

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, SEPTEMBER 21, 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-AUD-00014(a)

The Griffin Group, LLC t/a Policy

1902-1906 14th Street NW

License #76804

Retailer CR

Failed to Meet Food Sales Requirements

Disposition: The ABC Board set the matter for a Show Cause Hearing on November 2, 2011 at 10:00 a.m.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00107

McFadden & Sullivan, LLC t/a Murphy's Law Restaurant

4624 Wisconsin Avenue NW

License #83505

Retailer CR

Failed to File Quarterly Statements

**Disposition: The ABC Board accepted an Offer In Compromise:
\$1,000 fine payable today (3-0 vote Alberti, Brooks, Nophlin)**

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Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00175

Mimi & D, LLC t/a Mood

1318 9th Street NW

License #86037

Retailer CT

Violation of Voluntary Agreement

Disposition: The ABC Board set the matter for a Show Cause Hearing on October 19, 2011 at 11:00 a.m.

Show Cause Hearing (Status)

9:30 AM

Case # 10-CMP-00716

Green Island Heaven and Hell, Inc. t/a Green Island Café/Heaven and Hell

2327 18th Street NW

License #74503

Retailer CT

Failed to Make Voluntary Agreement Accessible

**Disposition: The ABC Board accepted an Offer In Compromise:
\$2,000 Fine payable within 60 days. (3-1 vote, Jones)**

Show Cause Hearing (Status)

9:30 AM

Case # 10-251-00245 & # 11-251-00146

Café Dupont, LLC t/a Café Citron

1343 Connecticut Avenue NW

License #60138

Retailer CR

**Allowed the Establishment to be Used for an Unlawful or Disorderly
Purpose & Failed to Comply With Security Plan**

Disposition: The ABC Board rejected an Offer In Compromise and set the matter for a Show Cause Hearing on November 2, 2011 at 10:00 a.m.

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Show Cause Hearing (Status)

9:30 AM

Case # 11-251-00065 & # 11-251-00069

1218 Wisconsin Ave, Inc t/a Third Edition

1218 Wisconsin Avenue NW

License #604

Retailer CT

Failed To Take Necessary Steps To Determine Legal Drinking Age & Sale to Minors

Disposition: The ABC Board rejected an Offer In Compromise and set the matter for a Show Cause Hearing for October 12, 2011 at 1:30 p.m.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00079

Rose's Dream Inc. t/a Rose's Dream Bar and Lounge

1370 H Street NE

License #74099

Retailer CT

Operating After Hours

Disposition: The ABC Board set the matter for a Show Cause Hearing on November 9, 2011 at 11:00 a.m.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00109

Mr. William Edgerton, President CSBT, Inc. t/a Town House Tavern

Restaurant

1637 R Street NW

License #24682

Retailer CR

Failed to File Quarterly Statements

Disposition: The ABC Board set the matter for a hearing on October 19, 2011 at 10:00 a.m.

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Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00125

3566 14th Street NW, Washington DC, LLP t/a Restaurant Tropical

3566 14th Street NW

License #60371

Retailer CR

Failed to File Quarterly Statements

Disposition: The ABC Board set the matter for a Show Cause Hearing on October 26, 2011 at 10:00 a.m.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00106

Polo D.C., LLC t/a Rugby Café

1065 Wisconsin Avenue NW

License #75703

Retailer CR

Failed to File Quarterly Statements

Disposition: The ABC Board rejected an Offer In Compromise and set the matter for a hearing on November 2, 2011 at 11:00 a.m.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00178

Humberto Lopez t/a Restaurant Judy

2212 14th Street NW

License #20468

Retailer CR

Violation of Entertainment Endorsement & Failed to Make Voluntary Agreement Accessible

Disposition: The ABC Board set the matter for a Show Cause Hearing on November 2, 2011 at 2:30 p.m.

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Fact Finding Hearing

9:30 AM

I Chum Lae O'Brien, Blockoctoberfest, The Yards Park
License #87820

Temporary License Application,
Date of Event: September 24, 2011

Disposition: The ABC Board approved the application.

Show Cause Hearing

10:00 AM

Case # 11-CMP-00032

Atomic Billiards Corporation t/a Atomic Billiards
3427 Connecticut Avenue NW

License #19007

Retailer CT

No ABC Manager on Duty

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

Fact Finding Hearing

10:00 AM

Case # 11-251-00186

Jasper Ventures, LLC t/a K Street
1301 K Street NW

License #72225

Retailer CN

Felony Assault at the Establishment

Disposition: The ABC Board took no further action.

