

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, AUGUST 17, 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-00028

Clover Logan Circle, LLC t/a Tortilla Coast

1454-1460 P Street NW

License #86859

Retailer CR

New Application

Disposition: The ABC Board granted standing to the Group of Five and set the matter for a Protest Hearing on October 19, 2011 at 1:30 pm.

Show Cause Hearing (Status)

9:30 AM

Case #11-CMP-00086

OISHI, Inc. t/a Sur La Place

5105 MacArthur Blvd NW

License #83564

Retailer CR

Failed to File Quarterly Statements

Disposition: The ABC Board accepted an Offer in Compromise: \$750.00 within 60 days.

Show Cause Hearing (Status)

9:30 AM

Case #11-AUD-00001

C. Field Group, LLC t/a District Lounge and Grille
2473 18th Street NW
License #81908
Retailer CR

Failed to Meet Food Requirements

Failed to Maintain Records for Three Years

(Continued from June 15, 2011)

Disposition: The ABC Board set the matter for a Show Cause Hearing on September 14, 2011 at 11:00 am.

Show Cause Hearing (Status)

9:30 AM

Case #11-CMP-00107

McFadden & Sullivan, LLC t/a Murphy's Law Restaurant
4624 Wisconsin Avenue NW
License #83505
Retailer CR

Failed to File Quarterly Statements

Disposition: The ABC Board set the matter for a Show Cause Hearing on October 5, 2011 at 10:00 am.

Show Cause Hearing (Status)

9:30 AM

Case #11-CMP-00097

Fantazia Corporation t/a Legends Restaurant & Carry Out
2157 P Street NW
License #73982
Retailer DR

Failed to File Quarterly Statements

Disposition: The Respondent failed to appear and the ABC Board set the matter for a Show Cause Hearing on October 5, 2011 at 10:00 am.

Show Cause Hearing (Status)

9:30 AM

Show Cause Hearing

Case# 11-CC-00013

Washington 009, LLC t/a McFadden's

2401 Pennsylvania Avenue NW

License #60591

Retailer CR

Sale to Minor & Failed to Require Production of Valid Identification

Disposition: The ABC Board accepted an Offer in Compromise:

- 1) \$4,000 fine payable today;**
- 2) Dismissal of Charge II;**
- 3) 10 day suspension, 3 stayed**
- 4) 5 days triggered from #10-CC-00110**
Total 12 days served from 8/18/11 to 8/29/11

Fact Finding Hearing

9:30 AM

Eritrean Cultural & Civic Center

600 L Street NW

License #15698

Retailer CX

One Day Substantial Change Application (Open 24 Hours)

Dates of Event: August 26, 27, and 28

Disposition: The ABC Board approved 3-2 (Jones and Silverstein) if conditions are met:

- 1) Submit amended application consistent with Certificate of Occupancy**
- 2) Post signs at every entrance indicating hours of sale, serve and last call;**
- 3) Inspections, training and monitoring by the Enforcement Division**

Fact Finding Hearing *

9:45 AM

Walter A. Yehl, Applicant
Temporary License Application
Taste of DC
Dates of Event: October 8, 9 & 10, 2011

Disposition: The ABC Board approved the Application 5-0.

Show Cause Hearing

10:00 AM

Case #11-CMP-00094
Ben Incorporated t/a Odeon Café
1714 Connecticut Avenue NW
License #5811
Retailer CR
Failed to File Quarterly Statements

Disposition: Parties requested continuance. The ABC Board granted 5-0 and the hearing is now set for September 4, 2011 at 10:00 am.

Show Cause Hearing

10:30 AM

Case #11-CMP-00054
AKB Enterprises Inc. t/a Gandel's Liquors
211-213 Pennsylvania Avenue SE
License #71312
Retailer A
No ABC Manager on Duty

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

Show Cause Hearing

11:00 AM

Case #10-CMP-00790

Staccato Enterprises Inc. t/a Redrocks
1036 Park Road NW
License #75299
Retailer CR
Failed to File Quarterly Statements

Disposition: The Government moved to dismiss the Charges. The ABC Board granted the Motion 5-0.

Show Cause Hearing

11:30 AM

Case #11-CMP-00103

Café Bistro MED, LLC t/a Café 8
424 8th Street SE
License #77797
Retailer CR
Failed to File Quarterly Statements

Disposition: The Respondent failed to appear and the ABC Board proceeded ex parte. The ABC Board held a closed meeting under § 405(b)(13) of the Open Meetings Act and will issue an Order within 90 days.

BOARD RECESS

BOARD'S ADMINISTRATIVE AGENDA
1:00 PM

PROMOTER ROUND TABLE
1:30 PM – 3:30 PM

The ABC Board held the Promoter Round Table.

