

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, JULY 10, 2013
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009**

Ruthanne Miller, Chairperson

Members:

Nick Alberti, Donald Brooks, Herman Jones, Mike Silverstein

Protest Hearing (Status)

9:30 AM

Case # 12-PRO-00081

2007 14th Street Productions, LLC, t/a Marvin

2007 14th Street NW

License #76166

Retailer CT

ANC 1B

Substantial Change (Expansion to the 2nd Floor & Additional 87 seats)

Disposition: The Board will set for a hearing on a future date.

Protest Hearing (Status)

9:30 AM

Case # 13-PRO-00063

SST Management, LLC, t/a Bin 1301 Wine Bar

1301 U Street NW

License #91682

Retailer CT

ANC 1B

New Application

Disposition: The Board set a Status Hearing for July 17, 2013 at 9:30 am

Protest Hearing (Status)

9:30 AM

Case # 13-PRO-00038

Black Salt Fish, LLC, t/a Black Salt Fish & Market

4883 MacArthur Blvd NW

License #60748

Retailer CR

ANC 3D

Renewal Application

Disposition: The Board dismissed protest for failure to appear, 4-0

Protest Hearing (Status)

9:30 AM

Case # 13-PRO-00048

Dunmore, LLC, t/a Sonoma

223 Pennsylvania Ave SE

License #72017

Retailer CR

ANC 6B

Renewal Application

Disposition: The Board cancelled the hearing. The parties submitted a settlement agreement for Board review.

Protest Hearing (Status)

9:30 AM

Case # 13-PRO-00047

Restaurant Seki, LLC, t/a Izakaya Seki

1117 V Street NW

License #88274

Retailer CR

ANC 1B

Renewal Application

Disposition: The Board set a Protest hearing for September 11, 2013 at 4:30 pm.

Protest Hearing (Status)

9:30 AM

Case # 13-PRO-00033

Multi-Management, Inc., t/a Habana Village

1834 Columbia Road NW

License #24197

Retailer CR

ANC 1C

Renewal Application

Disposition: The Board set a Protest hearing for Septemeber 11, 2013 at 1:30 pm.

Protest Hearing (Status)

9:30 AM

Case # 13-PRO-00013

Cleveland Q, LLC, t/a Cantina Marina

600 Water Street SW

License #60628

Retailer CR

ANC 6D

Renewal Application

Disposition: The Board set a status hearing for July 31, 2013 at 9:30 am.

Fact Finding Hearing

9:30 AM

To Be Determined (formerly-Club Rendezvous)

Retailer CN

License in Safekeeping

Disposition: The Board ordered that the licensee return in 6 months for another Fact Finding Hearing, date set for January 8, 2014.

Fact Finding Hearing

9:30 AM

L'Enfant Enterprises, LLC, t/a L'Enfant Café & Bar

2000 18th Street NW

License #60658

Retailer CR

ANC 1C

One Day Substantial Change Application

Date of Event: July 13, 2013

Disposition: The Board approved the application, 4-0.

Show Cause Hearing

10:00 AM

Case # 12-CMP-00431

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

Violation of Settlement Agreement, Failed to Comply With the Terms of Board Order No. 2011-289

This hearing has been continued to July 31, 2013 at 1:30 pm.

Fact Finding Hearing

11:00 AM

Case # 13-251-00047 # 13-251-00046 and # 13-251-00045

Superclub Ibiza, LLC, t/a Ibiza
1222 1st Street NE
License #74456
Retailer CN
ANC 6C

Assault Occurred Inside of the Establishment, Sale to Minor, Interfered with an Investigation, Failed to Follow Security Plan

Disposition: The Board voted 4-0, to send the three cases to OAG, for Show Cause Consideration.

BOARD RECESS AT 12:00 PM

**ADMINISTRATIVE AGENDA
1:00 PM**

Show Cause Hearing

1:30 PM

Case # 12-CMP-00456

Mama Chuy DC, Inc., t/a Mama Chuy
2620 Georgia Ave NW
License #86892
Retailer CR
ANC 1B

Failed to File Quarterly Statements (1st Quarter 2012)

Disposition: The Board accepted Offer in Compromise for violations as described in cases 12-CMP-00456 \$350 and 12-CMP-00568 \$300, the fine shall be paid within 60 days, 5-0.

