

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING

WEDNESDAY, APRIL 20, 2011

2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Letter from the Licensee requesting a change of Hours of Operation and Alcohol Sales & Service for the Inside Premises and the Sidewalk Café. *Current Hours of Operation and Alcohol Sales & Service for the Inside Premises and Sidewalk Café are:* Sunday 4:30 pm – 10 pm, Monday 11:30am-10:00pm, Tuesday through Thursday 11:30 am – 10:30 pm, Friday & Saturday 11:30 am – 11 pm. *Proposed Hours of Operation for the Inside Premises and Sidewalk Café are:* Sunday 8:30 am – 12 am, Monday through Saturday 8:30 am – 2 am. *Proposed Hours of Alcohol Sales and Service for the Inside Premises and Sidewalk Café are:* Sunday 11:30 am – 12 am, Monday through Saturday 11:30 am – 2 am. No Pending Violations. No Voluntary Agreement. *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. Lebanese Taverna, 2641 Connecticut Ave NW, Retailer CR, Lic.#: 14388.*

Approved

2. Letter from Andrew Kline on behalf of Licensee requesting a change of Hours of Operation and Sales & Service for the Sidewalk Café to extend hours to include Sunday. *Current Sidewalk Hours of Operation and Hours of Sales & Service:* Sunday Closed, Monday through Thursday 11:30am – 11:00pm, Friday and Saturday 5:30pm – 11:00pm. *Proposed Sidewalk Hours of Operation and Hours of Sales & Service:* Sunday 11:30am-11pm, Monday through Thursday 11:30am – 11:00pm, Friday and Saturday 5:30pm – 11:00pm. No Voluntary Agreement. No pending violations. Mr. Kline requests that this not be considered a substantial change. *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. Ten Penh, 1001 Pennsylvania Ave NW, Retailer CR, Lic.#: 60156.*

Approved

3. Review of Summer Garden/Sidewalk Café Endorsement for sidewalk café for 10 seats. *Proposed Sidewalk Hours of Operation and Hours of Sales and Service:* Sunday 12:00pm – 9:00pm, Monday through Thursday 11:00am – 9:30pm, Friday and Saturday 12:00pm – 10:00pm. No pending violations. Voluntary Agreements are attached. *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. Listrani's, 5100 MacArthur Blvd NW, Retailer DR, Lic.#: 26389.*

Board's Agenda, April 20, 2011 - Page 2

Approved

4. Request from Christopher Davies on behalf Sidwell Friends School for approval of a Nonprofit Corporation Auction Permit for an event to be held at the school on April 16, 2011 at 6pm.

Approved

5. Review of Application for Safekeeping due to closing of the location. Griffin Market, *Griffin Market*, 1425 28th Street NW, Retailer B, Lic.#: 71112.

Approved

6. Review of Application for Safekeeping due to anticipated transfer. *Legends Restaurant & Carry Out*, 2157 P Street NW, Retailer DR, Lic.#: 73982.

Approved

7. Review of *Entertainment Endorsement Application for live entertainment and dancing. Hours of Operation: Sunday through Saturday 11:30am-12:00am. Hours of Sales and Service: Sunday through Saturday 11:30am-12:00am. Hours of Entertainment: Sunday through Saturday 6:00pm-12:00am. No voluntary agreement. No pending violations. 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. Thunder Grill, 50 Massachusetts Ave NE, Retailer CR, Lic.#: 26658.*

Approved

8. Review of letters from Licensee requesting a change in the Hours of Operation and Hours of Sales and Service. *Current Hours of Operation and Sales and Service: Sunday 2:00pm-12:00am, Thursday 8:00pm-12:00am, Friday through Saturday 8:00pm-12:00am. Proposed Hours of Operation and Hours of Sales and Service: Sunday through Thursday 2:00pm-12:00am, Friday and Saturday 2:00pm-2:00am. There are pending violations. There is a conflict with the Voluntary Agreement. 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. Columbia Lodge 85, 1844 3rd Street NW, Retailer CX, Lic.#: 237.*

Denied, because there is a conflict with the VA.

9. Letter from Vernisha C. Mitchell requesting a personal importation permit to import wine from Germany to the District of Columbia for personal consumption.

Approved

10. Letter from Emanuel Mpras on behalf of Licensee requesting a class change from a "CR" License to a "CN" License. No pending violations. No voluntary agreement. *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*

Board's Agenda, April 20, 2011 - Page 3

advice and to preserve the attorney-client privilege between an attorney and a public body. Café Asia, 1720 I Street NW, Retailer CR, Lic.#: 86035.

