

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

BOARD

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IN THE MATTER OF:

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A.B.R.A. AGENDA

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MAY 1, 2013

The Alcoholic Beverage Control Board
met in Alcoholic Beverage Control Hearing Room,

Reeves Building, 2000 14th Street, N.W.,
Washington, D.C., Ruthanne Miller, Chairperson,
presiding.

PRESENT

RUTHANNE MILLER, Chairperson

HERMAN JONES, Member

MICHAEL SILVERSTEIN, Member

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P-R-O-C-E-E-D-I-N-G-S

10:08 p.m.

CHAIRPERSON MILLER: This is meeting agenda for Wednesday, May 1st, 2013.

First on the agenda is correspondence from Christopher Wells on behalf of Vertigo, Inc., Sutra Lounge/Viet Thai requesting the Transfer Consent Form be withdraw due to breach by landlord. The establishment is Sutra Lounge/Viet Thai, 2406 18th Street, N.W., License No. 82430.

I move that we postpone consideration of No. 1. My understanding is that this isn't really ready for review yet. Second? Somebody have a second?

MEMBER SILVERSTEIN: Second.

CHAIRPERSON MILLER: Okay. Mr. Silverstein has seconded. All those in favor, say aye? Aye.

MEMBER SILVERSTEIN: Aye.

CHAIRPERSON MILLER: All those opposed?

1 (No audible response.)

2 CHAIRPERSON MILLER: All those
3 abstaining?

4 MEMBER JONES: Abstain.

5 CHAIRPERSON MILLER: Okay. Vote is
6 2-0-1.

7 No. 2 is an application for a
8 substantial change for a cover charge. And this
9 is for Chi Cha Lounge located at 1624 U Street,
10 License No. 26519.

11 I move that we approve this cover
12 charge. Do I have a second?

13 MEMBER SILVERSTEIN: Second.

14 CHAIRPERSON MILLER: Mr. Silverstein
15 has seconded. All those in favor, say aye?
16 Aye.

17 MEMBER SILVERSTEIN: Aye.

18 CHAIRPERSON MILLER: All those
19 opposed?

20 (No audible response.)

21 CHAIRPERSON MILLER: All those
22 abstaining?

1 MEMBER JONES: Abstain.

2 CHAIRPERSON MILLER: The vote is 2-
3 0-1.

4 Okay. No. 3 is an application for a
5 substantial change for a second summer garden
6 with 20 seats. This is for the Sea Catch
7 located at 1054 31st Street, N.W., License No.
8 10801. And there's no settlement agreement,
9 it's in ANC 2E, and there are no outstanding
10 fines or citations or investigative matters.
11 The hours of a summer garden would be Sunday
12 through Saturday 11:30 a.m. to 10:00 p.m.

13 So the question is I believe should
14 we placard this as it's a summer garden or --
15 this is in Georgetown on 31st Street.

16 MEMBER JONES: So it's a second
17 summer garden?

18 CHAIRPERSON MILLER: It says second.
19 I don't know where the first one is.

20 MEMBER JONES: So where is it going
21 to be in proximity to anything surrounding it?
22 Do we have any information on it? Is it in the

1 back? Is it in the front?

2 CHAIRPERSON MILLER: Right.

3 MEMBER JONES: Next to the existing
4 summer garden? Is it really an 80-seat summer
5 garden now? Like what is this?

6 CHAIRPERSON MILLER: I think we
7 should probably placard it. Let's see. I will
8 say that the file says the Canal Square
9 Associates at 1054 31st Street agrees and gives
10 permission to them to do it. That's in the
11 record.

12 MEMBER JONES: Okay. But do we know
13 where this is going to be? Is it next to,
14 adjacent to, front, back? Is it just an 80-seat
15 summer garden now, essentially? Is it on the
16 roof?

17 CHAIRPERSON MILLER: Why do you see
18 80?

19 MEMBER SILVERSTEIN: Here's the
20 location.

21 MEMBER JONES: I don't know where --

22 CHAIRPERSON MILLER: I guess they

1 have 60.

2 MEMBER JONES: -- these new 20 seats
3 are going to be.

4 CHAIRPERSON MILLER: There is a
5 photograph. I think it's the back. But I --

6 MEMBER SILVERSTEIN: Canal Square.
7 It's this building right here.

8 CHAIRPERSON MILLER: Right. It's
9 not in the front.

10 MEMBER JONES: And these hours are
11 exactly -- I don't -- but you all didn't tell me
12 where the seats are going to be. So right now
13 looking at that picture, where are the existing
14 60?

15 MEMBER SILVERSTEIN: Inside there.

16 MEMBER JONES: A summer garden
17 inside?

18 CHAIRPERSON MILLER: No, it's --

19 MEMBER SILVERSTEIN: Well, it would
20 have to be inside --

21 CHAIRPERSON MILLER: The courtyard?

22 MEMBER SILVERSTEIN: -- the

1 courtyard area.

2 MEMBER JONES: Okay. So if there's
3 60 seats --

4 MEMBER SILVERSTEIN: Because it
5 can't be on the street.

6 CHAIRPERSON MILLER: Right. It's in
7 the back.

8 MEMBER JONES: If there are 60 seats
9 inside the courtyard area, then where are the
10 new 20 seats going? Where is the second summer
11 garden? I can't conceptualize where that would
12 be.

13 CHAIRPERSON MILLER: Right. I don't
14 think we have enough information for that.
15 That's why I think we should placard it.

16 MEMBER SILVERSTEIN: We cannot
17 determine based on what information I'm looking
18 at here whether this would be a concern to the
19 neighbors, to the ANC. And as such I would
20 suggest that we placard and allow the process to
21 unfold.

22 MEMBER JONES: All right. And the

1 hours are the same?

2 MEMBER SILVERSTEIN: Yes.

3 MEMBER JONES: It's just a change in
4 the number of seats? Well, that they're adding
5 a second summer garden with the exact same hours
6 as the first summer garden?

7 MEMBER SILVERSTEIN: But we don't
8 know what it overlooks.

9 MEMBER JONES: Correct. I'm just
10 trying to make sure from an hours standpoint the
11 hours are exactly the same as the existing
12 summer garden. The second summer garden would
13 have those exact same hours?

14 CHAIRPERSON MILLER: That's what it
15 says. Yes, that's what it says, 11:30 a.m. to
16 10:00 p.m.

17 MEMBER JONES: 11:30 a.m. to 10:00
18 p.m. All right. I got it. Sounds like a
19 placard because I just don't know where these 20
20 seats are.

21 CHAIRPERSON MILLER: Okay. I think
22 we're all agreed. So I'm going to make a motion

1 to placard. Do I have a second?

2 MEMBER SILVERSTEIN: Second.

3 CHAIRPERSON MILLER: Okay. All
4 those in favor, say aye?

5 (Chorus of ayes.)

6 CHAIRPERSON MILLER: All those
7 opposed?

8 (No audible response.)

9 CHAIRPERSON MILLER: All those
10 abstaining?

11 (No audible response.)

12 CHAIRPERSON MILLER: The vote is 3-
13 0-0.

14 All right. No. 4 is a substantial
15 change application again for a summer garden for
16 10 seats. And this is for Sakura Japanese
17 Restaurant at 2026 P Street, N.W. The proposed
18 hours would be Sunday through Friday 11:30 a.m.
19 to 10:30 p.m. and Saturday 5:30 p.m. to 10:30
20 p.m. Again there's no settlement agreement, no
21 outstanding fines and citations and no
22 investigative matters.

1 MEMBER JONES: Same question: Do we
2 know where the summer garden would be, where the
3 layout? P Street doesn't necessarily have --

4 MEMBER SILVERSTEIN: My
5 understanding of this is that this is that
6 little area in the front where they have had a
7 summer garden for a million years. It's just
8 not been on the -- they're basically trying to
9 normalize what they've been doing, come into
10 compliance. It has been there and was there
11 even before this was Sakura. That's a little
12 Japanese sushi restaurant in the 2000 block of P
13 Street that has about four tables in the front.
14 It's below the street level and it's been
15 operating that way forever. There are no
16 residences directly in that -- even in that
17 block.

