

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, NOVEMBER 16, 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-00032

Miriam's Café, LLC t/a Miriam's Cafeteria

3931 14th Street NW

License #75536

Retailer CR,

ANC 4C

Substantial Change-Sidewalk Café

Disposition: The Board dismissed the Protest due to ANC 4C's failure to appear.

Show Cause Hearing (Status)

9:30 AM

Case # 11-251-00048 & 11-251-00049

UW Liquors, Inc. t/a University Wine & Liquors

333 Hawaii Avenue NW

License #76744

Retailer A ,

ANC 5C

**Sale to Minor & Failed to Ascertain Whether the Person Was of Legal
Drinking Age**

**Disposition: The Board set the matter for Show Cause Hearing on January
11, 2012 at 11:00 am.**

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00084

Pennsylvania Rail Inc. t/a Remington's
639 Pennsylvania Avenue SE
License #369
Retailer CN,
ANC 6B

Establishment was not approved for Daylight Saving Time Extension

Disposition: The Board accepted an Offer in Compromise: Dismissal of Charge I; \$500 fine payable within 30 days. (5-0 vote)

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00249

Portals Hotelsite, LLC t/a Mandarin Oriental Wash DC Hotel
1330 Maryland Avenue SW
License #60811
Retailer CH ,
ANC 6D

Failed to File Quarterly Statements, Substantial Change without Board Approval

Disposition: The Board accepted an Offer in Compromise: \$2,000 fine payable today. (5-0 vote)

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00277

GF, Inc. t/a IL Canale
1063 31st Street NW
License #83707
Retailer CR,
ANC 2E

Substantial Change without Board Approval

Disposition: The Board accepted an Offer in Compromise: \$1,000 fine payable within 30 days. (5-0 vote)

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00276

CCHH Host Capitol Hill, LLC t/a Hyatt Regency Washington
400 New Jersey Avenue NW
License #75037
Retailer CH,
ANC 6C

Failed to File Quarterly Statements

Disposition: The Board accepted an Offer in Compromise: \$2,000 fine payable today. (5-0)

Show Cause Hearing (Status)

9:30 AM

Case # 11-AUD-00004

Prospect Dining, LLC t/a George
3251 Prospect Street NW
License #78058
Retailer CR,
ANC 2E

Failed to Meet Food Sales Requirement, Failed to Maintain Books and Records on the Premises for a Period of Three Years

Disposition: The Board set the matter for Show Cause Hearing on January 11, 2012 at 10:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CC-00056

Austin Grill, LLC t/a Austin Grill
750 E Street NW
License #76102
Retailer CR,
ANC 6C

Failed to Frame the License Under Glass and Post in a Conspicuous Place, Sale to Minor, Failed to Take Reasonably Necessary Steps to Ascertain Legal Drinking Age

Disposition: The Board accepted an Offer in Compromise: \$3,750 payable within 30 days, ten day suspension, all ten days stayed for one year.

9:30 AM

Board's Calendar
Page-5-November 16, 2011
Show Cause Hearing (Status)

Case # 11-CMP-00273
AY & PS, Inc. t/a Armand's Chicago Pizzeria
226 Massachusetts Ave NE
License #75464
Retailer CR,
ANC 6C
Failed to File Quarterly Statement
(Status Hearing Continued to November 30, 2011)

Disposition: The Board rescheduled the Status Hearing to November 30, 2011 at 9:30 am.

Fact Finding Hearing

9:30 AM

Cesar L. Contreras
ABC Manager's Application

Disposition: The Board dismissed the Application for failure to appear (5-0); reinstated the application (5-0); and granted the application. (5-0)

Show Cause Hearing

10:00 AM

Case # 10-CMP-00640 & 11-CMP-00067
Zandamn, Inc. t/a New Heights
2317 Calvert Street NW
License #9480
Retailer CR,
ANC 3C
Failed to Maintain Records for Three Years & Failed to File Quarterly Statement

Disposition: The Board held a closed meeting pursuant to the Open Meetings Act and will issue an Order within 90 days.

