

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, APRIL 24, 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-00033

Giant MJ Corporation t/a Best One Liquor
322 Florida Ave NW
License #86168
Retailer A
ANC 5E

Renewal Application

*(Hearing Cancelled: Board Issued Order on Settlement Agreement and
Withdrawal of ANC 5C's Protest; Order No. 2013-082)*

**Disposition: The Parties submitted a Settlement Agreement for the Board's
review that was approved via Board Order No. 2013-082.**

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00074, # 12-CMP-00091

Mimi & D, LLC, t/a Vita Restaurant and Lounge/Penthouse Nine (formerly
Mood)
1318 9th Street NW
License #86037
Retailer CT
ANC 2F

Violation of Settlement Agreement

**Disposition: The Board accepted an Offer in Compromise: \$750 to be paid
within 30 days, 3-0.**

Board's Calendar

Page -2- April 24, 2013

Show Cause Hearing (Status)

9:30 AM

Case # 12-AUD-00053

M St. Enterprises, Inc., t/a Churreria Madrid Restaurant

2505 Champlain Street NW

License #60806

Retailer CR

ANC 1C

Failed to Provide Invoices; Failed to Maintain Books and Records

Disposition: The Board accepted an Offer in Compromise: \$6,000 to be paid within 60 days (Charge I - \$4,000; Charge II – \$2,000), 3-0.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00460

The Army & Navy Club, t/a The Army & Navy Club

901 17th Street NW

License #114

Retailer CX

ANC 2B

Interfered with an ABRA Investigation

Disposition: The Board accepted an Offer in Compromise: \$1,500 to be paid on April 24, 2013, 3-0.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00477(a)

The NMD Group, LLC, t/a Uniontown Bar & Grill

2200 Martin Luther King Jr., Ave SE

License #84348

Retailer CR

ANC 8A

Felony Conviction

Disposition: The Board scheduled the Show Cause Hearing for June 12, 2013 at 11:00 am.

Show Cause Hearing (Status)

9:30 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

Disposition: The Board scheduled the Show Cause Hearing for June 12, 2013 at 10:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00613

Carnival, Inc., t/a Sunset Liquors
1627 1st Street NW
License #60657
Retailer A
ANC 5E

Sold Fewer Than Six Miniature Bottles of Spirits

Disposition: The Board scheduled the Show Cause Hearing for June 5, 2013 at 11:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00399

Panda Café, Inc., t/a Panda Café
2138 Pennsylvania Ave NW
License #72312
Retailer CR
ANC 2A

Failed to Maintain Books and Records, Failed to Produce Importation Permits, Failed to Post ABC Window Lettering

Disposition: The Board scheduled the Show Cause Hearing for June 5, 2013 at 10:00 am.

Board's Calendar

Page -4- April 24, 2013

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00624

The Propal Group, LLC, t/a Napoleon

1847 Columbia Road NW

License #75836

Retailer CR

ANC 1C

Failed to Post ABC License

Disposition: The Board accepted an Offer in Compromise: \$1,000 to be paid within 14 days, 2-1 (Alberti).

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00683

Federal Center Hotel Associates, LLC, t/a Holiday Inn (Capitol)

550 C Street SW

License #75950

Retailer CH

ANC 6D

No ABC Manager on Duty

Disposition: The Board scheduled the Show Cause Hearing for May 8, 2013 at 10:00 am.

Show Cause Hearing

9:30 AM

Case # 12-AUD-00047

Taj Mahal Enterprises, Ltd, t/a Fiesta Restaurant and Lounge

1327 Connecticut Ave NW

License #882

Retailer CR

ANC 2B

Failed to File Quarterly Statements (3rd Quarter 2012)

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

Board's Calendar
Page -5- April 24, 2013
Fact Finding Hearing

9:30 AM

Pub Crawl
Date of Event: April 27, 2013
Applicants: Alex Lopez and Mike Bramson
Event Name: Pink and Drink 2013
Neighborhood: 1620 I Street NW

The names of the establishments participating in the Pub Crawl are available upon request.

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

Show Cause Hearing

10:00 AM

Case # 12-AUD-00041
Sami Restaurant, LLC, t/a Bistro 18
2420 18th Street NW
License #86876
Retailer CR
ANC 1C
Failed to File Quarterly Statements (1st Quarter 2012)

Disposition: The Board accepted an Offer in Compromise: \$1,000 to be paid within 90 days, 4-0.

