

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, MARCH 21, 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 # 12-PRO-00003

1931, LLC, t/a Black & Orange

1931 14th Street NW

License #88273

Retailer CR

ANC 1B

New Application

Disposition: The parties submitted a Voluntary Agreement for Board consideration.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00427

Thoi Foods, Inc., t/a Nam-Viet Pho 79

3419 Connecticut Ave NW

License #25298

Retailer CR

ANC 3C

Failed to File Quarterly Statements

Disposition: The Board accepted an Offer in Compromise: \$1,000 to be paid within 30 days, 6-0.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00393

McFadden & Sullivan, LLC, t/a Murphy's Law
4624 Wisconsin Ave NW
License #83505
Retailer CR
ANC 3E

Trade Name Change Without Board Approval

Disposition: The Board accepted an Offer in Compromise: \$2,000 to be paid within 60 days, 6-0.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00469

Expresso, Inc., t/a Park Café
106 13th Street SE
License #29448
Retailer CR
ANC 6B

Failed to File Quarterly Statements

Disposition: The Board accepted an Offer in Compromise: \$2,000 to be paid within 60 days, 6-0.

Show Cause Hearing (Status)

Case # 11-CMP-00424

9:30 AM

CSBT, Inc., t/a Town House Tavern Restaurant
1637 R Street NW
License #24682
Retailer CR
ANC 2B

Failed to File Quarterly Statements

Disposition: The Board accepted an Offer in Compromise: \$3,000 to be paid on March 21, 2012, 6-0.

Fact Finding Hearing

9:30 AM

Manager's Application

Marta M. Chapman

Disposition: Application Approved, 6-0.

Fact Finding Hearing

10:00 AM

Case # 11-251-00332 and 12-251-00069

Delta Elite, Inc., t/a Delta Elite

3734 10th Street NE

License #1182

Retailer CN

ANC 5A

Felony Possession of a Firearm, Disorderly Conduct by Patrons

Disposition: The Board will hold a Closed Meeting under the Open Meetings Act and will issue an Order within 90 days.

Moratorium Hearing

11:00 AM

Public Hearing

Glover Park Liquor License Moratorium

Disposition: The record will be kept open until March 30, 2012 at 4:00 pm to receive additional comments. The Board will issue an Emergency and Proposed Rulemaking on April 11, 2012.

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA

1:00 PM

Fact Finding Hearing

1:30 PM

Case # 11-251-00377

Arm, LLC, t/a Lux
649 New York Ave NW
License #71743
Retailer CN
ANC 2C

Assault Inside and Outside of the Establishment

Disposition: No Further Action, 6-0.

Contested Fact Finding Hearing

2:30 PM

Case # 12-CMP-00064

R-S, Inc., t/a Souk Restaurant
1208 H Street NE
License #88675
Retailer CT
ANC 6A

New Application, Request for a Stipulated License, Selling Alcohol without a License, Fitness for Licensure

Disposition: The Board held a Closed Meeting under the Open Meetings Act and will issue an Order within 90 days.

Protest Hearing

4:00 PM

Case # 11-PRO-00090

All Souls, LLC, t/a All Souls
725 T Street NW
License #88179
Retailer CT
ANC 1B

New Application

Disposition: The Board held a Closed Meeting under the Open Meetings Act and will issue an Order within 90 days after close of record, which will close on April 9, 2012, at the request of the Applicant. The Applicant submitted a Voluntary Agreement with ANC 1B and the Group of Five or More Individuals represented by Erica Hurtt for Board consideration.

