

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, JUNE 29, 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

Show Cause Hearing (Status)

9:30 AM

Case# 10-CMP-00659 (Citation #3071) & 10-CMP-00660 (Citation #3072)

Terfneh Kahsay t/a Salina Restaurant

1936 9th Street NW

License #82969

Retailer CR

Failed to File Quarterly Statements &

No ABC Manager on Duty

Disposition: The Board set the matter for a Show Cause Hearing on August 3, 2011 at 11:00 am.

Show Cause Hearing (Status)

9:30 AM

Case# 11-CMP-00042

K & B, LLC t/a Montana

1801 Montana Avenue NE

License #85906

Retailer A

Provided Go-Cups to Customers

Disposition: The Board set the matter for a Show Cause Hearing on July 27, 2011 at 11:00 am.

Show Cause Hearing (Status)

9:30 AM

Case# 11-251-00003

3050 K, LLC t/a Cabana's

3050 K Street NW

License #71826

Retailer CR

Used the Establishment for a Disorderly or Unlawful Purpose

Disposition: The Board set the matter for a Show Cause Hearing on August 10, 2011 at 11:00 am.

Fact Finding Hearing *

9:30 AM

Eugenia Zak

Manager's Application

Disposition: The Board approved the application and granted the license for six months.

Show Cause Hearing (Status)

9:30 AM

Case# 11-251-00032

Barcode Corporation t/a Barcode

1101 17th Street NW

License #82039

Retailer CT

Used the Establishment for a Disorderly or Unlawful Purposes

Disposition: The Board accepted an OIC: \$2,000 fine within 30 days; one day stayed suspension; submission of new security plan within 30 days.

Fact Finding Hearing

9:45 AM

Case# 10-251-00253(a)

Zinat Corp. t/a Tom Tom

2333 18th Street NW

License #60401

Retailer CR

Surveillance System Inoperable

Disposition: The Board requested Enforcement to conduct an evaluation of the installation operability and view angle of security camera system; submission of security plan within ten days.

10:00 AM

Show Cause Hearing

Case#'s 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 accepted an OIC: \$4,000 fine within 15 days; two days stayed, two days served on July 5 & 6, 2011, triggered from Case No. 09-CMP-00723. (3-1 vote, Jones)

Show Cause Hearing

11:00 AM

Case# 11-251-00001

European Restaurant Group, LLC t/a One

1606 20th Street NW

License #83468

Retailer CR

Disposition: The Board held a closed meeting under §405(b)(13) of the Open Meetings Act and will issue an Order within 90 days.

**Refused to Allow an ABRA Investigator to Enter the Establishment
Without Delay, Allowed the Establishment to be Used for an Unlawful or
Disorderly Purpose, Failed to Obtain an Entertainment Endorsement,
Substantial Change in Operation Without Board Approval & Failed to Post
License in a Conspicuous Place**

