

**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**

May 18, 2011

Fact Finding Hearing

9:30 AM

Case# 10-251-00293

Arm, LLC t/a Lux Lounge
649 New York Avenue NW
License#: 71743

Retailer CN

Patron Assaulted

Disposition: Board took No Further Action.

Summary Revocation (Status)

9:30 AM

Case# 10-251-00210

Roger Marquez t/a El Limone
201 Upshur Street NW
License#: 71576

Retailer CR

COP Lanier Closure – 09/22/2010

Disposition: The Board set the matter for a hearing on 6/29/2011 at 1 pm.

Show Cause Hearing

9:30 AM

Case# 10-251-00073 & 10-CMP-00003

Prospect Dining, LLC t/a George

3251 Prospect Street NW

License#: 78058

Retailer CR

**Violations of the Voluntary Agreement & Substantial Change In
Operation Without Board Approval**

Disposition: The Board continued the matter until 6/29/11 at 10 am, upon request of the parties.

Fact Finding Hearing*

9:30 AM

Jason Pratt

BYT Media Inc

Class G

Temporary License Application

Art Festival and Fair

2217 14th St NW

Date of Event: May 19, 20, 21 and 22, 2011

Disposition: Application approved.

Show Cause Hearing

10:00 AM

Case# 10-CMP-00110 & 10-CMP-00564

Heab Incorporated, t/a Ambassador Restaurant

1907 9th Street NW

License#: 80917

Retailer CR

***This matter was previously resolved and has been removed
from the Board's Calendar.***

Disposition: This matter was previously resolved.

Show Cause Hearing

11:00 AM

Case# 10-CMP-00109

DM Incorporated t/a Shashemene Ethiopian Restaurant
1909 9th Street NW
License#: 78697
Retailer CR

Failure to Follow a Board Order

Disposition: 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 Announcement-

1:00 PM

West Dupont Circle Moratorium Zone Rulemaking

**Disposition: Approved 5-0
See attached.**

Protest Hearing

1:00 PM

Case# 11-PRO-00013

MZI Trading LLC t/a Capitol Food Mart
1634 North Capitol Street NW
License#: 86246
Retailer B

New Application

Rescheduled until June 22, 2011 at 4:00 pm.

Disposition: The Board continued this matter until 6/22/11 at 4 pm, upon request of the parties.

Summary Suspension Hearing*

1:15 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 establishment will be allowed to re-open when certain Board conditions are met. See attached.

Protest Hearing

3:00 PM

Case# 10-PRO-00180

Colin Unlimited, LLC t/a Saki

2477 18th Street NW

License#: 81909

Retailer CT

Substantial Change (Expansion of Premises)

Cancelled: The Parties Submitted a Voluntary Agreement for Board Approval

Disposition: The parties submitted a V/A for Board consideration.

Protest Hearing

3:00 PM

Case# 10-PRO-00014

Good Life 1832 M, LLC t/a The Mighty Pint

1831 M Street NW

License#: 84184

Retailer CT

Substantial Change (Hours of Operation)

Cancelled: The Parties Submitted a Voluntary Agreement for Board Approval

Disposition: The parties submitted a V/A for Board consideration, which was approved.

***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, MAY 18, 2011
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Letter from Kwamina T. Williford, Esq. on behalf of Licensee requesting approval of renovations to the establishment's restroom facilities and that such change not be viewed as 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. *Josephine*, 1010 Vermont Ave NW Retailer CT, Lic.#: 76906.**
Decision: Approved
2. Review of Application for Summer Garden/Sidewalk Café Endorsement for sidewalk café with seating for 8. ***Hours of Operation:*** Saturday & Sunday 7am-1am and Monday through Friday 6am-1am. ***Hours of Sales of Alcoholic Beverages:*** Monday through Sunday 11am-1am. No pending violations or citations. 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. *Café Soleil*, 839 17th Street NW Retailer CR, Lic.#: 24748.**
Decision: Postponed until 5/25/2011.
3. Letter from Licensee requesting approval of a Stipulated License, including letter of approval from ANC 1C. ***Bistro 18***, 2420 18th Street NW Retailer CR, Lic.#: 86876.
Decision: Approved
4. Review of Entertainment Endorsement Application. ***Hours of Operation and Sales and Consumption:*** Monday through Sunday 11am-2am. ***Hours of Entertainment:*** Monday through Sunday 6pm to 9pm. No pending violations or citations. 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. *Phillips Flagship*, 900 Water Street SW Retailer CR, Lic.#: 9229.**
Decision: Approved