18 MEMBER JONES: So it sounds like
19 you're speaking from first-hand experience,
20 first-hand knowledge.

21 MEMBER SILVERSTEIN: This is a
22 block-and-a-half from where I live, yes.

1 MEMBER JONES: Okay. So I would
2 defer to your perspective.

3 CHAIRPERSON MILLER: Okay. We have
4 in our record a letter from the owner that says,
5 "This confirms that his tenant of the ground
6 floor unit at 2026 P Street, N.W., Sakura
7 Restaurant, is authorized under its lease to use
8 the front space out to the railing for outdoor
9 seating and dining."

10 Yes, this is a busy commercial
11 street. This block of P Street is, right? I
12 think I have familiarity with that as well.

13 We do have a Certificate of
14 Occupancy in the record, though it's hard to
15 read it.

16 Okay. And this is just for 10
17 seats. Do we feel comfortable approving this?

18 MEMBER SILVERSTEIN: I'm perfectly
19 comfortable approving it.

20 MEMBER JONES: I approve.

21 CHAIRPERSON MILLER: Okay. Then
22 I'll make a formal motion to approve. All those

1 in favor, say aye?

2 (Chorus of ayes.)

3 CHAIRPERSON MILLER: All those
4 opposed?

5 (No audible response.)

6 CHAIRPERSON MILLER: All those
7 abstaining?

8 (No audible response.)

9 CHAIRPERSON MILLER: The motion
10 passes 3-0-0.

11 Okay. Moving along to No. 5, which
12 is also an application for a substantial change.
13 And this is for a change of hours for
14 entertainment. It has approved hours of
15 entertainment from 7:00 to 10:00 p.m. on
16 Wednesdays and it would like this to Monday and
17 Wednesday 7:00 to 10:00. This is for Bistro
18 Lepic at 1736 Wisconsin Avenue, N.W., License
19 No. 21918. And there's no settlement agreement
20 in this case or pending investigative matters or
21 outstanding fines and citations.

22 So I would move that we approve

1 this. This is just inside. It's adding one
2 other day during the week. Same hours that it's
3 been operating under.

4 MEMBER JONES: I concur.

5 CHAIRPERSON MILLER: Okay. So then
6 I --

7 MEMBER SILVERSTEIN: Second.

8 CHAIRPERSON MILLER: -- would move
9 to approve. Seconded by Mr. Silverstein. All
10 those in favor, say aye?

11 (Chorus of ayes.)

12 CHAIRPERSON MILLER: All those
13 opposed?

14 (No audible response.)

15 CHAIRPERSON MILLER: All those
16 abstaining?

17 (No audible response.)

18 CHAIRPERSON MILLER: Okay. Passes
19 3-0-0.

20 No. 6 is an application for a
21 license in safekeeping for Carolina Deli &
22 Beverage located at 3429 14th Street, N.W.,

1 License No.73897. There are no investigative
2 matters, outstanding fines or a settlement
3 agreement. This is related to a dispute with
4 the landlord.

5 I would move that we grant putting
6 it in safekeeping for six months. Do I have a
7 second?

8 MEMBER SILVERSTEIN: Second.

9 CHAIRPERSON MILLER: Any comments or
10 questions?

11 (No audible response.)

12 CHAIRPERSON MILLER: Okay. All
13 those in favor, say aye? Aye.

14 MEMBER SILVERSTEIN: Aye.

15 CHAIRPERSON MILLER: All those
16 opposed?

17 (No audible response.)

18 CHAIRPERSON MILLER: All those
19 abstaining?

20 MEMBER JONES: Abstain.

21 CHAIRPERSON MILLER: Okay. Motion
22 passes 2-0-1.

1 No. 7 is also an application for
2 putting a license in safekeeping. This is for
3 Souk Restaurant located at 1208 H Street, N.E.,
4 License No. 88675. Building's undergoing
5 renovation.

6 I would move that we put this one in
7 safekeeping for six months as well.

8 MEMBER SILVERSTEIN: Second.

9 CHAIRPERSON MILLER: Okay. Mr.
10 Silverstein has seconded the motion. All those
11 in favor, say aye? Aye.

12 MEMBER SILVERSTEIN: Aye.

13 CHAIRPERSON MILLER: All those
14 opposed?

15 (No audible response.)

16 CHAIRPERSON MILLER: All those
17 abstaining?

18 MEMBER JONES: Abstain.

19 CHAIRPERSON MILLER: Motion passes
20 2-0-1.

21 Okay. No. 8 is an application for a
22 class change from a CR to a CT. This is for

1 Fusion Restaurant & Bar, 4815 Georgia Avenue,
2 N.W. in ANC 4D. And there aren't any
3 investigative matters or outstanding fines or a
4 settlement agreement, but this is a change in
5 class. I think we usually placard that. So I
6 would move that we placard that. Do others have
7 comments?

8 MEMBER JONES: We need to placard
9 that based on the change.

10 CHAIRPERSON MILLER: Okay. Do I
11 have a second for my motion to placard?

12 MEMBER SILVERSTEIN: Second.

13 CHAIRPERSON MILLER: Okay. Mr.
14 Silverstein has seconded the motion. All those
15 in favor, say aye?

16 (Chorus of ayes.)

17 CHAIRPERSON MILLER: All those
18 opposed?

19 (No audible response.)

20 CHAIRPERSON MILLER: All those
21 abstaining?

22 (No audible response.)

1 CHAIRPERSON MILLER: Motion passes
2 3-0-0.

3 No. 9 is an application for an
4 extension of a license in safekeeping for
5 California Liquors at 1801 California Street,
6 N.W., License No. 5018.

7 I understand that this license has
8 been in safekeeping for a year, and therefore I
9 would move that we hold a fact finding hearing
10 on this application. Do I have a second?

11 MEMBER SILVERSTEIN: Second.

12 CHAIRPERSON MILLER: Okay. Any
13 comments on that?

14 (No audible response.)

15 CHAIRPERSON MILLER: All those in
16 favor, say aye? Aye.

17 MEMBER SILVERSTEIN: Aye.

18 CHAIRPERSON MILLER: All those
19 opposed?

20 (No audible response.)

21 CHAIRPERSON MILLER: All those
22 abstaining?

1 MEMBER JONES: Abstain.

2 CHAIRPERSON MILLER: Motion passes
3 2-0-1.

4 No. 10 is also an application for an
5 extension of license in safekeeping for Family
6 Market located at 1309 5th Street, N.E., License
7 No.10660 in ANC 5D.

8 I believe this has been in
9 safekeeping for awhile as well, so I move that
10 we hold a fact finding hearing on this license
11 and safekeeping application. Do I have a
12 second?

13 MEMBER SILVERSTEIN: Second.

14 CHAIRPERSON MILLER: Mr. Silverstein
15 has seconded the motion. All those in favor,
16 say aye? Aye.

17 MEMBER SILVERSTEIN: Aye.

18 CHAIRPERSON MILLER: All those
19 opposed?

20 (No audible response.)

21 CHAIRPERSON MILLER: All those
22 abstaining?

1 MEMBER JONES: Abstain.

2 CHAIRPERSON MILLER: The motion
3 passes 2-0-1.

4 No. 11 is again an application for
5 an extension of license in safekeeping for
6 Zenobia Lounge located at 1025 31st Street,
7 License No. 85003 in ANC 2E.

8 Similarly, I move that we hold a
9 fact finding hearing on this application. It's
10 been in safekeeping for awhile as well. Oh, no.
11 I'm sorry. I don't know if it's been in
12 safekeeping, but there are some questions
13 regarding this license being in safekeeping, so
14 I move that we have a fact finding hearing. Do
15 I have a second?

