

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
BOARD'S AGENDA

WEDNESDAY, APRIL 27, 2011
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of Amended Entertainment Endorsement Application to include dancing. The current Hours of Operation/Sales and Service/Entertainment will remain the same. ***Current Hours of Operation and Hours of Sales and Service:*** Sunday through Thursday 10:00am-2:00am, Friday and Saturday 10:00am-3:00am. ***Current Hours of Entertainment:*** Sunday through Thursday 6:00pm-2:00am, Friday and Saturday 6:00pm-3am. There is no conflict with the voluntary agreement. No pending citations or 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. *Tabaq Bistro*, 1336 U Street NW Retailer CT, Lic.#: 70707.**

Approved

2. Letter from Bernard Dietz on behalf of the Licensee requesting to change the Hours of Operation. ***Current Hours of Operation:*** Sunday through Saturday 8:00am-12:00am. Proposed Hours of Operation: 24 hours each day. ***The Hours of Sales and Service*** (Sunday through Saturday 9:00am-10pm) will remain the same. There is a letter of support from Chairperson Mary D. Jackson, ANC 7E. No voluntary agreement. No pending citations or 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. *Night n Day 24 Hour Convenience Store*, 5026 Benning Road SE Retailer B, Lic.#: 23532.**

Approved

3. Letter from Licensee requesting cancellation of the license due to closure of business. ***Shanghai Gardens*, 4469 Connecticut Ave NW Retailer CR, Lic.#: 911.**

Cancelled

4. Review of letter, dated April 11, 2011, from ANC 6D regarding applications meriting placards in and notifications to ANC 6D.

FYI

5. Review of letter, received April 18, 2011, from ANC 5A supporting the renewal application for Optimism. ***Optimism*, 3301 12th Street NE Retailer CT, Lic.#: 83552.**

FYI - great weight

6. Review of letter, dated April 14, 2011, from ANC 2A supporting the new Retailer's Class CT license for 2500 Pennsylvania Avenue Investors, LLC. **Washington Suites Georgetown**, 2500 Pennsylvania Ave NW Retailer CT, Lic.#: 86545.

FYI - great weight

7. Review of letter, dated April 14, 2011, supporting the stipulated license for Circa at Foggy Bottom. **Circa at Foggy Bottom**, 2221 I Street NW Retailer CR, Lic.#: 86726.

FYI - great weight

8. Review of letter, dated April 13, 2011, from ANC 6B conveying its agreement for Aqua al 2 to apply for hours outside its voluntary agreement. **Acqua Al 2**, 212 7th Street SE Retailer CR, Lic.#: 80056.

Placard when application submitted

9. Review of letter, dated April 13, 2011, from ANC 6B conveying its agreement for Lola's to apply for an additional floor and increase in seating, which is outside the limits of its voluntary agreement. **Lola's**, 711 8th Street SE Retailer CT, Lic.#: 79676.

Placard when application submitted

10. Review of letter, dated April 13, 2011, from ANC 6B conveying its agreement for Zest Bistro to apply for hours outside its voluntary agreement. **Zest Bistro**, 735 8th Street SE Retailer CR, Lic.#: 82432.

Placard when application submitted

11. Review of letter, dated April 14, 2011, from ANC 2B indicating no objection to Ezme's application for a sidewalk café and supporting the request for a change from DR to CR, including a stipulated license for the change from DR to CR. **Ezme**, 2016 P Street NW Retailer CR, Lic.#: 83131.

FYI - great weight

12. Review of letter, dated April 14, 2011, from ANC 2B opposing the reduction of funding for the Metropolitan Police Reimbursable Detail in the fiscal year 2012 budget.

FYI

13. Review of letter, dated April 12, 2011, from Michael Fonesca, Esq., on behalf of Fogo De Chao Churrascaria, requesting permission to maintain its original alcoholic beverage purchase invoices at the corporate offices, located at 14881 Quorum Drive, Suite 750, Dallas, TX 75254 with copies to be kept at 1101 Pennsylvania Avenue, N.W. **Fogo De Chao Churrascaria**, 1101 Pennsylvania Ave NW Retailer CR, Lic.#: 74173.

