

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, FEBRUARY 27, 2013
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009**

**Ruthanne Miller, Chairperson
Members:**

Nick Alberti, Donald Brooks, Herman Jones, Mike Silverstein

Show Cause Hearing (Status)

9:30 AM

Case # 12-AUD-00029

The NMD Group, LLC, t/a Uniontown Bar & Grill

2200 Martin Luther King Jr Ave SE

License #84348

Retailer CR

ANC 8A

Failed to File Quarterly Statements(4th Quarter 2011)

Disposition: The Board granted the Government's Motion to Dismiss, 3-0.

Show Cause Hearing (Status)

9:30 AM

Case # 12-AUD-00035

Java Green Coffee & Tea, Inc., t/a Café Green

1513 17th Street NW

License #81752

Retailer CR

ANC 2B

Failed to File Quarterly Statements(1st Quarter 2012)

Disposition: The Board granted the Government's Motion to Dismiss, 3-0.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00326

Phillips Harborplace, Inc., t/a Phillips Flagship
900 Water Street SW
License #9229
Retailer CR
ANC 6D

Substantial Change in Operation(Providing a Nude Performance)

Disposition: The Board accepted an Offer in Compromise: \$2,000 fine to be paid within 30 days, 3-0.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CC-00034

Twin T's, LLC, t/a DC Shenanigans (formerly McNasty's)
2450 18th Street NW
License #88119
Retailer CT
ANC 1C

Sale to Minor, Failed to Require Production of Valid Identification

Disposition: The Board scheduled the Show Cause Hearing for May 1, 2013 at 10:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00307

Twin T's LLC, t/a DC Shenanigans (formerly McNasty's)
2450 18th Street NW
License #88119
Retailer CT
ANC 1C

Violation of Settlement Agreement (Open Door During Business Hours While Entertainment Was Playing)

Disposition: The Board accepted an Offer in Compromise: \$500 to be paid within 30 days, 4-0.

10:00 AM

Show Cause Hearing

Case # 12-CMP-00279

Solomon Enterprises, LLC, t/a Climax Restaurant & Hookah Bar
900 Florida Ave NW
License #88290
Retailer CT
ANC 1B

**Violation of Settlement Agreement, Failed to Obtain a Summer Garden
Endorsement, Noise Violation**

**Disposition: The Board accepted an Offer in Compromise: \$850 to be paid
within 30 days (Charge I - \$350, Charge II - \$500, Charge III – Dismissed),
3-1 (Jones).**

Fact Finding Hearing

11:00 AM

Case # 12-251-00298

Salma, LLC, t/a Red Lounge
2013 14th Street NW
License #76011
Retailer CR
ANC 1B

Simple Assault Inside of the Establishment

Disposition: The Board took no further action.

BOARD RECESS AT 12:00 PM

**ADMINISTRATIVE AGENDA
1:00 PM**

Board's Calendar
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Protest Hearing

1:30 PM

Case # 12-PRO-00086

Neighborhood Restaurant Group XVII, LLC, t/a (Trade Name to Be Determined)

1323 Connecticut Ave NW

License #90634

Retailer CR

ANC 2B

New Application

(Hearing Cancelled: The Parties submitted a Settlement Agreement)

Disposition: The Hearing was cancelled because the parties submitted a Settlement Agreement for Board review.

Show Cause Hearing

2:30 PM

Case # 12-251-00206

Garay Corporation, t/a Corina's Restaurant

831 Kennedy Street NW

License #79873

Retailer CR

ANC 4D

Operating After Board Approved Hours

On February 20, 2013, the Board granted the Government's Motion to Continue the Hearing. This hearing is now scheduled for March 6, 2013 at 1:30 pm.

Disposition: The Board granted the Government's Motion to Continue the Hearing and scheduled the Show Cause Hearing for March 6, 2013 at 1:30 pm.

