

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, JANUARY 25, 2012
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009**

Ruthanne Miller, Chairperson

Members:

**Nick Alberti, Donald Brooks, Herman Jones, Calvin Nophlin, Mike Silverstein
and Jeannette Mobley**

Protest Hearing (Status)

9:30 AM

Case # 11-PRO-00087

Indriani International, Inc., t/a Southeast Market

1500 Independence Avenue SE

License #76399

Retailer B

ANC 6B

Renewal Application

**Disposition: The Board dismissed the application for failure to appear,
pursuant to 23 DCMR 1603.3, 6-0.**

Protest Hearing (Status)

9:30 AM

Case # 11-PRO-00083

Young Hwa Corporation, t/a Pennsylvania Avenue Market

1501 Pennsylvania Avenue SE

License #79255

Retailer B

ANC 6B

Renewal Application

**Disposition: The Board set the matter for a Protest Hearing scheduled on
March 21, 2012 at 1:30 pm.**

Protest Hearing (Status)

9:30 AM

Case # 11-PRO-00082

Elisa Alabama, Inc., t/a Alabama Convenience

2209 Alabama Avenue SE

License #80896

Retailer B

ANC 8B

Renewal Application

Disposition: The Board dismissed the application for failure to appear, pursuant to 23 DCMR 1603.3, 7-0.

Show Cause Hearing

10:00 AM

Case # 11-CMP-00343

Bread & Chocolate, Inc., t/a Bread & Chocolate

5542 Connecticut Avenue NW

License #7792

Retailer CR

ANC 3G

No ABC Manager on Duty

Disposition: The Board accepted an Offer in Compromise: \$750 to be paid within 60 days, 7-0.

Board's Calendar
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Show Cause Hearing

11:00 AM

Case # 11-CMP-00071
Europa, Inc., t/a Panache
1725 Dessales Street NW
License #60754
Retailer CR
ANC 2B
Failed to File Quarterly Statement

Disposition: The Board accepted an Offer in Compromise: \$3,000 to be paid within 60 days, 7-0.

BOARD RECESS AT 12:00 PM

**ADMINISTRATIVE AGENDA
1:00 PM**

Show Cause Hearing

1:30 PM

Case # 11-CMP-00057 & 11-CMP-00217
Jo Jo Development Inc., t/a Jo Jo Restaurant & Bar
1518 U Street NW
License #60737
Retailer CT
ANC 2B
Violation of Voluntary Agreement

Disposition: The Board rejected an Offer in Compromise: 1 day served on February 6, 2012, 7-0.

The Board dismissed Case Numbers 11-CMP-00057 and 11-CMP-00217, 7-0.

Fact Finding Hearing

2:30 PM

Case # 11-CMP-00468

Ng Shu Kwan, t/a Chinatown Market

521 H Street NW

License #19616

Retailer B

ANC 6C

Violation of Voluntary Agreement

Disposition: The Board referred the matter to the Office of the Attorney General for Show Cause, 7-0.

Show Cause Hearing

3:30 PM

Case #s 10-251-00245 & 11-251-00146

Café Dupont, LLC, t/a Café Citron

1343 Connecticut Avenue NW

License #60138

Retailer CR

ANC 2B

Allowed the Establishment to be used for an Unlawful or Disorderly Purpose & Failed to Comply With Security Plan

Disposition: The Board rejected an Offer in Compromise: Charges will be considered Secondary Tier Violations for future offenses; \$5,000 to be paid within 60 days:

- Charge I: \$1,000; 25-823(2)
- Charge II: \$2,000; 25-823(6)
- Charge III: \$2,000; 25-823(6)

The Board held a Closed Meeting under the Open Meetings Act and will issue an Order within 90 days, 7-0.