11:00 AM

Fact Finding Hearing

Case # 11-251-00299

Love Des, LLC t/a Love
1350 Okie Street NE
License #84726
Retailer CN,
ANC 5B

Physical Altercation outside of the Establishment

Disposition: The Board requested the following:

- 1. Enforcement to conduct follow-up on security camera system;**
- 2. Submission of updated security plan within 30 days;**
- 3. Submission of list of employee names and titles;**
- 4. Submission of a copy of the contract by November 18, 2011.**

The matter will be held open until all requests are met.

BOARD RECESS

ADMINISTRATIVE AGENDA

1:00 PM

1:30 PM

Fact Finding Hearing

Case # 11-251-00301

Amaya-I, LLC t/a La Cabana Restaurant
3614 14th Street NW
License #74849
Retailer CR ,
ANC 1A

Two Police Officers were assaulted outside of the Establishment

Disposition: The Board held the matter open for two weeks to allow Enforcement to supplement the record regarding the security camera system walk-through with the Respondent.

Fact Finding Hearing

2:30 PM

Case # 11-251-00330

Stadium Group, LLC t/a Stadium
2127 Queens Chapel Road NE
License #82005
Retailer CN,
ANC 5B

Assault with a Deadly Weapon took place inside of the Establishment

Disposition: The Board took no further action but requested the following:

- 1. Patron count for interior and exterior**
- 2. Written guidelines for large crowd control and management.**

Protest Hearing

4:00 PM

Case # 11-PRO-00041

The New Brookland Café, LLC t/a Brookland Café
3740 12th Street NE
License #83121
Retailer CR,
ANC 5A

Substantial Change/Summer Garden/Sidewalk Café

Disposition: The Board dismissed the Application. The Applicant did not provide a Protest Information Form. (5-0 vote)

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

**NOTICE OF MEETING
AGENDA**

**WEDNESDAY, NOVEMBER 16, 2011 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of Change of Hours Application to change Sunday Hours of Alcoholic Beverage Sales/Service. ***Current Sunday Hours of Alcoholic Beverage Sales/Service:*** Sunday 10am - 2am. ***Proposed Sunday Hours of Alcoholic Beverage Sales/Service:*** Sunday 8am-2am. No pending violations. No outstanding citations/fines. No Voluntary Agreement. ANC 2E. ***Ritz Carlton Georgetown***, 3100 South Street NW Retailer CH, Lic.#: 60660.
Decision: Approved, 5-0.
2. Review of Tasting Permit Application. No pending violations. No outstanding citations/fines. No Voluntary Agreement. ANC 2A. ***West End Market***, 2424 Pennsylvania Avenue NW Retailer B, Lic.#: 74663.
Decision: Approved, 5-0.
3. 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 through Thursday 12pm-2am, Friday and Saturday 12pm-3am. ***Proposed Hours of Operation:*** Sunday 9am-2am, Monday through Wednesday 12pm-2am, Thursday and Friday 12pm-5am, Saturday 9am-5am. ***Proposed Hours of Alcoholic Beverage Sales/Service:*** Sunday 9am-2am, Monday through Thursday 12pm-2am, Friday 12pm-3am, and Saturday 9am-3am. No pending violations. No outstanding citations/fines. No conflict with existing Voluntary Agreement. ANC 6A. ***Fruit Bat/Church & State***, 1236 H Street NE Retailer CT, Lic.#: 83822. *
Decision: Approved, 5-0.
4. Review of Change of Hours Application to change Sunday Premises & Sidewalk Hours of Operation and Hours of Alcoholic Beverage Sales/Service. ***Current Sunday Premises Hours of Operation:*** Sunday 10am-3am. ***Current Sunday Premises Hours of Alcoholic Beverage Sales/Service:*** Sunday 10am-2am. ***Current Sunday Sidewalk Hours of Operation and Hours of Alcoholic Beverage Sales/Service:*** Sunday 10am-2am. ***Proposed Sunday Premises Hours of Operation:*** Sunday 8am-3am. ***Proposed Sunday Premises Hours of Alcoholic Beverage Sales/Service:*** Sunday 8am-2am. ***Proposed Sunday Sidewalk Hours of Operation and Hours of Alcoholic Beverage Sales/Service:*** 8am-2am. Pending violation. No outstanding citations/fines. No conflict with Voluntary Agreement. ANC 2F. ***The Park Place at 14th***, 920 14th Street NW Retailer CN, Lic.#: 75548.
Decision: Approved, 5-0.

