

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, SEPTEMBER 19, 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

Protest Hearing (Status)

9:30 AM

Case # 12-PRO-00067

Ted's Bulletin 14th Street, LLC, t/a Ted's Bulletin

1818 14th Street NW

License #89801

Retailer CR

ANC 2B

New Application

Disposition: The Protest Hearing is cancelled because the Parties submitted a Voluntary Agreement for Board consideration.

Protest Hearing (Status)

9:30 AM

Case # 12-PRO-00038

Eun & Peter, Inc., t/a Uncle Lee's Seafood

1102 Eastern Ave NE

License #85918

Retailer A

ANC 7C

Renewal Application

Disposition: The Board scheduled the Protest Hearing for October 17, 2012 at 1:30 pm.

Protest Hearing (Status)

9:30 AM

Case # 12-PRO-00069

Hill Country DC, LLC, t/a Hill Country Summer Barbeque at the National
Building Museum
401 F Street NW
License #89674
Retailer CT
ANC 6C

New Application

Disposition: The Protest Hearing will be cancelled conditioned upon the Applicant's submission of an amended application and the withdrawal of the protest.

Protest Hearing (Status)

9:30 AM

Case # 12-PRO-00068

DRS Creative, LLC, t/a VeraCruz
2106 -2108 Vermont Ave NW
License #89601
Retailer CX
ANC 1B

New Application

Disposition: The Protest Hearing is cancelled because the Parties submitted a Voluntary Agreement for Board consideration.

Show Cause Hearing (Status)

9:30 AM

Case # 111-CMP-00485

Lemlee Corporation, t/a Dancing Crab
4615 41st Street NW
License #889
Retailer CR
ANC 3E

Sale to Minor, Failed to Take Steps Necessary to Ascertain Legal Drinking Age

Disposition: The Board accepted an Offer in Compromise: \$20,000 to be paid within 30 days; immediate surrender of license into safekeeping pending transfer to new owner, 4-1 (Alberti).

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00124

Red and Black, LLC, The Red Palace
1210 H Street NE
License #72734
Retailer CT
ANC 6A

Operating After Board Approved Hours

Disposition: The Board accepted an Offer in Compromise: \$1,000 fine to be paid on September 19, 2012, 5-0.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00111

Mariamawit, LLC, t/a Fasika
4422 Georgia Ave NW
License #83216
Retailer DR
ANC 4C

Failed to Obtain Importation Permits, Failed to Maintain Books and Records

Disposition: The Board accepted an Offer in Compromise: \$2,500 to be paid within 60 days; five days of suspension with all five days served Tuesday, September 25, 2012 through Saturday, September 29, 2012, 5-0.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00416

JRC Group, LLC, t/a Old Dominion Brew House
1219 9th Street NW
License #72288
Retailer CR
ANC 2F

Failed to File Quarterly Statements

Disposition: The Board scheduled the Show Cause Hearing for November 28, 2012 at 11:00 am.

Fact Finding Hearing

9:30 AM

Julianne Brienza
605 New York Ave NW
Retailer F
ANC 2C

Temporary License Application

Capital Fringe Festival

Dates of Event: October 2, 2012 thru December 31, 2012

Disposition: The Board approved the application, 5-0.

Show Cause Hearing

10:00 AM

Case # 11-251-00204, # 11-251-00204 (a), # 11-251-00216

Inner Circle 1420, LLC, t/a Lotus

1420 K Street NW

License #75162

Retailer CN

ANC 2F

Allowed the Establishment to be Used for an Unlawful or Disorderly Purpose, Failed to Follow Security Plan

The Board granted Respondent's Motion to Stay on September 12, 2012. The Hearing is continued to February 2013.

Disposition: The Board continued the Show Cause Hearing to February 2013.

Fact Finding Hearing

11:00 AM

John P. Leader
Between 9th and 14th Street Pennsylvania Ave NW
Class F

Temporary License Application

Taste of DC

Dates of Event: October 6, 7, and 8, 2012

Disposition: The Board approved the application, 5-0.

Fact Finding Hearing

11:30 AM

John B. Snedden
3700 O Street NW
Class F

Temporary License Application
Georgetown University, Homecoming Celebration
Date of Event: September 29, 2012

Disposition: The Board approved the application, 5-0.

