

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

**NOTICE OF MEETING
BOARD'S AGENDA**

**WEDNESDAY, MAY 4, 2011
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Letter from Licensee requesting Sidewalk Café with 21 seats. *Proposed Hours of Operation for Summer Garden: Sunday through Thursday 8am-2am, Friday & Saturday 8am-3am.* *Proposed Hours of Alcohol Service for Summer Garden:* Sunday 10am-2am, Monday through Thursday 8am-2am, Friday & Saturday 8am-3am. No pending violations. No voluntary agreement. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body. *Sweet Spot*, 1140 9th Street NW Retailer CN, Lic.#: 83265.

Approved

2. Review of ABC Manager's Application for Lauren McFoy. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body.

Approved

3. Letter from Licensee requesting increase in occupancy load. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body. *Mandu*, 453 K Street NW Retailer CR, Lic.#: 85084.

Approved

4. Review of Amended Entertainment Endorsement Application to include dancing and cover charge. *Hours of Operation and Alcoholic Beverage Sales and Consumption:* Sunday through Thursday 11:30am – 2am, Friday and Saturday 11:30am-3am. *Current Hours of Entertainment:* Wednesday 7pm-10pm, Saturday 7pm to 11:59pm. *Proposed Hours of Entertainment:* Wednesday 7pm-10pm, Friday and Saturday 7pm – 11:59pm. No pending violations or citations. No conflict with Voluntary Agreement. *Alero*, 1301 U Street NW Retailer CR, Lic.#: 71881.

Approved

5. Letter from Licensee requesting cancellation of tasting permit. *The Market at the Colonnade*, 2801 Mexico Ave NW Retailer A, Lic.#: 79459.

Approved

Board's Agenda – May 4, 2011 - Page 2

6. Review of Application for Trade Name Change. *Senart's Oyster House*, 520 8th Street NW Retailer CR, Lic.#: 86142.

Approved

7. Letter from Rosemarie Salguero on behalf of Licensee requesting approval of stipulated license. Letter of Support from ANC 2A included. *Circa at Foggy Bottom*, 2221 I Street NW Retailer CR, Lic.#: 86726.

Approved

8. Review of letter, dated March 31, 2011 (received April 5, 2011), from Keram Dris, on behalf of Siroc, requesting permission to store alcohol related records and invoices off-site at Vento, located at 2120 P Street NW. *Siroc*, 915 15th Street NW Retailer CR, Lic.#: 8975.

Approved

9. Review of letter, dated April 20, 2011, from Ed Gilbride, on behalf of A Group of Five or More Individuals, requesting reinstatement to protest Optimism's renewal application. The letter indicates that there was a delay in the delivery of FEDEX mailing the letter to ABRA based on reliance on the ABRA addresses that was posted on the placards. **In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body.** *Optimism*, 3301 12th Street NE Retailer CT, Lic.#: 83552.

Approved

10. Review of Madams Organ Restaurant and Bar's Motion for Reinstatement, dated April 18, 2011. **In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body.** *Madams Organ*, 2461 18th Street NW Retailer CT, Lic.#: 25273.

Approved

11. Review of letter, dated April 11, 2011, from Retta Makonnen, President of Nile Restaurant, requesting to terminate the voluntary agreement and extend its business hours. **In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body.** *Nile Restaurant*, 7815 Georgia Ave NW Retailer CR, Lic.#: 60432.

Denied

12. Review of Voluntary Agreement, dated February 27, 2011, between Rail Station Lounge and ANC 7D. **In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body.** *Rail Station Lounge*, 2001 Benning Road NE Retailer CT, Lic.#: 85098.

Approved with modifications pending approval and incorporation
into final Board Protest Order

Board's Agenda – May 4, 2011 - Page 3

13. Review of Replacement Cooperative Agreement, dated April 6, 2011, between The Town Tavern, ANC 1C, and KCA. **In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body.** *The Town Tavern*, 2323 18th Street NW Retailer CT, Lic.#: 79996.

Approved if modified

14. Review of Voluntary Agreement, dated March 8, 2011, between Pacifico and ANC 6B. **In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body.** *Pacifico*, 514 8th Street SE Retailer CR, Lic.#: 86033.

