

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, OCTOBER 2, 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-00105

Hill Country DC, LLC, t/a Hill Country Home Stand
101 Tingey Street SE
License #92452
Retailer CT
ANC 6D
New Application

Disposition: The Board dismissed the Protest of ANC 6D for failure to appear, 4-0.

Protest Hearing (Status)

9:30 AM

Case # 13-PRO-00113

Good Hope Market, LLC, t/a Dollar Plus Store
1429 Good Hope Road SE
License #92680
Retailer A
ANC 8A
New Application

Disposition: The Board dismissed the Group of Five or More for failure to appear and set the Protest Hearing for October 30, 2013 at 1:30 pm, 4-0.

Board's Calendar-October 2, 2013

Protest Hearing (Status)

9:30 AM

Case # 13-PRO-00112

Brilliant, LLC, t/a Flash
645 Florida Ave NW
License #90823
Retailer CT
ANC 1B

Substantial Change (Requesting 24 Hour Operations)

Disposition: The Board dismissed ANC 1B for failure to appear, 4-0.

Show Cause Hearing (Status)

9:30 AM

Case # 13-AUD-00034

Lamaree, Inc., t/a Aroma Indian Restaurant
1919 I Street NW
License #1847
Retailer CR
ANC 2B

Failed to File Quarterly Statements (4th Quarter 2012)

Disposition: The Board accepted an Offer in Compromise : \$2,000 payable within 45 days, 4-0.

Board's Calendar-October 2, 2013

Show Cause Hearing (Status)

Case # 13-AUD-00039

Café Europa, Inc., t/a Panache

1725 Desales Street NW

License #60754

Retailer CR

ANC 2B

Failed to File Quarterly Statements (4th Quarter 2012)

9:30 AM

Disposition: The Board set the matter for a Show Cause Hearing on November 20, 2013 at 4:30 pm, 4-0.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00291

The Propal Group, LLC, t/a Napoleon

1847 Columbia Road NW

License #75836

Retailer CR

ANC 1C

Failed to have a Copy of the Settlement Agreement Available

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

Board's Calendar-October 2, 2013

Show Cause Hearing (Status)

9:30 AM

Case # 13-CMP-00249

Amde Sofenias, t/a Queen Makeda

1917 9th Street NW

License #60510

Retailer CR

ANC 1B

Trade Name Change Without Board Approval

Disposition: The Board set the matter for a Show Cause Hearing on November 20, 2013 at 2:30 pm, 4-0.

Show Cause Hearing (Status)

9:30 AM

Case # 13-CMP-00220

Amde Sofenias, t/a Queen Makeda

1917 9th Street NW

License #60510

Retailer CR

ANC 1B

Failed to Comply With the Terms of Board Order No. 2013-145, Selling Alcohol without a License, Trade Name Change Without Board Approval, No ABC Manager on Duty

Disposition: The Board set the matter for a Show Cause Hearing on November 20, 2013 at 1:30 pm, 4-0.

Board's Calendar-October 2, 2013

Show Cause Hearing (Status)

9:30 AM

Case # 12-AUD-00062

Terfneh Kahsay t/a Salina Restaurant
1936 9th Street NW
License #82969
Retailer CR
ANC 1B

Failed to Qualify as a Restaurant, Failed to Maintain on Premises Three Years of Adequate Books and Records Showing All Sales

Disposition: The Board set the matter for a Show Cause Hearing for November 20, 2013 at 11:00 am, 4-0.

Show Cause Hearing (Status)

9:30 AM

Case # 13-CMP-00121

Mad Hatter CT Avenue, LLC, t/a Mad Hatter
1321 Connecticut Ave NW
License #82646
Retailer CT
ANC 2B

Operating After Hours

Disposition: The Board accepted an Offer in Compromise: \$1,500 fine payable within seven days, 4-0.

Fact Finding Hearing

9:30 AM

Sheldon Arpad t/a Come to Eat
3222 O Street NW
License #85370
Retailer CR

Update from Licensee regarding the Fact Finding Hearing that was held on June 19, 2013

Disposition: The Licensee acknowledged that the license will be cancelled if it is not sold on or before December 19, 2013.

Board's Calendar-October 2, 2013

Fact Finding Hearing*

9:30 AM

Meridian Pint

3400 11th Street NW

License No. 80606

ANC 1A

One Day Substantial Change Application (Meridian Pint Festival)

Date of Event: October 5, 2013

Disposition: The Board approved the Application for a One Day Substantial Change, 4-0.

Show Cause Hearing **

10:00 AM

Case # 12-CMP-00698

KHP Corporation, t/a Lee's Liquor

2339 Pennsylvania Ave SE

License #26650

Retailer A

ANC 7B

Sold Go-Cups, Violation of Settlement Agreement

Disposition: The Board held a closed meeting pursuant to the Open Meetings Act and will issue an order within 90 days.