Approved on 4/20/2011

14. Review of letter, dated April 13, 2011, from Christopher Winters, Esq., on behalf of Protestants, requesting reinstatement to the Green Lantern/Tool Shed Protest. The Protestants did not notice that ABRA and the Board had moved to a new location. The Licensee does not oppose the request for reinstatement, and the parties expect to reach a 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. *Green Lantern/Tool Shed*, 1335 Green Ct, NW, Retailer CN, Lic.#: 60411.**

Approved

15. Review of Replacement Cooperative 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.**

Approved if modified

16. Review and approval of Protest Order for George. ***George***, 3251 Prospect Street NW Retailer CR, Lic.#: 78058.

Refer to Legal

**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 27, 2011

Protest Hearing (Status)

9:30 AM

Case# 11-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)

Bd set the matter for
Protest Hearing at
May 18, 2011 at 3:00 pm.

Protest Hearing (Status)

9:30 AM

Case# 11-PRO-00012

Café Dallul, Inc. t/a Rendezvous Lounge
2226 18th Street NW

License#: 14272

Retailer CT

Modification of Voluntary Agreement

Bd set the matter for a
Protest Hearing on June
18, 2011 at 1:00 pm.

9:30 AM

Protest Hearing (Status)

Case# 11-PRO-00013

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

Bd set the matter for a
Protest Hearing on
May 18, 2011 at 1:00pm.

9:30 AM

Show Cause Hearing (Status)

Case# 10-CMP-00737

Taylor Gourmet 1116 H, LLC t/a Taylor Gourmet
1116 H Street NE
License#: 79802
Retailer B

also 485 K St NW

Failed to Frame the ABC License Under Glass and Post it Conspicuously

Bd accepted an OIC:
surrender of both licenses
for cancellation by COB
April 28, 2011.

9:30 AM

Show Cause Hearing (Status)

Case# 10-251-00238

Five Star Corporation t/a Lion's Liquors
3614 Georgia Avenue NW
License#: 60629
Retailer A

Permitted the Consumption of Alcoholic Beverages on the Premises

OIC rejected. Bd
set the matter for
Show Cause on
May 25, 2011 at
11:00 am.

Show Cause Hearing (Status)

9:30 AM

Case# 10-CC-00142

Wines & Spirits Expo, LLC t/a Cork N Bottle
7421 Georgia Avenue NW
License#: 74582
Retailer A
Sale to Minor and Failed to Require Valid ID

Bd accepted OLC:
\$3,000 fine payable w/in
60 days; 5 days stayed;
alcohol awareness
training w/in 60 days
for all current and new
employees who serve
alcohol.

9:30 AM

Show Cause Hearing (Status)

Case# 10-CMP-00715

Lamaree Inc. t/a Aroma Indian Restaurant
1919 I Street NW
License#: 1847
Retailer CR
Failed to Obtain Importation Permits

Board set the matter
for Show Cause Hearing
on June 1, 2011 at
10:00 am.

Fact Finding Hearing

9:30 AM

Jonette Omara
Manager's Application

Bd granted approval
to allow Applicant
to seek renewal of
Manager's license.
(4-0 vote)

Fact Finding Hearing

10:00 AM

Case# 10-251-00253

Zinat Inc. t/a Tom-Tom
2333 18th Street NW
License#: 60401
Retailer CR

**Assault With a Deadly Weapon Inside the Establishment, Failed to Follow
Security Plan, and Violation of Voluntary Agreement**

NFA - pending
fulfillment of
commitments
made by Licensee.

Fact Finding Hearing

10:30 AM

Case# 10-251-00293

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

Hearing continued
and rescheduled to
May 18, 2011 at
9:30 am.

Fact Finding Hearing

11:00 AM

Case# 11-251-00124

Esteban Ramirez & Francisco Nunez t/a Carolina Palace
3700 14th Street NW
License#: 21055
Retailer CR
Patron Assaulted

NFA

Summary Suspension Hearing (Status)

11:30 AM

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

Suspension of license
lifted. (3-1/
Bd Member Jones)

BOARD RECESS

Protest Hearing

1:00 PM

Case# 10-PRO-00155

Zhou Hospitality, LLC t/a Muse Nightclub and Lounge
717 6th Street NW
License#: 79224
Retailer CN
Renewal Application