Approved

15. Review of Voluntary Agreement, dated April 25, 2011, between Green Lantern/Tool Shed and Protestants. **In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body.** *Green Lantern/Tool Shed*, 1335 Green Court NW Retailer CN, Lic.#: 60411.

Approved

16. Review of ANC 2F's response to the Board's requested modifications to the Voluntary Agreement, dated February 25, 2011, between Eagle Café and ANC 2F. **In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body.** *Café Eagle*, 1414 9th Street NW Retailer CT, Lic.#: 85990.

Refer to Legal

17. Review and approval of *Stroga's* Catered Site Protest Order. 1808 Adams Mill Rd., N.W, not an ABC Licensed Establishment.

Approved

18. Review and approval of Columbia Station's Show Cause Order. *Columbia Station*, 2325 18th Street NW Retailer CR, Lic.#: 24834.

Approved

19. Review and approval of Al's Liquor's Show Cause Order. *Al's Liquor*, 4009 South Capitol Street SW Retailer A, Lic.#: 74611.

Approved

Before
The District of Columbia
Alcoholic Beverage Control Board
May 4, 2011

The Board is requested to approve the following license cancellation for the reasons outlined below. The license below is currently in Safekeeping.

ABRA – 060804 – **Asmara Café** – Class CR – 900 Florida Avenue, N.W. [Licensee (Sole Proprietor) has been deceased since 2009. No renewal filed in 2010. No current contact information on file. All numbers have been disconnected. Licensing has spoken to deceased Licensee's former attorney who indicated Licensee had no will.]

Cancelled

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
INVESTIGATIVE AGENDA

WEDNESDAY, MAY 4, 2011
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

On May 4, 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-CMP-00113 Farmers & Fishers, 3000 K ST NW Retailer C Restaurant, and License #: ABRA-074934

