

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

<u>In the Matter of:</u>	)	
	)	
Sunshine Bar & Lounge, LLC	)	
t/a Sunshine Bar & Lounge	)	
	)	
Application for Renewal of a	)	Case No. 13-PRO-00022
Retailer's Class CR License	)	License No. ABRA-085239
	)	Order No. 2013-332
at premises	)	
7331 Georgia Avenue, N.W.	)	
Washington, D.C. 20012	)	
	)	

Sunshine Bar & Lounge, LLC, t/a Sunshine Bar & Lounge (Applicant)

Sarah Green, Chairperson, Advisory Neighborhood Commission (ANC) 4B

**BEFORE:** Nick Alberti, Acting Chairman  
Donald Brooks, Member  
Herman Jones, Member  
Mike Silverstein, Member

**ORDER GRANTING ANC 4B PETITION FOR RECONSIDERATION**

The Application filed by Sunshine Bar & Lounge, LLC, t/a Sunshine Bar & Lounge, for renewal of its Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on June 3, 2013, in accordance with D.C. Official Code § 25-601 (2001).

On June 3, 2013, the Board dismissed the ANC 4B, because neither a signed resolution nor a protest letter was filed by ANC 4B. *See* Board Order No. 2013-262.

On June 14, 2013, Chairperson Sara Green, on behalf of the ANC 4B, filed a Petition for Reconsideration indicating that the omission of a signed protest letter was due to an inadvertent clerical error. It is ANC 4B's practice to submit its protest via email to Board staff. The protest contains both the Commission's signed letter and its adopted resolution. ANC 4B's staff believed that on April 24, 2013 he emailed both the signed letter and the resolution to ABRA staff. ANC 4B staff received an email confirming receipt of the document by ABRA, so he presumed the protest submission was complete.

During the Roll Call Hearing held on June 3, 2013, Chairperson Green learned that the Commission's signed protest letter was not received by ABRA. ANC 4B argues that

**Sunshine Bar & Lounge, LLC**  
**t/a Sunshine Bar & Lounge**  
**Case No. 13-PRO-00022**  
**License No. ABRA-085239**  
**Page 2**

inadvertent clerical errors by its staff should not override an official action by an elected body representing its constituents.

Based upon the above, the Board finds that the ANC 4B adopted a resolution, dated April 22, 2013, during a public meeting with a quorum present to protest the Licensee's Application and that the resolution was timely filed. Therefore, the Board finds that the ANC 4B's explanation constitutes good cause to reinstate ANC 4B as a Protestant pursuant to 23 D.C.M.R. 1602.3.

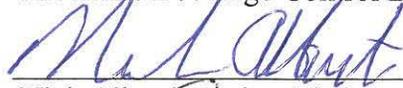
### **ORDER**

For these reasons, the Board does hereby, this 17<sup>th</sup> day of July, 2013, **REINSTATE** ANC 4B as Protestant of the Application filed by Sunshine Bar & Lounge, LLC, t/a Sunshine Bar & Lounge, for renewal of its Retailer's Class CR License.

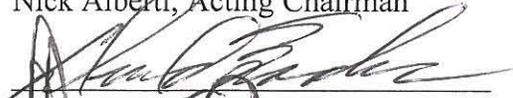
Copies of this Order shall be sent to the Applicant and ANC 4B.

Sunshine Bar & Lounge, LLC  
t/a Sunshine Bar & Lounge  
Case No. 13-PRO-00022  
License No. ABRA-085239  
Page 3

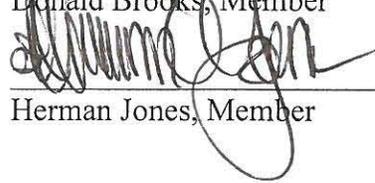
District of Columbia  
Alcoholic Beverage Control Board



Nick Alberti, Acting Chairman



Donald Brooks, Member



Herman Jones, Member

Mike Silverstein, Member

Pursuant to D.C. Official Code § 25-433, any Party adversely affected by this Order may file a Motion for Reconsideration within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, D.C. 20009.