fact Finding Hearing

9:30 AM

Blue Grass Music Festival

3100 Benning Road NE

License#: 87044

Class F

Temporary License Application

Date of Event: June 11, 2011

Disposition: The Board approved the Application.

Fact Finding Hearing

9:45 AM

Case# 11-251-00129

Stadium Group, LLC t/a Stadium

2127 Queen's Chapel Road NE

License#: 82005

Retailer CN

Operating After Hours

Assault w/Deadly Weapon

Disposition: The Board voted 5-0 to send to OAG for Show Cause.

Show Cause Hearing

10:15 AM

Case# 10-CMP-00715

Lamaree Inc. t/a Aroma Indian Restaurant
1919 I Street NW
License#: 1847
Retailer CR
Failed to Obtain Importation Permits

Disposition: The Board held a closed meeting under § 405(b)(13) of the Open Meetings Act and will issued an Order within 90 days.

Fact Finding Hearing

11:00 AM

Case# 11-251-00089

Bee Hive, LLC, t/a Sticky Rice
1224 H Street NE
License#: 72783
Retailer CR
Altercation Between Security Staff and Patron

Disposition: The hearing is rescheduled for June 22, 2011 at 10:00 a.m.

Fact Finding Hearing

11:30 AM

Case# 11-251-00073

Kelemewa Corporation t/a Pure Nightclub & Lounge
1326 U Street NW
License#: 24613
Retailer CN

Patron Assaulted Inside of the Establishment

This matter is rescheduled for August 10, 2011 at 2:00 p.m.

Disposition: The hearing is rescheduled for August 10, 2011 at 2:00 p.m.

BOARD RECESS

Protest Hearing

1:00 PM

Case# 10-PRO-00178

Green Island Heaven and Hell, Inc. t/a Green Island Café/Heaven and Hell
2327 18th Street NW

License#: 74503

Retailer CT

Termination of Voluntary Agreement

This matter is rescheduled for July 20, 2011 at 1:30 p.m. (Licensee Requested Continuance; Protestants Consented)

Disposition: The hearing is rescheduled for July 20, 2011 at 1:30 p.m.

Summary Suspension Hearing (Status)**

1:00 PM

Case# 11-251-00146

Café Dupont, LLC t/a Café Citron
1343 Connecticut Ave NW

License#: 60138

Retailer CR

Aggravated and Simple Assault Inside the Establishment

Service to Intoxicated Persons

Failed to Follow Security Plan

Disposition: The Board lifted the suspension of the license and sent the matter to OAG for Show Cause.

Fact Finding Hearing*

2:00 PM

Ziegfield's/Secrets
1824 Half Street SW

License#: 78663

Retailer CN

One Day Substantial Change (Expansion to Include Parking Lot)

Date of Event: June 12, 2011

Disposition: The Board approved the Application.

Fact Finding Hearing*

2:30 PM

Barbecue Battle, Inc.
1101 Pennsylvania Avenue NW
License#: 87118
Class F
BBQ Festival
Date of Event: June 25 & 26, 2011

Disposition: The Board approved the Application.

Protest Hearing

3:00 PM

Case# 11-PRO-00015
Roundabout LLC t/a Boundary Road Restaurant
414 H Street NE
License#: 86320
Retailer CT
New Application
Voluntary Agreement Submitted – Hearing Cancelled

Disposition: Hearing cancelled. VA submitted.