Board's Calendar
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Show Cause Hearing

3:30 PM

Case # 12-CMP-00434

FHRY, Inc., t/a Dollar Plus Food Store
1443 Howard Road SE
License #88380
Retailer B
ANC 8A

Failed to Post ABC Window Lettering in a Conspicuous Place

Disposition: The Board accepted an Offer in Compromise: \$250 to be paid on February 27, 2013, 4-0.

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

**NOTICE OF MEETING
AGENDA**

**WEDNESDAY, FEBRUARY 27, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. 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:*** Sunday through Thursday 11:30am-1:30am, Friday and Saturday 11:30am-2:30am. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales:*** Sunday through Thursday 10:30am-2am, Friday and Saturday 10:30am-3am. No pending investigative matters. No outstanding fines/citations. No settlement agreement. ANC 2E. ***Civil***, 5335 Wisconsin Avenue NW Retailer CT02, Lic.#: 90196.
Decision: Approved, 4-0.
2. Review of refund request from Kebebus Kumessa, former owner of DK Foods, Inc., t/a Rainbow Market. ***Rainbow Market***, 626 Kennedy Street NW Retailer B, Lic.#: 82769.
Decision: Postponed, 4-0.
3. Review of Motion for Reinstatement, dated February 12, 2013, from Commissioner Matt Raymond of ANC 2F. The ANC was dismissed at the Roll Call Hearing for Faces Lounge for failure to appear. ***Faces Lounge***, 1414 14th Street NW Retailer CT01, Lic.#: 90739.
Decision: Approved. Movant is requested to submit envelope that accompanied notice letter, 4-0.
4. Review of email, dated February 4, 2013, from Bertha Holiday requesting clarification for the Board requested modifications for the Costa Brava Settlement Agreement. ***Costa Brava***, 1837 1st Street NW Retailer CR02, Lic.#: 90223.
Decision: Denied, 3-1 (Miller).
5. Review of Settlement Agreement Amendment, dated December 20, 2012, between The Casbah and ANC 6A. ***The Casbah***, 1128 H Street NE Retailer CR01, Lic.#: 88779.*
Decision: Approved, 4-0.
6. Review of Settlement Agreement Amendment, dated January 14, 2013, between Arena Stage and ANC 6D. ***Arena Stage***, 1101 6th Street SW Retailer CX, Lic.#: 1729.*
Decision: Approved, 4-0.
7. Review of Settlement Agreement, dated February 11, 2013, between Gordon Biersch Brewery and ANC 6D. ***Gordon Biersch Brewery***, 100 M Street SE Retailer CR04, Lic.#: 90968.*

Decision: Approved with modifications to Sections 4 and 11, 4-0.

8. Review of Settlement Agreement Amendment, dated February 12, 2013, between Cashion's Eat Place and Kalorama Citizens Association. ***Cashion's Eat Place***, 1819 Columbia Road NW Retailer CR01, Lic.#: 77276.*

Decision: Approved, 4-0.