Staff Settlement

2. Case#11-CMP-00124 Hook, 3241 M ST NW Retailer C Restaurant, License#: ABRA-075631

SIC

3. Case#11-CMP-00106 Rugby Cafe, 1065 WISCONSIN AVE NW Retailer C Restaurant, License#: ABRA-075703

SIC

4. Case#11-251-00066 Midtown, 1219 CONNECTICUT AVE NW Retailer C Nightclub, License#: ABRA-072087

FF

5. Case#11-CMP-00112 Sodexho @Intelsat, 3400 INTERNATIONAL DR NW Retailer C Restaurant, License#: ABRA-060536

Staff Settlement

6. Case#11-251-00110 LUX, 649 NEW YORK AVE NW Retailer C Nightclub, License#: ABRA-071743

NFA

7. Case#11-251-00054 Gin & Tonic, 2408 WISCONSIN AVE NW Retailer C Tavern, License#: ABRA-079644

SIC

8. Case#11-251-00095 La Lima Restaurant & Lounge, 1401 K ST NW B Retailer C Tavern, License#: ABRA-073817

NFA

9. Case#11-251-00128 Mc Faddens, 2401 PENNSYLVANIA AVE NW A Retailer C
Restaurant, License#: ABRA-060591

NFA

10. Case#11-PRO-00009 Pure Nightclub & Lounge, 1326 U ST NW Retailer C Nightclub, and
License #: ABRA-024613

FYI

11. Case#11-CMP-00109 Town House Tavern Restaurant, 1637 R ST NW Retailer C
Restaurant, and License #: ABRA-024682

SIC

12. Case#11-CMP-00108 Peacock Cafe, 3251 PROSPECT ST NW F Retailer C Restaurant,
License#: ABRA-025832

SIC

13. Case#11-251-00047 Rock N Roll Hotel, 1353 H ST NE Retailer C Tavern, License#:
ABRA-072777

NFA

14. Case#11-CMP-00071 Panache, 1725 DESALES ST NW Retailer C Restaurant, License#:
ABRA-060754

SIC

15. Case#11-251-00112 K Street, 1301 K ST NW Retailer C Nightclub, License#: ABRA-
072225

NFA

16. Case#11-CMP-00129 Lion's Liquors, 3614 GEORGIA AVE NW Retailer A Retail - Liquor
Store, License#: ABRA-060629

SIC

17. Case#11-CMP-00110 Angelico Pizzeria & Cafe, 4529 WISCONSIN AVE NW Retailer D
Restaurant, License#: ABRA-060711

Staff Settlement

18. Case#11-CC-00015 1409 Playbill Cafe, 1409 14TH ST NW Retailer C Restaurant, License#:
ABRA-023427

Staff Settlement

19. Case#11-CMP-00111 Aroma Indian Restaurant, 1919 I ST NW Retailer C Restaurant,
License#: ABRA-001847

SIC

20. Case#11-251-00108 Oxygen, 2122 24TH PL NE Retailer C Tavern, License#: ABRA-079778

FP

21. Case#11-251-00113 Public Bar, 1214 A 18TH ST NW Retailer C Tavern, License#: ABRA-081238

NFA

22. Case#11-CMP-00049 Marvelous Market, 4530 WISCONSIN AVE NW Retailer D Restaurant, License#: ABRA-082438

SIC

23. Case#11-CC-00012 Kennedy Street Market, 701 KENNEDY ST NW Retailer B Retail - Grocery, License#: ABRA-082807

STM warning letter

24. Case#11-AUD-00002 One, 1606 20TH ST NW Retailer C Restaurant, License#: ABRA-083468

SIC

25. Case#11-CC-00019 Cavalier Wine and Liquors, 3515 14TH ST NW Retailer A Retail - Liquor Store, License#: ABRA-085968

STM Warning letter

26. Case#11-251-00146 Café Citron, 343 Connecticut Ave. NW Retailer C R Restaurant
License # ABRA - 660138

hearing scheduled for May 11, 2011 at 11:00 AM

Before
The District of Columbia
Alcoholic Beverage Control
Board

Charles Brodsky, Chairperson
Nick Alberti, Member; Donald Brooks, Member
Herman Jones, Member; Calvin Nophlin, Member;
Mike Silverstein, Member

May 4, 2011

Protest Hearing (Status)

9:30 AM

Case# 11-PRO-00015
Roundabout LLC t/a Boundary Road Restaurant
414 H Street NE
License#: 86320
Retailer CT
New Application

Bd scheduled the
matter for a Protest
Hearing on June 1,
2011 at 3:00 pm.

Show Cause Hearing (Status)

9:30 AM

Case# 10-CMP-00798
Woo Seong Lee t/a Mimi's Convenience Store
5435 MacArthur Boulevard NW
License#: 74368
Retailer B
Violation of Voluntary Agreement

Bd accepted an OIC:
\$500 fine w/in 14
days; two day
suspension - both stayed
(4-0 vote)

Show Cause Hearing (Status)

9:30 AM

Case# 10-CMP-00831 (Citation #2805)

Kookoovaya, Inc. t/a We, The Pizza
305 Pennsylvania Avenue SE
License#: 82062
Retailer CR
Failed to File Quarterly Statement

Respondent failed to appear. Bd set the matter for Show Cause on May 25, 2011 at 11:00 am.

Fact Finding Hearing

9:45 AM

Case# 10-CMP-00201 (a)

Marali Enterprises, LLC t/a Lima Restaurant & Lounge
1401 K Street NW, Suite M103
License#: 73817
Retailer CT

Follow-Up Fact Finding Hearing and Review of Security Plan

Licensee requested a continuance. Bd set new hearing date of May 25, 2011 at 11:00 am.

Show Cause Hearing

10:00 AM

Case# 10-CMP-00549

Khyber Pass Corp t/a Afghan Grill
2309 Calvert Street NW
License#: 60278
Retailer CR
Failed to Maintain Records and No ABC Manager on Duty

Respondent failed to appear. Bd proceeded ex parte pursuant to § 25-447. Bd held a closed meeting under § 405(b)(13) of the Open Mts Act and will issue an Order w/in 90 days.