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Show Cause Hearing

11:00 AM

Case # 11-CMP-00057

Jo Jo Development Inc. t/a Jo Jo Restaurant & Bar
1518 U Street NW
License #60737
Retailer CT
Violation of Voluntary Agreement

Disposition: The Office of the Attorney General offered a Consent Motion to continue the hearing to October 26, 2011 at 1:30 p.m.

Show Cause Hearing

11:00 AM

Case # 11-CMP-00011

The Fireplace Restaurant t/a The Fireplace
2161 P Street NW
License #11419
Retailer CT
Violations of the Voluntary Agreement

Disposition: The ABC Board accepted an Offer In Compromise:
\$1,000 fine paid today (4-0 vote)

BOARD RECESS

ADMINISTRATIVE AGENDA
1:00 PM

SECURITY ROUND TABLE
1:30 PM – 3:30 PM

Fact Finding Hearing

4:00 PM

Proof Lounge, LLC t/a GII Restaurant and Lounge
2632 Georgia Avenue NW
License #87228
Retailer CR
New Application

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

Fact Finding Hearing

4:30 PM

Zest Bistro, Inc. t/a Zest Bistro
735 8th Street SE
License #82432
Retailer CR
On Day Substantial Change Application
(Barrack's Row Fall Festival)
Date of Event: September 24, 2011

Disposition: The ABC Board approved the application.

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Fact Finding Hearing

5:00 PM

Victoria Graham, Applicant
JJC Georgetown, Inc.
3123 M Street NW
License #81874
Retailer CR

One Day Substantial Change Application
(Capital Bike Share at The Yards Park)
Date of Event: September 22, 2011

Disposition: The ABC Board approved the application.

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

**NOTICE OF MEETING
AGENDA**

**WEDNESDAY, SEPTEMBER 21, 2011 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of Manager's Application for ***Cheickh M. Aidara***. **
Decision: Approved 4-0.
2. Review of letter from Risa Hirao on behalf of Licensee requesting approval to deliver alcoholic beverages to the Taste of DC event on Sunday, October 9, 2011. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 5A. ***Premium Distributors***, 3500 Fort Lincoln Drive NE Retailer A, Lic.#: 60290.*
Decision: Approved 4-0.
3. Review of Sidewalk Café Endorsement Application for 10 seats. ***Proposed Sidewalk Café Hours of Operation:*** Sunday 8am -12 am, Monday through Saturday 7am – 12am. ***Proposed Sidewalk Café Hours of Alcoholic Beverage Sales/Service:*** Sunday 10am – 12am, Monday through Friday 11am – 12am, Saturday 9:30am – 12am. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 4C. ***Highlands Café & Grill***, 4706 14th Street NW Retailer CR, Lic.#: 83931*
Decision: Approved 4-0.
4. Review of Application for Safekeeping due to Licensee's need to find a new location. Pending Show Cause Hearing. No outstanding citations/fines. No voluntary agreement. ANC 2F. ***The Reserve***, 1426 L Street NW Retailer CR, Lic.#: 23540.
Decision: Approved 4-0.
5. 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 Sales/Service:*** Monday through Saturday 9am-10pm, Sunday closed. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales/Service:*** Monday through Saturday 9am-12am, Sunday closed. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 2E. ***Wagner's Liquor***, 1717 Wisconsin Ave NW Retailer A, Lic.#: 72289.
Decision: Approved 4-0.

6. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales/Service. ***Current Hours of Operation:*** Sunday through Thursday 9am – 11pm, Friday and Saturday 9am – 12am. ***Current Hours of Sales/Service:*** Monday through Sunday 9am – 10pm. ***Proposed Hours of Operation and Hours of Sales/Service:*** Monday through Sunday 9am – 12am. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 1A. ***New Dodge Market***, 3620 14th Street NW Retailer B, Lic.#: 74226.
Decision: Approved 4-0.
7. Review of Application for Safekeeping due to rebuilding of location after fire. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 6B. ***Tune Inn Restaurant***, 331 Pennsylvania Ave SE Retailer CT, Lic.#: 559.
Decision: Approved 4-0.
8. Review of Change of Hours Application to change Hours of Alcoholic Beverage Sales/Service. ***Current Hours of Sales/Service:*** Monday through Sunday 9am – 9pm. ***Proposed Hours of Sales/Service:*** Monday through Sunday 9am – 10pm. No pending violations. No outstanding citations/fines. No conflict with Voluntary Agreement. ANC 8D. ***Chesapeake Big Market***, 601 Chesapeake Street SE Retailer B, Lic.#: 60677.
Decision: Approved 4-0.
9. Review of Change of Hours Application to change Hours of Alcoholic Beverage Sales/Service and Hours of Entertainment. ***Current Hours of Sales/Service:*** Sunday through Thursday 5pm – 2am, Friday and Saturday 12pm – 3am. ***Current Hours of Entertainment:*** Sunday 6pm – 9pm, Thursday through Saturday 6pm – 9pm. ***Proposed Hours of Sales/Service:*** Sunday 12pm – 2am, Monday through Thursday 3pm – 2am, Friday and Saturday 12pm – 3am. ***Proposed Hours of Entertainment:*** Sunday 2pm – 9pm, Thursday through Saturday 2pm – 9pm. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 1B. ***Sankofa Cafe***, 2714 Georgia Ave NW Retailer CT, Lic.#: 86424.*
Decision: Approved 4-0.
10. Review of letter, dated September 9, 2011, from ANC 6A protesting a license for Da Luft Restaurant & Lounge based upon the threat to peace, order, and quiet of the neighborhood. The ANC is also troubled that there may be an adverse impact on residential parking as well as concerns about trash, loitering, and pedestrian safety. Nearyby property risks may be at risk because the rear of the property abuts residential property across a very narrow valley. ***Da Luft Restaurant & Lounge***, 1242 H Street NE Retailer CR, Lic.#: 87780.
Decision: ANC 6A will be given great weight.