BOARD RECESS

BOARD'S ADMINISTRATIVE AGENDA

1:00 PM

Summary Suspension Hearing

1:30 PM

Case# 10-251-00210

Roger Marquez t/a El Limone

201 Upshur Street NW

License #71576

Retailer CR

COP Lanier Closure - 9/22/10

**Disposition: The Board continued the hearing at the request of the parties,
with the new date to be determined.**

Protest Hearing

3:00 PM

Case# 10-PRO-00179

Perculus, Inc. t/a The Reef

2442-2446 18th Street NW

License #60475

Retailer CT

Termination of Voluntary Agreement

**Disposition: The Board will conclude the hearing on July 13, 2011 at 4:00
pm.**

*** 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
AGENDA**

**WEDNESDAY, JUNE 29, 2011 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Letter from Michael Fonseca on behalf of Licensee requesting review of a Summer Garden Endorsement Application for 47 seats. Hours of Operation: Sunday 10am-12am, Monday through Saturday 8am -12am. Hours of Sale of Alcohol Beverage Service: Sunday 10am-12am, Monday through Saturday 8am -12am. No outstanding fines but pending Show Cause regarding this same matter. No Voluntary Agreement. ANC 2E. * ***Four Seasons Hotel***, 2800 Pennsylvania Ave NW Retailer CH, Lic.#: 74900.
Decision: Approved 4-0
2. Email from Licensee requesting approval to store invoices off site. ANC 2E. ***Rugby Café***, 1065 Wisconsin Ave NW Retailer CR, Lic.#: 75703.
Decision: Denied, copies must be kept in DC but only NJ address provided. 4-0
3. Letter from Licensee requesting approval of a change in Hours of Operation and Service for the Premises and Summer Garden. Current Hours of Operation and Hours of Service for the Premises and Summer Garden: Monday through Sunday 11am-11pm. Proposed Hours of Operation and Hours of Service: Sunday through Thursday 11am-1:30am, and Friday & Saturday 11am-2:30am. No voluntary agreement. No outstanding fines or pending violations. ANC 3C. * ***Taste of India***, 2621 Connecticut Ave NW Retailer CR, Lic.#: 60847.
Decision: Placard 3-1
4. Letter from Licensee requesting approval of an expansion of the licensed premises to include the second floor. No voluntary agreement. No outstanding fines or pending violations. ANC 1B. * ***Dukem Ethiopian Restaurant***, 1114-1118 U Street NW Retailer CR, Lic.#: 72469.
Decision: Placard 4-0
5. Review of Summer Garden/Sidewalk Café Endorsement Application for 35 Summer Garden seats and 10 Sidewalk Café seats. Proposed Summer Garden & Sidewalk Café Hours of Operation and Alcohol Service: Sunday through Saturday 11:30am – 11:00pm. No outstanding fines or pending violations. Existing Voluntary Agreement with potential conflict. ANC 1C. * ***PI Pizzeria Wine Bar***, 2309 18th Street NW Retailer CR, Lic.#: 76754.
Decision: Denied, there is a conflict with the Voluntary Agreement. 4-0

6. Review of Manager's Application for Alfred Carthens, License #87337. **
Decision: Fact Finding 4-0
7. Review of Manager's Application for Dibri S. Gamble, License #87340. **
Decision: Approved 4-0
8. Review of Solicitor's Application for Harmohinder S. Bakshi, License #87335. **
Decision: Approved 4-0
9. Review of Tasting Permit Application. No outstanding fines or pending violations. Existing Voluntary Agreement. , 4901 Georgia Avenue, NW, Retailer's Class "A" License #, ANC 4D. **Colony Liquors**, 4901 Georgia Ave NW Retailer A, Lic.#: 86823.
Decision: Approved 4-0
10. Letter from Kwamina Williford on behalf of Licensee requesting approval of revised occupancy of 206. ANC 1B. * **Café Society**, 2001 14th Street NW Retailer CT, Lic.#: 83420.
Decision: Approved 4-0
11. Letter from Michael Fonseca on behalf of Licensee requesting approval of an increase in the occupancy, with a new occupancy load of 109 and 99 seats. No Voluntary Agreement. No outstanding citations or pending violations. ANC 2B. * **Pizzeria Paradiso**, 2000 Massachusetts Ave NW Retailer CR, Lic.#: 16192.
Decision: Approved 4-0
12. Letter from Licensee requesting a waiver of the late fee. **19th**, 1919 Pennsylvania Ave NW Retailer CR, Lic.#: 78475.
Decision: Denied 4-0
13. Review of letter, dated June 19, 2011, from Makan Shirafkan, on behalf of The Reserve, requesting that the Board allow the Licensee to place the license in safekeeping and remove the liquor stored at 1426 L St., NW to a storage facility called U Storage, located at 301 New York Ave., NE.* **The Reserve**, 1426 L Street NW Retailer CR, Lic.#: 23540.
Decision: Approved 4-0
14. Review of George's Consent Motion for Substitution of Counsel regarding District of Columbia Court of Appeals Case No. 11-AA-63. **George**, 3251 Prospect Street NW Retailer CR, Lic.#: 78058.
Decision: For Your Information
15. Review of letter, dated May 13, 2011, from Nathan Fegely, on behalf of Potenza, requesting permission to store all alcohol invoices at its administrative offices located at 800 F St., NW., Washington, DC. **Potenza**, 1426 H Street NW Retailer CR, Lic.#: 79720.
Decision: Approved 4-0