16 MEMBER SILVERSTEIN: Second.

17 CHAIRPERSON MILLER: Mr. Silverstein
18 has seconded the motion. All those in favor,
19 say aye? Aye.

20 MEMBER SILVERSTEIN: Aye.

21 CHAIRPERSON MILLER: All those
22 opposed?

1 (No audible response.)

2 CHAIRPERSON MILLER: All those
3 abstaining?

4 MEMBER JONES: Abstain.

5 CHAIRPERSON MILLER: Motion passes
6 2-0-1.

7 No. 12 is another application for
8 extension of license in safekeeping. No pending
9 investigative matters, no outstanding fines or
10 citations, no settlement agreement. This one is
11 GW University Club and Alumni House. And it's
12 located at 1918 F Street, N.W., License No.
13 26668 in ANC 2A. And they have asked
14 specifically for an extension to March 31st,
15 2014 to determine which building within their
16 campus will actually have the license.

17 So I move that we approve this
18 request to keep the license in safekeeping until
19 March 31st, 2014. Do I have a second?

20 MEMBER SILVERSTEIN: Second.

21 CHAIRPERSON MILLER: Mr. Silverstein
22 has seconded the motion. All those in favor,

1 say aye? Aye.

2 MEMBER SILVERSTEIN: Aye.

3 CHAIRPERSON MILLER: All those

4 opposed?

5 (No audible response.)

6 CHAIRPERSON MILLER: All those

7 abstaining?

8 MEMBER JONES: Abstain.

9 CHAIRPERSON MILLER: Motion passes

10 2-0-1.

11 No. 13 is an application for
12 extension of license in safekeeping, this time
13 for SOVA Espresso & Wine located at 1359 H
14 Street, N.E., License No. 78578. It's in ANC
15 6A.

16 I move that we grant an extension of
17 the license in safekeeping for six months. Do I
18 have a second?

19 MEMBER SILVERSTEIN: Second.

20 CHAIRPERSON MILLER: Mr. Silverstein

21 has seconded the motion. All those in favor,

22 say aye? Aye.

1 MEMBER SILVERSTEIN: Aye.

2 CHAIRPERSON MILLER: All those
3 opposed?

4 (No audible response.)

5 CHAIRPERSON MILLER: All those
6 abstaining?

7 MEMBER JONES: Abstain.

8 CHAIRPERSON MILLER: Motion passes
9 2-0-1.

10 No. 14 is an application for a
11 substantial change. And this is for a load
12 capacity from 186 to 419. This is for Look
13 located at 1909 K Street, N.W., License No.
14 77812 in ANC 2B. There are pending enforcement
15 matters and investigative matters, but not a
16 conflict with a settlement agreement.

17 So I would be inclined to placard
18 this, but do others have opinions on it?

19 MEMBER SILVERSTEIN: The load
20 capacity is such an increase --

21 CHAIRPERSON MILLER: Yes.

22 MEMBER SILVERSTEIN: -- that I

1 believe that the neighborhood should be allowed
2 to take a look at this. This is a substantial
3 change.

4 CHAIRPERSON MILLER: Okay. Any
5 other comments?

6 MEMBER JONES: I agree.

7 CHAIRPERSON MILLER: Okay. I move
8 to placard. All those in favor, say aye?

9 (Chorus of ayes.)

10 CHAIRPERSON MILLER: All those
11 opposed?

12 (No audible response.)

13 CHAIRPERSON MILLER: All those
14 abstaining?

15 (No audible response.)

16 CHAIRPERSON MILLER: Motion passes
17 3-0-0.

18 No. 15 is a review of an application
19 for a license in safekeeping for Silver Sands
20 Restaurant located at 7303 Georgia Avenue, N.W.
21 They say that they're in the process of leasing
22 the property.

1 I would move to approve or grant the
2 application for a license in safekeeping for a
3 six-month period to cover that period of time.
4 Do I have a second?

5 MEMBER SILVERSTEIN: Second.

6 CHAIRPERSON MILLER: Mr. Silverstein
7 has seconded the motion. All those in favor,
8 say aye? Aye.

9 MEMBER SILVERSTEIN: Aye.

10 CHAIRPERSON MILLER: All those
11 opposed?

12 (No audible response.)

13 CHAIRPERSON MILLER: All those
14 abstaining?

15 MEMBER JONES: Abstain.

16 CHAIRPERSON MILLER: Okay. No. 16
17 is a request dated March 25th, 2013 from
18 Washington Wholesale Liquor Company for approval
19 to provide retailers with products valued at
20 more than \$50 and less than \$500. The
21 establishment is Washington Wholesale Liquor
22 Company, LLC located at 2800 V Street, N.E.,

1 License No. 60518.

2 I move that we approve this request.

3 Do I have a second?

4 MEMBER SILVERSTEIN: Second.

5 CHAIRPERSON MILLER: Mr. Silverstein

6 has seconded the motion. All those in favor,

7 say aye? Aye.

8 MEMBER SILVERSTEIN: Aye.

9 CHAIRPERSON MILLER: All those

10 opposed?

11 (No audible response.)

12 CHAIRPERSON MILLER: All those

13 abstaining?

14 MEMBER JONES: Abstain.

15 CHAIRPERSON MILLER: Motion passes

16 2-0-1.

17 No. 17 is an application for a

18 substantial change for a sidewalk caf, with 32

19 seats. This is for Cava Mezze Grill located at

20 4237 Wisconsin Avenue, N.W. located in ANC 2B.

21 The sidewalk caf,'s hours would be Sunday

22 through Saturday 11:30 a.m. to 10:00 p.m.

1 There's no pending investigative matters or
2 enforcement matters, no outstanding fines or
3 citations, no conflict with settlement
4 agreement. And I believe this is on --

5 MEMBER SILVERSTEIN: And I would
6 point out this cannot possibly be in ANC 2B, and
7 it's certainly in my SMD if it's at 4237
8 Wisconsin Avenue.

9 CHAIRPERSON MILLER: It's probably
10 3.

11 MEMBER SILVERSTEIN: I think so.

12 CHAIRPERSON MILLER: Let me just
13 see. Oh, actually I don't have the
14 documentation in my file. Do you have the
15 documentation on the computer? I just have this
16 request.

17 MEMBER SILVERSTEIN: As to the ANC?

18 CHAIRPERSON MILLER: No, as to this
19 application in general.

20 MEMBER SILVERSTEIN: No, I do not.

21 CHAIRPERSON MILLER: I have the
22 description, the request for the hours.

1 MEMBER SILVERSTEIN: A sidewalk caf,
2 in the 4200 block of Wisconsin Avenue, that
3 would put it up in --

4 CHAIRPERSON MILLER: Tenley?

5 MEMBER SILVERSTEIN: -- Tenley.

6 CHAIRPERSON MILLER: Yes.

7 MEMBER SILVERSTEIN: Short of
8 Tenley.

9 CHAIRPERSON MILLER: Right. I know
10 where it is. I don't think it's near any
11 residences, but --

12 MEMBER SILVERSTEIN: Let me just
13 take a quick look here. That looks to me --

14 CHAIRPERSON MILLER: That's was
15 where Armand's was.

16 MEMBER SILVERSTEIN: -- like it's
17 two doors down from Armand's.

18 CHAIRPERSON MILLER: Right.

19 MEMBER SILVERSTEIN: You've got
20 nobody -- I don't think --

21 CHAIRPERSON MILLER: Right.

22 MEMBER SILVERSTEIN: -- we'd be

1 bothering the --

2 CHAIRPERSON MILLER: The gas
3 station.

4 MEMBER SILVERSTEIN: -- people at
5 the gas station.

6 CHAIRPERSON MILLER: Right. We're
7 looking on Google. Okay.

8 MEMBER SILVERSTEIN: Or the
9 cleaners. And Armand's is out of business.

10 CHAIRPERSON MILLER: Okay. So I
11 would move we approve it.

12 MEMBER SILVERSTEIN: Do we want to
13 do a --

14 MEMBER JONES: Sidewalk caf, .

15 MEMBER SILVERSTEIN: -- sidewalk
16 caf, with 32 seats?

17 MEMBER JONES: I would placard.

18 MEMBER SILVERSTEIN: Placard.

19 CHAIRPERSON MILLER: Well, there
20 don't seem to be any neighbors there.

21 MEMBER SILVERSTEIN: Is there anyone
22 behind it? And is this not a sidewalk caf,

1 already? Are they attempting to --

2 CHAIRPERSON MILLER: What is that?

3 Okay.

4 MEMBER SILVERSTEIN: Oh, that's 39,
5 so this would be -- it would be here with the
6 cleaners? Would it be that is no longer a
7 cleaner but is going to become a Mezze place?