The Board's Agenda

4:00 PM

As published in the DC Register on May 27, 2011

***Under Section 406(3) of the Open Meetings Act, it was not practical to publish notice of these hearing in the District of Columbia Register. However, the notice requirements of section 406 (1)-(2) were satisfied.**

****This matter constitutes an emergency meeting under the Open Meetings Act. The notice requirements of Section 406(4) were satisfied.**

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

**NOTICE OF MEETING
AGENDA**

**WEDNESDAY, JUNE 1, 2011 AT 4:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Letter from Emanuel Mpras, Esq., on behalf of Licensee, requesting a Stipulated License, including letter of support from ANC 6C. ***Graffiato***, 707 6th Street NW Retailer CR, Lic.#: 86500.
Decision: Approved 5-0
2. Letter from Licensee requesting waiver of late fees from renewal payment. ***Edgewood Liquors***, 2303 4th Street NE Retailer A, Lic.#: 74876.
Decision: Denied 5-0
3. Letter from License requesting approval of an increase in the occupancy load from 50 seats to 104 seats. Voluntary Agreement with ANC 3F. No pending citations or violations. * ***Jake's American Grill***, 5018 Connecticut Ave NW Retailer CR, Lic.#: 86013.
Decision: Placard 5-0
4. Review of Manager's Application for ***Dominic J. Boone***. **
Decision: Approved 5-0
5. Review of Manager's Application for ***Jorge C. Corea-Valdez***. **
Decision: Fact Finding 5-0
6. Review of Manager's Application for ***Jill E. Dumas***. **
Decision: Fact Finding 5-0
7. Letter from Andrew Kline, on behalf of Licensee, requesting an increase in seating from 230 to 254 and occupancy from 230 to 254. No voluntary agreement. No pending citations or violations. * ***901 Restaurant and Bar***, 901 9th Street NW, Retailer CR, Lic.#: 86025.
Decision: Approved 5-0

8. Letter from Kevin Lee, Esq., on behalf of Licensee, requesting a change in the hours of operation and sales of alcoholic beverages. ***Current Hours of Operation:*** Sunday through Saturday, 8:00am to 9:00pm. ***Current Hours of Sales of Alcoholic Beverages:*** Sunday through Saturday, 9:00am to 9:00pm. ***Proposed Hours of Operation:*** Sunday through Saturday, 8:00am to 10:00pm. ***Proposed Hours of Sales of Alcoholic Beverages:*** Sunday through Saturday, 9:00am to 10:00pm. No pending citations or violations. Voluntary Agreement with ANC 1B. ****Sonya's Market***, 2833 11th Street NW Retailer B, Lic.#: 85579.
Decision: Approved 5-0
9. Letter from Stephen O'Brien, Esq., on behalf of Licensee, requesting an increase in seating capacity based on prior use of second floor. Voluntary Agreement with ANC 3B. No pending citations or violations. * ***Blue Ridge***, 2340 Wisconsin Ave NW Retailer CR, Lic.#: 79348.
Decision: Approved, effective upon submission of conforming Certificate of Occupancy and Legal review.
10. Review of Application for Safekeeping. ***Restaurant Tropical***, 3566 14th Street NW Retailer CR, Lic.#: 60371.
Decision: Approved 5-0
11. Review of Application for Safekeeping. ***Zenobia Lounge***, 1025 31st Street NW Retailer CR, Lic.#: 85003.
Decision: Approved 5-0
12. Letter from Candace M. Fitch, Esq, on behalf of Licensee, requesting a change in the weekend Hours of Operation & Hours of Alcohol Beverage Service. ***Current Hours of Operation and Alcohol Beverage Service:*** Saturday 5:00pm to 3:00am, and Sunday 5:00pm to 2:00am. ***Proposed Hours of Operation and Alcohol Beverage Service:*** Saturday 11:00am to 3:00am, and Sunday 11:00am to 2:00am. No pending violations or citations. No Voluntary Agreement. ****18th Street Lounge***, 1212 18th Street NW Retailer CT, Lic.#: 21211.
Decision: Approved 5-0
13. Letter from Licensee withdrawing as sole member of Limited Liability Company to be replaced by Mathew McGovern. ***Annie & Teddy's Po Boys***, 1400 Pennsylvania Ave SE Retailer CR, Lic.#: 81522.
Decision: Approved 5-0