Show Cause Hearing

11:00 AM

Case # 12-CC-00087
SJA Foods, Inc., t/a 7 Food Store
1830 Benning Road NE
License #60663
Retailer B
ANC 5D
Sale to Minor

Disposition: The Board accepted an Offer in Compromise: \$3,000 to be paid within 30 days; 5 days served (May 17, 2013 through May 21, 2013), 4-0.

BOARD RECESS AT 12:00 PM

**ADMINISTRATIVE AGENDA
1:00 PM**

Board's Calendar
Page -6- April 24, 2013
Protest Hearing

1:30 PM

Case # 13-PRO-00002
2408 Wisconsin Avenue, LLC, t/a Mason Inn
2408 Wisconsin Ave NW
License #79644
Retailer CT
ANC 3B
Substantial Change (Summer Garden with 48 Seats)

Disposition: The Board granted the joint Motion for Continuation, 4-0. The Protest Hearing is now scheduled for May 29, 2013 at 2:30 pm.

Protest Hearing

4:00 PM

Case # 13-PRO-00004
Amduffy, LLC, t/a Duffy's Irish Restaurant
2106 Vermont Ave NW
License #72539
Retailer CT
ANC 1B
Substantial Change (Sidewalk Café for Approx. 40 seats)

Disposition: 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, APRIL 24, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of Application for Entertainment Endorsement. ***Approved Hours of Operation:*** Sunday through Thursday 11:00 am - 2:00 am; Friday and Saturday 11:00 am - 3:00 am. ***Approved Hours of Alcoholic Beverage Sales/Service:*** Sunday through Thursday 11:00 am - 1:30 am; Friday and Saturday 11:00 am - 2:30 am. ***Proposed Hours of Live Entertainment:*** Sunday through Thursday 8:00 pm - 1:30 am; Friday and Saturday 8:00 pm - 3:00 am. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No conflict with Settlement Agreement. ANC 1C. SMD 1C07. ***Meze***, 2437 18th Street NW Retailer CR01, Lic.#: 60347.
Decision: Referred to Legal, 3-0.
2. Review of Letter dated April 5, 2013 from Christopher Nwaeze requesting reconsideration of Board's denial of request for reconsideration (Request for License was withdrawn after Protest filed). ***Hush Restaurant and Lounge***, 2121 New York Avenue NE Retailer CT03, Lic.#: 89332.
Decision: Denied, 3-0.
3. Review of request dated October 18, 2012 for an amendment to a Settlement Agreement dated October 15, 2012 by and between Boomerang Boat Tours, LLC and Advisory Neighborhood Commission 6D (Additional boat). ***Boomerang Boat Tours, LLC***, 600 Water Street SW Retailer CX, Lic.#: 90816.
Decision: Approved, 3-0.
4. Review of Application for Sidewalk Cafe Endorsement. ***Approved Hours of Operation and Approved Hours of Alcoholic Beverage Sales/Service:*** Sunday 12:00 pm - 2:00 am; Monday through Thursday 4:00 pm - 2:00 pm; Friday 4:00 pm - 3:00 am; Saturday 12:00 pm - 3:00 am. ***Approved Hours of Live Entertainment:*** Sunday through Thursday 9:30 pm - 1:45 am; Friday and Saturday 6:00 pm - 2:30 am. ***Proposed Hours of Operation for Sidewalk Café:*** Sunday 12:00 pm - 2:00 am; Monday through Thursday 3:00 pm - 2:00 pm; Friday 3:00 pm - 3:00 am; Saturday 12:00 pm - 3:00 am. ***Proposed Hours of Alcoholic Beverage Sales/Service for Sidewalk Café:*** Sunday 12:00 pm - 1:45 am; Monday through Thursday 4:00 pm - 1:45 pm; Friday 4:00 pm - 2:45 am; Saturday 12:00 pm - 2:45 am. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No conflict with Settlement Agreement. ANC 1C. SMD 1C03. ***Millie And Al's Ballances Columbia Restaurant***, 2440 18th Street NW Retailer CR01, Lic.#: 460.
Decision: Placard, 2-1 (Brooks).