Protest Hearing

2:00 PM

Case # 13-PRO-00011

Lee's Mini Market, Inc., t/a Lee's Mini Market
3853 Alabama Ave SE
License #84939
Retailer B
ANC 7B

Substantial Change (Change from Class B (market) license to Class A (liquor store) license

Disposition: The Board dismissed application due to the applicants failure to file Protest Information Form, 5-0.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
AGENDA

WEDNESDAY, JULY 10, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of Requests dated June 26 and June 27, 2013 from E& J Gallo Winery for approval to provide retailers with products valued at more than \$50 and less than \$500.
Decision: Approved, 4-0.
2. Review of letter, dated June 21, 2013, from Jay Anthony Wolszczak requesting permission to store Hard Rock Café's invoices and records at their corporate office located in Orlando, Florida. **Hard Rock Café**, 999 E Street NW Retailer CR04, Lic.#: 14130.
Decision: Approved 4-0.
3. Review of letter, dated June 20, 2013, from Crystal Harmon requesting permission to store American Ice Company's invoices and records at another location in the District. **American Ice Company**, 917 V Street NW Retailer CT01, Lic.#: 84577.
Decision: Approved 4-0.
4. Review of letter, dated June 5, 2013, from John Snedden of Rocklands Barbeque and Grilling Company requesting permission to receive and store wholesale deliveries at the establishment's other location in the District. Rocklands Barbeque and Grilling Company's requested receiving and storing location is located at 2418 Wisconsin Avenue, NW.
Rocklands Barbeque and Grilling Company, 1271 1st Street SE Retailer DT*, Lic.#: 91974.
Decision: Approved 4-0
5. Review of Motion for Reconsideration, dated May 7, 2013, from Rona Leff of Hunan Peking/Dylan's Café, Inc. requesting that the Board reverse the \$600 penalty for the license's late renewal. **Hunan Peking**, 3251 Prospect Street NW Retailer DR01, Lic.#: 8348.
Decision: Denied, 4-0.
6. Review of letter, dated June 17, 2013, from Commissioner Victor Silveira of ANC 3C requesting the Board to rescind Pulpo's Entertainment Endorsement and placard it as a substantial change in operations. **Pulpo**, 3407 Connecticut Avenue NW Retailer CR02, Lic.#: 89639.
Decision: Denied, 4-0.
7. Review of letter, dated June 13, 2013, from Susie Taylor of the Cleveland Park Citizens Association requesting to protest the Board's approval of Pulpo's Entertainment Endorsement.

Pulpo, 3407 Connecticut Avenue NW Retailer CR02, Lic.#: 89639. *Previously reviewed on the Board's June 26, 2013 Agenda.*

Decision: Denied, 4-0.

8. Review of letter, dated June 18, 2013, from Pedro Lujan, Jr. of Habana Village requesting that the Board dismiss the protest of the Kalorama Citizens Association for failure to attend the Protest Mediation. **Habana Village**, 1834 Columbia Road NW Retailer CR02, Lic.#: 24197.

Decision: Denied, 4-0.

9. Review of Settlement Agreement, dated June 24, 2013, between Bistro La Bonne and the Shaw-Dupont Citizens Alliance. **Bistro La Bonne**, 1340 U Street NW Retailer CR02, Lic.#: 75284.*

Decision: Approved with Modifications, 4-0.

10. Review of Settlement Agreement, dated June 20, 2013, between Tryst and the Kalorama Citizens Association. **Tryst**, 2459 18th Street NW Retailer CR01, Lic.#: 25781.*

Decision: Approved, 4-0.

11. Review of correspondence, dated June 13, 2013, from Peter Jin of Khan's BBQ requesting that the Board overturn Board Order No. 2013-254 on the Settlement Agreement between Khan's BBQ and ANC 6A dated May 2, 2013. **Khan's**, 1125 H Street NE Retailer CR01, Lic.#: 84082.*

Decision: Denied, fails for lack of second vote. 3-1.

12. Review of Petition for Reconsideration, dated June 3, 2013, from Emanuel Mpras for Board Order No. 2013-181. *Previously reviewed on the June 5, 2013 Supplemental Agenda.* **DC Shenanigans**, 2450 18th Street NW Retailer CT02, Lic.#: 88119. *Previously reviewed on the June 5, 2013, June 19, 2013, and June 26, 2013 Supplemental Agendas.*

Decision: Denied, 4-0.

13. Review of District's Response to Applicant's Petition for Reconsideration and Petition for Stay of Board Order, dated June 10, 2013, from Christine Gephardt. **DC Shenanigans**, 2450 18th Street NW Retailer CT02, Lic.#: 88119. *Previously reviewed on the June 19, 2013 and June 26, 2013 Supplemental Agendas.*