14. Letter from Licensee requesting a change in the Hours of Operation and Alcohol Beverage Service. Current Hours of Operation: Sunday through Thursday 11:30am to 2:00am, Friday and Saturday 11:30am to 3:00am. Current Hours of Alcohol Beverage Service: Sun ***Current Hours of Alcohol Beverage Service:*** Sunday through Thursday 11:30 am to 2:00 am, Friday and Saturday 11:30 am to 3:00 am. ***Proposed Hours of Operation:*** Sunday through Thursday 11:00 am to 3:00 am, Friday and Saturday 11:00 am to 4:00 am. ***Proposed Hours of Alcohol Beverage Service:*** Sunday through Thursday 11:00 am to 2:00 am, Friday and Saturday 11:00 am to 3:00 am. Existing Voluntary Agreement. No pending citations or violations. ***Alero***, 1301 U Street NW Retailer CR, Lic.#: 71881.
Decision: Approved 5-0
15. Review of letter, dated May 11, 2011, from ANC 2B protesting Guitar Bar's application for a new CT License based on peace, order, and quiet, subject to the successful negotiation of a voluntary agreement. ***Guitar Bar***, 1216 18th Street NW Retailer CR, Lic.#: 86803.
Decision: ANC 2B will be given great weight.
16. Review of letter, dated May 11, 2011, from ANC 2B not objecting to Ping Pong Dim Sum's application for a new CR Restaurant License, because the establishment changed the hours in its application to close its summer garden and sidewalk café by 11 pm Sunday through Thursday nights, and by 12 am Friday and Saturday nights. ***Ping Pong***, 1 Dupont Circle NW Retailer CR, Lic.#: 86270.
Decision: ANC 2B will be given great weight.
17. Review of letter, dated May 15, 2011, from ANC 6A recommending criteria for the Board to use when considering what constitutes a substantial change to an existing licensee.
Decision: FYI
18. Review of Roland's of Capitol Hill's Renewal Application for Exception to Single Sales Restriction. ANC 6B supports the Application.* ***Roland's of Capitol Hill***, 333 Pennsylvania Ave SE Retailer B, Lic.#: 78514
Decision: Approved 5-0
19. Review of ANC 2F's request that the Board commence a proceeding against Mood Lounge requiring that the licensee show cause why its liquor license should not be revoked and for such other disciplinary action as the Board may deem fit.* ***Mood Lounge***, 1318 9th Street NW Retailer CT, Lic.#: 86037.
Decision: Postponed until 6/8/2011
20. Review of District of Columbia's Motion for Reconsideration regarding Raven Grill's Show Cause Hearing.* ***Raven Grill***, 3125 MT. Pleasant Street NW Retailer CT, Lic.#: 5864.
Decision: Denied 5-0

21. Review of Raven Grill's Opposition to the District of Columbia's Motion for Reconsideration.* ***Raven Grill***, 3125 MT. Pleasant Street NW Retailer CT, Lic.#: 5864.
Decision: The Board denied the District's Motion.
22. Review of correspondence from ANC 1C and KCA regarding the Board's proposed changes to the Voluntary Agreement, dated April 6, 2011, between The Town Tavern, ANC 1C, and KCA.* ***The Town Tavern***, 2323 18th Street NW Retailer CT, Lic.#: 79996.
Decision: Denied 5-0
23. Review of Voluntary Agreement, dated April 12, 2011, between Capital Wine School and ANC 3E.* ***The Capital Wine School***, 5207 Wisconsin Ave NW Retailer D, Lic.#: 86613.
Decision: Approved 5-0
24. Review of Second Amendment to Cooperative Agreement, dated May 4, 2011, between Mellow Mushroom, ANC 1C, and KCA.* ***Mellow Mushroom***, 2436 18th Street NW Retailer CT, Lic.#: 86063.
Decision: Approved 5-0
25. Review of Voluntary Agreement, dated May 10, 2011, between Roland's of Capitol Hill and ANC 6B. * ***Roland's of Capitol Hill***, 333 Pennsylvania Ave SE Retailer B, Lic.#: 78514.
Decision: Approved 5-0
26. Notice of Proposed Rulemaking for Reimbursable Detail.
Decision: Approved 5-0
27. Cease and Desist Board Orders for non-payment of license fees.
Decision: Approved 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
INVESTIGATIVE AGENDA**