11. Review of letter, dated September 2, 2011, from ANC 6A withdrawing its protest of Khan's BBQ's request for an entertainment endorsement. **Khan's BBQ**, 1125 H Street NE Retailer CR, Lic.#: 84082.
Decision: ANC 6A will be given great weight.
12. Review of letter, dated September 2, 2011, from ANC 1B withdrawing its protest of MBB's application for a new Retailer's Class CT License. **MBB**, 913 U Street NW Retailer CT, Lic.#: 87409.
Decision: ANC 1B will be given great weight.
13. Review of letter, dated September 12, 2011, from ANC 1B supporting Piola's application for a substantial change in its license from a Retailer's Class CR License to a Retailer's Class CT License. **Piola**, 2208 14th Street NW Retailer CR, Lic.#: 87595.
Decision: ANC 1B will be given great weight.
14. Review of letter, dated September 2, 2011, from ANC 1B supporting Jin's application for a substantial change to its license. **Jin**, 1017 14th Street NW Retailer CT, Lic.#: 23734.
Decision: ANC 1B will be given great weight.
15. Review of letter, dated August 31, 2011, from Attorney Makan Shirafkan, on behalf of Josephine, requesting that the Fact Finding Hearing scheduled for September 28, 2011 at 9:30 am be rescheduled due to a conflict. **Josephine**, 1010 Vermont Ave NW Retailer CT, Lic.#: 76906.*
Decision: Approved 4-0; Rescheduled for 10/26/2011 at 9:30 a.m.
16. Review of letter, dated August 31, 2011, from Commissioner India Henderson, requesting that Jimmy Valentine's renewal application be replacarded, because the ANC did not receive notice. **Jimmy Valentine's Lonely Hearts Club**, 1103 Bladensburg Road NE Retailer CT, Lic.#: 76330.*
Decision: Re-Placard 4-0.
17. Review of letters, dated August 21, 2011, from residents of the 800 block of 4th Street NE regarding TruOrleans and requesting that the Board enforce Section 3 of the Voluntary Agreement between TruOrleans and ANC 6C. **TruOrleans**, 400 H Street NE Retailer CR, Lic.#: 86210.*
Decision: Refer to Enforcement for investigation 4-0.
18. Review of Fur Factory's Petition to Stay Order 2011-356, dated August 17, 2011. **Fur Factory**, 33 Patterson Street NE Retailer CN, Lic.#: 60626.8
Decision: Denied 4-0.
19. Review of PI Pizzeria Wine Bar's Petition for Reconsideration of Denial of Summer Garden and Sidewalk Café. **PI Pizzeria Wine Bar**, 2309 18th Street NW Retailer CR, Lic.#: 76754.*
Decision: Placard 3-1 (Jones)