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

**Before
The District of Columbia
Alcoholic Beverage Control Board
Investigative Agenda - 4/27/2011**

Decisions

1. Case#11-251-00105 Josephine, 1010 Vermont AVE NW Retailer C Tavern, License#: ABRA-076906

NFA

2. Case#10-PRO-00178 Green Island Cafe/Heaven & Hell (The), 2327 18TH ST NW Retailer C Tavern, License#: ABRA-074503

FYI

3. Case#11-251-00045 Twelve Restaurant & Lounge, 1123 - 1125 H ST NE Retailer C Tavern, License#: ABRA-076366

NFA

4. Case#11-251-00106 Ibiza, 1222 1ST ST NE Retailer C Nightclub, License#: ABRA-074456

NFA

5. Case#11-251-00089 Sticky Rice, 1224 H ST NE Retailer C Restaurant, License#: ABRA-072783

FF

6. Case#11-251-00114 La Lima Restaurant & Lounge, 1401 K ST NW B Retailer C Tavern, License#: ABRA-073817

NFA

7. Case#11-251-00087 Mc Faddens, 2401 PENNSYLVANIA AVE NW A Retailer C Restaurant, License#: ABRA-060591

NFA

**Before
The District of Columbia
Alcoholic Beverage Control Board
Investigative Agenda - 4/27/2011**

Decisions

8. Case#11-251-00073 Pure Nightclub & Lounge, 1326 U ST NW Retailer C Nightclub, License#: ABRA-024613

FF

9. Case#11-CMP-00126 Izalco Restaurant, 1228 11TH ST NW Retailer C Restaurant, License#: ABRA-025144

S/C

10. Case#11-CMP-00118 The Passenger & Columbia Room, 1021 7TH ST NW Retailer C Restaurant, License#: ABRA-072746

S/C

11. Case#11-CMP-00073 Buck's Fishing & Camping, 5031 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-060769

S/C

12. Case#11-251-00072 Fur Factory, 33 PATTERSON ST NE Retailer C Nightclub, License#: ABRA-060626

NFA. Continue Monitoring

13. Case#11-CMP-00070 Charlie Palmer, 101 CONSTITUTION AVE NW Retailer C Restaurant, License#: ABRA-060654

S/C

14. Case#11-CMP-00125 Restaurant Tropical, 3566 14TH ST NW Retailer C Restaurant, License#: ABRA-060371

S/C

**Before
The District of Columbia
Alcoholic Beverage Control Board
Investigative Agenda - 4/27/2011**

Decisions

15. Case#11-251-00096 Family Liquors, 710 H ST NE Retailer A Retail - Liquor Store, License#: ABRA-021877

S/C

16. Case#11-251-00041 Lucky Bar, 1221 CONNECTICUT AVE NW Retailer C Tavern, License#: ABRA-020234

NFA

17. Case#11-251-00124 Carolina Palace, 3700 14TH ST NW Retailer C Restaurant, License#: ABRA-021055

NFA

18. Case#11-251-00056 Chuck & Bill Bison Lounge, 2718 GEORGIA AVE NW Retailer C Tavern, License#: ABRA-014759

NFA

19. Case#11-CMP-00119 Talay Thai Restaurant, 406 1ST ST SE Retailer C Restaurant, License#: ABRA-016129

Staff Settlement

20. Case#11-CMP-00127 Siroc, 915 15TH ST NW Retailer C Restaurant, License#: ABRA-080975

S/C

21. Case#11-251-00053 Public Bar, 1214 A 18TH ST NW Retailer C Tavern, License#: ABRA-081238

NFA

Before
The District of Columbia
Alcoholic Beverage Control Board
Investigative Agenda - 4/27/2011

Decisions

22. Case#11-251-00104 Stadium, 2127 QUEENS CHAPEL RD NE Retailer C Nightclub, License#: ABRA-082005

NFA

23. Case#11-CMP-00121 Mad Hatter, 1321 CONNECTICUT AVE NW Retailer C Tavern, License#: ABRA-082646

S/C

24. Case#11-251-00042 Eye Bar/Garden of Eden, 1716 I ST NW Retailer C Tavern, License#: ABRA-083133

NFA

25. Case#11-CMP-00107 Murphy's Law Restaurant, 4624 WISCONSIN AVE NW Retailer C Restaurant, License#: ABRA-083505

S/C