BOARD RECESS AT 12:00 PM

Public Hearing*

1:00 PM

Proposed Moratorium for 14th & U Streets NW

Disposition: The Board denied the SDCA petition for a rulemaking to impose a moratorium on the issuance of liquor licenses for 14th & U Sts NW, 5-0.

Board's Calendar-October 2, 2013

Show Cause Hearing**

1:30 PM

Case # 12-CMP-00603

LMW, LLC, t/a Little Miss Whiskey's Golden Dollar
1104 H Street NE
License #79090
Retailer CT
ANC 6A

Participated in a Pub Crawl Without Board Approval, Violation of Settlement Agreement

Disposition: The Board held a closed meeting pursuant to the Open Meetings Act and will issue an Order within 90 days, 5-0.

Fact Finding Hearing*

3:30 PM

Edger L. Cunningham t/a G Spot Tavern
5413 Georgia Ave NW
License #85208
Retailer CT
ANC 4D
License in Safekeeping

Disposition: The Board continued the Fact Finding Hearing to October 24, 2013 at 1:30 pm.

Board's Calendar-October 2, 2013

Show Cause Hearing**

4:30 PM

Case # 13-CMP-00206 and # 12-CMP-00631

Amde Sofenias, t/a Queen Makeda
1917 9th Street NW
License #60510
Retailer CR
ANC 1B

Served Alcoholic Beverages Without a Valid License, Trade Name Change Without Board Approval, Failed to Maintain Books and Records, Substantial Change In Operation Without Board Approval (Trade Name), Failed to Post the Correct Name, Failed to File Quarterly Statements (2nd Quarter 2012), Failed to Maintain Books and Records

Case No. 13-CMP-00206 was continued from September 18, 2013, and Case No. 12-CMP-00631 was continued from September 25, 2013.

Disposition: The Board held a closed meeting pursuant to the Open Meetings Act and will issue an Order within 90 days.

Protest Hearing

5:30 PM

Case # 13-PRO-00087

MH Owner, LLC, t/a The Graham
1075 Thomas Jefferson Street NW
License #89867
Retailer CH
ANC 2E

Renewal Application

Disposition: The Board cancelled the hearing due to the withdrawal of the Protest.

***The public hearings listed above were not published in the D.C. Register.**

****The Board will hold a closed meeting for purposes of deliberating these hearings pursuant to D.C. Official Code §2-574(b)(13).**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
AGENDA

WEDNESDAY, OCTOBER 2, 2013 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Application for Class CR License. ANC 1A. SMD 1A01. **La Dulce Noche**, 3566 14th Street, NW.
Decision: Placard, 4-0-0.
2. Review Request to Change License Class from CT to CR. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. Conflict with Settlement Agreement. ANC 2B. SMD2B08. **Chupacabra**, 822 H Street NE, Retailer CT, Lic#: 92662.
Decision: Approved, 4-0-0.
3. Review Request to Withdraw Application for Entertainment Endorsement. No pending enforcement matters. No outstanding fines/citations. Existing protest. ANC 6A. SMD 6A01. **Sahra Hookah Lounge**, 1200 H Street NE, Retailer CT, Lic#: 87558.
Decision: Approved, 4-0-0.
4. Review Change of Hours Application to Change Hours of Operation and Alcoholic Beverage Sales Consumption. Requesting to open one (1) hour earlier. Approved Hours of Operation, Alcoholic Beverage Sales and Consumption: Sunday-Thursday 11am to 2am. Friday-Saturday 11am to 3am. Proposed Change of Hours of Operation, Alcoholic Beverage Sales and Consumption: Sunday-Thursday 10am to 2am. Friday and Saturday 10am to 3am. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No Conflict with Settlement Agreement. ANC. SMD. **Ben's Next Door**, 1211 U Street NW, Retailer CT, License#: 77567.
Decision: Approved, 4-0-0.
5. Review Change of Hours Application to Change Hours of Operation and Alcoholic Beverage Sales and Consumption. **Approved Hours of Operation, Alcoholic Beverage Sales and Consumption:** Sunday-Thursday 8am to 11pm. Friday and Saturday 8am to 12am. **Proposed Change of Hours of Operation:** Sunday-Thursday 8am to 2am. Friday and Saturday 8am to 3am. **Proposed Change of Hours of Sales and Consumption:** Sunday-Thursday 10am to 2am. Friday-Saturday 10am to 3am. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No Conflict with Settlement Agreement. ANC 2B. SMD2B08. **Bar Charley's**, 1825 18th Street NW, Retailer CR. Lic#: 92461.
Decision: Placard, 4-0-0.