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

**NOTICE OF MEETING
AGENDA**

**WEDNESDAY, JANUARY 25, 2012 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of Amended Entertainment Endorsement Application to add dancing and cover charge. ***Current Hours of Operation:*** Sunday through Thursday 8am-2am, Friday and Saturday 8am-3am. ***Current Hours of Alcoholic Beverage Sales:*** Sunday 10am-2am, Monday through Thursday 8am-2am, Friday and Saturday 8am-3am. ***Current Hours of Entertainment:*** Sunday through Thursday 6pm-2am, Friday and Saturday 6pm-3am. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 1B. ***Mova***, 2204 14th Street NW Retailer CT, Lic.#: 87030. *
Decision: Approved, because the Board does not deem dancing to be a Substantial Change under 25-762 for this establishment and a cover charge is not a Substantial Change under 23 DCMR 1002.2, 6-0.
2. Review of Application for Safekeeping to temporarily close the business for the winter and re-open on February 19, 2012. No pending violations. No outstanding citations/fines. ANC 1B. ***Standard***, 1801 14th Street NW Retailer CR, Lic.#: 83769. *
Decision: Approved until February 20, 2012, pursuant to 25-791 and 23 DCMR 704, 6-0.
3. Review of Application for Safekeeping for approximately three (3) months while the establishment is being repaired. Pending Show Cause Hearing. No outstanding citations/fines. ANC 1C. ***Tom-Tom***, 2333 18th Street NW Retailer CR, Lic.#: 60401. *
Decision: Approved for 3 months, pursuant to 25-791 and 23 DCMR 704, 6-0.
4. Review of Application for Safekeeping filed by landlord with security interest in alcoholic beverage control license subsequent to the eviction of tenant (license-holder). No pending violations. No outstanding citations/fines. ANC 8C. ***Liff's Market***, 600 Alabama Avenue SE Retailer B, Lic.#: 72164. *
Decision: Approved for 6 months, pursuant to 25-791 and 23 DCMR 704, 6-0.
5. Review of Amended Entertainment Endorsement Application to add cover charge. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales:*** Sunday 10am-2am, Monday through Thursday 11am-2am, Friday 11am-3am, and Saturday 10am-3am. ***Current Hours of Entertainment:*** Sunday through Thursday 7pm-2am, Friday and Saturday 7pm-3am. No pending violations. No outstanding citations/fines. No conflict with existing Voluntary Agreement. ANC 3E. ***Public Tenley***, 4611 41st Street NW Retailer CR, Lic.#: 85626. *
Decision: Approved, because adding a cover charge to an existing Entertainment Endorsement is not a Substantial Change under 23 DCMR 1002.2, 6-0.

6. Review of letter, dated January 13, 2012, from ANC 1B requesting reinstatement in the All Souls Protest. ANC 1B's designated representative was unable to attend the Roll Call Hearing due to his health. *All Souls*, 725 T Street NW Retailer CT, Lic.#: 88179. *
Decision: Approved, because illness constitutes good cause under 23 DCMR 1602.3(a), 6-0.
7. Review of letter, dated January 10, 2012, from Andre Barlow requesting a reaffirmation of the Board's May 27, 2010 decision that an Entertainment Endorsement is not required for Buddha Bar. *Buddha Bar*, 455 Massachusetts Avenue NW Retailer CR, Lic.#: 81339. *
Decision: Refer to Enforcement for investigation, 6-0.
8. Review of letter, dated January 9, 2012, from Danny Kim requesting permission to store all invoices and receipts at the corporation's headquarters. The headquarters are located in New York City, New York. *Shake Shack*, 1216 18th Street NW Retailer DR, Lic.#: 86070. *
Decision: Denied, pursuant to 23 DCMR 1208.4; 1208.5 allows storage outside of D.C. if the Board determines good cause exists but the Board did not find good cause, 6-0.
9. Review of letter, dated January 5, 2012, from ANC 2F requesting a Show Cause Hearing for Mood Lounge with the intention of license revocation. ANC 2F provides information about violations to the Voluntary Agreement. *Mood Lounge*, 1318 9th Street NW Retailer CT, Lic.#: 86037. *
Decision: Refer to Enforcement for investigation regarding complaint log (section 11 of Voluntary Agreement), 6-0.
10. Review of Voluntary Agreement, dated January 10, 2012, between Young Chow Asian Restaurant and ANC 6B. *Young Chow Asian Restaurant*, 312 Pennsylvania Avenue SE Retailer CR, Lic.#: 88497. *
Decision: Approved, pursuant to 25-446 and 23 DCMR 1609, 6-0.
11. Review of Voluntary Agreement, dated November 30, 2011, between Matchbox and ANC 1B. *Matchbox*, 1901 14th Street NW Retailer CR, Lic.#: 88258. *
Decision: Postponed until protest is resolved with Group of Five, 6-0.
12. Review of Voluntary Agreement, dated December 15, 2011, between Al Forno Pizzeria and Trattoria, ANC 3D, and the Spring Valley-Wesley Heights Citizens Association. *Al Forno Pizzeria and Trattoria*, 3201 New Mexico Avenue NW Retailer CR, Lic.#: 87728. *
Decision: Postponed.