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

**NOTICE OF MEETING
AGENDA**

**WEDNESDAY, MARCH 21, 2012 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of Manager's Application for Cesar Anibal Baruca. **
Decision: Approved, 6-0.
2. Review of Manager's Application for Matty Espichan. **
Decision: Approved, 6-0.
3. Review of letter from Stephen O'Brien on behalf of Licensee requesting approval of the reissuance of the license with a Summer Garden endorsement, correcting an error to the existing seating that was believed to be a Sidewalk Café. No pending investigative matters. No outstanding citations/fines. Voluntary Agreement. ANC 1C. ***Southern Hospitality***, 1813-1815 Adams Mill Road NW Retailer CR, Lic.#: 88283. *
Decision: Approved, 6-0.
4. Review of Application for Sidewalk Cafe for 16 seats. Proposed Sidewalk Cafe Hours of Operation: Sunday through Thursday 11am-2am, Friday and Saturday 11am-3am. Proposed Sidewalk Cafe Hours of Sales/Consumption: Sunday through Thursday 11am-1:30am, Friday and Saturday 11am-2:30am. No pending investigative matters. No outstanding citations/fines. No voluntary agreement. ANC 1D. ***Haydee's Restaurant***, 3102 Mt. Pleasant Street NW Retailer CR, Lic.#: 24663. *
Decision: Placard, 6-0.
5. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales/Consumption. Current Hours of Operation: Monday through Sunday 10:30am-12am. Current Hours of Alcoholic Beverage Sales/Consumption: Monday through Sunday 11am-12am. Proposed Hours of Operation: Monday through Sunday 10:30am-2am. Proposed Hours of Alcoholic Beverage Sales/Consumption: Monday through Sunday 11am-2am. No pending investigative matters. No outstanding citations/fines. No voluntary agreement. ANC 4D. ***Fusion Restaurant & Bar***, 4815 Georgia Avenue NW Retailer CR, Lic.#: 80957. *
Decision: Approved, 6-0.

6. Review of Entertainment Endorsement Application to include entertainment and dancing. Current Hours of Operation: Monday through Sunday 10:30am-12am. Current Hours of Alcoholic Beverage Sales/Consumption: Monday through Sunday 11am-12am. Proposed Hours of Entertainment: Monday through Sunday 6pm-2am. No pending investigative matters. No outstanding citations/fines. No voluntary agreement. ANC 4D. **Fusion Restaurant & Bar**, 4815 Georgia Avenue NW Retailer CR, Lic.#: 80957. *
Decision: Approved, 6-0.
7. 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 Friday 9am-5pm, Saturday & Sunday closed. Proposed Hours of Operation and Hours of Alcoholic Beverage Sales: Monday through Saturday 5am-11pm. No pending investigative matters. No outstanding citations/fines. No voluntary agreement. ANC 4B. **Craft Wine & Spirits**, 5909 Blair Road NW Wholesaler A, Lic.#: 88660. *
Decision: Approved, 6-0.
8. Review of Change of Hours Application to change Wednesday and Thursday Hours of Entertainment. Current Wednesday and Thursday Hours of Entertainment: Wednesday no entertainment, Thursday 9pm-2am. Proposed Wednesday and Thursday Hours of Entertainment: Wednesday 6pm-2am, Thursday 6pm-2am. Pending investigative matter. No outstanding citations/fines. No voluntary agreement. ANC 2B. **Lucky Bar**, 1221 Connecticut Avenue NW Retailer CT, Lic.#: 20234. *
Decision: Approved, 6-0.
9. Review of letter from Stephen O'Brien requesting approval of an increase in Summer Garden seats from 47 seats to 70 seats. No pending investigative matters. No outstanding citations/fines. No voluntary agreement. ANC 2E. **Four Seasons Hotel**, 2800 Pennsylvania Avenue NW Retailer CH, Lic.#: 74900. *
Decision: Approved, 6-0.
10. Review of letter, dated March 5, 2012, from Brenda Keys requesting permission to let her sister manage the store while she is healing from a hip replacement. **B & M Food Store**, 215 New York Avenue NW Retailer B, Lic.#: 1213. *
Decision: Denied, 6-0.
11. Review of correspondence, dated March 7, 2012, from Michelle Jensen requesting permission to distribute Svedka grills to retailers to use as promotional displays. The grills are worth \$80.00 and will be removed from the retail account after the advertisement is complete.
Decision: Approved, 6-0.