5. Review of Manager's Application for Romeo Santos, III. **
Decision: Approved, 5-0.
6. Review of Amended Entertainment Endorsement Application to add Cover Charge.
Current Hours of Operation & Hours of Alcoholic Beverage Sales/Service & Hours of Entertainment: Sunday through Thursday 5pm-2am, Friday & Saturday 5pm-3am. Pending violation. No outstanding citations/fines. No conflict with Voluntary Agreement. ANC 2F. **Mood**, 1318 9th Street NW Retailer CT, Lic.#: 86037.
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:** Monday through Sunday 9am-10pm. **Proposed Hours of Operation:** Monday through Sunday 24hrs/day. **Proposed Hours of Alcoholic Beverage Sales/Service:** Monday through Sunday 9am-12am. Pending violation. No outstanding citations/fines. No Voluntary Agreement. ANC 5A. **Price's Grocery**, 5018 Rock Creek Road NE Retailer B, Lic.#: 8809.
Decision: Approved, 5-0.
8. Review of letter, dated October 24, 2011, from ANC 1B withdrawing their protest against El Rey. **El Rey**, 919 U Street NW Retailer CR, Lic.#: 86604.
Decision: ANC 1B will be given great weight.
9. Review of letter, dated October 26, 2011, from a group of seven residents protesting Shin & Jang, Inc t/a King's Deli & Grocery. **King's Deli & Grocery**, 3651 Georgia Avenue NW Retailer A, Lic.#: 87806.
Decision: FYI.
10. Review of letter, dated October 30, 2011, from The Georgia Avenue Community Development Task Force protesting Shin & Jang, Inc t/a King's Deli & Grocery **King's Deli & Grocery**, 3652 Georgia Avenue NW Retailer A, Lic.#: 87807.
Decision: FYI.
11. Review of letter, dated September 30, 2011, from Claudia Schlosberg and Robert Waldeck regarding terminating the Voluntary Agreement for Haydee's Restaurant. **Haydee's Restaurant**, 3102 Mt Pleasant Street NW Retailer CN, Lic.#: 24663.
Decision: Approved, 5-0.
12. Review of letter, dated November 4, 2011, from ANC 4A supporting Geranium Market's Class B license renewal. **Geranium Market**, 7350 Georgia Avenue NW Retailer B, Lic.#: 60723.
Decision: ANC 4A will be given great weight.

13. Review of letter, dated November 4, 2011, from ANC 4A supporting Missouri Avenue Market's Class B license renewal. **Missouri Avenue Market**, 5900 Georgia Avenue NW Retailer B, Lic.#: 23503.
Decision: ANC 4A will be given great weight.
14. Review of letter, dated November 4, 2011, from ANC 4A supporting Lena Market's Class B license renewal. **Lena Market**, 1206 Underwood Street NW Retailer B, Lic.#: 82376.
Decision: ANC 4A will be given great weight.
15. Review of letter from eight residents protesting King's Deli & Grocery on the basis of overconcentration. **King's Deli & Grocery**, 3651 Georgia Avenue NW Retailer A, Lic.#: 87806.
Decision: FYI.
16. Review of letter, dated November 6, 2011, from the Citizens Association of Georgetown protesting M Café on the basis of peace, order, quiet, parking, pedestrian safety, and traffic. **M Café**, 3236 Prospect Street NW Retailer CR, Lic.#: 87240.
Decision: FYI.
17. Review of letter, dated November 1, 2011, from ANC 4B supporting Georgia Avenue Food Barn's Class B license renewal. **Georgia Avenue Food Barn**, 6205 Georgia Avenue NW Retailer B, Lic.#: 71950.
Decision: ANC 4B will be given great weight.
18. Review of letter, dated November 1, 2011, from ANC 4B supporting Safeway's Class B license renewal. **Safeway**, 6500 Piney Branch Road NW Retailer B, Lic.#: 77988.
Decision: ANC 4B will be given great weight.
19. Review of letter, dated November 7, 2011, from ANC 2E protesting M Café on the basis of peace, order and quiet. **M Café**, 3236 Prospect Street NW Retailer CR, Lic.#: 87240.
Decision: ANC 2E will be given great weight.
20. Review of letter, dated November 11, 2011, from Nate Jutras regarding the protest of King's Deli and Grocery's application for a Class A license. Mr. Jutras would like to amend the original letter to add three more signature pages of Protestants. **King's Deli & Grocery**, 3651 Georgia Avenue NW Retailer A, Lic.#: 87806.
Decision: FYI.
21. Review of letter, dated November 7, 2011, from Wilson Reynolds supporting Saki's motion for reconsideration. **Saki**, 2477 18th Street NW Retailer CT, Lic.#: 81909.
Decision: Postponed until November 30, 2011.