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA
1:00 PM

Fact Finding Hearing

1:30 PM

Beg Investments, LLC, t/a Twelve Restaurant & Lounge
1123 H Street NE
License #76366
Retailer CT
ANC 6A

Compliance with Reimbursable Detail Requirements

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

Board's Calendar
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Fact Finding Hearing

2:30 PM

Case # 12-CMP-00304

Fever Nightclub, LLC, t/a Fever Bar & Lounge
816 H Street NE
License #89716
Retailer CT
ANC 6A

Selling Alcoholic Beverages without a valid ABC License

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 # 12-PRO-00043

Ventura, LLC, t/a Albert's Liquors
328 Kentucky Ave SE
License #77335
Retailer A
ANC 6B

Renewal Application

This hearing is cancelled. The Board dismissed the Protest pursuant to Board Order No. 2012-357

Disposition: The Protest Hearing was cancelled via Board Order No. 2012-357.

Fact Finding Hearing

4:00 PM

Glen's Garden Market, LLC, t/a Glen's Garden Market
2001 S Street NW
License #90082
Retailer B
ANC 2B

New Application

Disposition: The Board determined that the Applicant is a full-service grocery store and it may proceed with its Class B License Application, as well as the placarding of the Application, 4-0-1 (Abstention: Alberti).

Fact Finding Hearing

4:30 PM

Partners at 723 8th Street SE, t/a The Ugly Mug
723 8th Street SE
License # 71793
Retailer CR
ANC 6B

One-Day Substantial Change Application (Food Truck Festival)
Date of Event: September 22, 2012

Disposition: The Board approved the application, 5-0.

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

**NOTICE OF MEETING
AGENDA**

**WEDNESDAY, SEPTEMBER 19, 2012 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of Manager's Application for Akindele Akerejah. **
Decision: Approved, 4-1 (Miller).
2. Review of Manager's Application for Mayra Sorto. **
Decision: Approved, 5-0.
3. Review of Manager's Application for Brian Janney. **
Decision: Approved, 5-0.
4. Review of Manager's Application for Emily R. Wener. **
Decision: Approved, 5-0.
5. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales/Service of Sidewalk Cafe. ***Current Sidewalk Café Hours of Operation and Hours of Alcoholic Beverage Sales/Service:*** Closed on Monday, Tuesday through Saturday 11:30 am-10:30pm, Sunday 11:30am-9:30pm. ***Proposed Sidewalk Café Hours of Operation and Hours of Alcoholic Beverage Sales/Service:*** Sunday 10:30am-10:30pm, Monday through Thursday 11:30am-11:00pm, Friday 11:30am-11:30pm, Saturday 10:30am-11:30pm, and Sunday 10:30am-10:30pm. No pending investigative matters. No outstanding citations/fines. No voluntary agreement. ANC 6B. ***Montmartre/7th Hill***, 327 7th Street SE Retailer CR01, Lic.#: 60422.
Decision: Approved, 5-0.
6. Review of request from Andrew Kline on behalf of Licensee to increase occupancy from 99 to 115 pursuant to the issuance of final Certificate of Occupancy. No pending investigative matters. No outstanding citations/fines. No voluntary agreement. ANC 1A. ***El Chuchococina Superior***, 3313 11th Street NW Retailer CR01, Lic.#: 85471.
Decision: Approved, 5-0.
7. Request to extend Safekeeping period to March 31, 2013 to continue talks with potential buyers of the property. ANC 2E. ***Papa Razzi***, 1064-1066 Wisconsin Avenue NW Retailer CR03, Lic.#: 20054.
Decision: Approved, 5-0.