Decision: Denied, 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

NOTICE OF MEETING
SUPPLEMENTAL AGENDA

WEDNESDAY, JULY 10, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of New Caterer's License Application. *Aramark Educational Services at American University*, 3500 Massachusetts Avenue NW Caterer, Lic.#: 92633.
Decision: Postponed to refer to legal counsel, 4-0.
2. Review of documentation provided by ANC 3D supporting a Multi-purpose License vs. Caterer's License. ANC believes application for a catering license to provide liquor service on the AU campus would be inconsistent with current law. The residents argue that applicant should be required to seek a Multi-Purpose license instead of a Caterer's license. Applicant currently holds Caterer's license at Catholic University of America. *Aramark Educational Services at American University*, 3500 Massachusetts Avenue NW Caterer, Lic.#: 92633.
Decision: Postponed, 4-0.
3. Review of additional documentation provided by Walmart regarding whether it meets the full-service grocery store definition: the documentation contains a breakdown and reassignment of canned foods and dry grocery. Provides a more appropriate definition of canned foods and highlights those products that can be added to the canned foods category from what was prior counted in the dry goods category and surpassing 7% percent. *Walmart*, 99 H Street NW Retailer B, Lic.#: 92202.
Decision: Postponed, 4-0.
4. Review of additional documentation provided by Wagshal's regarding whether it meets the full-service grocery store definition: the documentation contains floor drawings of a breakdown of inventory to meet the requirement set by the Board during the last discussion. *Wagshal's*, 3201 New Mexico Avenue NW Retailer B, Lic.#: 92187.
Decision: Approved initial application, Placard, 4-0.
5. Review of ANC 2C Letter Supporting Request for a Stipulated License. *Mandalay*, 1501 9th Street NW Retailer CR, Lic.#: 92421.
Decision: Approved, 4-0.
6. Request for a Stipulated License. *Skill Set, LLC*, 2029 P Street NW Retailer CR, Lic.#: 92250.
Decision: Approved, 4-0.

7. Review of Amended Lease. Transfer of Ownership Application submitted by NY NY Diva. *NY NY Diva*, 2406-2408 18th Street NW Retailer CR, Lic.#: 92380.
Decision: No Further Action
8. Sober Ride posters and supply cards.
Decision: No Further Action
9. Review of letter, dated June 11, 2013, from Emanuel Mpras asking to continue Case No. 11-251-00372 for Sesto Senso/ Andalu/Spot/Lupe/M I A. *Sesto Senso/ Andalu/Spot/Lupe/M I A*, 1214 18th Street NW Retailer CT03, Lic.#: 81092.
Decision: Approved, 3-1.
10. Review of letter, dated July 5, 2013, from Elwyn Ferris regarding the lack of notification for the Settlement Agreement Termination application for Policy from both the Licensee and ABRA. Mr. Ferris is also requesting permission to reinstate his request for the Board to deny the Licensee's application. *Policy*, 1904 14th Street NW Retailer CR03, Lic.#: 76804.
Decision: Postponed for two weeks, 4-0.
11. Review of letter, dated July 5, 2013, from Tanya Barbour regarding the lack of notification for the Settlement Agreement Termination application for Policy from both the Licensee and ABRA. *Policy*, 1904 14th Street NW Retailer CR03, Lic.#: 76804.
Decision: Postponed for two weeks, 4-0.
12. Review of letter, dated July 1, 2013, from Ramon Estrada regarding the lack of notification for the Settlement Agreement Termination application for Policy from both the Licensee and ABRA. *Policy*, 1904 14th Street NW Retailer CR03, Lic.#: 76804
Decision: Postponed for two weeks, 4-0
13. Review of letter, dated July 2, 2013, from a group of residents requesting that the Board deny Aramark Educational Services at American University's catering application. *Aramark Educational Services at American University*, 3500 Massachusetts Avenue NW Caterer, Lic.#: 92633.
Decision: Postponed, 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
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NOTICE OF MEETING
INVESTIGATIVE AGENDA

WEDNESDAY, JULY 10, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

On July 10, 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-CMP-00218 Marvin, 2007 14TH ST NW Retailer C Tavern, License#: ABRA-076166
Decision: Staff Settlement
2. Case#13-CMP-00249 Queen Makeda, 1917 9TH ST NW Retailer C Restaurant, License#: ABRA-060510
Decision: Show Cause.
3. Case#13-CC-00033 Bowen Discount, 4510 BOWEN RD SE Retailer A Retail - Liquor Store, License#: ABRA-073781
Decision: Sale to Minor Warning Letter.
4. Case#13-CC-00001 19th, 1919 PENNSYLVANIA AVE NW Retailer C Restaurant, License#: ABRA-078475
Decision: NFA License Cancelled on 5/15/2013.
5. Case#13-AUD-00050 Breadsoda, 2233 WISCONSIN AVE NW Retailer C Restaurant, License#: ABRA-078085
Decision: Show Cause.
6. Case#13-AUD-00051 Panache, 1725 DE SALES ST NW Retailer C Restaurant, License#: ABRA-060754
Decision: Show Cause.
7. Case#13-CMP-00252 Lost Society, 2001 14TH ST NW Retailer C Tavern, License#: ABRA-083420
Decision: Staff Settlement.

8. Case#13-CC-00015 Pennsylvania Avenue Market, 1501 PENNSYLVANIA AVE SE
Retailer B Retail - Class B, License#: ABRA-079255
Decision: Staff Settlement.
9. Case#13-CC-00016 Sun Market, 415 RHODE ISLAND AVE NE Retailer B Retail -
Class B, License#: ABRA-083937
Decision: Referred to Enforcement.
10. No Case # Diredawa Cafe, 5333 Georgia Avenue, NW, Unlicensed
Decision: Sent to OAG for Criminal Investigation.
11. Case#13-PRO-00011 Lee's Mini Market, 3853 ALABAMA AVE SE Retailer B Retail -
Class B, License#: ABRA-084939
Decision: No Further Action.