8 MEMBER JONES: I would placard.

9 MEMBER SILVERSTEIN: Let's placard
10 it.

11 CHAIRPERSON MILLER: Let me just say
12 this: Otherwise I don't have the underlying
13 material that might explain it.

14 MEMBER SILVERSTEIN: Let's placard
15 it then.

16 CHAIRPERSON MILLER: Why don't we
17 postpone it one week, because maybe there's
18 something in the file that actually addresses
19 this.

20 MEMBER JONES: So why didn't
21 postpone the others then?

22 CHAIRPERSON MILLER: Because I have

1 all the documentation for the other two in my
2 file.

3 MEMBER JONES: No, you didn't.

4 CHAIRPERSON MILLER: Yes, I do.

5 MEMBER JONES: You didn't have the
6 layout. Where's the layout for the 20 seats in
7 the second --

8 CHAIRPERSON MILLER: Well, they
9 didn't provide it. I'm saying I don't have the
10 initial --

11 MEMBER JONES: We don't have it.

12 CHAIRPERSON MILLER: I have
13 everything. I had what I needed to see for the
14 other ones. I have the application.

15 MEMBER JONES: Do you have --

16 CHAIRPERSON MILLER: In this case I
17 only have the description.

18 MEMBER JONES: -- the location of
19 the 20 seats for the second?

20 CHAIRPERSON MILLER: I had whatever
21 they submitted.

22 MEMBER JONES: So, but what they

1 submitted isn't necessarily all that you need.

2 CHAIRPERSON MILLER: Right, but in
3 this case I don't know what they submitted and
4 I'm saying if they submitted something that
5 would address our questions, I think it's worth
6 waiting a week. But if it's 2-1 the other way,
7 then that's what it will be. So that would be
8 my recommendation.

9 MEMBER SILVERSTEIN: And that would
10 be the building where the -- I mean there's a --
11 let's placard it.

12 CHAIRPERSON MILLER: Are you
13 making --

14 MEMBER SILVERSTEIN: I move we
15 placard it.

16 MEMBER JONES: Second.

17 CHAIRPERSON MILLER: Okay. There's
18 a motion to placard that's been seconded. All
19 those in favor, say aye?

20 MEMBER JONES: Aye.

21 MEMBER SILVERSTEIN: Aye.

22 CHAIRPERSON MILLER: All those

1 opposed?

2 CHAIRPERSON MILLER: All those
3 abstaining? Abstaining.

4 CHAIRPERSON MILLER: So the motion
5 passes 2-0-1 with Miller abstaining on this one.

6 Okay. No. 18 is a letter dated
7 March 11th, 2013 from Ryan Malkin requesting
8 permission to provide shelf displays to off-
9 premises retailers that cost more than \$50 but
10 less than \$500.

11 I move that we approve. Do I have a
12 second?

13 MEMBER SILVERSTEIN: Second.

14 CHAIRPERSON MILLER: Mr. Silverstein
15 has seconded the motion. All those in favor,
16 say aye? Aye.

17 MEMBER SILVERSTEIN: Aye.

18 CHAIRPERSON MILLER: All those
19 opposed?

20 (No audible response.)

21 CHAIRPERSON MILLER: All those
22 abstaining?

1 MEMBER JONES: Abstain.

2 CHAIRPERSON MILLER: Motion passes
3 2-0-1.

4 No. 19 are letters dated April 12th,
5 2013 and April 19th, 2013 from John Xereas
6 requesting that the Board suspend Penn Social's
7 license. Penn Social, formerly Riot Act, is
8 located at 801 E Street, N.W., License No.86808.
9 Mr. Xereas makes many allegations in these
10 letters regarding violations of ABC laws, as
11 well as other laws.

12 I move that we refer these letters
13 to our investigative staff for investigation.
14 Do I have a second?

15 MEMBER SILVERSTEIN: Second.

16 CHAIRPERSON MILLER: Mr. Silverstein
17 has seconded the motion. All those in favor,
18 say aye? Aye.

19 MEMBER SILVERSTEIN: Aye.

20 CHAIRPERSON MILLER: All those
21 opposed?

22 (No audible response.)

1 CHAIRPERSON MILLER: All those
2 abstaining?

3 MEMBER JONES: Abstain.

4 CHAIRPERSON MILLER: Motion passes
5 2-0-1.

6 Okay. Now I want to do 20 through
7 24 on our list at the same time. They're all
8 petitions to terminate settlement agreements.
9 The first is Habana Village located at 1834
10 Columbia Road, License No. 24197. Twenty-one is
11 the Blaguard, 2003 18th Street, N.W., License
12 No. 72512. No. 22 is Bourbon, 2321 18th Street,
13 N.W., License No. 70823. Twenty-three is George
14 located at 3251 Prospect Street, N.W., License
15 No. 78058. No. 24 is Black Cat located at 1811
16 14th Street, N.W., License No. 60476.

17 Okay. I'm going to amend that and
18 take out 22. So 20, 21, 23, 24 are all
19 petitions to terminate settlement agreements and
20 I move that we placard these petitions. Do I
21 have a second?

22 MEMBER SILVERSTEIN: Second.

1 CHAIRPERSON MILLER: Mr. Silverstein
2 has seconded the motion. All those in favor,
3 say aye? Aye.

4 MEMBER SILVERSTEIN: Aye.

5 CHAIRPERSON MILLER: All those
6 opposed?

7 (No audible response.)

8 CHAIRPERSON MILLER: All those
9 abstaining?

10 MEMBER JONES: Abstain.

11 CHAIRPERSON MILLER: Motion passes
12 2-0-1.

13 MEMBER SILVERSTEIN: Madam Chair?

14 CHAIRPERSON MILLER: Yes? Did
15 somebody say something?

16 MEMBER SILVERSTEIN: No. 22 --

17 CHAIRPERSON MILLER: Yes.

18 MEMBER SILVERSTEIN: -- is a CT
19 license. It is not up for renewal, and as such
20 the request is improper --

21 CHAIRPERSON MILLER: Okay.

22 MEMBER SILVERSTEIN: -- in that this

1 is not the period in which one can petition for
2 termination.

3 CHAIRPERSON MILLER: Okay.

4 MEMBER SILVERSTEIN: Whether we
5 should deny it or whether we should simply take
6 no action.

7 CHAIRPERSON MILLER: Well, I think
8 we should deny it as out of time, because it's
9 not -- whatever. It's not available at this
10 time.

11 MEMBER SILVERSTEIN: Right.

12 CHAIRPERSON MILLER: As you said.
13 Okay. So I move to deny. Do I have a second?

14 MEMBER SILVERSTEIN: Second.

15 CHAIRPERSON MILLER: All those in
16 favor of the motion to deny, say aye? Aye.

17 MEMBER SILVERSTEIN: Aye.

18 CHAIRPERSON MILLER: All those
19 opposed?

20 (No audible response.)