16. Review of letter, dated May 13, 2011, from Nathan Fegely, on behalf of Potenza Wine Store, requesting permission to store all alcohol invoices at its administrative offices located at 800 F St., NW., Washington, DC. **Potenza Wine Store**, 1426 H Street NW Retailer A, Lic.#: 79744.
Decision: Approved 4-0
17. Review of District of Columbia's Motion for Issuance of Subpoenas Duces Tecum regarding Lux.* **Lux Lounge**, 649 New York Ave NW Retailer CN, Lic.#: 71743.
Decision: Approved 4-0
18. Review of letter, dated June 15, 2011, from Richard DuBeshter, alleging a number of issues with Margot Chair's application.* **Margot Chair's**, 3415 11th Street NW Retailer CR, Lic.#: 86623.
Decision: Refer to assigned Licensing Specialist for resolution. 4-0
19. Review of letter, dated June 17, 2011, from Richard DuBeshter, requesting reinstatement of the protest group in the matter of Margot's Chair.* **Margot Chair's**, 3415 11th Street NW Retailer CR, Lic.#: 86623.
Decision: Denied 4-0
20. Review of letter, dated June 21, 2011, from Stephen O'Brien, on behalf of Margot's Chair, responding to Protestants' request for reinstatement in the matter of Margot's Chair.* **Margot Chair's**, 3415 11th Street NW Retailer CR, Lic.#: 86623.
Decision: Reinstatement denied 4-0
21. Review of Harry's Reserve's Application for Exception to Single Sales Restrictions. The Application is supported by ANC 6D.* **Harry's Reserve**, 909 New Jersey Ave NW Retailer A, Lic.#: 84834.
Decision: Refer to Legal 4-0
22. Review of Variety Market's Application for Exception to Single Sales Restrictions. The Application is supported by ANC 2C.* **Variety Market**, 1511 7th Street NW Retailer B, Lic.#: 1111.
Decision: Refer to Legal 4-0
23. Review of Voluntary Agreement, dated April 6, 2011, between Variety Market and ANC 2C.* **Variety Market**, 1511 7th Street NW Retailer B, Lic.#: 1111.
Decision: Refer to Legal 4-0
24. Review of Voluntary Agreement, dated June 14, 2011, between Lola's and ANC 6B.* **Lola's**, 711 8th Street SE Retailer CT, Lic.#: 79676.
Decision: Approved 4-0

25. Review and approval of Duffy's Protest Order. *Duffy's Irish Restaurant*, 2106 Vermont Ave NW Retailer CR, Lic.#: 72539.

Decision: Postponed until 7/6/2011 4-0

26. Review and approval of Uncle Lee's Seafood Protest Order. *Uncle Lee's*, 1100 Eastern Ave NE Retailer A, Lic.#: 85918.

Decision: Postponed until 7/6/2011 4-0

27. Review and approval of Bistro Du Coin's Show Cause Order. *Bistro Du Coin*, 1738 Connecticut Ave NW Retailer CR, Lic.#: 76495.

Decision: Approved 4-0

28. Review and approval of Aroma Indian's Show Cause Order. *Aroma Indian*, 3417 Connecticut Ave NW Retailer CT, Lic.#: 24972.

Decision: Approved 4-0

*** 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**

SUPPLEMENTAL AGENDA

**WEDNESDAY, JUNE 29, 2011 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Letter from Michael D. Fonseca on behalf of Licensee requesting approval of a Temporary Retail Operating Permit. *Courtyard by Marriott*, 140 L Street SE, Retailer CH, Lic.#: 87113.
Decision: Approved 4-0
2. Letter, dated June 24, 2011, from Richard Dueshter responding to Margot Chair's Response to Protestants' Request for Reinstatement.* *Margot Chair's*, 3415 11th Street NW, Retailer CR, Lic.#: 86623.
Decision: Reinstatement denied 4-0
3. Letter from Licensee requesting approval of a stipulated license and letter of support from ANC 3C. *Lillie's Restaurant*, 2915 Connecticut Avenue, NW, Retailer CR, Lic.#: 87273.
Decision: Approved 4-0

*** 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, JUNE 29, 2011
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On June 29, 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#11-251-00203 The Park Place at 14th, 920 14TH ST NW Retailer C Nightclub,
License#: ABRA-075548

Decision: No Further Action

2. Case#09-251-00331 Adams Mill Bar and Grill, 1813 - 1815 ADAMS MILL RD NW Retailer
C Restaurant, License#: ABRA-070963

Decision: No Further Action

3. Case#11-251-00162 K Street, 1301 K ST NW Retailer C Nightclub, License#: ABRA-072225

Decision: Fact Finding

4. Case#10-PRO-00179 The Reef, 2442 - 2446 18TH ST NW Retailer C Tavern, License#:
ABRA-060475

Decision: For Your Information – Protest Report

5. Case#11-251-00164 Eye Bar/Garden of Eden, 1716 I ST NW Retailer C Tavern, License#:
ABRA-083133

Decision: No Further Action

6. Case#11-CC-00027 Hudson, 2030 M ST NW Retailer C Restaurant, License#: ABRA-077128

Decision: Sale to Minor Warning Letter and Staff Settlement

7. Case#11-251-00133 The Park Place at 14th, 920 14TH ST NW Retailer C Nightclub,
License#: ABRA-075548

Decision: No Further Action