8. Review of Safekeeping Application to allow for renovation of the building after a fire. ANC 4C. **Sweet Mango Café**, 3701 New Hampshire Avenue NW Retailer CR03, Lic.#: 72512.
Decision: Approved, 5-0.
9. Review of Safekeeping Application until early 2013 to allow for repair of structural damage. ANC 2E. **La Madeleine**, 3000 M Street NW Retailer DR02, Lic.#: 23994.
Decision: Approved until March 19, 2013, 5-0.
10. Review of request from Michael Hibey on behalf of Landlord to extend Safekeeping period to October 1, 2012 to allow for completion of transfer application. ANC 2E. **Garrett's Restaurant**, 3003 M Street NW Retailer CT02, Lic.#: 15721.
Decision: Approved for 30 days, 5-0.
11. Review of Safekeeping Application for 15 months to allow for reconstruction of premises by landlord. ANC 2B. **Coppi's Pizza**, 1414 U Street NW Retailer CR01, Lic.#: 19269.
Decision: Approved for 12 months subject to 6 month review, 5-0.
12. Review of Change of Hours Application to Change Sunday Hours of Alcoholic Beverage Sales/Service for Premises and Sidewalk Café. **Current Sunday Hours of Alcoholic Beverage Sales/Service for Premises and Sidewalk Café:** 10am-2am. **Proposed Sunday Hours of Alcoholic Beverage Sales/Service for Premises and Sidewalk Café:** 8am-2am. Pending investigative matter. Pending fine. No voluntary agreement. ANC 2B. **Barcode**, 1101 17th Street NW Retailer CT02, Lic.#: 82039.*
Decision: Approved, 5-0.
13. 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 9am-2am, Friday and Saturday 9am-3am. **Proposed Hours of Operation:** Sunday 8am-3am, Monday through Thursday 9am-3am, Friday and Saturday 9am-4am. **Proposed Hours of Alcoholic Beverage Sales/Service:** Sunday 8am-2am, Monday through Thursday 9am-2am, Friday and Saturday 9am-3am. Pending investigative matter. No pending fines/citations. No voluntary agreement. ANC 2C. **Ultrabar/Chroma**, 911 F Street NW Retailer CN04, Lic.#: 74767.*
Decision: Fact Finding, 5-0.
14. Review of Sidewalk Café Application to add 6 seats. Proposed Hours of Operation: Monday through Sunday 11am-11pm. Proposed Hours of Alcoholic Beverage Sales/Service: Monday through Sunday 11am-10pm. Pending investigative matter. No pending fines/citations. No voluntary agreement. ANC 2E. **Paul Bakery**, 1078 Wisconsin Avenue NW Retailer CR01, Lic.#: 84926.
Decision: Approved, 5-0.

15. Review of letter, dated September 4, 2012, from Adam Williamowsky requesting a Disposal Permit which will allow Zola to sell its remaining inventory. ***International Spy Museum/Zola***, 800 F Street NW Retailer CX, Lic.#: 60573.
Decision: Approved, 5-0.
16. Review of Motion for Continuance, dated August 31, 2012, from Paul Pascal for the Protest Hearing scheduled on December 5, 2012 at 1:30 pm. ***Duchess and The Queen***, 2102 18th Street NW Retailer CR03, Lic.#: 89545.*
Decision: Approved, 5-0.
17. Review of letter, dated August 30, 2012, from the Restaurant Association Metropolitan Washington opposing the proposed amendment to 23 DCMR 807 that expands the definition of "egregious".*
Decision: Postponed until October 3, 2012, 5-0.
18. Review of Metropolitan Police Department Reimbursable Detail Officer Emergency Rulemaking.
Decision: Approved, 5-0.

*** 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, SEPTEMBER 19, 2012 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of letter, dated September 18, 2012, from Stephen O'Brien informing the Board that Hill Country Summer Barbeque's application will be amended to require the cessation of live entertainment at 9:00 pm on weekdays and 11:00 pm on weekends; Email dated September 18, 2012, from Sally Fallon Morell (Group of Five or More Protestants), withdrawing the protest subject to the amended application. ***Hill Country Summer Barbecue at the National Building Museum***, 401 F Street NW Retailer CT03, Lic.#: 89674.
Decision: Approved, 4-0-1 (Abstention: Alberti).
2. Review of letter, dated September 5, 2012, from Mary Eva Condon requesting the Board's reconsideration of its license cancellation. The license was deemed abandoned via Board Order No. 2012-308. ***Margarita's Mexican Café***, 2317 Wisconsin Avenue NW Retailer CR01, Lic.#: 16488.*
Decision: Fact Finding, 5-0.
3. Review of request for a stipulated license, dated August 17, 2012, and letter of support from ANC 1B. ***Marvin***, 2007 14th Street NW Retailer CT02, Lic.#: 76166.
Decision: Approved, 5-0.
4. Review of request for a stipulated license, dated September 18, 2012, and letter of support from ANC 6C. ***Hampton Inn - DC Convention Center***, 901 6th Street NW Retailer CT01, Lic.#: 90214.
Decision: Approved, 5-0.

*** 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
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, SEPTEMBER 19, 2012
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On September 19, 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#12-251-00279 Red Lounge, 2013 A 14TH ST NW Retailer C Restaurant, License#: ABRA-076011

Decision: No Further Action.

2. Case#12-CC-00081 Embassy Suites, 5335 WISCONSIN AVE NW Retailer C Hotel, License#: ABRA-074223

Decision: Sale to Minor Warning Letter.

3. Case#12-CMP-00500 Yegna, 1920 9TH ST NW Retailer C Tavern, License#: ABRA-074241

Decision: Show Cause.