12. Review of letter, dated March 6, 2012, from Andrew Kline requesting that the Board issue subpoenas to compel the Office of Unified Communications to provide information. ***Rumors Restaurant***, 1900 M Street NW Retailer CN, Lic.#: 71717.
Decision: Postponed pending resolution of FOIA request, 6-0.
13. Review of letter, dated March 6, 2012, from Emanuel Mpras requesting a motion for continuance for Garden of Eden's Show Cause Hearing. ***Eye Bar/Garden of Eden***, 1716 I Street NW Retailer CT, Lic.#: 83133.
Decision: Approved, 6-0.
14. Review of request for renewal of the single sales moratorium exception for Continental Wine and Liquor, dated March 7, 2012. ANC 2F supports the request. ***Continental Wine & Liquor***, 1100 Vermont Avenue NW Retailer A, Lic.#: 78964.
Decision: Approved, 6-0.
15. Review of Voluntary Agreement, dated March 9, 2012, between Mad Momos and ANC 1A. ***Mad Momos***, 3605 14th Street NW Retailer CR, Lic.#: 88409. *
Decision: Approved with modification to Section 11 (consistent with §25-446), 6-0.
16. Review of Voluntary Agreement, dated March 8, 2012, between DC Conscious Café and ANC 6A. ***DC Conscious Café***, 1413 H Street NE Retailer DR, Lic.#: 88623. *
Decision: Approved with modification to Sections 2(i), 2(j), and 3(d), 6-0.
17. Review of Voluntary Agreement, dated March 8, 2012, between Chateau, Inc and ANC 7D. ***Chateau, Inc***, 3439 Benning Road NE Retailer CR, Lic.#: 10574. *
Decision: Approved with modifications to Sections 1, 6, 8, and 9, 6-0.

*** 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
SUPPLEMENTAL AGENDA**

**WEDNESDAY, MARCH 21, 2012 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. ABRA - 73821 - *Cleveland Park Bar & Grill* – CT – 3421 Connecticut Avenue, NW.
[Licensee did not make 2nd Year Payment in September 2011.] Continued from March 14, 2012.
Decision: Payment received; No Cease and Desist issued, 6-0.
2. Request for reinstatement of license subsequent to cancellation. *Young Won*, 1336 5th Street NE Wholesaler A, Lic.#: 78871.*
Decision: Approved, 6-0.
3. Review of request from Licensee for approval of a Stipulated License and letter of support from ANC 2C. *Fuel Pizza & Wings*, 600 F Street NW Retailer CR, Lic.#: 88727.*
Decision: Approved, 6-0.

*** 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
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**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, MARCH 21, 2012
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On MARCH 21, 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#12-CMP-00060 El Nuevo Migueleno, 1721 COLUMBIA RD NW Retailer C Restaurant, License#: ABRA-075403

Decision: No Further Action.

2. Case#12-251-00048 Ultrabar/Chroma, 911 F ST NW Retailer C Nightclub, License#: ABRA-074767

Decision: No Further Action.

3. Case#12-CMP-00058 Shadow Room, 2131 K ST NW Retailer C Nightclub, License#: ABRA-075871

Decision: No Further Action.

4. Case#12-251-00056 The Front Page Restaurant & Grille, 1333 NEW HAMPSHIRE AVE NW Retailer C Restaurant, License#: ABRA-001910

Decision: No Further Action.

5. Case#12-CC-00021 Las Placitas, 517 8TH ST SE Retailer C Restaurant, License#: ABRA-003812

Decision: Sale to Minor Warning Letter.

6. Case#12-251-00046 Macombo Lounge, 5335 GEORGIA AVE NW Retailer C Nightclub, License#: ABRA-000771

Decision: Show Cause.

7. Case#12-CC-00022 Magic Gourd Restaurant, 528 23RD ST NW Retailer C Restaurant, License#: ABRA-001015

Decision: Staff Settlement.

8. Case#11-251-00392 French Bistro Bistro B Lounge, 1727 CONNECTICUT AVE NW
Retailer C Tavern, License#: ABRA-081479

Decision: No Further Action.

9. Case#11-PRO-00083 Pennsylvania Avenue Market, 1501 PENNSYLVANIA AVE SE
Retailer B Retail - Class B, License#: ABRA-079255

Decision: FYI.

10. Case#12-CMP-00070 Black & Orange, 1931 14TH ST NW Retailer C Restaurant, License#:
ABRA-088273

Decision: No Further Action.

11. Case#12-251-00065(a) Tabaq, 1336 U ST NW Retailer C Tavern, License#: ABRA-070707

Decision: FYI.

12. Case#11-PRO-00090 All Souls, 725 T ST NW Retailer C Tavern, License#: ABRA-088179

Decision: FYI.

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On March 21, 2012, 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#12-251-00008(a) Cafe Citron, 1343 CONNECTICUT AVE NW Retailer C Restaurant,
License#: ABRA-060138

Decision: No Further Action.

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**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, MARCH 21, 2012
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On March 21, 2012, 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#12-251-00111 The Library Saloon, 3514 12TH ST NE Retailer C Tavern, License#: ABRA-080666

Decision: Summary Suspension, 6-0.