Fact Finding Hearing

4:00 PM

Case #11-251-00204, #11-251-00216, #11-251-00228, #11-251-00255 & #11-251-00257

Inner Circle 1420, LLC t/a Lotus

1420 K Street NW

License #75162

Retailer CN

Assault On a Police Officer

Failed to Follow Security Plan

Fights Outside of the Establishment

Assault Inside of the Establishment

Disposition: The ABC Board forwarded #204, #216 and #255 to the Office of the Attorney General for Show Cause prosecution. The ABC Board held #257 open for receipt of video footage and further investigation by the Enforcement Division. The ABC Board held a closed meeting under § 405(b)(13) of the Open Meetings Act and will issue an Order within 90 days.

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

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

**NOTICE OF MEETING
AGENDA**

**WEDNESDAY, AUGUST 17, 2011 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of Application for Safekeeping due to a fire at the building. ANC 1B. ***U Mini Mart***, 1351 U Street NW Retailer B, Lic.#: 71542.
Decision: Approved 5-0

2. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Current Hours of Operation:*** Monday through Sunday 9:30am-10:30pm. ***Current Hours of Alcoholic Beverage Sales:*** Monday through Saturday 9am-10pm. ***Proposed Hours of Operation:*** Monday through Wednesday 8:30am-10am, Thursday through Sunday 8:30am-12am. ***Proposed Hours of Alcoholic Beverage Sales:*** Monday through Wednesday 9am-10pm, Thursday through Sunday 9am-12am. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 3B. ***Glover Park Market***, 2411 37th Street NW Retailer B, Lic.#: 16999.
Decision: Approved 5-0

3. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Current Hours of Operation:*** Monday through Thursday 9am-9pm, Friday and Saturday 9am-10pm, Sunday closed. ***Current Hours of Alcoholic Beverage Sales:*** Monday through Thursday, 9am-9pm, Friday and Saturday 9am-10pm, Sunday closed. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Saturday 9am-12am, Sunday closed. No pending violations. No outstanding citations/fines. No conflict with Voluntary Agreement. ANC 8C. ***Mart Liquors***, 2931 MLK Ave SE Retailer B, Lic.#: 83362.
Decision: Approved 5-0

4. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Saturday 9am-10pm, Sunday closed. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Saturday 9am-12am, Sunday closed. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 5B. ***Sylvia's Liquors***, 1818 Benning Road NE Retailer A, Lic.#: 77726.
Decision: Approved 5-0

5. Review of Application for a Retailer's Class "A" License that will be operating within an existing carryout business. Licensing requests a review of the proposed hours of operation and the nature of the operation. ***Proposed Hours of Operation:*** Monday through Sunday 6am-5am. ANC 5C. ***Full Yum Carryout***, 1501 N. Capitol Street NE Retailer B, Lic.#: 87622.*
Decision: Placard; Fact Finding if no protests are filed. 5-0
6. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Current Hours of Operation:*** Monday through Sunday 8am-11pm. ***Current Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-10pm. ***Proposed Hours of Operation:*** Monday through Sunday 8am-12am. ***Proposed Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-12am. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 4C. ***Family Food & Delicatessen***, 3713 New Hampshire Ave NW Retailer B, Lic.#: 86078.
Decision: Approved 5-0
7. 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:*** Sunday 1pm-9pm, Monday closed, Tuesday through Friday 6pm-10pm, Saturday 1pm-6pm. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales/Service:*** Sunday 12pm-11pm, Monday through Thursday 1pm-11pm, Friday and Saturday 12pm-12am. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 2F. ***The National Theatre***, 1327 Pennsylvania Ave NW Retailer CX, Lic.#: 6862. *
Decision: Approved 5-0
8. Review of Personal History Affidavit of Managing Member of Transfer Application. ***Phase I of Dupont***, 1415 22nd Street NW Retailer CT, Lic.#: 87629. **
Decision: Approved 5-0
9. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-10pm. ***Proposed Hours of Operation:*** Monday through Sunday 8am-12am. ***Proposed and Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-12am. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 2B. ***New Hampshire Market***, 1900 16th Street NW Retailer B, Lic.#: 60454.
Decision: Approved 5-0

10. Review of Second Amended and Restated Limited Liability Company Operating Agreement of European Restaurant Group LLC. ANC 2B. **One Lounge**, 1606 20th Street NW Retailer CR, Lic.#: 83468. *

Decision: For Your Information

11. Letter from Licensee requesting the addition of the basement area to the license, accommodating 14 seated guests and 30 guests during a cocktail reception. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 1C. **Jack Rose**, 2007 18th Street NW Retailer CR, Lic.#: 81997. *

Decision: Approved 5-0

12. Letter from Licensee requesting approval of a Stipulated License, with letter of support from ANC 5C. No voluntary agreement. No outstanding fines or pending violations. **Global Wines Distribution**, 175 R Street NE Retailer B, Lic.#: 87487. *

Decision: Approved 5-0

13. Review of letter, dated July 19, 2011, from ANC 1B, supporting Bella's application for a license class change from a CR to a CT. **Bella**, 900 Florida Ave NW Retailer CR, Lic.#: 84492.