21 CHAIRPERSON MILLER: All those
22 abstaining?

1 MEMBER JONES: Abstain.

2 CHAIRPERSON MILLER: The motion
3 passes 2-0-1.

4 No. 25 is a settlement agreement
5 dated April 10, 2013 between Sticky Fingers and
6 ANC 1A located at 1370 Park Road, N.W., License
7 No. 91395. I move to approve this settlement
8 agreement. Do I have a second?

9 MEMBER SILVERSTEIN: Second.

10 CHAIRPERSON MILLER: Mr. Silverstein
11 has seconded the motion. All those in favor,
12 say aye? Aye.

13 MEMBER SILVERSTEIN: Aye.

14 CHAIRPERSON MILLER: All those
15 opposed?

16 (No audible response.)

17 CHAIRPERSON MILLER: All those
18 abstaining?

19 MEMBER JONES: Abstain.

20 CHAIRPERSON MILLER: The motion
21 passes 2-0-1.

22 No. 26 is a settlement agreement

1 dated April 11, 2013 between Masala Art and ANC
2 3E. Masala Art is located at 441 Wisconsin
3 Avenue, N.W., License No. 82973.

4 I move we approve this settlement
5 agreement. Do I have a second?

6 MEMBER SILVERSTEIN: Second.

7 CHAIRPERSON MILLER: All those in
8 favor, say aye? Aye.

9 MEMBER SILVERSTEIN: Aye.

10 CHAIRPERSON MILLER: All those
11 opposed?

12 (No audible response.)

13 CHAIRPERSON MILLER: All those
14 abstaining?

15 MEMBER JONES: Abstain.

16 CHAIRPERSON MILLER: The motion
17 passes 2-0-1.

18 No. 27 is a settlement agreement
19 dated March 25th, 2013 between The Elroy and ANC
20 6A. The Elroy is located at 645 New York
21 Avenue, N.W., License No. 91452.

22 I move that we approve this

1 settlement agreement. Do I have a second?

2 MEMBER SILVERSTEIN: Second.

3 CHAIRPERSON MILLER: Mr. Silverstein
4 has seconded the motion. All those in favor,
5 say aye? Aye.

6 MEMBER SILVERSTEIN: Aye.

7 CHAIRPERSON MILLER: All those
8 opposed?

9 (No audible response.)

10 CHAIRPERSON MILLER: All those
11 abstaining?

12 MEMBER JONES: Abstain.

13 CHAIRPERSON MILLER: The motion
14 passes 2-0-1.

15 Twenty-eight is a settlement
16 agreement dated April 16th, 2013 between Compass
17 Rose and Shaw-Dupont Citizens Alliance. Compass
18 Rose, formerly Street, is located at 1346 T
19 Street, N.W., License No. 91140.

20 I move that we approve this
21 settlement agreement. Do I have a second?

22 MEMBER SILVERSTEIN: Second.

1 CHAIRPERSON MILLER: Mr. Silverstein
2 has seconded the motion. All those in favor,
3 say aye? Aye.

4 MEMBER SILVERSTEIN: Aye.

5 CHAIRPERSON MILLER: All those
6 opposed?

7 (No audible response.)

8 CHAIRPERSON MILLER: All those
9 abstaining?

10 MEMBER JONES: Abstain.

11 CHAIRPERSON MILLER: The motion
12 passes 2-0-1.

13 No. 29 is another settlement
14 agreement dated April 16th, 2013 between
15 Fainting Goat, Shaw-Dupont Citizens Alliance and
16 a Group of 12. Fainting Goat is located at 1330
17 U Street, N.W., License No. 91244.

18 I move that we approve this
19 settlement agreement.

20 MEMBER SILVERSTEIN: Second.

21 CHAIRPERSON MILLER: All those in
22 favor, say aye? Aye.

1 MEMBER SILVERSTEIN: Aye.

2 CHAIRPERSON MILLER: All those
3 opposed?

4 (No audible response.)

5 CHAIRPERSON MILLER: All those
6 abstaining?

7 (No audible response.)

8 CHAIRPERSON MILLER: The motion
9 passes 2-0-1.

10 That concludes our meeting agenda.
11 We have a supplemental agenda.

12 All right. No. 1 on the
13 supplemental agenda is a request for an
14 entertainment endorsement. This is for Kahn's
15 located at 1125 H Street, N.E., License No.
16 84082 in ANC 6A. This was previously reviewed
17 by the Board on March 27th, 2013 on the agenda
18 and corrections have been made.

19 I would move that we approve this
20 entertainment endorsement.

21 MEMBER SILVERSTEIN: Second.

22 CHAIRPERSON MILLER: Okay. All

1 those in favor of the motion to approve, say
2 aye? Aye.

3 MEMBER SILVERSTEIN: Aye.

4 CHAIRPERSON MILLER: All those
5 opposed?

6 (No audible response.)

7 CHAIRPERSON MILLER: All those
8 abstaining?

9 MEMBER JONES: Abstain.

10 CHAIRPERSON MILLER: The motion
11 passes 2-0-1.

12 Next is an application for an
13 entertainment endorsement. This is for Meze
14 located at 2437 18th Street, N.W., License
15 No. --

16 MEMBER SILVERSTEIN: Wait, wait.
17 No. 1?

18 CHAIRPERSON MILLER: Did I do it
19 wrong? We're going to go off the record for a
20 second.

21 (Whereupon, at 10:41 p.m. off the
22 record until 10:42 p.m.)

1 CHAIRPERSON MILLER: Okay.

2 MEMBER SILVERSTEIN: Madam Chair, I
3 would like to move that we re-placard. This is
4 Kahn's.

5 CHAIRPERSON MILLER: Right.

6 MEMBER SILVERSTEIN: 1125 H Street,
7 N.E.

8 CHAIRPERSON MILLER: I would second
9 your motion. I misread my own handwriting. And
10 this is one that needs to be re-placarded and I
11 had read my handwriting as replaced. Oh, so
12 we're going to just placard. It had a mistake
13 on it before and it's been corrected, and now
14 it's ready to be placarded. So, yes. Okay.
15 All those in favor of re-placarding, say aye?
16 Aye.

17 MEMBER SILVERSTEIN: Aye.

18 CHAIRPERSON MILLER: All those
19 opposed?

20 (No audible response.)

21 CHAIRPERSON MILLER: All those
22 abstaining?

1 MEMBER JONES: Abstain.

2 CHAIRPERSON MILLER: Okay. The
3 motion to placard is granted.

4 The next is an application for an
5 entertainment endorsement for Meze located at
6 2437 18th Street.

7 MEMBER SILVERSTEIN: I move we
8 approve.

9 CHAIRPERSON MILLER: You move we
10 approve? Okay. The proposed hours of
11 entertainment are Sunday through Thursday 8:00
12 p.m. to 1:30 p.m. and Friday and Saturday 8:00
13 p.m. to 2:00 a.m. It's in ANC 1C. There's no
14 conflict with a settlement agreement. Okay.

15 MEMBER SILVERSTEIN: I move we
16 approve.

17 CHAIRPERSON MILLER: Okay. I
18 second. All those in favor, say aye? Aye.

19 MEMBER SILVERSTEIN: Aye.

20 CHAIRPERSON MILLER: All those
21 opposed?

22 (No audible response.)

1 CHAIRPERSON MILLER: All those
2 abstaining?

3 MEMBER JONES: Abstain.

4 CHAIRPERSON MILLER: Motion passes
5 2-0-1.

6 Next are letters dated April 12th
7 2013, April 19th, 2013 from John Xereas
8 requesting that the Board reconsider Penn
9 Social's trade name change. Penn Social,
10 formerly Riot Act, is located at 801 E Street,
11 N.W., License No. 86808.

12 Okay. This is related to the other
13 Penn Social case. Just another aspect of it
14 regarding a trade name change. I would move
15 that we refer these letters to our investigative
16 department to investigate.

17 MEMBER SILVERSTEIN: Second.

18 CHAIRPERSON MILLER: Okay. Motion
19 has been seconded. All those in favor, say aye?
20 Aye.

21 MEMBER SILVERSTEIN: Aye.

22 CHAIRPERSON MILLER: All those

1 opposed?