*** 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.**

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

**NOTICE OF MEETING
SUPPLEMENTAL AGENDA**

**WEDNESDAY, JANUARY 25, 2012 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of letter, dated January 24, 2012, from Michael Fonseca requesting that the Board not placard Virginia's Jewel as a Substantial Change. ***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: Placard, 6-0.
2. Review of request from Licensee for approval of a Stipulated License and letter of support from ANC 2C. ***Shaw's Tavern***, 520 Florida Avenue NW Retailer CT, Lic.#: 88569.*
Decision: The Board scheduled a Fact Finding Hearing on February 8, 2012 at 9:30 am.
3. Review of Voluntary Agreement between Kearney's Grocery and ANC 5C. ***Kearney's Grocery***, 90 O Street NW Retailer B, Lic.#: 78591.*
Decision: Postponed.
4. Review of Voluntary Agreement, dated September 1, 2011, between Dangerously Delicious Pies and ANC 6A. ***Dangerously Delicious Pies***, 1339 H Street NE Retailer CR, Lic.#: 87422.*
Decision: Postponed.
5. Review of Voluntary Agreement, dated December 12, 2011, between It's Called INCEPTION and ANC 1B. ANC 1B included its protest withdrawal letter. ***It's Called INCEPTION***, 645 Florida Avenue NW Retailer CT, Lic.#: 87890.*
Decision: Postponed.
6. Review of Voluntary Agreement and Voluntary Agreement Addendum, signed November 12, 2011 and November 13, 2011, between K&H Grocery and ANC 8C. ***K&H Grocery***, 3333 Martin Luther King Jr. Avenue SE Retailer B, Lic.#: 74359.*
Decision: Postponed.
7. Review of Voluntary Agreement, dated December 12, 2011, between Sonya's Market and ANC 1B. ANC 1B included its protest withdrawal letter. ***Sonya's Market***, 2833 11th Street NW Retailer B, Lic.#: 85579.*
Decision: Postponed.

8. Review of Voluntary Agreement, dated December 8, 2011, between Pho Bar and Grill and ANC 6A. **Pho Bar and Grill**, 1360 H Street NE Retailer CR, Lic.#: 87813.*
Decision: Postponed.
9. Review of Voluntary Agreement, dated November 7, 2011, between Maranon Café and ANC 1A. **Maranon Café**, 3521 14 Street NW Retailer CR, Lic.#: 88264.*
Decision: Postponed.
10. Review of Voluntary Agreement, dated October 10, 2011, between Da Luft Restaurant and Lounge and ANC 6A. **Da Luft Restaurant & Lounge**, 1242 H Street NE Retailer CR, Lic.#: 87780.*
Decision: Postponed.
11. Review of Voluntary Agreement, dated December 19, 2011, between Jake's American Grill and ANC 3F. ANC 3F included its protest withdrawal letter. **Jake's American Grille**, 5016 Connecticut Avenue NW Retailer CR, Lic.#: 86013.*
Decision: Postponed.
12. Review of Voluntary Agreement Amendment, dated September 15, 2011, between Georgia Line Convenience Store and Annie Wallace, Tawana Waugh, Norma Adkins, Betty Muse, Marie Bass, Rural Bass, Christine Lowe, Maggie Whaley, Wesley Powell, Robert Wright, and B **Georgia Line Convenience Store**, 6125 Georgia Avenue NW Retailer B, Lic.#: 79225.*
Decision: Postponed.
13. 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.

These matters were continued from January 11, 2012 and January 18, 2012 and published in the DC Register on January 6, 2012.

*** 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.**

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

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, JANUARY 25, 2012
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On JANUARY 25, 2012, 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-CC-00090 Bistro Du Coin, 1738 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-076495

Decision: Sale to Minor Warning Letter (25-781); Staff Settlement (25-783), 7-0.

2. Case#11-CMP-00562 Langston Bar & Grille, 1831 BENNING RD NE Retailer C Restaurant, License#: ABRA-076260

Decision: Show Cause, 6-1 (Alberti).

3. Case#11-CC-00089 PS 7's, 777 I ST NW Retailer C Restaurant, License#: ABRA-074222

Decision: Staff Settlement, 7-0.

4. Case#11-CMP-00514 D & B Deli Carryout, 3412 GEORGIA AVE NW Retailer B Retail - Grocery, License#: ABRA-026649

Decision: Refer to the Office of the Attorney General Criminal Division; Staff Settlement, 7-0.

5. Case#11-CMP-00489 Atomic Billiards, 3427 CONNECTICUT AVE NW Retailer C Tavern, License#: ABRA-019007

Decision: Show Cause, 7-0.

6. Case#11-CMP-00485 Dancing Crab, 4615 41ST ST NW Retailer C Restaurant, License#: ABRA-000889

Decision: Show Cause, 7-0.

7. Case#11-251-00353 Mad Hatter, 1321 CONNECTICUT AVE NW Retailer C Tavern, License#: ABRA-082646

Decision: Fact Finding, 7-0.

8. Case#11-CC-00088 Smith Commons, 1245 H ST NE Retailer C Restaurant, License#: ABRA-084598

Decision: Staff Settlement, 7-0.

9. Case#11-251-00390 G Spot Tavern, 5413 Georgia AVE NW Retailer C Tavern, License#: ABRA-085208

Decision: Show Cause, 7-0.

10. Case#11-CMP-00513 Marrakech Lounge, 1817 COLUMBIA RD NW Retailer C Restaurant, License#: ABRA-087585

Decision: Show Cause, 7-0.

11. Case#11-CC-00091 McNastys, 2450 18th ST NW Retailer C Tavern, License#: ABRA-088119

Decision: Sale to Minor Warning Letter, 7-0.