4. Case#12-251-00203 Bravo Bravo, 1001 CONNECTICUT AVE NW Retailer C Nightclub, License#: ABRA-071564

Decision: No Further Action.

5. Case#12-251-00214 Bravo Bravo, 1001 CONNECTICUT AVE NW Retailer C Nightclub, License#: ABRA-071564

Decision: No Further Action.

6. Case#12-251-00244 DC Star, 2135 QUEENS CHAPEL RD NE Retailer C Nightclub, License#: ABRA-078881

Decision: No Further Action.

7. Case#12-251-00145 DC Star, 2135 QUEENS CHAPEL RD NE Retailer C Nightclub, License#: ABRA-078881

Decision: No Further Action.

8. Case#12-CMP-00428 Teatro Goldoni, 1909 K ST NW Retailer C Restaurant, License#: ABRA-077812

Decision: Show Cause.

9. Case#12-251-00282 La Morenita, 3539 Georgia AVE NW Retailer C Restaurant, License#: ABRA-086595

Decision: Show Cause.

10. Case#12-CMP-00218 Islander Caribbean Restaurant & Lounge (The), 1201 U ST NW Retailer C Restaurant, License#: ABRA-024599

Decision: No Further Action.

11. Case#12-251-00292 Fur Factory, 33 PATTERSON ST NE Retailer C Nightclub, License#: ABRA-060626

Decision: No Further Action.

12. Case#12-251-00210 Fur Factory, 33 PATTERSON ST NE Retailer C Nightclub, License#: ABRA-060626

Decision: No Further Action.

13. Case#12-CMP-00385 Nile Market & Kitchen, 7815 GEORGIA AVE NW Retailer C Restaurant, License#: ABRA-060432

Decision: Show Cause.

14. Case#12-CMP-00326 Phillips Flagship, 900 WATER ST SW Retailer C Restaurant, License#: ABRA-009229

Decision: Show Cause.

15. Case#12-251-00286 Next Door, 1211 U ST NW Retailer C Tavern, License#: ABRA-077567

Decision: No Further Action.

16. Case#12-251-00221 Sesto Senso/ Andalu/Spot/Lupe/M I A, 1214 18TH ST NW Retailer C Tavern, License#: ABRA-081092

Decision: No Further Action.

17. Case#12-251-00143 Love, 1350 OKIE ST NE Retailer C Nightclub, License#: ABRA-084726

Decision: No Further Action.

18. Case#12-CC-00084 Cantina Marina, 600 WATER ST SW A Retailer C Restaurant, License#: ABRA-060628

Decision: Sale to Minor Warning Letter.

19. Case#12-PRO-00043 Albert's Liquors, 328 KENTUCKY AVE SE Retailer A Retail - Liquor Store, License#: ABRA-077335

Decision: FYI.

20. Case#12-251-00200 Cafe Asia, 1720 I ST NW Retailer C Nightclub, License#: ABRA-086035(Previously published in the 8/1/12 DC Register)

Decision: No Further Action.

21. Case#12-CMP-00215(a) Justin's Cafe, 1025 1ST ST SE Retailer C Restaurant, License#: ABRA-083690 (Previously published in the 7/25/12 DC Register)

Decision: Show Cause.

22. Case#11-CMP-00564 T & T Associates, 5123 GEORGIA AVE NW Retailer C Multipurpose, License#: ABRA-017426 (Previously published in the 2/1/12 DC Register)

Decision: Fact Finding.

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

**NOTICE OF MEETING
LICENSE CANCELLATIONS**

**WEDNESDAY, SEPTEMBER 19, 2012
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

The Board is requested to approve the following license cancellations for the reasons outlined below.

ABRA – 077546 – **CB Twelve Twelve** – CR – 1212 U Street, NW. [Request for cancellation received from Licensee.]

Decision: Approved.

ABRA – 083265 – **Sweet Spot** – CN – 1140 19th Street, NW. [Request for cancellation received from Licensee.]

Decision: Approved.

ABRA – 019130 – **49 Twelve Thai Cuisine** – CR – 4912 Wisconsin Avenue, NW. [Request for cancellation received from Licensee.]

Decision: Approved.

ABRA – 083277 – **Cho's Market** – B – 1535 U Street, SE. [Request for cancellation received from Licensee.]

Decision: Approved.

ABRA – 016488 – **Margaritas Mexican Café** – CR – 2317 Wisconsin, NW. [Board issued Ordering Deeming License Abandoned on July 11, 2012.]

Decision: Postponed until after the Fact Finding.