6. Review of Request for Reinstatement of Application to Terminate the Settlement Agreement, filed by Protest from Reed Landry and Kin Jun Sung of Prospect Dining, LLC. **George**, 3251 Prospect Street NW, Retailer CR, Lic#: 078058.
Decision: Denied, 3-1-0 (Miller).
7. Review of Opposition of Request for Reinstatement of Application to Terminate the Settlement Agreement, filed by Edward L. Emes, Protestant. **George**, 3251 Prospect Street NW, Retailer CR, Lic#: 078058.
Decision: Moot.
8. Review of Motion for Reconsideration for Dismissal of Protest of Group of Five or More from Edward L. Emes. **George**, 3251 Prospect Street NW, Retailer CR, Lic#: 078058.
Decision: Moot.
9. Review of Motion for Reconsideration for Dismissal of Protest of Group of Five or More filed by Virginia Radley Emes. **George**, 3251 Prospect Street NW, Retailer CR, Lic#: 078058.
Decision: Moot.
10. Review of Request for Waiver of Mediation from Carol L. O’Riordan, Counsel for Group of Eight Concerned Property Owners. **JP’s**, 2412 Wisconsin Avenue NW, Retailer CN, Lic#: 008511. *Application for a Substantial Change 13-PRO-00108*
Decision: Approved, 3-1-1 (Jones, Alberti).
11. Review Request for Waiver of Mediation from ANC Commissioner Jackie Blumenthal ANC 3B. **JP’s**, 2412 Wisconsin Avenue NW, Retailer CN, Lic#: 008511. *Application for a Substantial Change 13-PRO-00108*
Decision: Approved, 3-1-1 (Jones, Alberti).
12. Review of Request for Waiver of Mediation from Paul Kadlick of BJ’s Enterprise, Inc. **JP’s**, 2412 Wisconsin Avenue NW, Retailer CN, Lic#: 008511. *Application for a Substantial Change 13-PRO-00108*
Decision: Approved, 3-1-1 (Jones, Alberti).
13. Review of Request dated August 23, 2013 from Crown Imports, LLC, for Board approval to provide Retailers with products valued at more than \$50 and less than \$500.
Decision: Approved, 5-0-0.
14. Review of Settlement Agreement between Group of Five or More and The Ghibellina. **The Ghibellina**, 1610 14th Street NW, Retailer CT, Lic#: 088785.
Decision: Approved, 5-0-0.
15. Review of Settlement Agreement between ANC 6D and The Sequoia Presidential Yacht Group. **The Sequoia Presidential Yacht**, 600 Water Street SW, Retailer CX, Lic#: 090850.
Decision: Approved with Modifications, 5-0-0.

16. Review of Settlement Agreement between Abigail Nichols and Lillian Gaskins and National Tap House. **National Tap House**, 1331 Connecticut Avenue NW, Retailer CT, Lic#: 092156.

Decision: Approved with Modifications, 5-0-0.

17. Review of Settlement Agreement between ANC 6C and Indigo. **Indigo**, 243 K Street NE, Retailer CT, Lic#: 092792.

Decision: Approved with Modifications, 5-0-0.

*** In accordance with D.C. Official Code §2-574(b) Open Meetings Act, 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 EMERGENCY MEETING
SUPPLEMENTAL AGENDA**

**WEDNESDAY, OCTOBER 2, 2013 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review Request to Expand Service to Second Floor. ANC 1B. SMD 1B01. *Lincoln Theater*, 1215 U Street NW, Retailer CX Multipurpose, Lic#: 93202. *
Decision: Approved, 5-0-0.
2. Review Updated Information Regarding Determination of New Full-Service Grocery with a Retailer DR Restaurant on Premises. *Little Red Fox*, 5035 Connecticut Avenue NW, Retailer B Lic#: 92834.*
Decision: Placard, 5-0-0.
3. Review of Request for Waiver of Mediation from Milton J. Grossman counsel for the Glover Park Citizens Association. *JP's*, 2412 Wisconsin Avenue NW, Retailer CN, Lic#: 008511. *Application for a Substantial Change 13-PRO-00108 and October 2, 2013 Agenda Items 10-12.**
Decision: Approved, 3-1-1 (Jones, Alberti).
4. Review of Opposition to Request for Reinstatement of Application to Terminate Settlement Agreement filed by Jennifer Altemus, Representative for ANC 2E and Citizens Association of Georgetown. *George*, 3251 Prospect Street NW, Retailer CR, Lic#: 078058. *October 2, 2013 Agenda Items 6-9.***
Decision: Moot.
5. Review of the Response of Opposition of Request for Reinstatement from Reed Landry and Ki Jun Sung of Prospect Dining. *George*, 3251 Prospect Street NW, Retailer CR, Lic#: 078058. *October 2, 2013 Agenda Items 6-9.***
Decision: Moot.
6. Review of Consent Motion for Continuance of Show Cause Hearings. *Queen Makeda*, 1917 9th Street NW, Retailer CR, Lic#: 60510.*
Decision: Set for hearing on November 20, 2013. Case #13-CMP-0206 is set for 1:30 pm and Case #13-CMP-0249 is set for 2:30 pm.