9. Review and approval of the MPD RDO Final Rulemaking.

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
CHANGE OF HOURS AGENDA**

**WEDNESDAY, FEBRUARY 27, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. Proposed Hours of Operation and Hours of Alcoholic Beverage Sales: Monday through Sunday 10am-12am. No Settlement Agreement. ANC 2B. **Benmoll Liquors**, 1700 U Street, NW, Retailer's A, Lic.#: 072334.
Decision: Approved, 4-0.
2. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. Proposed Hours of Operation and Hours of Alcoholic Beverage Sales: Monday through Sunday 10am-9pm. No conflict with Settlement Agreement. ANC 5B. **Whelan's Liquors**, 3903 12th Street, NW, Retailer's A, Lic.#: 072113.
Decision: Approved, 4-0.
3. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. Proposed Hours of Operation and Hours of Alcoholic Beverage Sales: Sunday through Thursday 10am-11pm, Friday and Saturday 10am-12am. No Settlement Agreement. ANC 2B. **Rosebud Liquor**, 1711 17th Street, NW, Retailer's A, Lic.#: 060751.
Decision: Approved, 4-0.
4. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. Proposed Hours of Operation and Hours of Alcoholic Beverage Sales: Monday through Sunday 9am-10pm. No conflict with Settlement Agreement. ANC 2F. **S&W Liquors**, 1428 9th Street, NW, Retailer's A, Lic.#: 010963.
Decision: Approved, 4-0.
5. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. Proposed Hours of Operation and Hours of Alcoholic Beverage Sales: Monday through Sunday 7am-12am. No Settlement Agreement. ANC 4A. **Missouri Ave. Market**, 5900 Georgia Avenue, NW, Retailer's B, Lic.#: 023503.
Decision: This matter will be placed on the Board's Administrative Agenda for March 6, 2013.
6. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. Proposed Hours of Operation and Hours of Alcoholic Beverage Sales: Monday through Sunday 9am-12am. No Settlement Agreement. ANC 4C. **Herman's Liquors**, 3712 14th Street, NW, Retailer's A, Lic.#: 082309.
Decision: Approved, 4-0.

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

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, FEBRUARY 27, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On February 27, 2013 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#13-AUD-00007 B Cafe/Brookland Cafe, 3740 12TH ST NE Retailer C Restaurant, License#: ABRA-083121

Decision: Enforcement Division to request and obtain outstanding Quarterly Statements within 2 weeks, then Staff Settlement.

2. Case#13-AUD-00014 Listranis Italian Gourmet, 5100 MACARTHUR BLVD N Retailer C Restaurant, License#:ABRA-026389

Decision: Staff Settlement.

3. Case#13-AUD-00015 Maggiano's, 5333 WISCONSIN AVE NW Retailer C Restaurant, License#: ABRA-072256

Decision: Show Cause.

4. Case#13-AUD-00016 Medaterra, 2614 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-026206

Decision: Show Cause.

5. Case#13-AUD-00017 My Brother's Place, 237 2ND ST NW Retailer C Restaurant, License#: ABRA-071593

Decision: Staff Settlement.

6. Case#13-AUD-00018 Odalis Restaurant, 827 KENNEDY ST NW Retailer C Restaurant, License#: ABRA-076432

Decision: Staff Settlement.

7. Case#13-AUD-00019 Siroc, 915 15TH ST NW Retailer C Restaurant, License#: ABRA-080975

Decision: Staff Settlement.

8. Case#13-AUD-00020 Wok and Roll, 604 H ST NW Retailer C Restaurant, License#: ABRA-060447

Decision: Staff Settlement.

9. Case#13-AUD-00021 Sisy's, 3911 14TH ST NW Retailer C Restaurant, License#: ABRA-076125

Decision: Staff Settlement.

10. Case#13-CMP-00037 Manchester Bar & Restaurant, 944 FLORIDA AVE NW Retailer C Tavern, License#: ABRA-075377

Decision: Staff Settlement.

11. Case#12-251-00379 Twelve Restaurant & Lounge, 1123 - 1125 H ST NE Retailer C Tavern, License#: ABRA-076366

Decision: No Further Action.

12. Case#12-CMP-00737 Rose's Luxury, 717 8TH ST SE Retailer C Restaurant, License#: ABRA-090884

Decision: No Further Action.

13. Case#12-251-00192(a) Tony & Joe's Seafood Place, 3000 K ST NW A Retailer C Restaurant, License#: ABRA-010762

Decision: No Further Action.

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

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, FEBRUARY 27, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On February 27, 2013, 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#13-251-00030 Yegna, 1920 9TH ST NW Retailer C Tavern, License#: ABRA-074241
*Decision: This matter is made moot by Board Order No. 2013-049, dated February 27, 2013.***

**2. Case#13-251-00030(a) Yegna, 1920 9TH ST NW Retailer C Tavern, License#: ABRA-074241
*Decision: This matter is made moot by Board Order No. 2013-049, dated February 27, 2013.***