5. Review of Manager's Application for **Colin A. Kern**. **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.**

Decision: Approved

6. Letter from Michael Fonseca, Esq. on behalf of Licensee requesting approval of existing 3rd floor seating capacity of 94 seats. No pending violations or citations. Voluntary Agreement with 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.** ***Ozio Martini & Cigar Lounge***, 1813 M Street NW Retailer CN, Lic.#: 23167.

Decision: Approved

7. Review of Tasting Permit Application. No pending violations or citations. Voluntary Agreement with ANC 5B. ***JJ Liquors***, 1211 Brentwood Road NE Retailer A, Lic.#: 75647.

Decision: Approved

8. Letter from Stephen O'Brien, Esq. on behalf of Licensee requesting approval of involuntary transfer of stock ownership. **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.** ***Thai Chili***, 701 7th Street NW Retailer CR, Lic.#: 71065.

Decision: Approved

9. Letter from Stephen O'Brien, Esq. on behalf of Licensee requesting approval of involuntary transfer of stock ownership. **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.** ***Sushi Go Round & Tapas***, 705 7th Street NW, Lic.#: 71110.

Decision: Approved

10. Letter from Emanuel Mpras, Esq. on behalf of Licensee requesting a change in the Hours of Operation & Sales and the Hours of Entertainment. ***Current Hours of Operation & Sales:*** Sunday through Thursday 11am-2am, Friday and Saturday 11am-3am. ***Proposed Hours of Operation & Sales:*** Sunday through Thursday 11am-3:30am, Friday and Saturday 11am-4:30am. ***Current Entertainment Hours:*** Sunday through Thursday 11am-2am, Friday and Saturday 11am-3am. ***Proposed Entertainment Hours:*** Sunday through Thursday 11am-3:30am, Friday and Saturday 11am-4:30am. No pending citations or 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.** ***Café Asia***, 1720 I Street NW Retailer CR, Lic.#: 86035.

Decision: Placard 4-1 (Jones)

11. Review of letter, dated April 26, 2011, from LeDroit Park Civic Association supporting Shaw's Tavern, LLC's application for a liquor license. *Shaw's Tavern*, 520 Florida Ave NW Retailer CT, Lic.#: 87014.

Decision: FYI

12. Review of Joint Motion of the Kingman Park Civic Association and the Group of Five in Opposition to the Renewed or Revised Application by Rail Station Lounge. **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.** *Rail Station Lounge*, 2001 Benning Road NE Retailer CT, Lic.#: 85098.

Decision: Denied

13. Review of Rail Station Lounge's Clarification to the Rail Station Lounge's Application. **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.** *Rail Station Lounge*, 2001 Benning Road NE Retailer CT, Lic.#: 85098.

Decision: FYI

14. Review of Protestants' Reply to Rail Station Lounge's Clarification to the Rail Station Lounge's Application. **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.** *Rail Station Lounge*, 2001 Benning Road NE Retailer CT, Lic.#: 85098.

Decision: FYI

15. Review of Voluntary Agreement, dated May 9, 2011, between The Mighty Pint 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.** *The Mighty Pint*, 1831 M Street NW, Retailer CT, Lic.#: 84184.

Decision: Approved

16. Review of Voluntary Agreement, dated May 2, 2011, between Pure Nightclub & Lounge and Protestants. **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.** *Pure Nightclub and Lounge*, 1326 U Street NW, Retailer CN, Lic.#: 24613.