22. Review of letter, dated November 7, 2011, from ANC 1C protesting El Tamarindo on the basis of peace, order, quiet, parking, pedestrian safety, and traffic. ***El Tamarindo***, 1785 Florida Avenue NW Retailer CR, Lic.#: 71179.
Decision: ANC 1C will be given great weight.
23. Review of the 1st Amendment to the Voluntary Agreement, dated September 15, 2011, for Georgia Line Convenience Store. ***Georgia Line Convenience Store***, 6125 Georgia Ave NW Retailer B, Lic.#: 79225. *
Decision: Refer to Legal.
24. Review of Voluntary Agreement, dated October 6, 2011, between El Rey and ANC 1B. ***El Rey***, 919 U Street NW Retailer CR, Lic.#: 86604. *
Decision: Approved with modification to Section H 5-0.
25. Review of Voluntary Agreement, dated November 2, 2011, between ANC 1C, the Kalorama Citizens Association, and Tangier Lounge. ***Tangier Lounge***, 2305 18 Street NW Retailer CR, Lic.#: 87902. *
Decision: Approved, 5-0.
26. Review of Voluntary Agreement between ANC 5C, Hanover Area Civic Association and Kearney's Grocery regarding the renewal of Kearney's Grocery's Class B License.
Kearney's Grocery, 90 O Street NW Retailer B, Lic.#: 78591. *
Decision: Refer to Legal.

*** 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, NOVEMBER 16, 2011
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On NOVEMBER 16, 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-00462 Wasabi, 906 17th ST NW Retailer C Restaurant, License#: ABRA-074132

Decision: Show Cause.

2. Case#11-CMP-00461 El Sauce Restaurant And Carry-out, 1227 11TH ST NW Retailer D Restaurant, License#: ABRA-072654

Decision: Show Cause.

3. Case#11-CMP-00460 Lalibela Ethiopian Restaurant, 1415 14TH ST NW Retailer C Restaurant, License#: ABRA-023745

Decision: Show Cause.

4. Case#11-CMP-00463 Smith & Wollensky, 1112 19TH ST NW Retailer C Restaurant, License#: ABRA-060001

Decision: Show Cause.

5. Case#11-CMP-00440 Russia House, 1800 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-080952

Decision: Staff Settlement.

6. Case#11-CMP-00456 Pearl Dive Oyster Palace/BlackJack, 1612 14TH ST NW Retailer C Restaurant, License#: ABRA-085382

Decision: Show Cause.

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

Decision: No Further Action.

8. Case#11-PRO-00041 B Cafe, 3740 12TH ST NE Retailer C Restaurant, License#: ABRA-083121

Decision: FYI.

**Are her ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, NOVEMBER 16, 2011
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On November 16, 2011, the Alcoholic Beverage Control Board will hold an emergency closed meeting regarding the matter identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed for the following reasons: (1) To consult with an attorney to obtain legal advice; (2) To discuss and hear a report concerning alleged criminal or civil misconduct or violations of the law or regulations; and (3) To discuss and take action regarding specific methods and procedures to protect the public from substantial dangers to the public, and to receive briefings by staff members, legal counsel, or law enforcement concerning these methods and procedures.

**1. Case#11-251-00350 Stadium, 2127 QUEENS CHAPEL RD NE Retailer C Nightclub,
License#: ABRA-082005**

Decision: Fact Finding.