5. Review of letter, dated April 8, 2013, from Jackie Greenbaum requesting permission to store records off premises at another location in the District. ***El Chucho-Cocina Superior***, 3313 11th Street NW Retailer CR01, Lic.#: 85471.
Decision: Approved, 3-0.
6. Review of correspondence, dated April 13, 2013, from Ann Gossett requesting for the Board to deny One Day Substantial Change requests from Justin's Café for block parties. ***Justin's Café***, 1025 1st Street SE Retailer CR01, Lic.#: 83690.
Decision: FYI.
7. Review of letter, dated April 10, 2013, from Denis James requesting that the Board deny Habana Village's request to terminate its Settlement Agreement. ***Habana Village***, 1834 Columbia Road NW Retailer CR02, Lic.#: 24197.*
Decision: FYI.
8. Review of letter, dated April 10, 2013, from Denis James requesting that the Board deny The Blaguard's request to terminate its Settlement Agreement. ***The Blaguard***, 2003 18th Street NW Retailer CR01, Lic.#: 86012.*
Decision: FYI.
9. Review of letter, dated April 10, 2013, from Denis James requesting that the Board deny Bistro 18's request to terminate its Settlement Agreement. ***Bistro 18***, 2420 18th Street NW Retailer CR01, Lic.#: 86876.*
Decision: FYI.
10. Review of Petition to Terminate or Amend Settlement Agreement, dated April 8, 2013, for Red Lounge. The Petition was untimely filed and was not submitted with the Renewal Application. ***Red Lounge***, 2013 14th Street NW Retailer CR02, Lic.#: 76011.*
Decision: Referred to Legal, 3-0.
11. Review of Petition to Terminate or Amend Settlement Agreement, dated April 9, 2013, for Sisy's. The Petition was untimely filed and was not submitted with the Renewal Application. ***Sisy's***, 3911 14th Street NW Retailer CR01, Lic.#: 76125.*
Decision: Referred to Legal, 3-0.
12. Review of Settlement Agreement, dated April 9, 2013, between Fresh Fields Whole Foods Market and ANC 2F. ***Fresh Fields Whole Foods Market***, 1440 P Street NW Retailer B, Lic.#: 60167.*
Decision: Approved, 3-0.
13. Review of Settlement Agreement, dated April 10, 2013, between Mothership and ANC 1A. ***Mothership***, 3301 Goergia Avenue NW Retailer CR02, Lic.#: 91237.*
Decision: Approved, 3-0.

14. Review of Settlement Agreement, dated April 3, 2013, between Black Whiskey and ANC 2F.

Black Whiskey, 1410 14th Street NW Retailer CT01, Lic.#: 91434.*

Decision: Approved, 3-0.

*** 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 AGENDA**

**WEDNESDAY, APRIL 24, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of correspondence, dated April 23, 2013, from Sally Marshall requesting permission to accept four cases of wine as a donation from Washington Wholesalers. The donation costs \$311.72. *Washington Wholesale Liquor Company, LLC*, 2800 V Street NE Wholesaler A, Lic.#: 60518.
Decision: Approved, 3-0.
2. Review of Request dated April 11, 2013 from Paul Pascal, Esq., on behalf of a non-resident supplier for approval to provide retailers with an advertisement that is valued at greater than \$500 that, if divided by the number of retailers mentioned in the advertisement, would be valued at less than \$50 each.
Decision: Approved, 3-0.
3. Review of Request dated April 17, 2013 from Premium Distributors of Washington, D.C., Wholesaler A, License No. 060290, for approval to provide retailers with products valued at more than \$50 and less than \$500. *Premium Distributors*, 3500 Fort Lincoln Drive NE Retailer A, Lic.#: 60290.
Decision: Approved, 3-0.
4. Application dated October 5, 2012 for a Full Service Grocery Store, Class B with Tasting Endorsement. Smucker Farms of Lancaster County, LLC T/A Lancaster Farms of Lancaster County, 2118-14th Street, NW. Proposed Hours of Operation and Hours of Alcoholic Beverage Sales/Service: Sunday through Saturday 8:00 am – 12:00 am. ANC 1B, SMD 1B04. *Smucker Farms Of Lancaster County*, 2118 14th Street NW Retailer B, Lic.#: 90945.
Decision: The Board scheduled a Fact Finding Hearing for May 8, 2013 at 10:00 am, 3-0.
5. Review of joint request, dated April 11, 2013, from ANC 3E and Casa Fiesta for an extension of the Petition Deadline. The Placards were posted on March 22, 2013, and the current Petition Deadline is May 6, 2013. *Casa Fiesta II*, 4910 Wisconsin Avenue NW Retailer CR01, Lic.#: 24766.
Decision: Approved, 3-0.
6. Review of Petition to Terminate or Amend Settlement Agreement, dated March 29, 2013, for Bistro 18. *Bistro 18*, 2420 18th Street NW Retailer CR01, Lic.#: 86876.*
Decision: Referred to Legal, 3-0.

