

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, JULY 17, 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 # 13-PRO-00037
Eatonville Inc., t/a Eatonville
2121 14th Street NW
License #78882
Retailer CR
ANC 1B
Renewal Application**

**Disposition: The Board scheduled the Protest Hearing for September 11,
2013 at 4:30 pm.**

Protest Hearing (Status)

9:30 AM

**Case # 13-PRO-00057
Brookland's Finest, LLC, t/a Brookland's Finest Bar & Kitchen
3126-3128 12th Street NE
License #92010
Retailer CT
ANC 5B
New Application**

The Board scheduled the Protest Hearing for August 14, 2013 at 4:00 pm.

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 scheduled the Protest Hearing for July 24, 2013 at 2:00 pm.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00732

7 Round, Inc., t/a Davis Market
3819 Georgia Ave NW
License #60094
Retailer B
ANC 4C
Sold Go-Cups

Disposition: The Board accepted an Offer in Compromise: \$1,000 to be paid within 30 days, 4-0.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00581

Capitol City Brewing Company, LLC, t/a Capitol City Brewing Company
1100 New York Ave NW
License #16838
Retailer CT
ANC 2C
No ABC Manager on Duty

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

Show Cause Hearing (Status)

9:30 AM

Case # 13-CMP-00169

Rumba, Inc., t/a Rumba Café
2443 18th Street NW
License #71023

Retailer CR

ANC 1C

**Operating After Board Approved Hours, Exceeded Hours of Entertainment
Endorsement**

**Disposition: The Board accepted an Offer in Compromise: \$1,500 to be paid
within 30 days; (Charge I-\$500, Charge II-\$1,000), 4-0.**

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00697

Charlie Palmer Steak, DC, LLC, t/a Charlie Palmer
101 Constitution Ave NW
License #60654

Retailer CR

ANC 6C

No ABC Manager on Duty, Failed to Maintain Books and Records

**Disposition: The Board accepted an Offer in Compromise: \$2,850 to be paid
within 30 days; (Charge I-\$350, Charge II-\$2,500), 4-0.**

Show Cause Hearing (Status)

9:30 AM

Case # 13- CMP-00197

Pennsylvania Rail Inc., t/a Remington's
639 Pennsylvania Ave SE
License #9238
Retailer CN
ANC 6B
Noise Violation

Disposition: The Board accepted an Offer in Compromise: \$2,000 to be paid within 7 days, 4-0.

Show Cause Hearing (Status)

9:30 AM

Case # 13-CMP-00129

Pennsylvania Rail Inc., t/a Remington's
639 Pennsylvania Ave SE
License #9238
Retailer CN
ANC 6B
Noise Violation, No ABC Manager on Duty

Disposition: The Board accepted an Offer in Compromise: \$4,000 to be paid by September 15, 2013; (Charge I-\$2,000, Charge II-\$2,000), 4-0.

Board's Calendar

Page -5- July 17, 2013

Show Cause Hearing (Status)

Case # 13-AUD-00032

9:30 AM

TBM Holdings, LLC, t/a TruOrleans

400 H Street NE

License #86210

Retailer CR

ANC 6C

Failed to File Quarterly Statements (4th Quarter 2012)

Disposition: The Board scheduled the Show Cause Hearing for September 11, 2013 at 11:00 am. The Respondant failed to appear.

Show Cause Hearing (Status)

9:30 AM

Case # 13-CMP-00160

Pezzo Forte, Inc., t/a Tuscana West

1350 I Street NW

License #82284

Retailer CR

ANC 2C

Operating After Board Approved Hours

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

Show Cause Hearing (Status)

9:30 AM

Case # 13-CMP-00135

1618 Variety Market

1618 8th Street NW

License #84582

Retailer B

ANC 6E

Sold Go-Cups

Disposition: The Board scheduled a Show Cause Hearing for September 11, 2013 at 10:00 am.

Board's Calendar
Page -6- July 17, 2013
Show Cause Hearing

10:00 AM

Case # 12-CMP-00558(a)

Justin's Café, LLC, t/a Justin's Café
1025 1st Street SE
License #83690
Retailer CR
ANC 6D

Substantial Change in Operation (Increase in Occupancy), Violation of Settlement Agreement

Disposition: The Board held a Closed Meeting under the Open Meetings Act and will issue an Order within 90 days.

Show Cause Hearing

10:00 AM

Case # 12-CMP-00633

Good Life, 1831 M, LLC, t/a The Mighty Pint
1831 M Street NW
License #84184
Retailer CT
ANC 2B

Operating After Board Approved Hours

Disposition: The Board accepted an Offer in Compromise: \$1,000 be paid by July 27, 2013, 4-0.