2 (No audible response.)

3 CHAIRPERSON MILLER: All those
4 abstaining?

5 MEMBER JONES: Abstain.

6 CHAIRPERSON MILLER: Motion passes
7 2-0-1.

8 No. 4 is a letter dated April 24,
9 2013 from Nicolas Makris, owner of the Juniper
10 Group, LLC, trading as the Blaguard, to amend
11 its ABC license to reduce the seating from 49 to
12 35 indoor. And it also has four outdoor seats,
13 but this request concerns the reduction of the
14 indoor seats from 49 to 35. The Blaguard is
15 located at 2003 18th Street, N.W., License No.
16 86012.

17 We have looked at this previously
18 and requested that they get a Certificate of
19 Occupancy that shows 35 seats indoors. And they
20 did so, so I move that we approve. Do I have a
21 second?x

22 MEMBER SILVERSTEIN: Second.

1 CHAIRPERSON MILLER: Mr. Silverstein
2 has seconded the motion. All those in favor,
3 say aye? Aye.

4 MEMBER SILVERSTEIN: Aye.

5 CHAIRPERSON MILLER: All those
6 opposed?

7 (No audible response.)

8 CHAIRPERSON MILLER: All those
9 abstaining?

10 MEMBER JONES: Abstain.

11 CHAIRPERSON MILLER: Motion passes
12 2-0-1.

13 No. 5 is a settlement agreement
14 dated April 24th, 2013 between Jake's American
15 Grille and ANC 3F. Jake's American Grille is
16 located at 5016 Connecticut Avenue, License No.
17 86013.

18 I move that we approve this
19 settlement agreement. Do I have a second?

20 MEMBER SILVERSTEIN: Second.

21 CHAIRPERSON MILLER: Mr. Silverstein
22 has seconded the motion. All those in favor,

1 say aye? Aye.

2 MEMBER SILVERSTEIN: Aye.

3 CHAIRPERSON MILLER: All those
4 opposed?

5 (No audible response.)

6 CHAIRPERSON MILLER: All those
7 abstaining?

8 MEMBER JONES: Abstain.

9 CHAIRPERSON MILLER: Motion passes
10 2-0-1.

11 CHAIRPERSON MILLER: Motion passes
12 2-0-1.

13 No. 6 on our agenda is a review of
14 the Alcoholic Beverage Control Board's
15 reappointment of Frederick P. Moosally as the
16 director of the Alcohol Beverage Regulation
17 Administration.

18 I move that we approve this
19 reappointment. Mr. Moosally has been an
20 outstanding director who hangs in with us even
21 at these late hours. So do I have a second?

22 MEMBER SILVERSTEIN: You have a

1 second, Madam Chair.

2 CHAIRPERSON MILLER: Do I have
3 further comments?

4 MEMBER SILVERSTEIN: I would
5 associate myself with those remarks and point
6 out that although there are only three of us
7 here that our two members who were forced to
8 leave because of prior commitments also
9 expressed their strong support of our director
10 Mr. Moosally.

11 CHAIRPERSON MILLER: And it is now
12 10 of 11:00 at night.

13 MEMBER SILVERSTEIN: Either he is
14 extremely loyal or does not trust us.

15 (Laughter.)

16 CHAIRPERSON MILLER: Any further
17 comments?

18 MEMBER SILVERSTEIN: Madam Chair, I
19 would say it was certainly the former.

20 CHAIRPERSON MILLER: Right. And if
21 it were not such a later hour, we would just be
22 going on and on and on with praise. But anyway,

1 I'll call for a vote then. All those in favor,
2 say aye?

3 (Chorus of ayes.)

4 CHAIRPERSON MILLER: All those
5 opposed?

6 (No audible response.)

7 CHAIRPERSON MILLER: All those
8 abstaining?

9 (No audible response.)

10 CHAIRPERSON MILLER: The motion
11 passes to approve by a vote of 3-0-0.

12 That concludes our agenda items,
13 however, we have change of hours agenda.

- 14
- 15 1. Review of Change of Hours Application to
16 change Hours of Operation and Hours of
17 Alcoholic Beverage Sales. Approved Hours
18 of Operation and Approved Hours of
19 Alcoholic Beverage Sales/Service: Monday
20 through Saturday 7:00 am - 12:00 am.
21 Proposed Hours of Operation and Hours of
22 Alcoholic Beverage Sales/Service: Sunday

1 through Saturday 7:00 am - 12:00 am. No
2 pending investigative matters. No pending
3 enforcement matters. No outstanding
4 fines/citations. No Settlement Agreement.
5 ANC 4A. SMD 4A06. Yene Incorporated T/A
6 Brightwood Liquors, 5916 Georgia Ave, NW.
7 Retailer's Class A, License No.: 072074.

8
9 2. Review of Change of Hours Application to
10 change Hours of Operation and Hours of
11 Alcoholic Beverage Sales. Approved Hours
12 of Operation and Approved Hours of
13 Alcoholic Beverage Sales/Service: Monday
14 through Saturday 9:00 am - 10:00 pm.
15 Proposed Hours of Operation and Hours of
16 Alcoholic Beverage Sales/Service: Sunday
17 through Saturday 7:00 am - 12:00 am. No
18 pending investigative matters. No pending
19 enforcement matters. No outstanding
20 fines/citations. No Settlement Agreement.
21 ANC 4B. SMD 4B02. Kochmar Inc., T/A S &
22 S Liquors, 6925 4th Street, NW.

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Retailer's Class A, License No.: 072300.

3. Review of Change of Hours Application to
change Hours of Operation and Hours of
Alcoholic Beverage Sales. Approved Hours
of Operation and Approved Hours of
Alcoholic Beverage Sales/Service: Sunday
through Saturday 8:00 am - 11:00 pm.
Proposed Hours of Operation: No Change.
Proposed Hours of Alcoholic Beverage
Sales/Service: Sunday through Saturday
9:00 am - 10:00 pm. No pending
investigative matters. No pending
enforcement matters. No outstanding
fines/citations. No Settlement Agreement.
ANC 1D. SMD 1D02. 3636 Woodner Market
LLC T/A Woodner Market, 3636 16th Street,
NW. Retailer's Class A, License No.:
089004.

4. Review of Change of Hours Application to
change Hours of Operation and Hours of

1 Alcoholic Beverage Sales (Sunday Only).
2 Approved Hours of Operation and Approved
3 Hours of Alcoholic Beverage Sales/Service:
4 Sunday through Saturday 9:00 am - 12:00
5 am. Proposed Hours of Operation and
6 Proposed Hours of Alcoholic Beverage
7 Sales/Service: Sunday through Saturday
8 9:00 am - 10:00 pm. No pending
9 investigative matters. No pending
10 enforcement matters. No outstanding
11 fines/citations. No Settlement Agreement.
12 ANC 2F. SMD 2F03. MG Liquors, Inc. T/A
13 Barrel House Liquors, 1341-14th Street,
14 NW. Retailer's Class A, License No.:
15 023984.

16
17 5. Review of Change of Hours Application to
18 change Hours of Operation and Hours of
19 Alcoholic Beverage Sales. Approved Hours
20 of Operation and Approved Hours of
21 Alcoholic Beverage Sales/Service: Monday
22 through Saturday 9:00 am - 10:00 pm.

1 Proposed Hours of Operation and Proposed
2 Hours of Alcoholic Beverage Sales/Service:
3 Sunday through Saturday 7:00 am - 12:00
4 am. No pending investigative matters. No
5 pending enforcement matters. No
6 outstanding fines/citations. No
7 Settlement Agreement. ANC 3E. SMD 3E01.
8 Krishna Corporation T/A Sherry Wine and
9 Spirits, 2627 Connecticut Avenue, NW.
10 Retailer's Class A, License No.: 086022.