Show Cause Hearing

11:00 AM

Case# 10-CMP-00594

Yami LLC t/a Bistro Du Coin
1738 Connecticut Avenue NW

License#: 76495

Retailer CR

Failed to File Quarterly Statements

The Bd held a closed meeting under § 405 (b)(13) of the Open Mtgs Act and will issue an Order w/in 90 days.

Public Hearing

1:00 PM

West Dupont Circle Moratorium Zone

Request by ANC 2B to Extend Moratorium for Three Years

The Bd held a closed meeting under § 405 (b)(13) of the Open Mtgs Act and will issue a decision on May 18, 2011, at 1:00 pm.
1:00 PM

Protest Hearing

Case# 11-PRO-00009

Kelemewa Corporation, t/a Pure Nightclub & Lounge
1326 U Street NW

License#: 24613

Retailer CN

Termination of Voluntary Agreement

Voluntary Agreement submitted May 3, 2011. Bd cancelled Protest Hearing.

3:00 PM

Protest Hearing

Case# 10-PRO-00146

Accott Ventures, LLC, t/a Shadow Room
2131 K Street NW
License#: 75871
Retailer CN
Renewal Application

BJ granted Protestant's
Motion for Continuance.
Hearing is now set for
June 22, 2011 at
1:00 pm.

5/4/2011

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

**APPLICATIONS OF THE INDIVIDUALS/CORPORATIONS/PARTNERSHIPS LISTED
BELOW HAVE BEEN REVIEWD FOR DOCUMENT SUFFICIENCY AND APPEAR TO BE IN
COMPLIANCE WITH THE LAW. EACH IS SUBMITTED FOR REVIEW BY THE
ALCOHOLIC BEVERAGE CONTROL BOARD.**

<u>NAME</u>	<u>CLASS/CATEGORY</u>	<u>APPROVED</u>	<u>DENIED</u>	<u>DECISION PENDING</u>
1. Welan, Joy L.	One Day License Class G			
	Event: Fundraising Event For: Planned Parenthood of Metropolitan Washington Event Date: 5/7/2011 1640 Rhode Island Avenue, N.W. License No. 86939 Application No. 45968			
2. Henry, Michael H.	One Day License Class F			
	Event: Wedding For: Self Event Date: 5/28/2011 2437 15 th Street, N.W. License No. 86942 Application No. 40055			
3. Miller, Jesse H.	One Day License Class F			
	Event: Birthday Party For: Family Event Date: 5/7/2011 2700 New York Avenue, N.E. License No. 86949 Application No. 46544			

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4. Ferguson, Nicholas J. **One Day License Class F** 
Event: Wedding Ceremony & Reception
For: Self
Event Date: 10/23/2011
1530 P Street, N.W.
License No. 86981
Application No. 46425
5. Calaro, Antonio M. **One Day License Class F** 
Event: Asian Cultural Festival
For: Asia Heritage Foundation
Event Date: 5/21/2011
Pennsylvania Avenue between 3rd & 6th Street, N.W.
License No. 86994
Application No. 42473
6. Guenther, Mark S. **One Day License Class F** 
Event: Wine & Cheese Tasting Event
For: Fathom Creative
Event Date: 5/19/2011
1333 14th Street, N.W.
License No. 86987
Application No. 46632
7. Schindler Buchanan, Page **One Day License Class F** 
(Requesting Fee Reduction- Please See Application)
Event: Appreciation Event
For: Capital Area Asset Builders
Event Date: 5/18/2011
2100 M Street, N.W.
License No. 86989
Application No. 46590
8. Higgison, Cole E. **One Day License Class F** 
Event: Office Party
For: Self
Event Date: 5/19/2011
800 17th Street, N.W.
License No. 86977
Application No. 46633