Show Cause Hearing

11:00 AM

Case # 12-CMP-00735

Bread & Chocolate, Inc., t/a Bread & Chocolate
5542 Connecticut Ave NW
License #7792
Retailer CR
ANC 3G

No ABC Manager on Duty, Failed to Post ABC License, Substantial Change in Operation (No Summer Garden Endorsement)

Disposition: The Board accepted an Offer in Compromise: \$1,600 to be paid within 30 days, (Charge I-\$850, Charge II-\$750, Charge III-Dismissed), 3-1-1 (Alberti dissenting and Jones abstaining).

BOARD RECESS AT 12:00 PM

**ADMINISTRATIVE AGENDA
1:00 PM**

1:30PM

Show Cause Hearing

Case # 13-AUD-00003

Astede Corporation, t/a Nile Market & Kitchen
7815 Georgia Ave NW
License #60432
Retailer CR
ANC 4B

Failed to Maintain Books and Records

Disposition: The Board accepted an Offer in Compromise: \$1,500 to be paid within 60 days, 4-0.

Show Cause Hearing

Case # 12-CC-00117

Arias, Inc., t/a My Brother's Place
237 2nd Street NW
License #71593
Retailer CR
ANC 6C

Sale to Minor Failed to Take Steps Necessary to Ascertain Legal Drinking Age

2:30 PM

Disposition: For Case #12-CC-00117: the Board accepted an Offer in Compromise: \$5,000 to be paid by August 1, 2013 and 10 day suspension (days served from July 18 to 26, 2013, and 6 days stayed). Four additional days served trigger from Case #12-251-0129, for a total suspension of 8 days served.

For Case #12-CMP-00717: the Board accepted an Offer in Compromise: \$5,000 to be paid by August 1, 2013, and 10 day suspension (6 days served from July 26 through August 1, 2013, and 4 days stayed).

Show Cause Hearing

Case # 12-AUD-00067

KYW, Inc., t/a Wah Sing Restaurant
2521 Pennsylvania Ave SE
License #514
Retailer CR
ANC 7B

3:30 PM

Failed to Maintain Books and Records

Disposition: The Board scheduled a Show Cause for September 18, 2013 at 10:00 am.

4:30 PM

Show Cause Hearing

Case # 12-251-00369

Jasper Ventures, LLC, t/a Capitale (formerly K Street)
1301 K Street NW
License #72225
Retailer CN
ANC 2F

Trade Name Change Without Board Approval

Disposition: The Board held a Show Cause Hearing. The Parties stipulated to the facts and presented argument on the penalty. The Board held a Closed Meeting under the Open Meetings Act and will issue an Order within 90 days.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
AGENDA

WEDNESDAY, JULY 17, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Change of Hours Application. *Approved Hours of Operation and Alcoholic Beverage Sales* Monday through Saturday 9am-12am. *Proposed Hours of Operation* Sunday 9am to 9pm; Monday through Saturday 7am to 12am. *Lax Wine & Spirits*, 3035 Naylor Road SE Retailer A, Lic.#: 82054.
Decision: Approved 4-0-0
2. Request to add Entertainment Endorsement/Dancing/Cover Charge. Conflicts with SA. Show Cause Hearing held June 26, 2013. *Sahara Hookah Lounge*, 1200 H Street NE Retailer CT, Lic.#: 87558.
Decision: Placard 4-0-0
3. Request for Class Change from CR to CT. No Prohibition. *Marx Café*, 3203 Mt. Pleasant Street NW Retailer CT, Lic.#: 74712.
Decision: Placard 4-0-0
4. Review of additional documentation to make determination of full service grocery store. *Each Peach Market*, 3068 Mt. Pleasant Street NW Retailer B, Lic.#: 92449.
Decision: Refer to Licensing Division 4-0-0
5. Review request for extension to sell existing inventory purchased under Class A license. *Chesapeake Big Market*, 601 Chesapeake Street SE Retailer B, Lic.#: 91126.
Decision: Approved 4-0-0
6. Request to remove License from Safekeeping. Request also states licensee has a new tenant and would like to transfer the license to that entity. *Chloe Restaurant t/a District Lounge*, 2473 18th Street NW Retailer CR, Lic.#: 91034.
Decision: Fact Finding 4-0-0
7. Review of request dated July 3, 2013 from E& J Gallo Winery for approval to provide retailers with products valued at more than \$50 and less than \$500.
Decision: Approved 4-0-0
8. Review of Requests dated July 3, 2013 and July 5, 2013 from Washington Wholesale Liquor Company for approval to provide retailers with products valued at more than \$50 and less than \$500.
Decision: Approved 4-0-0

9. Review of letter, dated July 1, 2013, from Ashok Bajaj requesting permission to store records off site at another location in the District. **NOPA**, 800 F Street NW Retailer CR02, Lic.#: 90984.