20. Review of Ghana Café's Request for Reconsideration of Board Order No. 2011-367 denying Ghana Café's request for a substantial change. **Ghana Café**, 1336 14th Street NW Retailer CR, Lic.#: 82751.*
Decision: Denied 4-0.
21. Review of ANC 2F's Opposition to Ghana Café's Request for Reconsideration of Board Order No. 2011-367 denying Ghana Café's request for a substantial change. **Ghana Café**, 1336 14th Street NW Retailer CR, Lic.#: 82751.*
Decision: Ghana Café's Motion Denied
22. Review of letter, dated August 25, 2011, from Attorney Rick Massumi, on behalf of Don Jaime Restaurant, and Claudia Schlosberg, on behalf of a Group of 25, requesting termination of the the voluntary agreement between the parties. **Don Jaime**, 3209 Mt. Pleasant Street NW Retailer CR, Lic.#: 21925.*
Decision: Approved 4-0.
23. Review of Voluntary Agreement, dated September 1, 2011, between Dangerously Delicious and ANC 6A. **Dangerously Delicious**, 1339 H Street NE Retailer CR, Lic.#: 87422.*
Decision: Approved with modifications to Sections 2jii and 3d 4-0.
24. Review of Voluntary Agreement, dated June 8, 2010, between Acqua AI 2 and ANC 6B. **Acqua AI 2**, 212 7th Street SE Retailer CR, Lic.#: 80056.*
Decision: Approved 4-0.
25. Review of Voluntary Agreement, dated September 1, 2011, between Alero and ANC 1B. **Alero**, 1301 U Street NW Retailer CR, Lic.#: 71881.*
Decision: Approved 4-0.
26. Review of Voluntary Agreement, dated August 24, 2011, between Tortilla Coast, ANC 2F, and the Metropole Residents. **Tortilla Coast**, 1454 P Street NW Retailer CR, Lic.#: 86859.*
Decision: Approved with modifications to Sections 2 and 8.
27. Notice of Emergency Rulemaking regarding MPD Reimbursable Detail Subsidy Program.
Decision: Approved 4-0.
28. Review and approval of Fact Finding Order for Lotus. **Lotus**, 1420 K Street NW Retailer CN, Lic.#: 75162.
Decision: Postponed until 9/28/2011.
29. Review and approval of Order regarding Uncle Lee's Motion for Reconsideration of the Board Order Denying Protestants' Motion for Reconsideration. **Uncle Lee's**, 1100 Eastern Ave NE Retailer A, Lic.#: 85918.
Decision: Approved 4-0.

30. Review and approval of Advisory Opinion regarding a nude dancing establishment at 1356 Okie Street NE.

Decision: Approved 4-0.

31. Review and approval of Advisory Opinion regarding online wholesaler.

Decision: Approved 4-0.

32. Review and approval of Board Order Denying Protestants' Motion for Reconsideration regarding Club AKA 555's CN License. ***Club AKA 555***, 2046 West Virginia Ave NE Retailer CN, Lic.#: 84241.

Decision: Approved 4-0.

33. Review and approval of The Reef's Protest Order regarding termination of its voluntary agreement. ***The Reef***, 2422 18th Street NW Retailer CT, Lic.#: 60475.

Decision: Postponed until 10/5/2011.

34. Review and approval of K Street's Show Cause Order. ***K Street Lounge***, 1301 K Street NW Retailer CN, Lic.#: 72225.

35. ***Decision: Postponed until 9/28/2011.***

*** 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
INVESTIGATIVE AGENDA**

**WEDNESDAY, SEPTEMBER 21, 2011
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On SEPTEMBER 21, 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-CC-00069 Ulah Bistro, 1214 U ST NW Retailer C Restaurant, License#: ABRA-074175

Decision: Sale to Minor Warning Letter

2. Case#11-CMP-00322 Rugby Cafe, 1065 WISCONSIN AVE NW Retailer C Restaurant, License#: ABRA-075703

Decision: Show Cause

3. Case#11-251-00213 Camelot, 1823 M ST NW Retailer C Nightclub, License#: ABRA-001449

Decision: NFA

4. Case#11-251-00256 Third Edition/The Taqueria, 1218 WISCONSIN AVE NW Retailer C Tavern, License#: ABRA-000604

Decision: Show Cause

5. Case#11-CMP-00323 Armands Chicago Pizzeria, 4231 WISCONSIN AVE NW Retailer C Restaurant, License#: ABRA-000826

Decision: Show Cause

6. Case#11-CMP-00330 Sun Market, 415 RHODE ISLAND AVE NE Retailer B Retail - Class B, License#: ABRA-083937

Decision: Show Cause

7. Case#11-251-00218 Love, 1350 OKIE ST NE Retailer C Nightclub, License#: ABRA-084726

Decision: Show Cause

8. Case#11-CMP-00331 Bistro 18, 2420 - 2422 18TH ST NW Retailer C Restaurant, License#: ABRA-086876

Decision: Show Cause

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
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**WEDNESDAY, SEPTEMBER 21, 2011
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On September 21, 2011, 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#11-251-00186(a) K Street, 1301 K ST NW Retailer C Nightclub, License#: ABRA-072225

Decision: For Your Information