*These items are deemed to be urgent and are excepted under the requirements of the Open Meetings act pursuant to D.C. Official Code §2-575(4).

** In accordance D.C. Official Code §2-574(b) Open Meetings Act, 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
SECOND SUPPLEMENTAL AGENDA

WEDNESDAY, OCTOBER 2, 2013 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of Petition for Reconsideration dated August 5, 2013, of Board Order No. 2013-293, from Watergate West Cooperative. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*
Decision: Denied, 5-0-0.
2. Review of Petition for Reinstatement filed by Dr. Patricia D. Kellogg. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*
Decision: Denied, 5-0-0.
3. Review of Petition for Reinstatement filed by Victoria Jennings. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*
Decision: Denied, 5-0-0.
4. Review of Petition for Reinstatement filed by June Walsh. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*
Decision: Denied, 5-0-0.
5. Review of Petition for Reinstatement filed by William Schneider. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*
Decision: Denied, 5-0-0.
6. Review of Petition for Reinstatement filed by Herbert Goda. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*
Decision: Denied, 5-0-0.
7. Review of Petition for Reinstatement filed by Robert Burney. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*
Decision: Denied, 5-0-0.
8. Review of Petition for Reinstatement filed by Kathleen Burney. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*
Decision: Denied, 5-0-0.

9. Review of Response in Opposition to Motion for Reconsideration dated August 12, 2013 for Stephen O'Brien, Counsel for Watergate Hotel. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*
Decision: FYI.

10. Review of Reply in Support of Petition for Reconsideration dated August 15, 2013 from Stephen H. Marcus, Counsel for the Petitioners. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*
Decision: FYI.

11. Review of Response in Opposition to Petitions for Reinstatement dated August 26, 2013 from Stephen J. O'Brien Counsel for the Watergate Hotel. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*
Decision: FYI.

***Originally published on the August 16, 2013 ABRA Agenda.**

***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
INVESTIGATIVE AGENDA**

**WEDNESDAY, OCTOBER 2, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On October 2, 2013 at 4:00 pm, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section §2-574(b) (14) of the Open Meetings Act, 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-00101 The Looking Glass Lounge at Temperance Hall, 3634 GEORGIA AVE NW Retailer C Tavern, License#: ABRA-074765

Decision: Staff Settlement.

2. Case#13-CMP-00357 Queen Makeda, 1917 9TH ST NW Retailer C Restaurant, License#: ABRA-060510

Decision: Show Cause.

3. Case#13-CC-00083 Busboys & Poets, 1390 V ST NW 111 Retailer C Restaurant, License#: ABRA-071220

Decision: STM Warning Letter.

4. Case#13-251-00095 Chads Friendship Heights, 5247 WISCONSIN AVE NW 000C1 Retailer C Tavern, License#: ABRA-025546

Decision: No Further Action

5. Case#13-CMP-00356 McKinley Market, 321 T ST NE Retailer B Retail - Grocery, License#: ABRA-083044

Decision: Books and Records: Mandatory Warning.

6. Case#13-CMP-00354 Optimism, 3301 12TH ST NE Retailer C Tavern, License#: ABRA-083552

Decision: No ABC Manager: Discretionary Warning/Books and Records: Mandatory Warning.

7. Case#13-CC-00100 DC Reynolds, 3628 GEORGIA AVE NW Retailer C Tavern, License#: ABRA-087045

Decision: Staff Settlement.

8. Case#13-CMP-00359 NY NY Diva, 2406 - 2408 18th ST NW Retailer C Restaurant,
License#: ABRA-092380

Decision: Staff Settlement.

9. Case#13-CMP-00380 Federal Lounge, 2477 18TH ST NW Retailer C Tavern, License#:
ABRA-091249

Decision: Manager to Carry License: Mandatory Warning/Operating Sidewalk Café: Staff Settlement.

10. Unlicensed Establishment, 508 Florida Avenue, NW

Decision: Send to Office of Attorney General for Criminal Investigation.

11. Case#13-PRO-00087 The Graham/A.G.B., 1075 THOMAS JEFFERSON ST NW Retailer C
Hotel, License#: ABRA-089867

Decision: FYI.