11
12 6. Review of Change of Hours Application to
13 change Hours of Operation and Hours of
14 Alcoholic Beverage Sales. Approved Hours
15 of Operation and Approved Hours of
16 Alcoholic Beverage Sales/Service: Monday
17 through Saturday 10:00 am - 9:00 pm.
18 Proposed Hours of Operation and Proposed
19 Hours of Alcoholic Beverage Sales/Service:
20 Sunday through Saturday 9:00 am - 10:00
21 pm. No pending investigative matters. No
22 pending enforcement matters. No

1 outstanding fines/citations. No
2 Settlement Agreement. ANC 7C. SMD 7C04.
3 Melm, Inc. T/A Dave Brown Wine & Liquors,
4 4721 Sheriff Road, NE. Retailer's Class
5 A, License No.: 000407.

6
7 CHAIRPERSON MILLER: All right. We
8 have a change of hours agenda of six
9 establishments that I would move that we approve
10 in bulk, especially given the late hours. And a
11 description of all these will be put in the
12 record. But the establishments are Yene,
13 Incorporated, trading as Brightwood Liquors
14 located at 5916 Georgia Avenue in ANC 4A.
15 Proposing hours of sales Sunday through Saturday
16 7:00 a.m. to 12:00 a.m.

17 Second one is Kochmar, Inc. trading
18 as S & S Liquors located at 6925 4th Street,
19 N.W., License No. 072300 for proposed hours
20 Sunday through Saturday 7:00 a.m. to 12:00 a.m.

21 And Woodner Market located at 3636
22 16th Street, N.W., License No. 089004. Proposed

1 hours Sunday through Saturday 9:00 a.m. to 10:00
2 p.m.

3 Four, Barrel House Liquors located
4 at 1341 14th Street, N.W., License No. 023984.
5 Proposed hours Sunday through Saturday 9:00 a.m.
6 to 12:00 a.m.

7 Five, Krishna Corporation trading as
8 Sherry Wine and Spirits located at 2627
9 Connecticut Avenue, N.W., License No. 086022.
10 The proposed hours Sunday through Saturday 7:00
11 a.m. to 12:00 a.m.

12 And Dave Brown Wine & Liquors, 4721
13 Sheriff Road, N.E., License No. 000407.
14 Proposed hours Sunday through Saturday 9:00 a.m.
15 to 10:00 a.m.

16 I move that approve all the change
17 of hours, the hours that were stated. Do I have
18 a second?

19 MEMBER SILVERSTEIN: Second.

20 CHAIRPERSON MILLER: Mr. Silverstein
21 has seconded the motion. All those in favor,
22 say aye? Aye.

1 MEMBER SILVERSTEIN: Aye.

2 CHAIRPERSON MILLER: All those
3 opposed?

4 (No audible response.)

5 CHAIRPERSON MILLER: All those
6 abstaining?

7 MEMBER JONES: Abstain.

8 CHAIRPERSON MILLER: The motion
9 passes 2-0-1 to approve the change in hours.

10 Supplemental change of hours. We
11 have two.

- 12
- 13 1. Review of Change of Hours Application to
14 change Hours of Operation and Hours of
15 Alcoholic Beverage Sales. Approved Hours
16 of Operation and Approved Hours of
17 Alcoholic Beverage Sales/Service: Monday
18 through Saturday 9:00 am - 10:00 pm.
19 Proposed Hours of Operation and Proposed
20 Hours of Alcoholic Beverage Sales/Service:
21 Sunday through Saturday 9:00 am - 10:00
22 pm. No pending investigative matters. No

1 pending enforcement matters. No
2 outstanding fines/citations. No
3 Settlement Agreement. ANC 2F. SMD 2F06.
4 Pour Liquor & More LLC T/A Modern Liquors,
5 901 M Street, NW. Retailer's Class A,
6 License No.: 084387.
7
8 2. Review of Change of Hours Application to
9 change Hours of Operation and Hours of
10 Alcoholic Beverage Sales. Approved Hours
11 of Operation and Approved Hours of
12 Alcoholic Beverage Sales/Service: Monday
13 through Saturday 9:30 am - 9:00 pm.
14 Proposed Hours of Operation and Proposed
15 Hours of Alcoholic Beverage Sales/Service:
16 Sunday through Saturday 9:30 am - 10:00
17 pm. No pending investigative matters. No
18 pending enforcement matters. No
19 outstanding fines/citations. No
20 Settlement Agreement. ANC 5C. SMD 5C04.
21 Y&D&S, Inc. T/A Sammy's Liquors, 2725
22 Bladensburg Road, NE. Retailer's Class A,

1 License No.: 078174.

2

3 CHAIRPERSON MILLER: One is Modern
4 Liquors located at 901 M Street, N.W., License
5 No. 084387 for hours Sunday through Saturday
6 9:00 a.m. to 10:00 p.m.; and Sammy's Liquors
7 located at 2725 Bladensburg Road, N.E., License
8 No. 078174 for hours Sunday through Saturday
9 9:30 a.m. to 10:00 p.m.

10 I move that we approve both of these
11 applications. Do I have a second?

12 MEMBER SILVERSTEIN: Second.

13 CHAIRPERSON MILLER: Mr. Silverstein
14 has seconded the motion. All those in favor,
15 say aye? Aye.

16 MEMBER SILVERSTEIN: Aye.

17 CHAIRPERSON MILLER: All those
18 opposed?

19 (No audible response.)

20 CHAIRPERSON MILLER: All those
21 abstaining?

22 MEMBER JONES: Abstain.

1 CHAIRPERSON MILLER: Motion passes
2 2-0-1.

3 Okay. Cease and desist?
4 Cancellations. Where are they? We have seven
5 cancellations.

6 No. 1, 1st and Fresh, trading as
7 Fresh. I'm going to read the seven and then ask
8 for a vote on all seven at once. They've
9 requested non-renewal of a caterer's license,
10 located at 1329 Kenilworth Avenue, N.E.

11 No. 2 is Culinaire International,
12 License No. 089360. They've requested non-
13 renewal of their caterer's license, located at
14 1225 1st Street, N.E.

15 No. 3 is DC Bread & Brew, License
16 No. 081481, requested non-renewal of their
17 caterer's license, located at 1247 20th Street,
18 N.W.

19 No. 4 is U.S.A. Liquor, trading as H
20 Street Liquor, turning in their license and
21 requesting that it be canceled, License No.
22 060595, located at 303 H Street, N.E.

1 No. 5 is La Madeleine, License No.
2 023994. They requested non-renewal of a Class
3 CR license, located at 3000 M Street, N.W. And
4 this license is currently in safekeeping.

5 No. 6 is Java Green Coffee and Tea,
6 trading as Caf, Green, License No. 081752,
7 requesting cancellation of Class CR license,
8 located at 1513 17th Street, N.W.

9 And No. 7 is a letter dated April
10 29th, 2013 from Maria Ross, corporate officer
11 for The Dandy One Vessel, License No. 001304,
12 requesting cancellation of Marine Vessel Class C
13 license, located at Zero Prince Street,
14 Alexandria, Virginia. The license is being
15 relinquished.

16 I move that we approve the seven
17 cancellations. Do I have a second?

18 MEMBER SILVERSTEIN: Second.

19 CHAIRPERSON MILLER: Mr. Silverstein
20 has seconded the motion. All those in favor,
21 say aye?

22 (Chorus of ayes.)

1 CHAIRPERSON MILLER: All those
2 opposed?

3 (No audible response.)

4 CHAIRPERSON MILLER: All those
5 abstaining?

6 (No audible response.)