**WEDNESDAY, June 1, 2011
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On June 1, 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#11-251-00139 Miriam Cafeteria, 3931 14TH ST NW Retailer C Restaurant, License#: ABRA-075536

Decision: No Further Action

2. Case#11-251-00103 Ultrabar/Chroma, 911 F ST NW Retailer C Nightclub, License#: ABRA-074767

Decision: No Further Action

3. Case#11-251-00140 Ultrabar/Chroma, 911 F ST NW Retailer C Nightclub, License#: ABRA-074767

Decision: Fact Finding

4. Case#11-251-00120 Jordan's, 523 8TH ST SE Retailer C Tavern, License#: ABRA-076290

Decision: Fact Finding

5. Case#11-CMP-00161 Commissary, 1443 P ST NW Retailer C Restaurant, License#: ABRA-071487

Decision: No Further Action

6. Case#11-251-00122 Layla Lounge, 501 MORSE ST NE Retailer C Tavern, License#: ABRA-079238

Decision: Fact Finding

7. Case#11-CMP-00174 Almaz Restaurant, 1212 U ST NW Retailer C Restaurant, License#: ABRA-077546

Decision: No Further Action

8. Case#11-CC-00022 Dixie Liquors, 3429 M ST NW Retailer A Retail - Liquor Store, License#: ABRA-077295

Decision: Sale to Minor Warning Letter

9. Case#11-CMP-00162 Elmira Grocery, 4401 SOUTH CAPITOL ST SW Retailer B Retail - Grocery, License#: ABRA-077411

Decision: Show Cause

10. Case#11-251-00144 Marrakesh Palace Pasha Lounge, 2147 P ST NW Retailer C Tavern, License#: ABRA-060695

Decision: Fact Finding

11. Case#11-251-00174 Pan Mar Liquors, 1926 I ST NW Retailer A Retail - Liquor Store, License#: ABRA-060242

Decision: Show Cause

12. Case#11-CC-00021 Taberna Del Alabardero, 1776 I ST NW Retailer C Restaurant, License#: ABRA-013218

Decision: Sale to Minor Warning Letter

13. Case#11-251-00167 The Bottom Line, 1716 I ST NW A Retailer C Tavern, License#: ABRA-000755

Decision: Show Cause

14. Case#11-251-00109 Charlies, 7307 GEORGIA AVE NW Retailer C Tavern, License#: ABRA-000869

Decision: No Further Action

15. Case#11-251-00175 Riverside Liquors, 2123 E ST NW Retailer A Retail - Liquor Store, License#: ABRA-000037

Decision: Sale to Minor Warning Letter

16. Case#11-251-00118 Sesto Senso /Andulu/Spot/Lupe, 1214 18TH ST NW Retailer C Tavern, License#: ABRA-081092

Decision: No Further Action

17. Case#11-251-00074 U Street Music Hall, 1115 U ST NW Retailer C Multipurpose, License#: ABRA-083219

Decision: No Further Action

18. Case#10-AUD-00005(a) Kitchen 2404, 2404 Wisconsin Avenue, NW Retailer C Restaurant, License #: ABRA-077247

Decision: No Further Action

19. Case#10-251-00201(a) La Lima Restaurant & Lounge, 1401 K ST NW B Retailer C Tavern, License #: ABRA-073817

Decision: No Further Action

20. Case#11-CC-00012 Kennedy Street Market, 701 KENNEDTY ST NW Retailer B Retail – Grocery, License#: ABRA-082807 (Previously published in the 4/29/11 DC Register)

Decision: ***1) Sale to Minor – Warning Letter***
 2) No ABC Manager – No Further Action