

**THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:	)	
Fast Trip, LLC	)	Case No.: 15-PRO-00062
t/a Bistro on U Street	)	License No.: 098081
Applicant for a New	)	Order No.: 2015-365
Retailer's Class CT License	)	
at premises	)	
926-928 U Street, N.W.	)	
Washington, D.C. 20009	)	

Fast Trip, LLC t/a Bistro on U Street (Applicant)

James Turner, Chairperson, on behalf of Advisory Neighborhood Commission 1B

**BEFORE:** Ruthanne Miller, Chairperson  
Donald Brooks, Member  
Herman Jones, Member  
Mike Silverstein, Member  
Hector Rodriguez, Member  
James Short, Member

---

**ORDER DENYING APPLICANT'S REQUEST FOR A STIPULATED LICENSE**

---

Fast Trip, LLC t/a Bistro on U Street, (Applicant) has filed an Application for a new Retailer's Class CT License at 926-928 U Street, N.W. Washington, D.C., with the Alcoholic Beverage Control Board (Board). ABRA Licensing File No. ABRA-098081. The Alcoholic Beverage Regulation Administration (ABRA) posted a Notice of Public Hearing on the Applicant's premises on May 1, 2015. ABRA Licensing File No. ABRA-095410, Notice of Public Hearing. The last day to file a petition against the Application was on June 15, 2015 and the Roll Call Hearing in this matter was held on June 29, 2015.

ABRA regulations allow an applicant for a Retailer's Class CT License to obtain a Stipulated License before the Board approves the request for licensure. 23 DCMR § 199. Under a Stipulated License, the Applicant is entitled to sell, serve, and permit the consumption of

alcohol on its premises during the protest period. 23 DCMR §§ 199, 200.1 (c). The applicant must submit to the ABC Board written correspondence from an ANC Officer where the applicant's premises is located stating that the ANC has voted with a quorum present to either support or not to object to the issuance of a stipulated license to the applicant pending completion of the 45-day protest period. 23 DCMR § 200.1(b).

ABRA records indicate that the Applicant applied for a Stipulated License, complete with an ANC support letter, on March 9, 2015. ABRA Licensing File No. ABRA-098081. However, the Advisory Neighborhood Commission (ANC) 1B timely filed a protest against this Application on June 12, 2015. ABRA Licensing File No. ABRA-098081, *ANC Protest Letter*. On June 29, 2015, the Board Agent conducted the Roll Call Hearing and the ANC 1B was granted standing to protest the Application. *Id.*

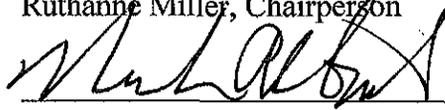
The Board adopts the determination of the Board Agent at the Roll Call Hearing. While the ANC initially supported the Applicant's request for a Stipulated License, its support was deemed withdrawn when it subsequently filed a formal protest against the Application. Therefore, because the ANC has filed a valid protest against the Application, the Board must deny the Stipulated License request filed by the Applicant pursuant to 23 DCMR § 200.1(b).

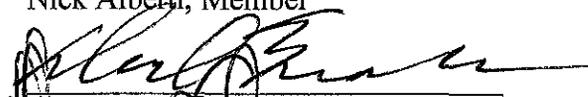
### **ORDER**

Therefore, the Board on this 22nd day of July, 2015, hereby **DENIES** the Applicant's request for a Stipulated License. The Board also adopts the finding and recommendations of its Agent at the Roll Call Hearing. Copies of this Order shall be sent to the Applicant and Chairperson Turner on behalf of the ANC 1B.

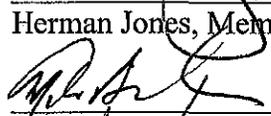
District of Columbia  
Alcoholic Beverage Control Board

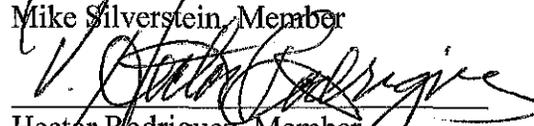
  
\_\_\_\_\_  
Ruthanne Miller, Chairperson

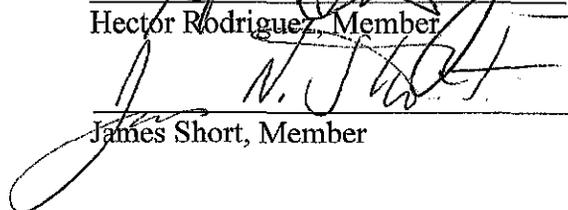
  
\_\_\_\_\_  
Nick Alberti, Member

  
\_\_\_\_\_  
Donald Brooks, Member

  
\_\_\_\_\_  
Herman Jones, Member

  
\_\_\_\_\_  
Mike Silverstein, Member

  
\_\_\_\_\_  
Hector Rodriguez, Member

  
\_\_\_\_\_  
James Short, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, Reeves Center, 2000 14th Street, N.W., 400S, Washington, D.C. 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, District of Columbia Official Code § 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 (April 2004) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. *See* D.C. App. Rule 15(b).