Decision: ANC 1B will be given great weight.

14. Review of letter, dated August 5, 2011, from Michael Fonseca, on behalf of Number Nine, requesting permission to store original alcoholic beverage invoices at 1301 Rhode Island Avenue, NW, #3, Washington, DC. **Number Nine**, 1435 P Street NW Retailer CT, Lic.#: 86354.

Decision: Approved 5-0

15. Review of letter, dated July 25, 2011, from Michael Fonseca, on behalf of Sticky Rice, requesting permission to store original alcoholic beverage invoices at 225 I Street, NE, Washington, DC. **Sticky Rice**, 1224 H Street NE Retailer CR, Lic.#: 72783.

Decision: Approved 5-0

16. Review of letter, dated July 28, 2011, from Errol Lawrence, on behalf of SEI Restaurant & Lounge, requesting permission to store original invoices for alcoholic beverages at 777 9th Street, NW, Washington, DC. **SEI Restaurant & Lounge**, 444 7th Street NW Retailer CR, Lic.#: 78742.

Decision: Approved 5-0

17. Review of letter, dated July 19, 2011, from Andrew Kline, on behalf of Hank's Oyster Bar, regarding the noise analysis and recommendations prepared by Polysonics Acoustics & Technology Consulting. Attached to the letter is the Acoustical Evaluation for Board review and approval. **Hank's Oyster Bar**, 1624 Q Street NW Retailer DR, Lic.#: 71913. *

Decision: Refer to Legal 5-0

18. Review of 19th (formerly Skye)'s Motion for Reconsideration of Show Cause Board Order No. 2011-332 entered by the Board on July 20, 2011. **19th**, 1919 Pennsylvania Ave NW Retailer CR, Lic.#: 78475. *

Decision: Refer to Legal 5-0

19. Review of Next Connecticut Avenue LLC's Motion for Reconsideration regarding the Order Cancelling License, dated July 27, 2011, for Sabores. **Sabores**, 3433 Connecticut Ave NW Retailer CR, Lic.#: 78086.*

Decision: Approved 5-0

20. Review and approval of Policy's Protest Order regarding the request for two sidewalk cafes. **Policy**, 1904 14th Street NW Retailer CR, Lic.#: 76804.

Decision: Postponed

21. Review and approval of G Spot's Summary Suspension Offer in Compromise Order. **G Spot Tavern**, 5413 Georgia Ave NW Retailer CT, Lic.#: 85208.

Decision: Approved 5-0

22. Review and approval of Fur Factory's Fact Finding Hearing Order. **Fur Factory**, 33 Patterson Street NE Retailer CN, Lic.#: 60626.

Decision: Postponed

23. Review and approval of JP's Protest Order regarding renewal of a CN License. **JP's Nightclub**, 2514 Wisconsin Ave NW Retailer C, Lic.#: 8511.

Decision: Approved 4-1 (Jones)

24. Review and approval of Board Order Denying Protestants' Motion for Reconsideration regarding Club AKA 555's CN License. **Club AKA 555**, 2046 West Virginia Ave NE Retailer CN, Lic.#: 84241.

Decision: Postponed

25. Review and approval of Ghana Café's Protest Order regarding the request for a summer garden. **Ghana Café**, 1336 14th Street NW Retailer CR, Lic.#: 82751.

Decision: Approved 5-0

26. Review and approval of S & J Liquors's Fact Finding Hearing Order regarding the request for a single sales exemption. **S & J Liquors**, 1500 Massachusetts Ave SE Retailer A, Lic.#: 9122.

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.