Decision: Approved 4-0-0

10. Review of letter, dated July 8, 2013, from James and Mazine Bell requesting reinstatement as Protestants for Busboys & Poets. The Protestants were dismissed at the Roll Call Hearing for failure to appear. **Busboys & Poets**, 235 Carroll Street NW Retailer CR03, Lic.#: 92008.

Decision: Denied 4-0-0

11. Review of letter, dated July 8, 2013, from Jerry Moore requesting reinstatement of the renewal for Bon Appetit Management Company's License. Bon Appetit Management Company was dismissed at the Roll Call Hearing for failure to appear. **Bon Appetit Management Company**, 4400 Massachusetts Avenue NW Retailer DR03, Lic.#: 71077.

Decision: Denied 4-0-0

*** 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
SUPPLEMENTAL LICENSING AGENDA

WEDNESDAY, JULY 17, 2013 AT 1:00 PM
2000 14TH STREET, NW, SUITE 400S, WASHINGTON, D.C. 20009

1. Continue review of documentation to make determination of full service grocery store. *Walmart* 99 H Street NW Retailer B, Lic#:92202
Decision: Placard 4-0-0
2. Request to add Entertainment Endorsement/Live Music. No conflict with Voluntary Agreement. *La Plaza Mexican Restaurant* 629 Pennsylvania Ave SE Retailer Class CR, Lic# 060614.
Decision: Placard 4-0-0
3. Review Stipulated License request for Summer Garden. No Conflict with Voluntary Agreement. *Dickson Wine* 903 U Street NW Retailer CT, Lic#:082216.
Decision: Approved 4-0-0
4. Review Stipulated License request for Sidewalk Café. No conflicts. *Tryst* 2459 18th Street NW Retailer CR, Lic#:025781.
Decision: Approved 4-0-0
5. Review of Manager's Application-*Brandon D. Brown*
Decision: Approved 4-0-0
6. Review of letter from Mr. Kline in response to the letters submitted Ramon Estrada and Elwyn Ferris regarding Policy's Petition to Terminate the Settlement Agreement. *Policy* at 1902-1906 14th Street, NW; License No. 76804.
No action required.
7. Review of letter from Commissioner Jay Williams, ANC6A05 requesting placard for *Sahara Hookah Lounge*, 1200 H Street NE Retailer CT, Lic.#: 87558.
Decision: Consider connection with Agenda Item # 2.
8. Review of letter from Alma Barber requesting reinstatement of Protestants for *Busboys & Poets*, 235 Carroll Street NW Retailer CR03, Lic.#: 92008. *See item #10 on the Board's Agenda, July 17, 2013.*
Decision: Denied 4-0-0

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
INVESTIGATIVE AGENDA

WEDNESDAY, JULY 17, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

On July 17, 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-CC-00031 Compact Market, 1613 MONTELLO AVE NE Retailer B Retail - Grocery, License#: ABRA-074267

Decision: Staff Settlement

2. Case#13-CC-00032 Greenway Liquors, 3700 MINNESOTA AVE NE Retailer A Retail - Liquor Store, License#: ABRA-075614

Decision: Staff Settlement

3. Case#13-251-00052 Recessions II, 1823 L ST NW B Retailer C Restaurant, License#: ABRA-060567

Decision: No Further Action

4. Case#13-CMP-00221 Petworth Liquors, 3210 GEORGIA AVE NW Retailer A Retail - Liquor Store, License#: ABRA-072626

Decision: No Further Action

5. Case#13-CMP-00251 L'Enfant Cafe & Bar, 2000 18TH ST NW Retailer C Restaurant, License#: ABRA-060658

Decision: Staff Settlement

6. Case#13-251-00071 Ozio Martini & Cigar Lounge, 1813 M ST NW Retailer C Nightclub, License#: ABRA-023167

Decision: No Further Action

7. Case#13-AUD-00048 Standard, 1801 14TH ST NW Retailer C Restaurant, License#: ABRA-083769

Decision: No Further Action

8. Case#13-CMP-00223 Fuel Pizza & Wings, 1606 K ST NW Retailer C Restaurant, and License #: ABRA-088452

Decision: Postponed

9. Case#13-CC-00034 7TH L Street Market, 700 L ST SE Retailer B Retail - Class B, License#: ABRA-088611

Decision: Staff Settlement

10. Case#13-CC-00029 Dulcinea Bar and Grill, 2618 GEORGIA AVE NW Retailer C Restaurant, License#: ABRA-088870

Decision: Staff Settlement