Placard

11. Review of letter, dated April 5, 2011, from David Prestwood withdrawing the Protest of A Group of Five or More Individuals protesting the application of TruOrleans. *TruOrleans, 400 H Street NE, Retailer CR, Lic.#: 86210.*

FYI

12. Review of letter, dated April 5, 2011, from Genevieve D. Sapir withdrawing the Protest of A Group of Five or More Individuals protesting the application of TruOrleans. *TruOrleans, 400 H Street NE, Retailer CR, Lic.#: 86210.*

FYI

13. Review of letter, dated March 23, 2011, from Vanessa Lim, Vice President, on behalf of Nooshi Restaurant, requesting permission to store all invoices and receipts for the alcoholic beverages in Potomac, MD. *Nooshi, 524 8th Street SE, Retailer CR, Lic.#: 85618.*

Approved with copies to be kept in the District

14. Review of letter, dated March 23, 2011, from Jessie Yan, President, on behalf of Spices Asian Restaurant, requesting permission to store all invoices and receipts for the alcoholic beverages in Great Falls, VA. *Spices Restaurant, 3333 Connecticut Ave NW, Retailer CR, Lic.#: 21676.*

Approved with copies to be kept in the District

15. Review of letter, dated April 7, 2011, from Standard, requesting permission to store invoices and sales receipts for food and alcoholic beverage purchases and sales in the District of Columbia. *Standard, 1801 14th Street NW, Retailer CR, Lic.#: 83769.*

Approved

16. Review of letter, dated March 21, 2011 (received April 5, 2011), from Anthony Muhammad, Chairperson of ANC 8A, requesting reinstatement to the protest of Corner Market. ANC 8A failed to appear at the Roll Call Hearing on March 21, 2011. The letter explains that ANC 8A overlooked the new date and new meeting location of the Board. *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. Corner Market, 1447 Howard Road SE, Retailer A, Lic.#: 86200.*

Denied

17. Review of letter, dated April 11, 2011, from Holland & Knight, on behalf of Blue Banana, requesting an uncontested amendment to its Voluntary Agreement. *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. Blue Banana, 3632 Georgia Ave NW, Retailer CT, Lic.#: 82215.*

Board's Agenda, April 20, 2011 - Page 4

Parties to submit amendment to VA

18. Review of Amendment No. 1 to Voluntary Agreement, dated August 8, 2010, between Tandoori Time and ANC 2B. *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. Tandoori Time, 1140 19th Street NW, Retailer CR, Lic.#: 84432.*

Approved

19. Review of Voluntary Agreement, dated April 6, 2011, between TruOrleans and ANC 6C. *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. TruOrleans, 400 H Street NE, Retailer CR, Lic.#: 86210.*

Approved if modified

20. Review of Voluntary Agreement, dated April 6, 2011, between District of PI and The Ventana Homeowners Associations. *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. District of PI, 910 F Street NW, Retailer CR, Lic.#: 86361.*

Approved if modified

21. Board discussion on reconstituting the noise task force. *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.*

Board will reconstitute noise task force

22. Board discussion on funding and restarting the reimbursable detail program in FY 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 body.*

Vote to be taken on June 1st for recommendation for funding

23. Review and approval of Protest Order for 3313 11th Street Hospitality. *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. To Be Determined, 3313 11th Street NW, Lic.#: 85471.*

Approved

Before
The District of Columbia
Alcoholic Beverage Control Board
Investigative Agenda - 4/20/2011

Decisions

1. Case#10-PRO-00158 Jimmy Valentine's Lonely Hearts Club, 1103 BLADENSBURG RD NE Retailer C Tavern,
License#: ABRA-076330

Application dismissed for failure to file a PIF

2. Case#10-PRO-00179 The Reef, 2442 - 2446 18TH ST NW Retailer C Tavern, License#: ABRA-060475

Protest withdrawn; Parties reached a VA

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 20, 2011

Protest Hearing (Status)

9:30 AM

Case# 11-PRO-00011
Yonas, Inc. t/a Corner Market
1447 Howard Road SE
License#: 86200
Retailer A
New Application

Bd dismissed the Protest.
Fewer than five members
of the Protestant Group
appeared.