**** 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, AUGUST 17, 2011
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On AUGUST 17, 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-CMP-00294 Walter Johnson's Liquor Store, 1542 NORTH CAPITOL ST NW
Retailer A Retail - Liquor Store, License#: ABRA-075411

Decision: No Further Action

2. Case#11-251-00211 Marx Cafe American Bar, 3203 MT PLEASANT ST NW Retailer C
Restaurant, License#: ABRA-074712

Decision: No Further Action

3. Case#11-CMP-00302 Kovaks Liquors, 1237 MOUNT OLIVET RD NE Retailer A Retail -
Liquor Store, License#: ABRA-076573

Decision: Show Cause

4. Case#11-251-00183 Josephine, 1010 Vermont AVE NW Retailer C Tavern, License#: ABRA-
076906

Decision: Fact Finding

5. Case#11-CMP-00321 Yegna, 1920 9TH ST NW Retailer C Tavern, License#: ABRA-074241

Decision: Show Cause

6. Case#11-CMP-00261 Queen Makeda, 1917 9TH ST NW Retailer C Restaurant, License#:
ABRA-060510

Decision: Show Cause

7. Case#11-CMP-00292 Sodexho @Intelsat, 3400 INTERNATIONAL DR NW Retailer C
Restaurant, License#: ABRA-060536

Decision: Show Cause

8. Case#11-251-00222 Sequoia Grill, 3000 K ST NW Retailer C Restaurant, License#: ABRA-
071453

Decision: No Further Action

9. Case#11-251-00179 Marleny's Restaurant & Carryout, 3201 MOUNT PLEASANT ST NW
Retailer C Restaurant, License#: ABRA-077454

Decision: Fact Finding

10. Case#11-CMP-00250 Sweet Mango Cafe, 3701 NEW HAMPSHIRE AVE NW Retailer C
Restaurant, License#: ABRA-072512

Decision: Show Cause

11. Case#11-CMP-00249 Mandarin Oriental Wash DC Hotel, 1330 MARYLAND AVE SW
Retailer C Hotel, License#: ABRA-060811

Decision: Show Cause

12. Case#11-251-00199 TGI Friday, 2100 PENNSYLVANIA AVE NW Retailer C Restaurant,
License#: ABRA-060813

Decision: No Further Action

13. Case#11-CMP-00300 Tabaq, 1336 U ST NW Retailer C Tavern, License#: ABRA-070707

Decision: Fact Finding

14. Case#11-251-00181 The Fab Lounge, 1805 CONNECTICUT AVE NW B Retailer C
Tavern, License#: ABRA-070719

Decision: Fact Finding

15. Case#11-CMP-00221 Sunset Liquors, 1627 1ST ST NW Retailer A Retail - Liquor Store,
License#: ABRA-060657

Decision: Show Cause

16. Case#11-CMP-00313 Raku An Asian Diner, 1900 Q ST NW Retailer C Restaurant,
License#: ABRA-023943

Decision: Show Cause

17. Case#11-251-00236 Lucky Bar, 1221 CONNECTICUT AVE NW Retailer C Tavern,
License#: ABRA-020234

Decision: No Further Action

18. Case#11-CC-00063 14th Mini-market, 3904 14TH ST NW Retailer B Retail - Grocery,
License#: ABRA-021260

Decision: Sale to Minor Warning Letter

19. Case#11-CC-00061 Thai Roma Restaurant, 313 PENNSYLVANIA AVE SE Retailer C
Restaurant, License#: ABRA-011596

Decision: Staff Settlement

20. Case#11-CMP-00257 Cafe Japone, 2032 P ST NW Retailer C Restaurant, License#: ABRA-010581

Decision: Show Cause

21. Case#11-CC-00064 Dakota Liquors, 5510 3RD ST NE Retailer A Retail - Liquor Store, License#: ABRA-000042

Decision: Sale to Minor Warning Letter

22. Case#11-CC-00055 Tara Thai, 4849 MASSACHUSETTS AVE NW Retailer C Restaurant, License#: ABRA-078941

Decision: Show Cause; Sale to Minor Warning Letter

23. Case#11-CC-00060 Yes Organic Market, 4100 GEORGIA AVE NW Retailer B Retail - Grocery, License#: ABRA-081925

Decision: Show Cause

24. Case#11-CMP-00306 Club Venus, 15 K ST NE Retailer C Restaurant, License#: ABRA-076741

Decision: Show Cause

25. Case#11-CMP-00315 Sunshine Bar & Lounge, 7331 Georgia AVE NW Retailer C Restaurant, License#: ABRA-085239

Decision: No Further Action

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
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**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, AUGUST 17, 2011
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On August 17, 2011, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matter identified below. Under Section 406(3) of the Open Meetings Act, it was not practical to publish notice of this matter in the District of Columbia Register. However, the notice requirements of section 406 (1)-(2) were satisfied.

1. Case#11-CMP-00338 Engine Company 12, 1626 NORTH CAPITOL ST NW Retailer C Restaurant, License#: ABRA-087123

Decision: Send to Office of the Attorney General Criminal Section

2. Case#11-251-00202(a) Fur Factory, 33 PATTERSON ST NE Retailer C Nightclub, License#: ABRA-060626

Decision: Supplement Fact Finding Hearing record.