Decision: Approved if modified.

17. Review of ANC 1C and KCA's responses to the Board's requested modifications to the Voluntary Agreement, dated April 14, 2011, between The Reef, ANC 1C, and KCA. **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.** *The Reef*, 2422 18th Street NW, Retailer CT, Lic.#: 60475.
Decision: Denied
18. Review and approval of Show Cause Order for Churreria Madrid. *Churreria Madrid*, 2505 Champlain Street NW, Retailer CR, Lic.#: 60806.
Decision: Postponed until 5/25/2011.
19. Review and approval of Protest Order for Sunshine Bar & Lounge. *Sunshine Bar & Lounge*, 7331 Georgia Ave NW, Retailer CR, Lic.#: 85239.
Decision: Postponed until 5/25/2011.
20. Review and approval of West Dupont Circle Moratorium Zone Rulemaking.
Decision: Approved 5-0

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

SUPPLEMENTAL AGENDA

WEDNESDAY, MAY 18, 2011

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

1. Review and approval of Chief Ike's Protest Order (as previously published in the DC Register on May 6, 2011). ***Chief Ike's Mambo Room***, 1723-25 Columbia Road NW Retailer CT, Lic.#: 17940.

Decision: Approved

2. Review of Logan Circle's Motion to Set Aside Involuntary Transfer. (as previously published in the DC Register on May 6, 2011 without notice of the subsequent filings). **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.** Involuntary Transfer of License 3863554. Logan Circle Spectrum, LLC to Second Home, LLC, previously used in the operation of Halo. ***Halo***, 1435 P Street NW Retailer CT, Lic.#: 60588.

Decision: Denied

3. Review of Logan Circle's Supplement to Motion to Set Aside Involuntary Transfer. **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.** Involuntary Transfer of License 3863554. Logan Circle Spectrum, LLC to Second Home, LLC, previously used in the operation of Halo, 1435 P Street NW. ***Halo***, 1435 P Street NW Retailer CT, Lic.#: 60588.

Decision: Denied

4. Review of Second Home, LLC's Opposition to Logan Circle Spectrum, LLC's Motion to Set Aside Involuntary Transfer. **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.** Involuntary Transfer of License 3863554. Logan Circle Spectrum, LLC to Second Home, LLC, previously used in the operation of Halo, 1435 P Street NW. ***Halo***, 1435 P Street NW Retailer CT, Lic.#: 60588.

Decision: Approved

5. Review of Reply to Second Home, LLC's Opposition to Logan Circle Spectrum, LLC's Motion to Set Aside Involuntary Transfer. **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.** Involuntary Transfer of License 3863554. Logan Circle Spectrum, LLC to Second Home, LLC, previously used in the operation of Halo, 1435 P Street NW. *Halo*, 1435 P Street NW Retailer CT, Lic.#: 60588.

Decision: Denied

6. Review of Second Home, LLC's Sur-Reply to Logan Circle Spectrum, LLC's Reply in Support of Its Motion to Set Aside Involuntary Transfer. **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.** Involuntary Transfer of License 3863554. Logan Circle Spectrum, LLC to Second Home, LLC, previously used in the operation of Halo, 1435 P Street NW. *Halo*, 1435 P Street NW Retailer CT, Lic.#: 60588.

Decision: Approved

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

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, MAY 18, 2011
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On May 18, 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#11-251-00092 Public Bar, 1214 A 18TH ST NW Retailer C Tavern, License#: ABRA-081238

Decision: No Further Action

2. Case#11-PRO-00014 The Mighty Pint, 1831 M ST NW Retailer C Tavern, License#: ABRA-084184

Decision: FYI - Protest Report

3. Case#11-PRO-00013 Capitol Food Mart, 1634 NORTH CAPITOL ST NW Retailer B Retail - Grocery, License#: ABRA-086246

Decision: FYI - Protest Report