Show Cause Hearing (Status)

9:30 AM

Case# 10-CMP-00799
CT Chiang of Washington, Inc. t/a Chalin's Restaurant
1912 I Street NW
License#: 1845
Retailer CR
Failed to File Quarterly Statement

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

Show Cause Hearing (Status)

9:30 AM

Case# 10-CMP-00797

R&J, 24 Liquors, Inc. t/a Town Square Gourmet
4418 MacArthur Blvd NW

License#: 78664

Retailer A

Violation of Voluntary Agreement

Bd accepted an OIC:
\$500 fine payable
today.

Show Cause Hearing (Status)

9:30 AM

Case# 10-CMP-00831 (Citation #2805)

Kookoovaya, Inc. t/a We, The Pizza
305 Pennsylvania Avenue SE

License#: 82062

Retailer CR

Failed to File Quarterly Statement

Licensee requested a
continuance - OAG did
not object. Hearing
now May 4, 2011
at 9:30 am.

Show Cause Hearing (Status)

9:30 AM

Case# 10-CMP-00733

Top Shelf, LLC t/a Penn Quarter Sports Tavern
639 Indiana Avenue NW

License#: 76039

Retailer CT

Violation of Voluntary Agreement

Bd accepted an OIC:
\$500 fine payable
today.

Show Cause Hearing (Status)

9:30 AM

Case# 10-CMP-00109

DM Incorporated t/a Shashemene Ethiopian Restaurant
1909 9th Street NW
License#: 78697
Retailer CR
Failed to Follow a Board Order

Bd set matter for
Show Cause Hearing
on May 18, 2011 at
10:00 am. Respondent
did not appear.

Show Cause Hearing (Status)

9:30 AM

Case# 10-251-00282

Jasper Ventures, LLC t/a K Street
1301 K Street NW
License#: 72225
Retailer CN
No ABC Manager on Duty & Failed to Follow Security Plan

Bd set matter for Show
Cause Hearing on May
25, 2011 at 1:00 pm.

Show Cause Hearing (Status)

9:30 AM

Case# 10-AUD-00016(a)

Pangean Investment Group, LLC t/a 19th (formerly Skye)
1919 Pennsylvania Avenue NW
License#: 78475
Retailer CR
Failed to Meet Food Requirement

Board set matter for
Show Cause Hearing
on May 11, 2011 at
11:00 am.

Show Cause Hearing

9:30 AM

Case #10-CMP-00675

Massachusetts Mutual Life Insurance Co. t/a Crowne Plaza
1001 14th Street NW
License#: 25161
Retailer CH
Failed to File Quarterly Statements

Bd accepted an OIC:
\$4,250 fine payable
w/in seven days and
the filing of all
outstanding quarterly
reports.

Show Cause Hearing

10:00 AM

Case# 10-AUD-00029

M St. Enterprises, Inc. t/a Churreria Madrid Restaurant
2505 Champlain Street NW
License#: 60806
Retailer CR
Failed to File Quarterly Statements & Failed to Maintain Records on the
Premises for Three Years

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

11:00 AM

Fact Finding Hearing

Case# 11-251-00044

Night and Day Management, LLC t/a Fur Factory
33 Patterson Street NE
License#: 60626
Retailer CN
Patron Injured Inside of the Establishment

Bd took No Further Action,
however Inv. to conduct
walk-through w/ Licensee
and submit report to
Bd w/ findings.

Fact Finding Hearing

11:30 AM

Case# 11-251-00012
3287 M, LLC t/a Modern
3287 M Street NW
License#: 76925
Retailer CT
Felony Assault Inside of the Establishment

Bd voted 4-0
to forward matter
to OAG for Show
Cause.

BOARD RECESS

Summary Suspension Hearing

1:00 PM

Case #11/251-00107
Jose A. and Maria R. Carcamo t/a El Sauce Restaurant and Carry-Out
1227 11th Street NW
License#: 72654
Retailer DR
Chief of Police Closure on March 27, 2011

Bd voted 4-0 to
continue Status Hearing
to April 27, 2011 at
11:30 am to discuss
Security Plan. License
to remain suspended.

Protest Hearing

1:00 PM

Case# 10-PRO-00179
Perculus, Inc. t/a The Reef
0 18th Street NW
License#: 60475
Retailer CT
Termination of Voluntary Agreement

VA submitted - hearing
was cancelled.

Protest Hearing

4:00 PM

Case# 10-PRO-00158

Jvlhc, LLC t/a Jimmy Valentine's Lonely Hearts Club

1103 Bladensburg Road NE

License#: 76330

Retailer CT

Renewal Application

Bd dismissed Application.
Protest rendered moot.