7. Review of Correspondence from Fernando Postigo dated April 15, 2013 requesting that the establishment's license be reinstated. Fernando Postigo T/A Sol Mexican Grill, 1251 H Street, NE, ANC 6A, SMD 6A02. ***Sol Mexican Grill***, 1251 H Street NE Retailer CT, Lic.#: 88292.

Decision: Denied, 3-0.

8. Review of correspondence, dated April 19, 2013, from Victor Martinez withdrawing Alero Restaurant's request for an Entertainment Endorsement. ***Alero Restaurant***, 3500 Connecticut Avenue NW Retailer CR01, Lic.#: 13738.

Decision: Approved via Board Order No. 2013-095, 3-0.

9. Review of Motion for Reconsideration, dated April 15, 2013, from Town Square Gourment for Board Order No. 2013-076. ***Town Square Gourmet***, 4418 MacArthur Boulevard NW Retailer A, Lic.#: 78664.

Decision: Untimely filed. Denied, 3-0.

*** 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 AGENDA**

**WEDNESDAY, APRIL 24, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of joint request to postpone the Protest Hearing for Mason Inn, dated April 24, 2013, from Fritz Brogan and the Protestants. *Mason Inn*, 2408 Wisconsin Avenue NW Retailer CT02, Lic.#: 79644.

Decision: Approved, 4-0. The Board scheduled the Protest Hearing for May 29, 2013 at 2:30 pm.

*** 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
CHANGE OF HOURS AGENDA**

**WEDNESDAY, APRIL 24, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. 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: Monday through Saturday 7:00 am - 12:00 am. Proposed Hours of Operation and Proposed Hours of Alcoholic Beverage Sales/Service: Sunday through Saturday 7:00 am - 12:00 am. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No Settlement Agreement. ANC 5C. SMD 5C01. ***NDA Incorporated T/A Stop & Shop Liquors***, 3011 Rhode Island Ave., NE, Retailer's Class A, License No.: 088222.
Decision: Approved, 3-0.

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

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, APRIL 24, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On April 24, 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-00011 Twelve Restaurant & Lounge, 1123 - 1125 H ST NE Retailer C Tavern,
License#: ABRA-076366

Decision: Staff Settlement.

2. Case#13-AUD-00033 Peacock Cafe, 3251 PROSPECT ST NW F Retailer C Restaurant,
License#: ABRA-025832

Decision: Show Cause.

3. Case#13-PRO-00004 Duffy's Irish Restaurant, 2106 VERMONT AVE NW Retailer C Tavern,
License#: ABRA-072539

Decision: FYI – Protest Report.

4. Case#13-AUD-00027 Smith & Wollensky, 1112 19TH ST NW Retailer C Restaurant,
License#: ABRA-060001

Decision: Show Cause.

5. Case#13-AUD-00030 The Cheesecake Factory, 5345 WISCONSIN AVE NW Retailer C
Restaurant, License#: ABRA-014760

Decision: Show Cause.

6. Case#13-AUD-00028 Taberna Del Alabardero, 1776 I ST NW Retailer C Restaurant,
License#: ABRA-013218

Decision: Show Cause.

7. Case#13-CMP-00161 The Rhino-bar & Pumphouse, 3295 M ST NW Retailer C Tavern,
License#: ABRA-000523

Decision: Show Cause.

8. Case#13-AUD-00037 Maddy's Bar and Grille, 1726 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-082036

Decision: Staff Settlement.

9. Case#13-CC-00007 Bier Baron Hotel & Tavern, 1523 22ND ST NW Retailer C Tavern, License#: ABRA-086093

Decision: Sale to Minor Warning Letter.

10. Case#13-AUD-00032 TruOrleans, 400 H ST NE Retailer C Restaurant, License#: ABRA-086210

Decision: Show Cause.

11. Case#13-CC-00009 Black & Orange, 1931 14TH ST NW Retailer C Restaurant, License#: ABRA-088273

Decision: Sale to Minor Warning Letter/Staff Settlement (ABC Manager).

12. Case#13-PRO-00002 Mason Inn, 2408 WISCONSIN AVE NW Retailer C Tavern, License#: ABRA-079644

Decision: FYI – Protest Report.

13. Case#13-AUD-00036 HOT AND JUICY CRAWFISH, 2651 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-086226 (Previously published in the 4/12/13 DC Register)

Decision: Show Cause.

14. Case#13-AUD-00040 Park Hyatt Washington, 1201 24TH ST NW Retailer C Hotel, License#: ABRA-023759 (Previously published in the 4/12/13 DC Register)

Decision: Show Cause.