5/4/2011

9. Koroma, Fatmata **One Day License Class G** 
- Event: African Talent Show
For: Self
Event Date: 5/21/2011
2700 New York Avenue, N.E.
License No. 86986
Application No. 46544
10. Spencer, Alfred **One Day License Class G** 
- Event: Dancing & DJ
For: Republic Gardens
Event Date: 5/6/2011- 5/7/2011
1355 U Street, N.W.
License No. 86953
Application No. 46557
11. Xian, Hang **One Day License Class F** 
- Event: Social Event
For: Georgetown Senior Class Committee
Event Date: 5/17/2011
37th & 0 Street, N.W.
License No. 86963
Application No. 10862
12. Xian, Hang **One Day License Class F** 
- Event: Dance Party
For: Senior Class Committee
Event Date: 5/15/2011
37th & 0 Street, N.W.
License No. 86962
Application No. 10862
13. Gaffney, Meredith M. **One Day License Class F** 
- Event: Happy Hour
For: SAIS Student Government Association
Event Date: 5/6/2011
1740 Massachusetts Avenue, N.W.
License No. 86965
Application No. 46612

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14. Worthington, Sharon E. **One Day License Class F**
- Event: Fundraiser
For: Hearst School PTA
Event Date: 5/14/2011
4101 Connecticut Avenue, N.W.
License No. 86983
Application No. 46530
15. Roberts, Clive A. **One Day License Class G**
- Event: Birthday Celebration
For: Self
Event Date: 5/13/2011
2700 New York Avenue, N.E.
License No. 86995
Application No. 46544
16. Zissis, Aris A. **One Day License Class F**
Fact-finding
- Event: Greek Festival
For: St. Sophia Greek Orthodox
Event Date: 5/13/2011- 5/15/2011
2815 36th Street, N.W.
License No. 86996
Application No. 11153
17. Brown, Cara A. **One Day License Class G**
- Event: "Role & Sole"
For: Lamont Bishop Gallery
Event Date: 5/6/2011
1314 9th Street, N.W.
License No. 86997
Application No. 46562
18. Phillips Harborplace, Inc. **One Day Sub. Change**
(Extension of Hours)
- t/a Phillips Flagship
Event Date: 5/8/2011
900 Water Street, S.W.
License No. 009229

5/4/2011

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

APPLICATIONS OF THE INDIVIDUALS/CORPORATIONS/PARTNERSHIPS LISTED
BELOW HAVE BEEN REVIEWED FOR DOCUMENT SUFFICIENCY AND APPEAR TO BE IN
COMPLIANCE WITH THE LAW. EACH IS SUBMITTED FOR REVIEW BY THE
ALCOHOLIC BEVERAGE CONTROL BOARD.

<u>NAME</u>	<u>CLASS/CATEGORY</u>	<u>APPROVED</u>	<u>DENIED</u>	<u>DECISION PENDING</u>
1. High Tide, LLC t/a Watershed/Hilton Garden Inn Constitution Square 1225 First Street, NE License No. 86456	Ret. C Restaurant (New w/ EE and Sidewalk Cafe)			
2. Rogue 24, LLC t/a Rogue 24 922-924 N Street, NW License No. 86508	Ret. C Restaurant (New)			
3. Canal 5 LLC. t/a Beer Garden Live 720 L Street, SE License No. 085710	Ret. C Tavern (Transfer with Sale)			
4. RA-IY, LLC t/a Sankofa Café 2714 Georgia Avenue, NW License No. 086424	Ret. C Tavern (New w/ EE and Summer Garden)			
5. Thai Coast, LLC t/a Thai Coast 2514 L Street, NW License No. 060750	Ret. C Restaurant (Stock Transfer)			
6. Sahbuy, Inc. t/a Tabaq Bistro 1336 U Street, NW License No. 070707	Ret. C Restaurant (Amendment to EE - Dancing)			

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<u>NAME</u>	<u>CLASS/CATEGORY</u>	<u>APPROVED</u>	<u>DENIED</u>	<u>DECISION</u>
7. H St Lessee CMBS, LLC t/a The Westin Grand 2350 M Street, NW License No. 075025	Ret. C Hotel (Trade Name Change)			
8. JL & SP, Inc. t/a The Market at the Colonade 2801 New Mexico Avenue, NW License No. 079459	Ret. A (Cancellation of License)			
9. JTC, Inc.. t/a Parkway Wine & Spirits 156 L Street, NE License No. 079749	Ret. A (Cancellation of License)			
10. Marc Vandenhoudt 3330 Garfield Street Washington, DC 20008	Personal Importation (44 Bottles from Belgium)			