7 CHAIRPERSON MILLER: Motion passes
8 3-0-0.

9 We have cease and desist orders to
10 approve. I have a list that is four page long,
11 and I'm going to request that the list be put in
12 the record and that we approve all on this list
13 except for the ones that I'm going to read now
14 that we --

15 MEMBER SILVERSTEIN: That were paid?

16 CHAIRPERSON MILLER: -- that were
17 paid and therefore there should not be a cease
18 and desist order for the following: These are C
19 licenses. All right. So the first one on this
20 list that we should not issue a cease and desist
21 order for would be ABRA No. 007255, A Slice of
22 Italy Pizzeria - CR - 1331 Pennsylvania Avenue,

1 N.W.

2 I'm going to read the ones that
3 should be off this list and then ask for a vote.

4 Caf, Green should be off this list.
5 We have already just canceled it.

6 Caf, Japone, which is the next one,
7 is a CR, located at 2032 P Street, N.W.

8 On page 2, Caf, Milano should come
9 off the list, located at 3251 Prospect Street,
10 N.W.

11 Crepe Amour & Georgetown Wing Co.,
12 3291 M Street, N.W. should come off the list.

13 Dandy we just canceled. That should
14 be off the list.

15 Holiday Inn Express Hotel & Suites.
16 This is ABRA-082836. It's a CH located at 1917
17 Bladensburg Road, N.E. It should come off the
18 list.

19 And Joe's Noodle House, ABRA-086961.
20 It's a CR located at 2700 New York Avenue, N.E.
21 It should come off this list.

22 On page 3, La Madeleine should come

1 off the list. We just canceled that.

2 Lincoln Theatre, which is ABRA No.
3 060044. It's a CX located at 1215 U Street,
4 N.W. It should come off the list.

5 Marco Polo Restaurant, ABRA No.
6 074276. IT's a CR located at 245 Maple Avenue.
7 It should come off the list.

8 New District Kitchen, ABRA No.
9 87574. It's a CR located at 2606 Connecticut
10 Avenue, N.W. It should come off the list.

11 Turning to page 4, Rugby Caf,,
12 That's ABRA No. 075703. It's a CR located at
13 1065 Wisconsin Avenue, N.W. It should come off
14 the list.

15 And Thai Roma Restaurant, which is
16 ABRA No. 011596. It's a CR located at 313
17 Pennsylvania Avenue, S.E. It should come off
18 the list.

19 On page 5 is Wiseats, which is ABRA
20 No. 088282. It's a CR located at 2132 Wisconsin
21 Avenue, N.W. This should come off the list.

22 And Zorba Caf,, which is ABRA No.

1 007428. It's a CR located at 1612 20th Street,
2 N.W. It should come off the list.

3 So I move that we issue orders to
4 cease and desist for all the remaining orders
5 other than those that I have just identified as
6 should be coming off the list. Do I have a
7 second?

8 MEMBER SILVERSTEIN: Second.

9 CHAIRPERSON MILLER: Mr. Silverstein
10 has seconded the motion. All those in favor,
11 say aye?

12 (Chorus of ayes.)

13 CHAIRPERSON MILLER: All those
14 opposed?

15 (No audible response.)

16 CHAIRPERSON MILLER: All those
17 abstaining?

18 (No audible response.)

19 CHAIRPERSON MILLER: The motion
20 passes 3-0-0.

21 We have another cease and desist
22 group of decisions which are A licenses. Okay.

1 So we have one, two, three, four, five
2 establishments listed and I'm going to move that
3 the fifth establishment, which is Frederick P.
4 Winner, Wholesaler A, ABRA No. 086499, located
5 at 3125-3145 V Street, N.E. come off this list
6 for a cease and desist order and that we issue
7 cease and desist orders for the following four
8 establishments: J B Liguorette, which is ABRA
9 No. 005196, located at 1000 Florida Avenue,
10 N.E.; Capitol Liquors, ABRA No. 072226, located
11 at 1835 Benning Road, N.E.; Cork N Bottle Wine &
12 Spirits, which is ABRA No. 089012, located at
13 7421 Georgia Avenue, N.W.; and Lucky 7 Liquor,
14 ABRA No. 090270, located at 2314 Rhode Island,
15 N.E. That those four be issued cease and desist
16 orders.

17 So the motion is to remove No. 5
18 from the cease and desist list and to issue
19 cease and desist orders for the first four that
20 I listed.

21 MEMBER SILVERSTEIN: Second.

22 CHAIRPERSON MILLER: Mr. Silverstein

1 has seconded the motion. All those in favor,
2 say aye?

3 (Chorus of ayes.)

4 CHAIRPERSON MILLER: All those
5 opposed?

6 (No audible response.)

7 CHAIRPERSON MILLER: All those
8 abstaining?

9 (No audible response.)

10 CHAIRPERSON MILLER: The motion
11 passes 3-0-0.

12 So I think that concludes our
13 business for today. It's 11:00. I just have to
14 read our closed meeting instructions and we need
15 to have a quorum to take a vote on that closing
16 the meetings for next week. We'll be right
17 back.

18 (Whereupon, at 11:01 p.m. off the
19 record until 11:02 p.m.)

20 CHAIRPERSON MILLER: Okay. Last
21 thing.

22 As Chairperson of the Alcoholic

1 Beverage Control Board for the District of
2 Columbia and in accordance with Section 405 of
3 the Open Meetings Amendment Act of 2010, I move
4 that the ABC Board hold a closed meeting on May
5 8th, 2013 for the purpose of seeking legal
6 advice from our counsel on the matters
7 identified on the Board's agenda for May 8th,
8 2013, as published in the D.C. Register on May
9 3rd, 2013. Is there a second?

10 MEMBER SILVERSTEIN: Second.

11 MEMBER BROOKS:

12 CHAIRPERSON MILLER: Mr. Silverstein
13 has seconded the motion. I'll take a roll call
14 vote on the motion before us now that it's been
15 seconded.

16 CHAIRPERSON MILLER: And, Mr. Jones?

17 MEMBER JONES: I agree.

18 CHAIRPERSON MILLER: Mr.
19 Silverstein?

20 MEMBER SILVERSTEIN: I agree.

21 CHAIRPERSON MILLER: Ms. Miller
22 agrees. As it appears that the motion has

1 passed, I hereby give notice that the ABC Board
2 will hold this aforementioned closed meeting
3 pursuant to the Open Meetings Amendment Act of
4 2010. Notice will also be posted on the ABC
5 Board hearing room bulletin board, placed on the
6 electronic calendar on ABRA's Web site and
7 published in the D.C. Register in as timely a
8 manner as practicable.

9 As Chairperson of the Alcoholic
10 Beverage Control Board for the District of
11 Columbia and in accordance with Section 405 of
12 the Open Meetings Amendment Act of 2010, I move
13 that the ABC Board hold a closed meeting on May
14 8th, 2013 for the purpose of discussing and
15 hearing reports concerning ongoing or planned
16 investigations of alleged criminal or civil
17 misconduct or violations of law or regulations
18 and seeking legal advice from our counsel on the
19 Board's investigative agenda for May 8th, 2013
20 as published in the D.C. Register on May 3rd,
21 2013. Is there a second?

22 MEMBER SILVERSTEIN: Second.

1 CHAIRPERSON MILLER: Mr. Silverstein
2 has seconded the motion. I'll now take a roll
3 call vote on the motion now that it's been
4 seconded. Mr. Jones?

5 MEMBER JONES: I agree.

6 CHAIRPERSON MILLER: Mr.
7 Silverstein?

8 MEMBER SILVERSTEIN: I agree.

9 CHAIRPERSON MILLER: Ms. Miller
10 agrees. As it appears that the motion has
11 passed by a 3-0-0 vote, I hereby give notice
12 that the ABC Board will hold this aforementioned
13 closed meeting pursuant to the Open Meetings
14 Amendment Act of 2010. Notice will also be
15 posted on the ABC Board hearing room bulletin
16 board, placed on the electronic calendar on
17 ABRA's Web site and published in the D.C.
18 Register in as timely a manner as practicable.

19 And that concludes our business for
20 May 1st, 2013.

21 (Whereupon, the hearing was
22 concluded at 11:04 p.m.)

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